

PREAMBLE TO MY REPORT

PARAGRAPH 1.3 - PURPOSE OF THE PLAN

The 'Permitted Assumption'

P1. Paragraph 1.3 of the introduction to the Plan sets out the basis on which the Plan has been prepared. The Plan has been prepared for the period to 2006 to conform with the Structure Plan Review 1996-2011 (SPR). The 'permitted assumption' made by the Council is in accordance with Section 46(6) of the Town and Country Planning Act 1990 (as amended) that the SPR has been adopted.

P2. During the inquiry, a number of objectors challenged the legitimacy of this approach in connection with the plan's housing strategy and its strategic gap policies. The objectors argue that the 'permitted assumption' should not have been made because it conflicts with the advice in paragraph 4.15 of PPG12. [The objectors supporting this view include the House Builders' Federation (445), Boyer Planning (294), Laing Homes (298), Felham Homes (362), Southern Planning Practice (371) and David Wilson Homes (439)].

P3. The Council responded to the objectors' criticism in Topic Paper 3 (CD/66) with supplementary comments in FBC/H/4/7/B. In essence, the Council's view is that the argument is academic because as a matter of fact the assumption has been made. Once made it applies "for all purposes" of the plan preparation and even if there is a conflict with advice in PPG12 this does not alter the legal effect of the permitted assumption. The assumption continues to be that the deposit SPR has been adopted. The Council does not accept its actions make it susceptible to judicial review as has been suggested by one objector and, in any event, it is not a matter for the Local Plan.

P4. I have carefully considered the objectors' concerns and arguments and the Council's response. I note that Hampshire County Council's certificate of conformity, dated 24 March 1997, did not criticise the basis on which the Local Plan Review (LPR) was prepared. Moreover, while the publication of modifications to the SPR were reported as being 'imminent' and 'anticipated' by a number of objectors during the 6 months of the inquiry, they were still awaited at its close. The Council's approach, namely, that it would be wrong to anticipate the eventual form of any modifications in the preparation of the Fareham Borough Local Plan Review, in fact, were vindicated. It seems to me that the Council's decision to await the modifications of the SPR and then take them on board in an early review of the LPR when the implications for Fareham are known is an appropriate response and represents a sensible way forward in the circumstances under which the LPR has had to be prepared.

P5. If as has been alleged the Council's use of the permitted assumption was flawed, and I should stress that I take no view on that as a proposition, I agree with the Council that it is not a matter for the Local Plan nor for my consideration. Accordingly, for purposes of this report I intend to accept the Council's use of the permitted assumption that the deposit SPR has been adopted.

CHAPTER 1 - INTRODUCTION

1.0 PARAGRAPH 1.3 - PURPOSE OF THE PLAN

Objection:

0860/5001: Portsmouth City Council

Issue:

1.1 Whether the timing of the Fareham Local Plan Review (LPR) is premature before the publication of modifications to the emerging Structure Plan Review (SPR).

Conclusions:

1.2 As one of the 3 strategic authorities responsible for the SPR the City Council is concerned that the LPR reflects any emerging modifications to the SPR. In particular the objector would like the plan to take account of regional planning guidance in terms of the strategic housing provision and major development areas. The objector refers to the recommendations set out in the Examination in Public (EiP) Report (CD/8) which was published in May 1997.

1.3 The alleged failure of the LPR to follow the recommendations of the EiP Report, so far as they relate to Fareham, is a recurrent theme running through a number of objections to the LPR. Accordingly, it will be necessary for me to revisit the topic on a number of occasions during the course of this report.

1.4 The Council has a statutory duty to prepare a district wide local plan (see paragraph 1.1 of the LPR). The period of the adopted LP ran up to the end of 1996 and the review of that plan was started in 1995. I will deal with the strategic housing requirement in greater detail below in Chapter 6. The situation at the close of the Inquiry is that the strategic authorities have yet to agree how the recommendations of the EiP will affect the constituent district and unitary authorities within Hampshire. The Council acknowledges that any modifications to the emerging SPR could have significant implications for Fareham. However, any modifications to the SPR, once agreed, will need to be published with an opportunity to comment given to the wider public. Only when that process is complete will the constituent districts know how they will be expected to contribute to the wider objectives of the SPR.

1.5 The Council's response to this situation is that it would be premature to pre-empt consideration of the EiP Report by the strategic planning authorities. Moreover because of the scale of increase in the number of dwellings which the report recommended for Fareham (2000 additional dwellings, including a major development area, between 1996 and 2011), the Council anticipates a high level of public interest which could lead to a significant delay if incorporated into the LPR. The Council has therefore decided to proceed with the LPR on the basis of the deposited SPR and move to an alteration of the LPR at a later date when the SPR is finalised. Any review will deal with a limited range of issues. This approach will be quicker and assist in maintaining the supply of housing land.

1.6 Given the delay in agreement between the constituent authorities within the County which is already apparent in considering the EiP's recommendations, I find the Council's approach to be a sensible one given the difficult and uncertain circumstances of the emerging SPR.

1.7 The objector suggests that the Council's approach will not provide certainty and will undermine the objectives of the plan led system, which is advocated in Planning Policy Guidance (PPG) 1. The City Council recommends that the LPR should be amended to accommodate the known strategic requirements. However, in a situation where much of the uncertainty derives from the SPR procedures, I do not find that the incorporation of the EiP Report recommendations ahead of the adoption of the SPR would be either sensible or appropriate. I agree with the Council that, given the intense public interest in the strategic housing allocation within Hampshire, it would be unlikely either to hasten the LPR process or remove uncertainty.

RECOMMENDATION:

1.8 That no modification be made to the Plan in response to this objection.

1.9 PARAGRAPH 1.17 - FORMAT OF THE PLAN

Pre-Inquiry Changes:

Paragraph 1.17 is amended by PIC/IN/1 and F/PIC/IN/1/A by F/PIC/IN/3/A.

Counter-Objection to PIC/IN/1:

0445/5024: House Builders Federation

Counter-Objection to PIC/IN/3:

0445/5025: House Builders Federation

Issues:

1.10 Whether the Plan is factually incorrect because it consists of 2 parts only; whether the Appendices should be treated as formally part of the Plan; whether, if Appendices 11 and 12 are to be part of the Plan, they should be included as separate chapters and not as appendices.

Conclusions:

1.11 Following **counter objections** (0445) to PIC/IN/1 and PIC/IN/3 the Council confirm, through further Pre-inquiry Change F/PIC/IN/1/A that the Plan will consist of 2 statutory elements, namely, the Written Statement and the Proposals Map. An additional sentence is proposed to be added to paragraph 1.17, which explains that background and supplementary guidance appears in the Plan's Appendices. Similarly, a change is proposed which will place the Glossary and Index (Appendices 11 and 12) within the Written Statement (F/PIC/IN/3/A). I support the further changes, which clarify the status of the Written Statement and its Appendices.

RECOMMENDATION:

1.12 Modify the plan as follows:

- (A) **At Paragraph 1.17:**
 - (i) **Insert the word "statutory" between the words "two" and "elements" in the first sentence; AND**
 - (ii) **add a further sentence as follows:**
“Background information and supplementary guidance is contained in the Appendices which are appended to the Written Statement but are not formally part of the Plan” (F/PIC/IN/1/A)
- (B) **Move the Glossary and the Index (Appendices 11 and 12) from the Appendices to the end of the Written Statement. (F/PIC/IN/3/A)**

1.13 PARAGRAPH 1.19 - WRITTEN STATEMENT

Objections:

0320/5001: Stubbs, Mr Richard
 0334/5001: Government Office for the South East

Pre-Inquiry Change:

Paragraph 1.19 is amended by PIC/IN/2.

Issues:

- 1.14 (i) Whether the term "do not adversely affect" where used in some policies should be replaced by PPG1 terminology;
- (ii) whether those policies, which refer to sites being "safeguarded from development", would be improved by having the general approach explained in the Introduction and proposed uses identified in each policy.

Conclusions:

1.15 The term "adversely affect" is unqualified. PPG1 refers to "demonstrable harm" (para 40). Whilst harm arising from a development proposal is, generally, required to be significant or serious in order to carry weight, that might not always be the case. Assessment of harm or injury would need to be judged in the context of each case. It is conceivable that a series of "slight" injuries within a policy could add up to significant or material injury when looked at a whole. It is not necessary for a policy to repeat PPG wording. Although the word "harm" would be shorter and as effective, in my view the term is sufficiently clear to convey its meaning to the reader and does not require further qualification.

1.16 The policies which safeguard sites from development already specify the proposed land use as under Policy H1 (housing), or CF2 (education). However, the Council agrees that an amendment to the text of this paragraph could clarify how the policies will be interpreted. I support the proposed change (PIC/IN/2) which explains that some policies seek to safeguard sites from permanent development so that they are available for future specific land use, such as public open space.

RECOMMENDATION:

- 1.17 Modify the Plan by amending the text of Paragraph 1.19 as set out in PIC/IN/2, BUT otherwise make no further modification in response to these objections.**

1.18 PARAGRAPH 1.21 - WRITTEN STATEMENT**Objection:**

0320/5002: Stubbs, Mr Richard

Issue:

- 1.19 Whether some policies in the Plan are too inflexible thus preventing exceptions due to "other material considerations".

Conclusions:

1.20 I agree with the Council that if the Plan's policies are to be effective they must be framed in clear language. Paragraphs 1.4 and 1.21 of the Plan explain how applications for development will be determined under Section 54A of the Principal Act. Flexibility is provided under the Act in that there may be instances where other material considerations could outweigh a development plan policy. That situation is recognised in the wording of this paragraph. I do not find that there is a need to introduce any greater flexibility into the policies of the Plan.

RECOMMENDATION

- 1.21 Make no modification to the Plan in response to this objection.**

1.22 APPENDIX 11 (GLOSSARY)

Objections:

0012/5001: Billett, Mrs R.A.
0300/5009: Warsash Residents' Association
0449/5012: English Heritage

Pre-Inquiry Changes:

Appendix 11 is amended by PIC/A/7/A, PIC/A/7/C-PIC/A/7/E.

Issues:

- 1.23 (i) Whether the term "public access" should be defined;
- (ii) whether the terms "curtilage" and "institution" should be defined;
- (iii) whether the terms "Scheduled Ancient Monument" and "Site of Archaeological Importance" should be defined.

Conclusions:

1.24 The meaning of "institution" is already explained under Classes C2 and D1 of "Use Class" in the Glossary (Appendix 11). The Council accepts that definitions of the remainder of the terms would improve the understanding of the Plan. It proposes changes to the Glossary by including them as additional items. The additions to the Glossary will improve the clarity of the Plan. I therefore support the Council's proposed changes.

RECOMMENDATION

- 1.25 Modify the Appendices to the Plan by adding to the Glossary the definitions of "Curtilage", "Public Access", "Scheduled Ancient Monument" and "Sites of Archaeological Importance" as set out in PIC/A/7/A and PIC/A/7/C-PIC/A/7/E.**

CHAPTER 2 - STRATEGY

2.0 PARAGRAPH 2.7 - STRATEGIC AIMS

Objections:

0007/5001: Sarisbury Building Ltd

0335/5001: Country Landowners Association

0438/5001: Hampshire Wildlife Trust

Issues:

- 2.1 (i) Whether the strategic aims should include a reference to the need to safeguard and support existing businesses and the need to provide employment in rural areas;
- (ii) whether, in addition to the protection of natural resources, reference should be made to their enhancement.

Conclusions:

2.2 The objectives within this chapter deal with general issues, while leaving specific employment objectives to Chapter 9 - Employment. I find this approach to be sensible and logical. The Council's commitment to support existing businesses is set out in paragraph 9.22 of the Plan.

2.3 The district covered by the Plan is not strictly speaking a rural area in that no part of the countryside is more than 2 to 3kms from an urban area. However, a new policy (E9A) dealing with employment in the countryside is proposed in response to objection 0335/5020. This is dealt with in the Employment chapter.

2.4 There is no statutory basis for seeking enhancement of natural resources and wildlife. I accept that if the Plan were to contain strategic objectives, which went beyond what could be required by statute, they are unlikely to be fulfilled. The national objectives of sustainable development include the maintenance and enhancement of the character of the countryside and the **conservation** of its natural resources (PPG7, paragraph 1.4). In the circumstances, it would be unreasonable for the Council to go further than its undertaking to seek the enhancement of natural resources, where appropriate, when determining development proposals.

RECOMMENDATION:

2.5 Make no modification to the Plan in response to these objections.

2.6 PARAGRAPH 2.9 - PATTERN OF FUTURE DEVELOPMENT

Objections:

0356/5001: Brown, Mr Dennis C.

0860/5003: Portsmouth City Council

Issues:

- 2.7 (i) Whether the levels of development, particularly at Knowle and Whiteley, without investments in roads will lead to gridlock on the A27 and M27 thus requiring a total reassessment of the Plan;
- (ii) whether the Plan should take a positive rather than negative stance regarding development within the Borough; in particular, whether the Plan allocates too little land for employment and housing purposes.

Conclusions:

Whether planned levels of development, without investment, will lead to gridlock

2.8 The Plan is required to accommodate local housing needs and the strategic housing requirements of the SPR. The Council's view that the new residential allocations are proposed in locations which should reduce the need to travel and place less reliance on the private motor car is not seriously contested. It is not now national transport policy to seek to meet peak traffic flows or forecast levels of traffic growth, especially in urban areas. The acceptance of congestion as a means of discouraging car use is therefore part of national policy. With these constraints in place I am unable to support this objection (0356).

Employment and housing allocations

2.9 The objector (0860) maintains that no new land for employment use has been identified in addition to that already allocated in the Adopted LP. Thus provision is inadequate in addressing the issue of high levels of commuting between Fareham and Portsmouth. Additional land is required to be allocated to redress the commuting imbalances between the 2 areas and to reduce the number of journeys by car. Moreover, emerging regional guidance identifies south-east Hampshire as a priority area for regeneration; this is especially important due to the decline of the defence industries.

2.10 The Council cites evidence which persuades me that the allocation of additional employment land, of itself, does not result in a reduction in commuting. It points to the major growth areas at Fareham Western Wards, Segensworth and Whiteley which were planned from the 1970's with extensive allocations of employment land for the existing and new population, but where there remains a consistently high level of commuting (some 50%) out of the area for work. This figure has remained broadly the same since early 1971. Despite the generous allocations, therefore, they have not succeeded in redressing the imbalance in commuting. While total employment in the Borough has increased significantly over the period the amount of out commuting to Portsmouth and Southampton has actually increased. Conversely, commuting into Fareham has also increased significantly.

2.11 It would appear from the Council's evidence that the commuting patterns of south Hampshire are complex and difficult to influence. It seems unlikely to be redressed by simply allocating additional employment land. The Council reports that it has experienced low demand for employment land already allocated in the adopted Plan with large areas remaining undeveloped, although there appears to be a marked preference by employers and developers for sites within the M27 corridor. However, as already noted, provision in that favoured location has not, so far, had any significant impact on commuting patterns. Accordingly, I see no basis for allocating additional employment land to reduce inter district commuting.

2.12 The objector's concern that the Plan does not reflect the EiP's recommendations in terms of the allocation of housing land has already been considered above under its objection 860/5001.

RECOMMENDATION:

2.13 Make no modification to the Plan in response to these objections.

2.14 PARAGRAPH 2.10 - PATTERN OF FUTURE DEVELOPMENT

Objection:

0007/5002: Sarisbury Building Ltd

Pre-Inquiry Change:

Paragraph 2.10 is amended by PIC/ST/1.

Counter-Objection to PIC/ST/1:

0007/5022: Sarisbury Building Ltd

Issues:

- 2.15 Whether a definition of 'brownfield sites' is required; and whether the Plan should be clearer about its approach to the redevelopment of existing buildings and sites in the countryside.

Conclusions:

2.16 I support the Council's proposed amendment to the text removing the reference to 'brownfield sites'. The change provides a clearer statement of intent. The amended text refers to making the best use of 'underused and vacant sites and buildings **within the urban area**' (my emphasis). The context here seeks to encourage development within existing urban areas in preference to the countryside, in order to reduce the need to travel and reduce car usage. This approach is in line with the advice set out in PPG13 (paras 1.7 - 1.8). However, I agree with the objector that this paragraph could make it clear that previously developed sites outside the urban area will be subject to countryside policies. I recommend accordingly.

2.17 I do not support the suggested amendment to the text put forward in the **counter objection** (0007/5022) because it adds nothing to its clarity.

RECOMMENDATION:

2.18 Modify Paragraph 2.10 of the Plan :

(A) as set out in Pre-inquiry Change PIC/ST/1;

(B) add a new sentence at the end to the paragraph as follows:
'In support of this strategy previously developed sites outside the urban area will be subject to countryside policies.'

2.19 PARAGRAPH 2.4 - STRATEGY OF THE PLAN (PLAN PERIOD)

Objections:

0264/5001: Winchester City Council
 0294/5001: Boyer Planning Limited
 0300/5003: Warsash Residents' Association
 0318/5001: West, Mr K.
 0424/5001: Chantry Holdings Ltd
 0860/5001: Portsmouth City Council

Issue:

2.20 Whether the end date of the Plan should be rolled forward to 2011 to correspond with that of the emerging SPR.

Conclusions:

2.21 PPG12 (paragraphs 5.16 and 5.17) provides guidance to plan making authorities on the duration of structure and local plans. It advises that structure plans should make provision for development for a period of at least 15 years and, as far as practicable, local plans should run for a period of 10 years from their respective base dates.

2.22 The advantages claimed by objectors for rolling the plan period forward, in the main, relate to the housing allocations, which will eventually be allocated to the county's districts when the SPR is finally adopted. With local and structure plans covering different periods it is common for the plans of different tiers of administration to have different end dates. I note that in 1995 the Council changed the period covered by the draft LPR in 1995 to reflect the phasing provisions of the strategic housing allocations set out in the 1995 draft version of the SPR (1996-2006 and 2006-2011).

2.23 Notwithstanding that the phasing provisions for housing allocations within the SPR have been recommended for deletion by the EiP Report (CD/8), the LPR has been prepared on the basis of the permitted assumption that the SPR has been adopted - see my Preamble to this report. Given the foregoing and the Council's intention to undertake an early review of the LPR once the SPR has been adopted, I see no justification for extending the period of the Plan to 2011. Should the adopted SPR propose a Major Development Area(s) affecting Fareham and an adjoining district, an early review of the LPR will enable joint planning arrangements to be put in place. I see no advantage in such arrangements being anticipated to overcome long lead in times because of the uncertainty of the outcome of the SPR process (0264/5001). The objector's (0300) wish to protect areas vulnerable to development would also be dealt with in an early review of the LPR.

RECOMMENDATION:

2.24 Make no modification to the Plan in response to these objections.

2.25 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (ADDISON ROAD - EAST)

Objection:

0275/5001: Mrs S Golding & Mrs C Woodward

Issue:

2.26 Whether the objection site should be shown within the urban area on the Proposals Map (PM).

Conclusions:

2.27 The site is occupied by a pair of semi-detached dwellings at the northern end of Addison Road, on its eastern side. At this point Addison Road is an unadopted, unmetalled private road. The site is bound to the north and east by open land. To the west is an open area used as a garden. To the south is an area of medium density public housing. The site is separated from the development to the south by an access road leading to a recreation ground. The layout and density of development on the objection site is at a lower density and, consequently, it has a more open layout than that to the south; thus the southern boundary of the objection site marks a distinct change in character north and south of the access way. The urban area boundary, as drawn on the PM, defines this change in character. I find that the boundary here to be correctly drawn and see no reason to change it in response to this objection.

RECOMMENDATION:

2.28 Make no modification to the Plan in response to this objection.

2.29 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (ADDISON ROAD - WEST)

Objection:

0275/5002: Mrs S Golding & Mrs C Woodward

Issue:

2.30 Whether the objection site should be shown within the urban area on the PM.

Conclusions:

2.31 The objection site comprises an area of open land, used as a garden, located at the northern end of Addison Road, which at this part is unmetalled. To the south are the plots of 2 semi-detached dwellings; to the

north and west the land is open and semi-rural in character.

2.32 The urban area boundary on the PM runs to the south of the objection site. To the south, Addison Road is characterised by suburban type residential development. In my view the urban area boundary is appropriately drawn here in delineating a distinct change in character between the semi-rural, open land to the north and the suburban housing to the south. Therefore, I see no reason to amend the line of the boundary.

RECOMMENDATION:

2.33 Make no modification to the Plan in response to this objection.

2.34 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (OSLANDS LANE)

Objection:

0377/5001: Mr & Mrs A Goddard

Pre-Inquiry Change:

The Proposals Map is amended by PIC/PM/6.

Issue:

2.35 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.36 The objection site includes a car park and open land to the rear and north-east of buildings located at the junction of Oslands Lane with Bridge Road. The car park is used in connection a diving centre which occupies one of the frontage buildings. The boundary of the urban area is shown following the rear of the frontage buildings. The Council propose an amendment which would place the diving centre's car park within the urban area; however, the open land to the north-east of the car park would remain as part of the countryside and local gap.

2.37 Physically and visually the car park relates to the building it serves, which is clearly part of the frontage development along this stretch of Bridge Street. Accordingly, I find the proposed amendment would provide a logical boundary to the urban area.

2.38 The remainder of the objection site, however, consisting of open land between the car park and Oslands Lane contains a small pond fed by a stream. This part of the site is semi-rural in character and is within a local gap between the settlements of Lower Swanwick and Sarisbury. I find it is appropriate that this part of the site should be excluded from the urban area since it recognises its open, semi-rural character and the function the site performs in providing separation between the 2 named settlements.

RECOMMENDATION:

2.39 Modify the Proposals Map as shown on PIC/PM/6 (Map ST/6).

2.40 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (SEGENSWORTH ROAD)

Objection:

0293/5001: Motor Crown Petroleum Limited

Issues:

2.41 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.42 The objection site is a triangular plot of open land abutting the south-eastern arc of the heavily trafficked Segensworth roundabout on the A27. The site, about 0.5ha in area, is covered in rough grass; a row of trees on the southern boundary, along the former Segensworth Road, are protected by a Tree Preservation Order. The objection site is the only parcel of land adjoining the roundabout remaining undeveloped. It lies to the north of a long finger of largely open land which extends southwards for a distance of about 2km to Kites Croft/Lambert's Coppice where it joins the wider countryside surrounding Titchfield village. This 'green finger' is identified on the PM as a local gap/countryside protected under Policy C2 (proposed to be changed to C2B). The northern section of the 'green finger' contains a nursery/market garden and large plots of neglected and overgrown grassland with a number of sporadic buildings, including dwellings.

2.43 The status of the site in terms of whether it should be within the urban area or countryside cannot reasonably be considered separately from the local gap issue. Since, if the site were not important or relevant in local gap terms, it would be difficult to justify its exclusion from the urban area. Within the borough wide context I have concluded that the local gap policy is one which the Council should retain-see Chapter 3 below (paras 3.108-3.114).

2.44 In 1991, an Inspector, in considering objections to the countryside notation in the LP expressed doubts about the value of including the objection site within the countryside notation. Notwithstanding these reservations the site retains that notation in the adopted LP. Moreover, the Council has been largely successful in resisting development of the northern part of 'green finger' with some 5 appeals having been dismissed between 1988 and 1992, including 2 involving enforcement action. Two of the most recent appeals related to the objection site. In dismissing the appeals the Inspectors identified keeping the 'green finger' or countryside free of development as important in preventing coalescence of the built-up area in this locality.

2.45 Despite its general neglect and lack of inherent landscape value the open land of this northern section of the 'green finger' provides a distinctive lung of open land contrasting and separating the built development against which it is juxtaposed on this important northern approach to the town centre of Fareham. In my view, the 'green finger' justifies its local gap/countryside notation in maintaining the separation between the settlements of Segensworth and Locks Heath. It is subject to pressure on all sides. I see it as a narrow lung of open land, which is highly vulnerable to development pressure; if that pressure is not resisted it will result in coalescence of the 2 settlements. The objection site, both visually and physically, is integral with the finger of open land of which it forms part. Accordingly, I find the inclusion of the site within the local gap/countryside notation is appropriate. It follows that I would not support the inclusion of the site within the urban area. This could lead to the erosion of the local gap to the detriment of the policy that seeks to maintain the separation of the 2 settlement areas.

RECOMMENDATION:

2.46 Make no modification to the Plan in response to this objection.

2.47 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (SITE B, CROFTON AVENUE)

Objection:

0472/5015: Defence Estates Organisation (Lands) South (2)

Further Change:

The Proposals Map is amended by FC/ST/3.

Issue:

2.48 Whether the site should be included within the urban area boundary on the PM.

Conclusions:

2.49 The site is a triangular parcel of open land, occupying a prominent position at the junction of Crofton Avenue with Stubbington Lane. Detached dwellings occupy the adjoining plots to the north and west. However, from the north in Stubbington Lane there are attractive views across the site and the Solent beyond to the Isle of Wight. This public viewpoint is worthy of protection. The open character of the site is also recognised by its inclusion within the strategic gap. I consider it appropriate, therefore, to maintain the site within the countryside and the strategic gap. However, the Council acknowledges that the boundary of the urban area shown on the PM does not correctly show the western boundary of site B as it relates to the adjoining detached dwelling "Holly Lodge". Accordingly, an amendment to the PM is proposed (FC/ST/3) to rectify this drafting error.

RECOMMENDATION:

2.50 Modify the Proposals Map as shown on Further Change FC/ST/3 (Map ST/9), BUT otherwise make no further modification to the Plan in response to this objection.

2.51 PARAGRAPH 2.10 URBAN AREA BOUNDARY ISSUES (BARNES LANE)

Objection:

0327/5001: Mr R. Bales

Issue:

2.52 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.53 The objection site is a backland plot to the rear of dwellings fronting Barnes Lane. It is roughly triangular in shape and well screened from public views. Access to the site is currently via an unmade track located between Nos. 159 and 165, Barnes Lane. Two detached dwellings (nos. 161 and 163, Barnes Lane) are located, again on backland plots, to the north-west of the objection site.

2.54 The urban area boundary, as presently defined, includes the frontage plots on the west side of Barnes Lane as far south as no 159. The boundary extends westwards to include a plot, which has the benefit of a planning permission for residential development (92/1336/VC); it then runs northwards on the line of Bramble Lane following dwelling plot boundaries.

2.55 I find that the urban area boundary as drawn here appropriately incorporates the substantially built up frontage of Barnes Lane while excluding the looser backland and frontage development to the south and west; this embraces the objection site where the countryside characteristics of openness and vegetation predominate over built development.

2.56 I have noted the planning history of objection site, as well as the possible alternative access through the grounds of No 157 Barnes Lane and the proposed siting of any dwelling on the site, but these aspects do not, and should not, affect the line of the urban area boundary.

RECOMMENDATION:

2.57 Make no modification to the Proposals Map in response to this objection.

2.58 PARAGRAPH 2.10 URBAN AREA BOUNDARY ISSUES (BRIDGE ROAD, LOWER

SWANWICK)**Objection:**

0322/5001: Mr M. Peagram

Issues:

2.59 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.60 The objection site comprises the large garden area at the rear of no 246 Bridge Road. The urban area boundary, as currently drawn, appears to cut across the plot on the line of the rear boundary of the adjoining semi-detached dwelling, no 244 Bridge Road.

2.61 There is a noticeable change in the character and density of the frontage development, on Bridge Street, south-east of the Swan Close development. To the west of the latter, the development is quite compact and urban in character. However, from no 246 eastwards the frontage development becomes more spacious and less distinctly urban in character.

2.62 The openness of the objection site is evident when viewed from Bridge Road, but this is more obvious from the rear when looking across the site from Oslands Lane. The open character of the site, particularly when viewed from Oslands Lane, relates more closely to the semi-rural character of the valley than to the denser estate development in Swan Close. Development of the objection site would have the distinct disadvantage of extending the rearward development to that at Swan Close. The latter already extends well beyond the existing frontage development. I consider that any extension of that depth of development would unacceptably encroach into, and undermine, the open setting of this part Lower Swanwick. Equally, it would seriously harm the countryside and the local gap objectives of the Plan.

RECOMMENDATION:

2.63 Make no modification to the Plan in response to this objection.

2.64 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (BRIDGE STREET, TITCHFIELD)

Objection:

0373/5001: Mr and Mrs Fielder

Further Change:

The Proposals Map is amended by FC/ST/2.

Issue:

2.65 Whether the objection site should be included within the urban area on the PM.

Conclusions:

2.66 The objection site relates to a number of dwellings and open land situated on the southern side of Bridge Street including a short section of Coach Hill; the open land comprises a paddock and a bowling green.

2.67 The Council proposes a further change (FC/ST/2) to the urban area boundary which would include within it all of the existing dwellings on the south side of Bridge Street, including part of Coach Hill up to no 6a. That is the whole of the plots of nos. 5-9 Bridge Street and the frontage parts of the plots to the west of no 5 Bridge Street. As a consequence of the proposed change the land brought within the urban area boundary would

be excluded from the Strategic Gap and Area of Special Landscape Character notations. The proposed change would not affect any part of the open land within the objection site to the east of no 9 Bridge Street.

2.68 The proposed change recognises the existing built up character of this southern frontage of Bridge Street and Coach Hill within this part of the village. Although the objection site lies within the Titchfield Conservation Area I do not see this as providing support for the objectors' case. There is no natural correlation between urban and conservation area boundaries; indeed, it is not uncommon for the latter to include open land important to the setting of worthy groups of buildings. I support the proposed change to the urban area boundary as better reflecting the built envelope of the village.

2.69 That part of the objection site comprising the paddock and bowling green, in the main, would be screened from Bridge Street by a low wall topped by hedging. Nevertheless, I find that the site contributes in an important way to the open, semi-rural setting of the village and the river valley landscape. Moreover, views are available into the site from the access to the paddock next to no 9 Bridge Street. More important, however, are the views across the site from the well-used public footpath along the eastern bank of the river. This path provides views from the east and from the south. Given these characteristics I am firmly of the view that it is right that the objection site should remain outside the urban area boundary. Retaining the site within the countryside will assist in maintaining an attractive open setting between the village and the river as an integral part of the Strategic Gap and Area of Special Landscape Character.

2.70 The objector has referred to the wish on the part of the bowling club to provide screen planting along their southern boundary. It is acknowledged that planting does not require planning permission. Nevertheless, I agree with the Council that, apart from taking some years to mature, if extensive planting were carried out, it could provide an alien landscape feature within the flood plain of the river. I do not, however, accept that screen planting would justify built development on the site. If that proposition were accepted, it could be repeated too often (para 3.21 of PPG7 refers) resulting in the erosion of the countryside.

2.71 At the inquiry an alternative suggestion was made involving an extension of the line of the objection site's southern boundary westwards to the rear plot boundary of no 1 Gardner Road. I find no merit in this alternative since it carries with it the same serious deficiencies raised by the original objection.

RECOMMENDATION

2.72 Modify the Proposals Map as shown in FC/ST/2 (Map ST/8) and adjust the Strategic Gap and Area of Special Landscape Character notations accordingly.

2.73 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (FAREHAM PARK ROAD)

Objection:

0405/5001: Mr R. Bowman

Pre-Inquiry Changes:

Policy H3 is amended by PIC/H/29.

The Proposals Map is amended by PIC/PM/3/A-B.

Issue:

2.74 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.75 The objection site comprises the plots of 3 detached dwellings on the edge of the built up area at Hill Park. The Council's proposed changes in response to this objection would bring the objection site within the urban area (PIC/PM/3/A-B). In addition it proposes that the site be identified as an Area of Special Residential

Character (ASRC) under Policy H3 of the Plan (PIC/H/29).

2.76 I support the inclusion of this small enclave of low density housing within the urban area boundary. The proposed change recognises the site as being part of the settlement area of Hill Park. I also support the allocation of the site as an Area of Special Residential Character; this recognises its distinctive character with a low density layout of detached dwellings on large plots and mature vegetation. This contrasts with the predominant character of Hill Park, which is generally of significantly higher density consisting of uniform, estate development.

2.77 A **counter objection** (unnumbered) is made to PIC/H/29 on the grounds that the proposed ASRC is not justified because there is little opportunity for development. The objector acknowledges that the area is of a distinctive and different character to the remainder of development in Hill Park. Houses standing in larger than average plots are frequently the objects of proposals to sub-divide. I am not persuaded that that opportunity does not exist here. Accordingly, I do not support the counter objection.

RECOMMENDATION

2.78 Modify the Plan as follows:

- (A) amend the urban area boundary on the Proposals Map as shown on PIC/PM/3 (Map ST/3 - Council's reference PIC/PM/3/A);
- (B) add a new Area of Special Residential Character to the Proposals Map for Fareham Park Road as shown on PIC/PM/3 (Map ST/3 - Council's reference PIC/PM/3/B);
- (C) add a new Area of Special Residential Character to Policy H3 at Fareham Park Road, Fareham as set out in PIC/H/29.

2.79 PARAGRAPH: 2.10 - URBAN AREA BOUNDARY ISSUES (FUNTLEY COURT)

Objection:

0401/5001: Hitchcock Management Services (Guernsey) Ltd

Pre-Inquiry Change:

The Proposals Map is amended by PIC/PM/4.

Counter-Objection to PIC/PM/4:

0381/5071: Fareham Society

Issue:

2.80 Whether the objection site should be shown within the urban area boundary on the PM.

Conclusions:

2.81 The objection site comprises an area of lightly wooded land to the rear of a former school building, which is now used as commercial offices.

2.82 The Council proposes to amend the urban area boundary to meet the objection in recognition of the objection site having the benefit of 2 planning permissions, granted on appeal, for either a place of worship or an office building.

2.83 The Council's proposed change recognises the reality of permissions which are likely to give rise to built development on the objection site within the period of the Plan. I support it for that reason. The denser wooded

area, outside the objection site, to the west will remain in the countryside. The concern of the **counter objector** is that the inclusion of the site within the urban area will lead to erosion of the natural vegetation on the site. That position has already been compromised, to some extent, by the grant of planning permissions. However, I note that those permissions were judged to have minimal effect on the parkland area and views from the immediately surrounding area.

RECOMMENDATION

2.84 Modify the Plan as shown on PIC/PM/4 (Map ST/4).

2.85 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (SPINNAKER, LOWER SWANWICK)

Objection:

0261/5001: Innpreneur Pub Company Ltd

Issue:

2.86 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.87 The objection site is in 2 parts: Area (A) relating to the open land, about 1.2ha in area, to the side and rear of the Spinnaker Public House; and Area (B) relating to large rear gardens of dwellings in Green Lane. The objection site is located close to the Borough boundary and the River Hamble. The public house and the adjoining boatyard form a discrete group of buildings between the river and Swanwick Lane; the latter marks the westward limit of the small settlement of Lower Swanwick. Effective separation between the 2 built up areas is provided by Area (A).

2.88 Although not of outstanding landscape quality Area (A) provides a prominent and important visual break giving relief and contrast to the built development on the north side of Bridge Road. Viewed from the bridge over the River Hamble, about 200m to the west, significant parts of the objection site (Areas A and B) are visible through deciduous trees as a 'green field' site (Area A) and as undeveloped land (Area B) on the side of the river valley. This impression is particularly evident when vegetation is bare of foliage. I find that the objection site makes a very positive contribution to the openness of the river valley; in this respect I place a higher value on it than did the Local Plan Inspector in his report of 1991 (CD/59). In my view that openness should be safeguarded in the interest of protecting the open landscape setting of the river valley. I also find that Area A is worthy of protection in terms of the advice set out in paragraph 25 of PPG17. While a specific open space allocation is not proposed for the site, it seems to me that it is sensible to show the objection site (Areas A and B) within the countryside notation.

2.89 So far as the objector seeks to provide housing and hotel/leisure uses on the site, I find the evidence of need sparse and insufficient to override the positive contribution the site makes to the area in its existing open state. Should the adopted SPR confirm that there is a need for additional residential land in the district it would best be explored through a borough wide assessment in a review of the LP. As for any need for a hotel/leisure use, this should be assessed against the proposed replacement Policy R5A (see Chapter 8 of this report, paras 8.128-8.131).

RECOMMENDATION

2.90 Make no modification to the Plan in response to this objection.

2.91 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (MOODY'S BOATYARD)**Objection:**

0366/5010: A.H. Moody and Sons Ltd

Issue:

2.92 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.93 The objection site is a large boatyard/marina located on the River Hamble and south of the A27. The arguments as to whether the objection site falls within or outside an urban area boundary has continued over a number of years and has been pursued at a number of public inquiries. The basis of the objection is to seek maximum flexibility in its operations to secure the continuing and future prosperity of the company. Moody's is an old established and internationally recognised company.

2.94 The Council identifies part of the dilemma, correctly in my view, as the application of policy to enable boatyard functions consistent with their coastal/riparian locations. Much discussion took place as to the characteristics of the site and which side of the urban area boundary the site should be placed. In that discussion the previous Inspectors' views and national, structure plan and other policies were examined. My view, having carefully considered all of the foregoing, is that the site should be placed in that allocation which is most appropriate to the its **river** location and function. On that basis I am of the view that the site is appropriately allocated within the countryside and coast area on the PM.

2.95 Supporting that allocation, in my view, is the character and appearance of the boatyard/marina. The site extends over some 4.3 ha; buildings cover only a small part. Notwithstanding that much of the site around the buildings consists of hardstanding, the dominant impression, in both summer and winter, is of boats. The dense 'forest' of masts and hulls on the site and around the marina emphasises that impression. In my view, the character and appearance of the site is distinctly of coast and river.

2.96 The distinction between the urban area and countryside/coast on the PM is a tool for applying policy. It is not a record of existing land use. As the introduction to Chapter 3 explains (Paragraph 3.2) "For the purposes of this Plan, the term 'countryside' includes all land outside the Urban Area Boundary including rural areas and the coastal areas". It follows that the countryside and coast allocation will not always display open rural/agriculture or undeveloped coastal characteristics, but indicates where the appropriate policies should be applied.

2.97 It seems to me sensible that the same background policies should apply to all of the boatyards on the Hamble. The objector has argued for consistency with Eastleigh Borough LP in connection with Policy E10 (see para 9.105 below). While I do not regard it as conclusive, it appears that, within that plan (Appendix 2 of P/0366/164, para 8.20), the boatyards on the Hamble in that LP area are allocated within the countryside. Its inclusion within the urban area could, conceivably, give rise to a different approach to the other Hamble boatyards. It could also subvert the importance of the site's coastal location and boatyard use contrary to the objectives of national and SP policies for their continued protection. Here it is relevant to note that within the coastal zone, national guidance (PPG20, para 2.9) supports a restrictive policy towards development that does not require a coastal location.

2.98 The objector was concerned that the allocation within the countryside/coastal allocation would result in development proposals being subjected to a plethora of countryside policies, which would be so restrictive that development on the site would be stifled. In practice, I expect that development proposals would be assessed against Policies E9 (Boatyards) and C7 (Coastal Zone) as dictated by the site's use and location. The objector's fear that a whole raft of additional policies could unreasonably be brought to bear on development proposals at their yards. I cannot comment on that, save to say, the Council are committed to retain existing yards (para 9.52 of LPR, as amended) and will consider proposals for non-water based activities on their merits.

RECOMMENDATION**2.99 Make no modification to the Plan in response to this objection.**

2.100 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (PEEL COMMON)**Objection:**

0381/5062: Fareham Society

Pre-Inquiry Change:

The Proposals Map is amended by PIC/PM/7.

Counter-Objection to PIC/PM/7:

0318/5008: Mr K. West

Issue:

2.101 Whether the objection site should be included within the urban area boundary on the PM.

Conclusions:

2.102 The objection site comprises an area of frontage development on the west side of Newgate Lane (B3385). I agree that the inclusion of this small, discrete area of frontage development is an anomaly within the context of the PM. It is located in a sensitive location within a strategic gap of predominantly open land between the settlement areas of Stubbington and Gosport (Bridgemary). As objections to the LPR in this part of the Borough indicate, the area is subject to considerable development pressure. I therefore support the proposed change to remove an urban area notation from the objection site (PIC/PM/7).

2.103 A **counter objection** (0318) seeks the reinstatement of the objection site within the urban area. I do not support this suggestion since it would re-create the original anomaly. Moreover, I do not find it persuasive to argue that, because the objection site is shown within the urban area in the adopted LP it should remain so. Firstly, that approach would deny the opportunity to review all notations in the light of experience and changing circumstances. Secondly, it is not unusual for such areas to be subsumed within the countryside. There are a number of cases where frontages have been treated in a similar way within the plan area, e.g. at Burridge and Woodcote Lane (to the east). Finally, an urban area allocation could result in more intensive and visually intrusive development in conflict with strategic gap policy.

RECOMMENDATION**2.104 Modify the Plan as proposed under Pre-inquiry Change PIC/PM/7, namely, delete the urban area boundary on the Proposals Map at Peel Common and include the former urban area within the countryside.**

2.105 PARAGRAPH 2.10 - URBAN AREA BOUNDARY ISSUES (TITCHFIELD PARK ROAD)**Objections:**

0400/5001: Miss C. Lequesne

0477/5001: Mr R.A. and Mrs J.Y. Fuger

0478/5001: Mr A. and Mrs P. Hewitt

0479/5001: Mr A.C. and Mrs W.F.E. Saunders

0480/5001: Mrs D. Bass

Further Change:

The Proposals Map is amended by PIC/ST/7.

Issue:

2.106 Whether the objection site should be included within the urban area boundary and local gap on the PM.

Conclusions:

2.107 The objection sites comprise parts of rear gardens of dwellings fronting Titchfield Park Road. The dwellings here have long gardens that extend down to the Brownwich Stream. In the case of objections 0477-0480, a revised boundary is sought on the line of the stream. Under objection 0400, the amendment sought is a variation of that shown on the adopted LP's Proposals Map; this shows a boundary closer to the rear of 24 Titchfield Park Road and 193-199 Segensworth Road (FBC/ST/3/J/1, Plan 1).

2.108 The urban area boundary was disputed at the previous LP Inquiry in 1990. The line shown in the adopted LP, while generally following the Inspector's recommendations on that occasion, has not provided effective guidance. In 1993, an Inspector, when considering two S78 appeals, was of the view that proposed residential development, particularly at the Segensworth Road end, would prejudice the openness and intrinsic landscape qualities of the area and the 'green finger'.

2.109 The Brownwich stream forms the spine of the local gap separating Segensworth and Locks Heath (see para 2.42-2.46). I have already expressed my support for the principle retaining the 'green finger' here. I do not share the objector's (0400) conviction that the area is unlikely to be subject to development pressure. Objections to this LPR suggest otherwise. Due to the long sweep of the rear gardens (in excess of 100m), their openness, the presence of paddocks and mature vegetation, the area has a distinctive, semi-rural character. There is no serious challenge to the principle of a demarcation between the countryside/local gap here; the question is where it should lie in relation to the dwellings on Segensworth Road and Titchfield Park Road. I could not support the line of the stream as a boundary because it could encourage development, destroy the effectiveness of the 'green finger'/local gap and threaten any ecological value the valley of the stream possesses. Given that the adopted LP boundary has created difficulties a change is called for. I suggest a line drawn at a reasonable (rear garden) length from the frontage dwellings while, as far as possible, following recognisable physical features on the ground.

2.110 The Council's proposed change (Map ST/7 refers) meets the foregoing objective. The revision to the boundary follows a projection of the line of the rear plot boundaries (as shown on the 1:1250 OS sheet) of nos. 191 and 197 Segensworth Road, then the rear plot boundaries of 6-22, Titchfield Park Road and thereafter, it turns eastwards, along the joint boundary between nos. 22 and 24 and continues on a line which turns south, about 30m from the main rear wall of no 24, Titchfield Park Road. Additional physical markers, albeit in the form of a general line only, are provided by a double line of oak trees approximating to the rear plot boundaries of nos. 16-22 Titchfield Park Road.

2.111 The Council's proposed change would clearly place the frontage dwellings within the urban area. It also provides for a substantial part of the longest rear gardens to be covered by the countryside notation, reflecting the semi-rural character of these plots and the visual relationship the gardens have with local gap/'green finger'. The local gap notation will need to be adjusted to be coterminous with the revised urban area boundary.

RECOMMENDATION

- 2.112 (A) Modify the Proposals Map as shown in FC/ST/1 (Map/ST/7); AND**
- (B) amend the local gap notation to be coterminous with the revised urban area boundary shown in FC/ST/1 (Map/ST/7).**

2.113 POLICY: NEW - URBAN AREA BOUNDARY**Objection:**

0320/5003: Stubbs, Mr Richard

Issue:

2.114 Whether a new criteria based policy is required which quantifies, defines and justifies the urban area boundary as shown on the PM.

Conclusions:

2.115 Distinction between urban areas and countryside has been made by the Council in order to separate the 2 different approaches to development in principle. I have no reason to doubt the Council's claim that the distinction as shown on the PM is a result of a detailed analysis. It is a review of a differentiation in land use already recognised in the adopted LP. For the most part, the distinction between town and country is self-evident. Where the boundary is disputed, usually on the edges of the urban area, the opportunity for a reassessment is given through the LP process. In my view the act of justifying a boundary between the 2 allocations is not one which lends itself to a criteria based policy.

RECOMMENDATION

2.116 Make no modification to the Plan in response to this objection.

2.117 PARAGRAPH 2.11 - PATTERN OF FUTURE DEVELOPMENT**Objection:**

0021/5002: Reynolds, Mr P.D.
0272/5001: Yates, Michael
0274/5002: Colley, Mrs J.C
0349/5001: Colley, P.R.

Issue:

2.118 Whether the proposed pattern of development is unbalanced in being concentrated in the west.

Conclusions:

2.119 Although new residential development has been allocated across the district, the Council acknowledges that a significant proportion is planned for the western part of the borough. The level of development for which the LPR seeks to provide is laid down by the Structure Plan. The LPR has to seek to balance the provision of the SPR housing requirement while protecting the environment.

2.120 There is no evidence that the Council's stated reasons for adopting this pattern of development is misplaced. The reasons given, namely: consolidating existing settlements, reducing the need to travel and reinforcing the role of District and Local Centres, are sound. They are in line with national guidance, which seeks to ensure development is sustainable, while planning for less travel (PPG13, paras 1.7 and 1.8). Similarly, where existing facilities need to be expanded to make way for development, including schools, shopping, medical and community facilities, there is no evidence that this will not occur either through developer contributions or public provision as appropriate.

2.121 Concern (0272) is expressed for the loss of open land/countryside. Again, I find no evidence that the Plan has not sought to fulfil its objective to re-use under used land in order relieve pressure on the urban fringe and open countryside. Additional housing and employment development is likely to place greater pressure on the already overburdened road infrastructure. However, it is national policy not to invest in roads simply to facilitate

commuting by car to congested urban centres. Within the parameters of national and SPR guidance, therefore, I see no significant fault in the LPR's proposed pattern of development.

RECOMMENDATION

2.122 Make no modification to the Plan in response to these objections

2.123 PARAGRAPH 2.13 - PATTERN OF FUTURE DEVELOPMENT

Objection:

0007/5003: Sarisbury Building Ltd

Issue:

2.124 Whether this section of the Plan should make reference to the need for existing businesses in the countryside to evolve and adapt.

Conclusions:

2.125 I see no reason why detailed policy statements dealing with employment in the countryside should be dealt with in this section of the Plan given that an additional section is proposed for the Employment Chapter 9 dealing with this aspect (see para 9.119 below).

RECOMMENDATION

2.126 Make no modification to the Plan in response to this objection.

2.127 PARAGRAPH 2.15 - CORPORATE AIMS

Objection:

0300/5004: Warsash Residents' Association

Issue:

2.128 Whether the Landscape Assessment document should be added to the list of corporate documents referred to in this section.

Conclusions:

2.129 The Landscape Assessment is a core document (CD/18) for purposes of the Local Plan inquiry, but it is not a corporate document appropriate for inclusion in this section.

RECOMMENDATION

2.130 Make no modification to the Plan in response to this objection.

2.131 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objections/objector	Policy/Para/Map	Change
0381/5063: Fareham Society	Proposals Map (Bath Lane) - Para 2.10	PIC/PM/1
0396/5001: Mr & Mrs Trimmings	Proposals Map (Northfield Park) - Para 2.10	PIC/PM/5 (Map ST/5)
0404/5001: P Lovejoy	Proposals Map (Botley Road) - Para 2.10	PIC/PM/2
0389/5001: Railtrack PLC	Proposals Map (M27 at Park Gate) see also related changes PIC/E/5/A and PIC/PM/42	FC/ST/4

CHAPTER 3 - COUNTRYSIDE, COAST AND NATURE CONSERVATION

3.0 PARAGRAPH 3.1 - GENERAL COMMENTS

Objection:

0117/5001: Solent Protection Society

Issue:

3.1 Whether the term 'adversely affect' should be replaced by 'affect'.

Conclusions:

3.2 The term 'affect' on its own is insufficient; the word needs qualification in that an 'affect' could be either harmful or beneficial.

RECOMMENDATION

3.3 **Make no modification to the Plan in response to this objection.**

3.4 PARAGRAPH 3.3 - OBJECTIVES

Objections:

0007/5004: Sarisbury Building Ltd

0335/5002: Country Landowners Association

0407/5004: Gosport & Fareham Friends of the Earth

0438/5003: Hampshire Wildlife Trust

Pre-Inquiry Change:

Paragraph 3.3 (Objectives) is amended by PIC/C/1

Issues:

- 3.5
- (i) Whether the need to enhance existing developed sites in the countryside or to mitigate their impact should be referred to;
 - (ii) whether the employment and social needs of those living in rural areas need to be recognised;
 - (iii) whether development other than the use of 'brownfield' sites should be resisted;
 - (iv) whether objectives relating to natural resources and urban open space could be improved by reference to enhancement.

Conclusions:

3.6 This issue (i above) is a laudable additional objective, but the planning acts do not provide, except in a few specific cases, for enhancement as part of development. To require enhancement is likely to be an unreasonable burden for a developer, although one would hope that it would be a by-product of any development.

The objector's suggestion to include a reference to 'inappropriate' development is supported by the Council in PIC/C/1. The use of this term begs the question what is 'inappropriate' development in this context? It is not defined. It has a specific meaning in terms of PPG2, which could lead to confusion. In the absence of a definition, which could be less than straightforward, I suggest the word be replaced by 'harmful'. A local plan is concerned with land use, not land management. It would be inappropriate for the plan to **promote** the aims of countryside management. The text is best left as drafted as 'complementing' these aims.

3.7 There are no remote rural areas or rural hamlets within the plan area. No area of the countryside is more than 2-3 kms from a town, district or local centre or employment area. I see no justification for the objectives to be expanded in this way (issue ii above). There is no basis for resisting all development in the countryside apart from that on 'brownfield' sites. Such an approach would be contrary to national, regional and SP guidance (issue iii above). The enhancement of natural resources and urban open space is not a legitimate objective for a local plan. It goes beyond that which is provided for under planning legislation.

RECOMMENDATION

3.8 Modify objective (a), following paragraph 3.3 the Plan to read as follows:

"(a) To protect the countryside, coastal areas and watercourses from harmful development and complement the aims of countryside management." (PIC/C/1 amended)

3.9 PARAGRAPH 3.5 - GOVERNMENT GUIDANCE

Objection:

0300/5006: Warsash Residents' Association

Pre-Inquiry Change:

Paragraph 3.5 is amended by PIC/C/2.

Issue:

3.10 Whether the restraint should be made more emphatic; replacing 'should' by 'will'.

Conclusions:

3.11 This text is a summary of government policy. Accordingly, it should be no more emphatic than national guidance. The latter almost invariably uses the term 'should' rather than 'shall' or 'will' reflecting its advisory role. Unrelated to this objection, however, and by way of clarification the Council proposes a change (PIC/C/2) to correct the title and summarises the aim of PPG7. I support the change which will more accurately reflect the title of the PPG7.

RECOMMENDATION

3.12 Modify paragraph 3.5 of the Plan as set out in Pre-inquiry Change PIC/C/2, BUT otherwise make no further modification to the Plan in response to this objection.

3.13 PARAGRAPH 3.13 - STRATEGIC GUIDANCE

Objection:

0300/5007: Warsash Residents' Association

Issue:

3.14 Whether the word 'normally' should be omitted from the text.

Conclusions:

3.15 The text here is not policy. It is a summary of SP guidance. I find no grounds therefore for omitting the word 'normally'.

RECOMMENDATION**3.16 Make no modification to the Plan in response to this objection.**

3.17 PARAGRAPH 3.14 - STRATEGIC GUIDANCE**Objection:**

0001/5055: Hampshire County Council

Pre-Inquiry Change:

Paragraph 3.14 is amended by PIC/C/3.

Further Changes:

Pre-inquiry Change PIC/C/3 is further amended by FC/C/9

Issue:

3.18 Whether the term 'settlement pattern' should be qualified by the addition of the word 'strategic'; and whether the reference to the Meon Gap should be qualified by the words 'to act as a counterweight in'.

Conclusions:

3.19 The Council agrees that the text would be improved by some further clarification of the function of strategic gaps as they affect the plan area. It proposes changes under PIC/C/3 and FC/C/9 which better explain the objectives and general location of strategic gaps described in Policy G1 of the SPR.

RECOMMENDATION**3.20 Modify the Plan by replacing the first 2 sentences of paragraph 3.14 with the following text:**

'The Structure Plan Review contains policies to protect those areas of the countryside having a particular importance as open and undeveloped land which keep individual settlements separate and distinct. Two strategic gaps are proposed: one between Fareham - Stubbington/Hill Head and Warsash/Locks Heath/Titchfield Common/Segensworth - Whiteley (Policy G1); and one between Fareham - Gosport and Stubbington - Lee-on-Solent (Policy G3). Policy G4 provides for the identification of those open and undeveloped areas which have importance at the local level and which should be identified as local gaps. Policy G6 of the Structure Plan ...' (PIC/C/3 as amended by Further Change FC/C/9)

3.21 PARAGRAPH 3.16 - LANDSCAPE ASSESSMENT**Objection:**

0371/5001: Southern Planning Practice

Pre-Inquiry Change:

Paragraph 3.16 is amended by PIC/C/4.

Issue:

3.22 Whether the Fareham Borough Landscape Assessment (FBLA) provides an adequate basis for Policies C1, C2, C3, C7, C8, DG3, DG4, DG5 and DG6.

Conclusions:

3.23 I find the Fareham Borough Landscape Assessment (CD/18) a helpful and informative document in providing supplementary planning guidance for a number of the policies in the LPR. It was carried out by an independent consultant, steered by officers of the Council and the HCC, in accordance with a well-trying approach and methodology. The latter is an agreed approach, adopted by all District Council's in the county (CD/18, para 1.9). In my view the assessment has been carried out in accordance with the advice set out in PPG7 (paras 2.15 & 4.16). That some policies of the Plan have been prepared drawing on the document is not surprising. Indeed, paragraph 2.15 suggests that the assessment 'may guide change and inform the preparation of development plans'.

3.24 I find the FBLA no different from any rural landscape or townscape assessment which would inform the drawing of boundaries or identify specific character for, say, an AONB, a green belt or conservation area. Any assessment, a combination of objective and subjective analysis, will assist in drawing boundaries for a particular policy area. If a boundary is flawed the local plan process provides the opportunity for the boundary to be challenged and, if justified, amended. I do not see it as necessary that the FBLA, itself, should be **part of** the LP. I see no reason why the FBLA should not be used for development control purposes where it is relevant, although it would not have the status of a DP policy. It would no doubt be a material consideration. The policies, which have evolved from the FBLA, will have been subject to public consultation through the LP process.

3.25 The FBLA was not undertaken with a specific objective of identifying land which is important to the setting of settlements (Policy C1). It would be surprising, however, if any assessment of landscape character were not to provide some background to the consideration of development proposals affecting the urban fringe or setting of settlements. Gaps between settlements (Policy C2) are primarily concerned with the physical and/or visual separation. The policy is not concerned with the character or quality of the landscape.

3.26 It is proposed to replace the ASLQs by Areas of Special Landscape **Character** under a new Policy C3B (PIC/C/22). Accordingly, the reference to ASLQs in Policy C3 and paragraph 3.16 are proposed for deletion (PIC/C/15/E) in the one case and amendment in the other (PIC/C/4). Another related proposed change sets out, in Appendix 1, the name, description and the special features and characteristics of the ASLCs (PIC/A/1). These changes, which I support, will meet a number of the points raised in this objection. It will also bring the policy into line with advice contained in PPG7 (para 4.16). I see no reason why guidance needs to be given on the type of development which would be compatible within an ASLC. In my view Policy C3B is sufficiently clear. Furthermore, I see no inherent weakness in the Council having utilised the boundaries of the landscape assessment, with only minor amendment, unless they are shown to be deficient. Nor do I find it surprising or objectionable that the boundaries of the ASLCs are conterminous with the urban edge in certain cases. Four of the areas are based on the open land along river valleys where urban development has stopped short of the flood plains or, occasionally, encroached into them.

3.27 No assessment can be infallible, particularly where an element of subjectivity is called for. However, I find the criticism that the FBLA does not form an adequate basis for the formulation of policies to be unsubstantiated. The objector fails to demonstrate how the FBLA is inadequate for the purpose of identifying landscape types and character areas or in its recommendations in 3 specific policy areas, namely Areas of Special Landscape Quality (to be renamed ASLCs - see paras 3.175-3.182 & 3.184 below PIC/C/22), Coastal Zones, and Areas of Special Residential Character.

3.28 While there may be argument as to the precise boundaries of given policy areas I am unable to support the objector's criticism that the Meon Valley has no special landscape character worthy of protection. The valley, together with that of the Hamble, are the 2 most important river systems within the plan area. In my view, their importance, prominence and distinctiveness cannot reasonably be doubted.

3.29 Criticism that the policy covering ASLCs are adequately covered by other policies ignores the fact that different policies have different objectives. It is not unusual for policy areas to overlap. I find there is no justification for a recasting of landscape policies beyond the changes already proposed by the Council. Nor do I consider a comprehensive re-examination of the boundaries is justified given that opportunity is provided to seek

detailed amendments through the LP process. I do not see that it is appropriate as part of a landscape assessment to take into account the potential of a particular piece of countryside to accommodate future development. That is scarcely an objective approach. However, such an assessment could well help to determine areas of search should a need for additional development land be proven.

RECOMMENDATION

3.30 Modify the Plan by amending the second sentence of paragraph 3.16 as set out in Pre-inquiry Change PIC/C/4 BUT otherwise make no further modification to the Plan in response to this objection.

3.31 POLICY C1 - PROTECTION OF THE SETTING OF SETTLEMENTS

Objections:

0319/5001: Prima Holdings Ltd
 0320/5004: Mr R. Stubbs
 0331/5001: Charles Church Developments Ltd
 0334/5003: Government Office for the South East
 0445/5001: House Builders Federation

Pre-Inquiry Changes:

Paragraph 3.17 is amended by PIC/C/5.
 Paragraph 3.18 is amended by PIC/C/6.
 Policy C1 is amended by PIC/C/7.
 Paragraph 3.19 is amended by PIC/C/8.

Counter-Objection to PIC/C/7:

0445/5026: House Builders Federation

Issues:

- 3.32 (i) Whether policy C1 is inappropriate and should be deleted; whether, if further housing allocations need to be made during the period of the plan, landscape settings of settlements could be harmed;
- (ii) whether the policy should relate to specific areas important to the setting of settlements;
- (iii) whether the policy is contrary to national guidance.

Conclusions:

3.33 The Council proposes changes (PIC/C/5) to the supporting text of the policy. Paragraph 3.17 is relocated to the section dealing with gaps between settlements (para 3.20) with the omission of the last sentence. The changes provide for a more logical explanation of the gap policies.

3.34 The district has seen a rapid expansion of its urban area since the 1970's. Moreover, the urban fringes of its settlements remain under intense development pressure. In these circumstances, I find a policy which seeks to safeguard the landscape setting of settlements deserving of support. The Council's claim that the residential allocations within the Plan have been made having regard to the setting of settlements is not disputed. Any additional allocations made beyond the period of the Plan would need to be made giving due consideration to the settings of settlements. That prospect does not render the policy unnecessary. It will remain a factor to be taken into account if additional development is required within the plan area in the future.

3.35 In response to an objection 0331, the Council agree that the supporting text is misleading in suggesting that all types of development and land use will be resisted. I support the changes proposed to the text of

paragraphs 3.18 and 3.19 (PIC/C/6 and PIC/C/8) support as clarifying the reasoning for the policy. In response to objection 0334, the Council accepts that the policy should be criteria based. It proposes a change (PIC/C/7) to that effect. However, I see no reason for the policy to identify those areas which are important to the setting of settlements (0331). Each proposal will be judged on its merits against the criteria.

3.36 Policy C1 and the plan's gap policies (C2) deal with different objectives (0445). The first deals with landscape setting and the second, the physical/visual separation between settlements. As such different considerations could apply to development proposals. The changes to paragraphs 3.18 and 3.19 (PIC/C/6 and PIC/C/8) make this distinction clearer.

3.37 A **counter objection** (0445/5026) is made to the proposed changes to Policy C1 with the suggestion that areas which contribute to the setting of settlements be identified on the PM. This is the same issue, in a slightly different form as dealt with in paragraph 3.35 above. It is not supported for the same reason.

RECOMMENDATION

3.38 Modify the Plan as follows:

- (A) delete the last sentence of paragraph 3.17 and relocate the first 2 sentences to the start of paragraph 3.20 (PIC/C/5);
- (B) replace paragraph 3.18 with the text as set out in PIC/C/6;
- (C) amend Policy C1 as set out in PIC/C/7;
- (D) amend paragraph 3.19 as set out in PIC/C/8.

3.39 PARAGRAPH NEW - GAPS BETWEEN SETTLEMENTS (DEVELOPMENT IN THE MEON GAP)

Objection:

0474/5003: Hanson Properties Limited

Issue:

3.40 Whether the text should refer to the appropriateness of single or small groups of buildings.

Conclusions:

3.41 The Council, in response to another objector, proposes to clarify the supporting text in paragraph 3.21 (PIC/C/10). This change explains the type of uses and development which is likely to be appropriate within gaps. It would depend on the proposed use, the size and visual impact of a building(s). It goes some way to meeting this objection, but without commitment in the way suggested. I consider the proposed change goes as far as is reasonable without compromising the objective of strategic gap policy.

RECOMMENDATION

3.42 Make no modification to the Plan in response to this objection.

3.43 PARAGRAPH: NEW - GAPS BETWEEN SETTLEMENTS (STRATEGIC GAPS)

Objection:

0001/5058: Hampshire County Council

Issue:

3.44 Whether a new paragraph is needed to explain that strategic gaps should have at least the timescale of the SPR.

Conclusions:

3.45 The Council acknowledges that it is likely that this section of the Plan will need to be amended in the light of the SPR modifications. If it appears necessary in the light of modifications that a reference to timescale would be helpful, it could be introduced at that time. A reference to the long term protection afforded to the gaps and their intended permanence is referred to in paragraph 165 of the SPR (CD/7). While gaps are not likely to be accorded a permanence associated with green belts (see para 8.24 of CD/8) it is reasonable to assume they will have a life at least as long as the period of that part of the development plan from which they derive. That would be the SPR in the case of strategic gaps and the LPR in the case of local gaps.

RECOMMENDATION

3.46 Make no modification to the Plan in response to this objection.

3.47 PARAGRAPH 3.20 - GAPS BETWEEN SETTLEMENTS

Objection:

0001/5056: Hampshire County Council

Pre-inquiry Changes:

Paragraph 3.20 is also amended by PIC/C/5 and PIC/C/9

Issues:

3.48 Whether the text should make reference to the strategic settlement pattern.

Conclusions:

3.49 I have already commented on, and support, the proposed relocation and amendment of the text of paragraph 3.17 (see para 3.33 above - PIC/C/5). The Council acknowledges that the section in the Plan dealing with gaps may need to be amended in the light of the Panel's Report (CD/8). Nevertheless, I find that the Council's proposed change to paragraph 3.20 would be improved by making reference to strategic and local gaps as they occur within the conurbation. This would substantially meet the County's objection.

RECOMMENDATION

3.50 Modify Paragraph 3.20 of the Plan as set out in Pre-inquiry Changes PIC/C/5 and PIC/C/9, BUT with the following amendment to the first sentence of the change proposed under PIC/C/9:

"In South Hampshire there are areas of predominantly open or undeveloped land which help to define strategic and local settlement patterns within the conurbation. Some of these ..."

3.51 PARAGRAPH 3.21 - GAPS BETWEEN SETTLEMENTS

Objections:

0001/5057: Hampshire County Council 0001/5061: Hampshire County Council

0335/5004: Country Landowners Association

0438/5004: Hampshire Wildlife Trust

Pre-Inquiry Change:

Paragraph 3.21 is amended by PIC/C/10

Issues:

- 3.52 (i) Whether the text accurately reflects the SPR in relation to the description of strategic gaps (Policies G1 and G3); whether the text reflects paragraph 169 of the SPR;
- (ii) whether the needs of existing businesses within gaps should be recognised;
- (iii) whether a commitment to positive management of land within the Meon Gap should be included.

Conclusions:

(i) Relationship to SPR Policies G1 and G3

3.53 The HCC (0001) argues that the text should make clear that a strategic gap should be large enough to act as a counterbalance to the separate urban areas and have sufficient width over a large part of its area to have a rural/open appearance and land use. It should have a degree of permanence similar to green belt.

3.54 The Council's proposed change to the text states that the Plan contains 2 strategic and 6 local gaps. It then goes on to explain the type of development likely to be 'appropriate' within the gaps. This I regard as helpful. It clarifies the objective of the policies and the type of development which is likely to be regarded as 'inappropriate development' in the proposed changes to paragraphs 3.22 and 3.23 (see below). The Plan is clear as to the identity and location of the strategic gaps although their definition remains an issue.

3.55 HCC and, indeed the Panel's report (CD/8), consider that to identify a strategic gap (the Meon Gap) some 6km wide at the coast is excessive. I have also carefully considered the examples of different approaches to gap definition adopted in the county put in by the HCC. The reason given by the Panel in its report for rejecting such a wide gap is that the risk of coalescence is virtually nil (para 8.12). I find that assertion difficult to accept.

3.56 Fareham lies between the 2 major centres of population within this part of the region. Expansion of Southampton and Portsmouth is constrained. Development pressures along the M27/coastal railway link are intense. The New Forest prevents expansion to the west and an Area of Outstanding Natural Beauty and the county boundary limit expansion to the east. In my view pressure can only be directed into Fareham and to the north of the M27 road/rail corridor. Given Fareham's position within the sub-region and the size and dynamics of the conurbation, I do not see a gap of 6km at the coast as being excessive; this should be compared with a width of little more than 1 km at Catisfield. The coast here, moreover, represents the only significant stretch of undeveloped coastline on this side of Southampton Water. It seems entirely appropriate that this stretch of coastline is linked to, and forms part of, the Meon Gap. Indeed the SPR (para 167), rightly in my view, makes reference to this important feature within the sub-region. The SPR (para 161) refers to the "substantial open or undeveloped land which is of fundamental importance in shaping the settlement pattern". I am therefore unable to support the objectors' criticisms.

3.57 Further, a number of objectors recommend that the gap(s) 'include no more land than is necessary to prevent the coalescence and retain the separate identity of settlements'. I am not surprised that the Council has considerable difficulty in deciding what this means in practice. As already mentioned, the width of the gap varies between 6km and 1km. It was drawn to my attention that consultants have been commissioned by the HCC to advise on the boundaries of the gaps. However, I am not persuaded that a gap should be determined by landscape quality (objector 0371/5002) although it could be an important factor in landscape protection. The primary importance is its open, undeveloped character (SPR, para 160). Whereas the study may suggest a different boundary to that shown on the PM, I am not satisfied on the evidence before me that an amendment to the southern section is justified given the SPR's strategic context.

3.58 The HCC's witness, informally, suggested a revision to the boundary, east of the Brownich Stream, but

this would present its own problems. There appears to be no obvious physical feature here which would provide a defensible boundary to the gap. Moreover the main reason for moving the boundary is to provide room for housing development beyond the plan period. The area 'released' by the revision would appear to be poorly related to public transport and employment. The Council's view that the land is also good quality agricultural land was not contested. In terms of sustainable options for additional housing, the area appears not to represent an obvious area of search.

3.59 I see no obvious conflict between the Meon Gap as represented in the LPR when viewed against the SPR Written Statement and Key Diagram. The objector does not refute the Council's view that there is **general** conformity between the 2 plans. The gap extends from the Solent to Knowle. In my view it would be wrong for the Borough Council to seek to anticipate or speculate as to where, eventually, the additional dwellings identified in the Panel's report will be located within the county. Nevertheless, it allows, so far as it was known to the Inquiry, for development requirements set out in the SPR. The Council's view that the definition of the Meon Gap would not act as a significant constraint in providing for housing to meet possible SPR housing requirements 2006-2011 was not seriously challenged. Although it was accepted by the Council that some compromise in relation to other planning objectives, for instance local gap policy, may be necessary. Objection 0001/5061 is substantially met by the Council's redrafting of paragraph 3.21 (PIC/C/12 as amended by FC/C/10) and Policy C1 (PIC/C/7). These deal with land contributing to settlement structure or landscape setting.

(ii) Needs of existing Businesses

3.60 The Council agrees that the text should make reference to appropriate uses within gaps and proposes a clarification of what is likely to be acceptable. The proposed change (PIC/C/10) improves the understanding of the policy. It may not go as far as the objector would like, but it is probably as far as the plan can reasonably go in dealing with existing uses and enterprises without nullifying the objectives of the policy.

(iii) Commitment to Management Policies

3.61 The management of land is not a policy issue. However, the Council's proposed change to the text makes reference to its **encouragement** of appropriate management of the countryside. This is a positive statement of intent which goes part way to meet the objection.

RECOMMENDATION

3.62 Modify the Plan by replacing paragraph 3.21 with that as set out in PIC/C/10.

3.63 PARAGRAPH 3.22 - STRATEGIC GAPS

Objection:

0001/5059: Hampshire County Council

Pre-inquiry Change:

Paragraph 3.22 is amended by PIC/C/12

Further Changes:

Further changes are proposed to Paragraph 3.22 under FC/C/10

Issue:

3.64 Whether a reference to 'protect the strategic settlement pattern' should be included in the text; and whether the strategic background to the Meon Gaps designation and function should be clarified.

Conclusions:

3.65 The Council proposes a major redrafting of this paragraph under PIC/C/12. The changes include references to the concept behind strategic gaps and long-term protection afforded by the policy while describing in greater detail the settlements to be protected against coalescence. The Council also acknowledges that the background to the designation and function of the Meon Gap in the LPR text could usefully be clarified. It therefore proposes Further Changes to the Pre-inquiry Change promoted under PIC/C/12. The further changes emphasise the policy's objective to secure the strategic separation between Southampton, Portsmouth and their related communities, while assisting in retaining the separation of Fareham and its satellite settlements. The changes to the text are an improvement over the original text providing a better explanation and justification for this particular arm of the strategic gap. I support the changes with one exception. I find that the use of the term 'inappropriate development' could usefully be referred back to paragraph 3.21 where examples of 'appropriate' development are given.

RECOMMENDATION

3.66 Modify Paragraph 3.22 of the Plan in accordance with Pre-inquiry Change PIC/C/12 as amended by Further Change FC/C/10 BUT further amend PIC/C/12 by inserting "(see paragraph 3.21)" after the words "inappropriate development" in the penultimate sentence.

3.67 PARAGRAPH 3.23 - GAPS BETWEEN SETTLEMENTS - STRATEGIC GAPS

Objection:

0001/5060: Hampshire County Council

Pre-inquiry Change:

Paragraph 3.23 is amended by PIC/C/13

Further Change:

A further change to PIC/C/13 is proposed under FC/C/11 (see FBC/C/3/A/2)

Issue:

3.68 Whether the reasoned justification for the strategic gap (Stubbington/Gosport) needs further elaboration.

Conclusions:

3.69 This paragraph explains the derivation of the strategic gap policy (Stubbington/Gosport/Fareham/Lee-on-Solent) from the approved SP (Policy C7) and the emerging SPR (Policy G3). With the proviso of the need to explain 'inappropriate development', I prefer the Council's amendment to the text over that suggested by the objector because it provides more detailed background and description to the policy. A further change to the text is proposed by the Council; this specifies the function of the gap in the settlement pattern of the sub-region. The further change improves the explanation of the policy.

RECOMMENDATION

3.70 Modify Paragraph 3.23 of the Plan in accordance with Pre-inquiry Change PIC/C/13 as amended by Further Change FC/C/11.

3.71 POLICY C2- GAPS BETWEEN SETTLEMENTS

Objections:

0001/5054: Hampshire County Council
 0326/5001: Basil Baird (Fareham) Ltd
 0331/5002: Charles Church Developments Ltd
 0371/5002: Southern Planning Practice
 0381/5001: Fareham Society
 0417/5001: British Telecommunications Plc
 0436/5001: Aldenbridge Limited
 0445/5002: House Builders Federation

Pre-inquiry Changes:

Policy C2 is amended by PIC/C/11

Issues:

- 3.72 (i) Whether the policy is inconsistent with the SPR; whether its primary purpose is the protection of the setting of settlements; and whether it should be divided into 2 separate policies;
- (ii) whether the policy reflects Policy G4 of the SPR; whether a distinction should be made between open land and visually enclosed/already developed land;
- (iii) whether the boundaries should be amended to take account of future long-term housing requirements;
- (iv) whether the boundaries include more land than is necessary; whether they should exclude existing and proposed development; and whether the policy should distinguish between local and strategic gaps in terms of importance;
- (v) whether the wording of the policy should reflect the wording of Policy G1 of the SPR;
- (vi) whether the policy is too restrictive;
- (vii) whether the policy fails to distinguish between local and strategic gaps in terms of purpose and time scale.

Conclusions:

(i)&(ii) Relationship with SPR

3.73 The Council anticipates that this section of the Plan may require modification in the light of modifications to the SPR, notwithstanding any proposed changes which it seeks to promote in response to objections to the LPR. The Council proposes to change the policy by dividing it into 2 separate policies. This will distinguish between the strategic and local gap functions (PIC/C/11). The proposed change makes good sense. It helps in clarifying the hierarchy in gap policies. The separation will have the additional advantage in providing justification for local gaps within the context of the local plan area and independently of the SPR. This could be important should the SPR be modified to exclude Policy G4 (local gaps) as recommended by the EiP (Objection 0371/5002 - see also my comments under paras 3.53-3.59). I do not see that the suggested amendment (objection 0326) to the wording of the policies to include **'the amount of open and undeveloped land within the gaps'** adds anything to the meaning or understanding of the policies.

(iii) Long-term housing requirement

3.74 It is a fact that the SPR emphasises the long term importance of strategic gaps (para 165). Nevertheless, the LPR's aim is to provide for the SPR housing requirement up to 2006 (see Chapter 6). Given the uncertainty of the ultimate SPR requirement, it would be neither feasible nor practical to anticipate the final requirement and distribution of housing between the districts and cities under the modified SPR (or indeed beyond 2011). Given that uncertainty I agree with the Council that the boundaries of strategic and local gaps should be defined on the basis of present housing need. As in the case of Policy C1 (see para 3.34), if additional land is required in future, appropriate weight will need to be given to the contribution the land makes to the separation of settlements.

(iv) The gaps include more land than is necessary

3.75 Given the objectives of the policy, it would be neither sensible nor practical to exclude **all** existing development within the gaps. There are examples of ribbon, sporadic or other low-density development within the gap. The exclusion of these features from the gap could undermine their integrity and lead to a greater risk of

coalescence if allowed to consolidate or expand in any significant way. It is a matter of judgement whether the gaps include more land than necessary to maintain separation (see also my comments at paras 3.53-3.59 above). A number of objectors pursue this aspect in relation to particular sites. There is no disagreement that the gaps should exclude sites identified for development under **this** plan where it would detract from the openness of the land. In my view the relative hierarchy and importance of strategic and local gaps has been clarified by separating the 2 policies (see PIC/C/11) and in the amended supporting text.

(v) The policy should reflect Policy G1 of SPR

3.76 The proposed change to Policy C2 through PIC/C/11 substantially follows the spirit of Policy G1 (strategic gaps between major urban areas) although the Council's caveat as already recorded above (para 3.49) in relation to local gaps is noted. The extent of the Meon gap remains the main area of disagreement (but see my comments at paras 3.53-3.59 above).

(vi) The policy is too restrictive

3.77 This objection has been met by the clarification to the supporting text in paragraph 3.21 as proposed in PIC/C/10.

(vii) The policy fails to distinguish between purpose and timescale

3.78 The proposed separation of the policy (PIC/C/11) will distinguish more effectively between the strategic and local functions. The text does not refer to any intended timescale for the policies. I have already commented on this aspect at paragraph 3.45 above.

RECOMMENDATION

3.79 Modify the Policy C2 of the Plan as set out in Pre-inquiry Change PIC/C/11.

3.80 POLICY C2(A) - GAPS BETWEEN SETTLEMENTS (STRATEGIC GAPS)

Objections:

0380/5002: Mr & Mrs Filkins

0407/5001: Gosport & Fareham Friends of the Earth

0474/5001: Hanson Properties Limited

Issues:

3.81 Whether the strategic gaps include more land than necessary and could cause long term difficulties to enable communities to grow; whether they should be reviewed, but only after the long term development needs of the SPR have been fully addressed; meanwhile, whether consideration should be given to interim boundaries.

Conclusions:

3.82 The Council acknowledges that this section may need amendment in the light of modifications to the SPR. However, the Council's view that additional land to meet the SPR's requirement to 2006 is unnecessary is not disputed by this objector (0474). The final SPR housing requirement and its distribution within the county beyond that period will not be known until any modifications have been finally adopted. In my view it would be wrong to seek to anticipate those modifications. I do not support the provision of interim boundaries. They would have no advantage over boundaries which are subject to review in the normal way through the development plan process.

3.83 Supplementary to the general point, namely, that gaps have been drawn too wide objector 0380 identifies Brownwich Lane in the Meon Gap as a case where it could be reduced, approximately on line to the south of the settlement of Titchfield and north of the objection site. For the reasons already explained (see paras 3.53-3.59) I

do not support the reduction of the gap as defined on the PM. A reduction of the width of the gap here where it is at its narrowest and, arguably, at its most vulnerable would not be a sensible means of protecting this part of the strategic gap from built development.

RECOMMENDATION

3.84 Make no modification to the Plan in response to these objections.

3.85 POLICY C2(A.i) - MEON GAP

Objections:

0001/5001: Hampshire County Council
 0336/5001: Dean Farm Estates Limited
 0365/5001: Mr G Moyse & Marchstone Estates

Pre-inquiry Change

The Proposals Map is to be amended by PIC/PM/10

Counter-Objection :

0381/5072/CO Fareham Society

Issues:

- 3.86 (i) Whether the Meon gap should be redrawn to take account of SPR requirements for the period 2006-2011;
- (ii) whether the Meon gap includes more land than is necessary; whether it should be redrawn in the vicinity of the objection site; whether it should remain undesignated until endorsed by the EiP Panel.

Conclusions:

(i) SPR Requirements 2006-2011

3.87 This point has already been addressed in connection with objection 0001/5057 (paras 3.57-3.63 above). For the same reasons I do not support the criticism that the identification of the gap fails the 4 tests (CD/7, paras 164-165).

(ii) The Meon Gap includes more land than necessary

3.88 The objections (0336 & 0365) relate to the inclusion of an area of farmland, to the east of the Eastleigh/Fareham railway line, within the Meon Gap. A proposed change to the boundary of the gap (PIC/PM/10) showing the eastern boundary following the line of a disused railway meets the objection. A **counter objection** (0381) suggests this line is too far to the west and it should follow the line of the used railway line.

3.89 The strategic gap here is about 500m from the river Meon. Whiteley Lane, about 1.5 km to west, within Winchester, marks the present eastern limit of the substantial employment and residential area of Whiteley. Given the development taking place at Whiteley and that already granted permission at Knowle hospital, a well defined and defensible boundary to maintain the physical separation of settlements either side of the Meon Valley is essential if a coherent strategic settlement pattern is to be maintained. The importance of the Meon valley in the sub-regional settlement structure is in no doubt. Accordingly, I do not find that a gap of this order (about 2km) is overly generous particularly having regard to additional pressures which could arise if the EiP's recommendations for Whiteley and Knowle hospital are pursued.

3.90 The Council's proposed change to the boundary acknowledges a planning permission which has been granted on the abattoir site, to the east of the disused railway. The abattoir site forms only a small part of the otherwise open land within the triangle formed by the divergent railway lines. Nevertheless, the defunct section of railway, which is on embankment, provides a sensible, visually prominent and defensible boundary to this side of the Meon valley gap. I therefore, support the Council's proposed change as being an appropriate, minimal boundary to the notation. There is no provision for the boundary to be endorsed by the EiP Panel.

RECOMMENDATION

3.91 Modify the Proposals Map as shown on PIC/PM/10.

3.92 POLICY C2(Aii) - FAREHAM/STUBBINGTON/LEE-ON-THE-SOLENT/GOSPORT STRATEGIC GAP

Objections:

0472/5011: Defence Estates Organisation (Lands) South (2)
 0472/5013: Defence Estates Organisation (Lands) South (2)
 0472/5014: Defence Estates Organisation (Lands) South (2)

Pre-inquiry change:

The Proposals Map is amended by PIM/PM/11.

Further Change:

Amend the urban area and strategic gap boundaries, Crofton Avenue, Stubbington (FC/ST/3)

Issues:

- 3.93 (i) Whether the undeveloped land within the western part of HMS Collingwood should be shown within the strategic gap on the PM;
- (ii) whether the playing fields to the south-east of HMS Collingwood should be shown within the strategic gap on the PM;
- (iii) whether sites A and B on Crofton Lane should be within the strategic gap on the PM.

Conclusions:

(i) HMS Collingwood Land

3.94 The Council's proposed change (PIC/PM/11) to the gap to exclude the parcel of open land within the (north-west) extensive HMS Collingwood site is a sensible change given the physical and visual boundary represented by the site's security fence and tree planting.

(ii) Playing Fields

3.95 The playing fields are located on the opposite side of Newgate Lane to the HMS Collingwood site. The site forms part of the important and well-defined strategic gap separating Gosport from Stubbington. The area is subject to intense development pressures; indeed, the whole wedge of open land of which the playing fields form part is the subject of objection to the LP seeking residential allocation of the land. Given the importance of the site within this narrow and vulnerable arm of the strategic gap, I do not support its deletion from the strategic gap notation. Nor do I support the objector's suggestion that a re-aligned Newgate Lane be used as the boundary of the strategic gap. The proposed road as yet has no physical boundary on the ground. Thus it would be less satisfactory than the present boundary. More importantly, however, would be the loss of the sense of physical and visual separation between the 2 settlements if the new road were to be developed up to its eastern flank.

3.96 While on the face of it the omission of the public open space (POS) site to the north-east of the objection

land appears to be an anomaly I note that it was excluded from the strategic gap in the adopted LP. Moreover, it is a narrow salient of open land bounded on 3 sides by built development which, visually and physically, does not contribute in any significant way to the strategic gap function.

(iii) Sites A and B, Crofton Lane

3.97 Site A forms an area of open, rough grassland with frontages to the Solent foreshore and Stubbington Lane. Together with Site B (see also para 2.49-Chapter 2) the sites provide extensive views over the Solent from Stubbington Lane. Policy G3 of the SPR provides for 'the maintenance of open and undeveloped land in locations which link the undeveloped coast beyond the urban area'. Although both sites are small in terms of the size of the gap at this point, they form an important visual link between the coast and the undeveloped countryside, namely, the open land within the site of Daedalus Airfield. Although extensive, the visual contribution Daedalus makes to the gap is limited by virtue of its security fencing and the built up character of the southern part of the site. In my view, these limitations give a value to the visual and physical contribution which the objection sites make to the gap out of proportion to their size. I find in this instance that the sites are important to the settings of the settlements of Stubbington and Lee-on-Solent in terms of paragraph 169 of the SPR. This arises in a visual and physical sense because of their location at the point where the 2 settlements are in danger of coalescing.

3.98 I have already accepted the need to correct the drafting error on the PM in relation to Site B as proposed under FC/ST/3 (MAP/ST/9 - see paras 2.49 and 2.50 above). This has the effect of moving the strategic gap and the countryside allocations to follow the western boundary of the site. Given that the site is located outside the urban area it would not be appropriate to extend the Area of Special Residential Character notation to include site B.

RECOMMENDATION

3.99 Modify the Proposals Map as shown on PIC/PM/11 BUT otherwise make no further modification in response to these objections.

3.100 PARAGRAPH 3.24 - LOCAL GAPS

Objection:

0001/5062: Hampshire County Council

Pre-inquiry Change:

Paragraph 3.24 is amended by PIC/C/14

Further Change:

Pre-inquiry Change PIC/C/14 is proposed for Further Change by FC/C/12

Issue:

3.101 Whether local gaps should be designated to preserve the landscape setting of settlements.

Conclusions:

3.102 The Council accepts that the objective in designating local gaps is not to protect the landscape setting of settlements. Accordingly, it proposes a change to the text removing the reference to landscape setting. A further change (FC/C/2) proposes to include a reference to the SPR Policy G4 (local gaps). The latter change re-instates a reference to the enabling Policy in the SPR (see also my comments at para 3.73 above in the event that this policy is not retained in the SPR). The HCC point out that the reference to "smaller settlements" and "other settlements" in the amended text is misleading since it is the "local importance" of the gap which is important. While I agree that it is the "local importance" of the gap which is important, the Council's reference to smaller

settlements does help to distinguish between the major urban areas of the conurbation and the less substantial settlements in the hierarchy. While I prefer the Council's text, I suggest an amendment to better describe the contrast between size of settlements. I also suggest that the reference to "inappropriate" development should be cross-referenced to the explanation set out in paragraph 3.21 (as amended by PIC/C/10) of the LPR.

RECOMMENDATION

3.103 Modify Paragraph 3.24 of the Plan to read as follows:

'In addition to the strategic gaps between the major urban areas of Southampton and Portsmouth, there are other gaps of more local importance between less substantial settlements. There has already been partial or total coalescence of some settlements and the local gaps will be protected from inappropriate development (see paragraph 3.21) in order to maintain the separate identity of the smaller settlements. Policy G4 of the Structure Plan Review provides the strategic basis for the identification of local gaps where individual settlements would lose their separate identity if allowed to coalesce. The local gaps include predominantly open and undeveloped land, in a variety of uses including agriculture, horticulture, education, formal parkland, and informal recreation.' (PIC/C/14 and Further Change FC/C/12 - amended).

3.104 POLICY C2(B) - GAPS BETWEEN SETTLEMENTS (LOCAL GAPS)

Objection:

0298/5020: Laing Homes Limited
0322/5003: Mr M Peagram

Issue:

3.105 Whether local gaps can be satisfactorily justified against Policy C8 of the SP; and, whether the local gap policy of the plan should reflect the SPR and the EiP Report.

Conclusions:

3.106 Policy C8 of the SP is aimed at protecting the individual identity of smaller settlements by preventing their coalescence with other settlements. Although Policy G4 of the SPR has been criticised by the EiP report (CD/8) the LPR was prepared on the permitted assumption that the SPR had been adopted. Policy G4 relates to open or undeveloped land between settlements without any reference to their size. The reference to Policy G4 is now made clear in the supporting text (para 3.24) as proposed for amendment (see PIC/C/14 and FC/C/12). Moreover, in my view, there is nothing to prevent a LP justifying a local gap policy based only on the local needs and priorities of the local plan area. I do not see the policy, therefore, as being contrary to the SP or the SPR.

3.107 In my view, the justification and need for both local and strategic gap policy is vividly illustrated by reference to Fig 7 of the FBLA (CD/18) where the majority of urban growth shown on the 1993 map has taken place since the early 1970's. Evidence on the ground confirms that impression. Large swathes of the settlement areas are made up of modern, uniform and often ill-defined estate development. Regrettably, the modern development has too often had the effect of submerging the original historical cores, paid little or no regard to their vernacular architecture and threatens coalescence across the intervening countryside.

3.108 The Council has the choice of permitting the continued coalescence of the Borough's settlements where this has already occurred, or seeking to halt that process with the aim of saving the separation and individuality still remaining. I am in no doubt that, notwithstanding the sometimes less than ideal separation which exists between the district's settlements, the Council's aim in identifying and maintaining local gaps is the correct one for the long term planning of its area. The plan identifies 6 local gaps which will be protected from coalescence. Given the extent of past building, its failure to respect the discrete pattern of settlements and the limited gaps remaining, I do not find the decision by the Council to follow the existing urban edge is either surprising or

objectionable.

3.109 I do not accept that Policy C1 (setting of settlements) and Policy C3 (development in the countryside) will provide the necessary protection to the gaps since the policies have different objectives. One is concerned with the landscape setting while the other could promote built development associated with the countryside which could be damaging to the objective of a local gap.

RECOMMENDATION

3.110 Make no modification to the Plan in response to these objections.

3.111 POLICY C2(B.i) - LOWER SWANWICK - SARISBURY LOCAL GAP

Objections:

0322/5002: Mr M J Peagram
 0330/5001: Mr S G Prince
 0332/5002: Burr ridge Residents' Association
 0381/5066: Fareham Society

Pre-inquiry Change

The Proposals Map is amended by PIC/PM/12

Issues:

- 3.112 (i) Whether Policy C2 has been interpreted too liberally;
 (ii) whether the plan inaccurately interprets Policy C8 of the SP;
 (iii) whether the Local Gap should be extended.

Conclusions:

3.113 The land to the rear of Walpole Lane through to Glen Road (objector 0322) comprises long rear gardens and mainly open land located between the settlements of Lower Swanwick and Sarisbury. The gardens form the north side of a valley to a small stream. The valley floor of the latter is identified as a SINC. In my view this land is clearly within the narrow gap which separates the 2 settlements. It makes a major contribution to the sense of space and separation. Although the gap has been eroded, in part, by the frontage development along Bridge Road, I see no justification for excluding the objection land. To do so is likely to result in erosion of the gap and increase risk of coalescence of the 2 settlements. The view that development of the site could take place without harm to the landscape misses the point of local gap policy, which is to maintain its predominantly open character.

3.114 Policy C8 of the SP (objection (0330) is concerned to prevent the coalescence of smaller settlements with other settlements. It is for the LP to identify those settlements which the LPA considers should be safeguarded from coalescence (see paras 3.73-3.76). In this regard, I see no failure on the part of the LPR to conform with the SP or indeed the SPR. As explained above (paras 3.106-3.109) local gaps are under intense development pressure. In this case the number and extent of objection sites which effectively fill the proposed local gap convince me of the justification for the policy. The development of the objection sites would be more than 'rounding off'; their development would substantially complete the coalescence of the 2 settlements.

3.115 The Council is confident (objection 0332) that the gap does not need to be extended east of Glen Road to Botley Road and the M27. Given the desire not to include any more land than is absolutely necessary I am inclined to accept the Council's assurance that, in the absence of evidence of pressure to develop in that particular area, an extension of the gap is unnecessary.

3.116 The suggestion that the local gap should be extended southwards to meet the Coastal Zone around

Crableck is met in that the Council accepts that the gap notation should relate to physical features on the ground. Nevertheless, I accept that the objectives of the Policies C2 and C7 are different and, accordingly, there is no need for the 2 notations to be coterminous.

RECOMMENDATION

3.117 Modify the southern boundary of the Lower Swanwick - Sarisbury Local Gap on the Proposals Map as shown on PIC/PM/12.

3.118 POLICY C2(B.ii) - SARISBURY - LOCKS HEATH LOCAL GAP

Objection:

0415/5009: Capitec NHS Property Management & Secretary of State for Health

Issue:

3.119 Whether the southern and western parts of Coldeast Hospital site should be included within the local gap.

Conclusions:

3.120 The coalescence of Sarisbury with Locks Heath would be complete if the open land within the hospital site were not protected from development. Coalescence has already taken place along Bridge Road. The EiP report (CD/8) identifies the hospital site as one where additional housing might be located if additional dwellings are provided in this part of the county in accordance with its recommendations. In my view the decision as to how much additional development, where it should be located, and the effect it will have on Fareham's remaining open land and its settlement pattern is one which will need careful consideration in the light of any changes to the SPR as finally adopted. It is my judgement that the width and extent of the local gap is not excessive given the rapid growth in the settlement pattern which has taken place since the 1970's and the intense pressure for development in this part of the district evidenced by the objections to the LPR. I comment on the principle of local gaps at paragraphs 3.106-3.109 above. Meanwhile the importance of this open land and its local gap function justifies its protection pending any review required as a result of an adopted SPR.

RECOMMENDATION

3.121 Make no modification to the Plan in response to this objection.

3.122 POLICY C2(B.iii) - WARSASH - LOCKS HEATH GAP

Objections:

0299/5002: W G Hinton & Sons Ltd (see also Council Proof FBC/C/3/P)

0322/5003: Mr M J Peagram

0374/5002: Mr R C Edwards

Issues:

- 3.123 (i) Whether it is clear if Policy C2 is in conformity with the SP or the emerging SPR; whether the policy is inconsistent with Policy C8 of the SP in that it fails to justify the Warsash-Locks Heath local gap; whether land in the vicinity of Brook Avenue contributes to the maintenance of the gap function;
- (ii) whether the land to the north and south of Greenaway Lane should be excluded from the local gap; whether the designation would constrict uses already on the site and does not provide meaningful visual separation; whether it would artificially constrain the development of

- Warsash;
- (iii) whether the land to the east of Brook Lane should be deleted from the local gap.

Conclusions:

(i) Conformity with the SP, SPR and justification of LG

3.124 My comments on the conformity issue are set out above (see paras 3.106-3.109). The definition of a local gap is a matter of judgement. The westward boundary of the gap has no hard and obvious edge which can be used to define the notation. If the gap is to perform its objective of preventing the coalescence of the 2 settlements, the land to the west of Brook Lane needs to be included in the gap. The character and density of development at the junction of Brook Avenue-north with Brook Lane and Dormy and Vine Closes marks the eastern limit of Locks Heath. The north-west of Warsash is defined by Thornton Avenue. Given these physical markers, I see no realistic or better alternative to the urban edge shown on the PM. Using those boundaries as the northern and southern limit of the gap to the west of Brook Lane I can see no more suitable western boundary to the gap than that shown on the Council's Plan 1 (FBC/C/3/P) which follows plot boundaries between points 'A' and 'B'. It appears to me to provide a minimalist definition to this local gap. I do not support the objector's view that land north of Brook Lane (south) could be excluded without detriment to the integrity of the gap. The objector's suggestions would make for an ill defined and illogical boundary. Its adoption would compound the erosion of a gap which is already compromised by ribbon and sporadic frontage development.

(ii) Land north and south of Greenaway Lane

3.125 The objection land is a swathe of existing and former horticultural land which lies between the settlements of Warsash and the south-west part of Locks Heath. Brooks Lane has sections of frontage development interspersed by gaps providing views through to glasshouses and the mainly open land to the rear. Greenaway Lane roughly bisects the objection land and is semi-rural in character. Although the 2 settlements have coalesced for a short section to the south-east, I see no justification for the exclusion of the objection site. Its development would doubtless destroy any remaining opportunities to prevent the total coalescence of both settlements.

3.126 Examples of the type of development which would be acceptable within gaps are set out in paragraph 3.21 of the LPR as proposed for change (PIC/C/10). Agriculture and horticultural uses, the predominant existing uses within the objection site, would normally be appropriate. I note, too, that significant parts of the site are of the best and most versatile agricultural land which should be protected as a national resource. Admittedly, the visual separation along Brook Lane is piecemeal, but as already discussed above (para 3.108) I do not see this as justifying the abandonment of the policy. Both visual and physical separations are factors in the designation of gaps. Furthermore, visual separation is already strong along Greenaway Lane. The hinterland of the gap is likely to be more evident once the Western Relief Road is complete. I therefore do not support the omission of this important wedge of open land as a local gap.

(iii) Land east of Brook Lane

3.127 There is a supplementary detailed objection in respect of 2 gaps on the east side of Brook Lane (0374). It is argued that these would be capable of development without prejudice to any local gap function of the land to the rear. In my view the objection land provides important 'windows' into the local gap from Brook Lane. The sites contribute to the sense of openness on this side of the gap which has already been seriously compromised by ribbon development. Development of the 2 gaps would further erode the objectives of the gap hereabout. In the interest of preventing further, damaging erosion I do not support this objection.

RECOMMENDATION

3.128 Make no modification to the Plan in response to these objections.

3.129 POLICY C2(B.iv) - SEGENSWORTH - LOCKS HEATH LOCAL GAP

Objection:

0363/5001: N Sibley & Others

0400/5001: Miss C Lequesne

Issues:

- 3.130 (i) Whether the land to the east of the A27 should be excluded from the local gap;
 (ii) whether there is little prospect of coalescence occurring where a SINC and POS cover the same site.

Conclusions:

3.131 I have already confirmed my support for the proposed local gap in considering earlier objections (see paras 2.42-2.45 and 2.107-2.111 above).

3.132 In support of their case the objectors (0363) argue that the whole of the Segensworth/Locks Heath gap would be better allocated for a combination of employment, housing and commercial/leisure land use. The latter makes particular reference to a cinema complex. The Council is satisfied that the Plan allocates adequate land for employment and housing purposes for the period of the Plan. I am provided with no persuasive evidence that the employment/housing allocations in the plan are either inadequate or in the wrong locations; nor that, in terms of sustainability and the transportation implications, they are ill conceived (FBC/C/3/E/1). The provision of leisure facilities would be better located in a town centre well served by a range of means of transport and to add to vitality (PPG13 & PPG6). Overall, therefore, I see no justification for the loss of this local gap/green finger to built development as suggested by these objectors.

3.133 The SINC and POS make up only a small part of the land defined as a local gap/green finger (0400). It is evident from the comments already made above that the development pressures on this local gap is considerable. In my view the existence of the SINC and POS would be insufficient to prevent development and, therefore, loss of the remainder of gap.

RECOMMENDATION

3.134 Make no modification to the Plan in response to these objections.

3.135 POLICY C2(B.v) - WALLINGTON - PORTCHESTER (DOWNEND) LOCAL GAP**Objections:**

0319/5002 : Prima Holdings Limited

0320/5005 : Mr R Stubbs

0384/5001 : Mr M Moyse

0471/5001 : T Hamblen

Issue:

3.136 Whether the local gap is required if there is no risk of coalescence.

Conclusions:

3.137 Originally Portchester was separated from Wallington and Fareham by some 2km of countryside. In the post war period development has taken place on both sides of the A27. On the north side it has stopped just short of making a physical link between the 2 settlements. There is evidence of intense pressure to develop within this wedge of open land as there is around all settlements within the plan area. I am unable to agree with the objectors', therefore, when they say that there is no risk of coalescence of the settlements.

3.138 The land between Fort Wallington, Military Road, Pinks Hill, and the A27 spur (objections 0384 &

0471) is open land which is semi-rural in character and forms not only an important local gap function. It also provides an attractive open setting to the east side of Wallington and to this busy major connection to the M27. The open land, moreover, is visible from footpaths crossing farmland on the eastern side of the A27 spur. In my view, building on this prominent open land alongside one of the most important entrances to Fareham would be visually intrusive and destructive of the continuity of the local gap. Therefore, I do not agree with the objector (0471) that the local gap includes more land than is necessary to maintain the gap function. It is important to maintain the separation between Wallington and Downend to prevent the expansion of the coalescence which has already taken place further south, between the railway and the A27, up to the A27 spur.

RECOMMENDATION

3.139 Make no modification to the Plan in response to these objections.

3.140 POLICY C2(B.vi) - FAREHAM - PORTCHESTER (CAMS/WICOR) LOCAL GAP

Objections:

0375/5002: Borthwicks Plc,
0376/5002: Evergreen Properties Ltd
0468/5001: Bryant Homes,

Issues:

- 3.141 (i) Whether the local gap (LG) policy is contrary to the SP; whether the land lies between any settlements; whether the Coastal Zone already provides adequately protection to the land;
(ii) whether the local gap has been drawn too widely in including land to the east of Birdwood Grove.

Conclusions:

3.142 In my view the LG policy is not contrary to the SP (see para 3.106). The open land to the south of the A27 lies between the settlements of Portchester and Fareham. Diminution in the gap has already occurred, but as I have already made clear I do not see this as justification for the abandonment of the concept (see para 3.108). The policy relating to the Coastal Zone has a different objective to that of local gaps.

3.143 The open land to the east of Birdwood Grove is clearly part of what remains of the gap separating Portchester and Fareham. Whether the LG includes more land than is necessary to maintain separation is a matter of judgement. The Wicor footpath and the public open space provide good access to the area and are well used. The separation function of the land, in both visual and physical terms, is evident from the public vantage points within the area. In my judgement, housing and other development to the north and east has already eroded the local gap to a point where its integrity is seriously threatened. Accordingly, I do not support the objector's assertion that the gap is too widely drawn.

RECOMMENDATION

3.144 Make no modification to the Plan in response to these objections.

3.145 POLICY C2 NEW - HAMBLE GAP

Objections:

0332/5001 : Burr ridge Residents' Association
0381/5067 : Fareham Society

Issues:

- 3.146 (i) Whether a new strategic gap is needed along the River Hamble;
 (ii) whether a new local gap should be provided north of the M27.

Conclusions:

3.147 A new strategic gap along the Hamble from the coast to Botley has not been promoted through the SPR. In the absence of support in the SPR a new strategic gap would not be justified in the LPR.

3.148 I agree with the Council's view that a new local gap is not appropriate north of the M27. Burr ridge is a settlement characterised by ribbon development and is not recognised as an urban area on the PM. In formulating the development plan for Whiteley, considerable thought and planning has gone into preventing its coalescence with Burr ridge. This has been largely successful. I see no justification for further measures to fulfil the same objective.

RECOMMENDATION

3.149 Make no modification in response to these objections.

3.150 PARAGRAPH NEW - GAPS BETWEEN SETTLEMENTS (MEON GAP)**Objection:**

0474/5002 : Hanson Properties Limited

Issue:

3.151 Whether a new paragraph is required stressing that strategic gaps need to be defensible in the long-term.

Conclusions:

3.152 While it may be desirable, in planning terms, to provide long term certainty through the LP process, in practice it may not be possible. Anticipating development needs for more than 10 years ahead becomes increasingly difficult. If additional land is required for development then any search will need to weigh the competing attributes of the land at regional, county and local levels (see also my comments on the same issue at para 3.45 above).

RECOMMENDATION

3.153 Make no modification to the Plan in response to this objection.

3.154 POLICY C3 - DEVELOPMENT IN THE COUNTRYSIDE**Objections:**

0299/5002: W.G. Hinton And Sons Limited
 0326/5002: Basil Baird (Fareham) Ltd
 0330/5002: Mr S G Prince
 0334/5004: Government Office for the South East
 0337/5001: Parkworld Holidays Ltd
 0381/5002: Fareham Society

Pre-Inquiry and Further Changes:

Paragraph 3.26 is amended by FC/C/1

Policy C3(C) is amended by PIC/C/15/B.

Paragraph 3.29 is amended by PIC/C/17.

A new policy and paragraph relating to farm-based diversification are added by PIC/C/20.

Issues:

- 3.155 (i) Whether the policy introduces an inappropriate level of constraint, contrary to PPG7 advice; whether it should provide for housing in sustainable locations;
- (ii) whether the policy allows for the redevelopment of existing buildings in the countryside; whether it should encourage development for leisure use on land near to urban areas;
- (iii) whether the policy should include criteria to deal with applications for agricultural diversification;
- (iv) whether clarification is required for dealing with development within existing planning units within the countryside;
- (v) whether the policy should be linked to Policy C4.

Conclusions:

3.156 PPG7 makes no distinction between development in the open countryside and that close to established settlements. It emphasises that the countryside should be safeguarded for its own sake (para 2.14) and that new development should be strictly controlled (para 3.21). Paragraph 2.10 deals with a **plan led system** for promoting villages and other rural settlements. I see no justification for the policy being split in the way suggested by these objectors (0299 and 0330). The prospect of infilling in the countryside is dealt with in PPG7 (para 3.21).

The Plan deals with this situation in Policy H13. National guidance does not require or encourage limited housing, even in sustainable locations to be built in the countryside **outside areas allocated for development in a development plan** (para 3.21). To do so in this case would fly in the face of the need to protect the countryside for its own sake and to the objectives set out in paragraph 3.26 of LPR. As part of their response to these objections the Council propose a minor change (FC/C/1) to the reasoned justification of the policy. I support the proposed deletion of reference to the SP as unnecessary (penultimate sentence of paragraph 3.26).

3.157 The Council accept that criterion (C) of the policy should include a reference to redevelopment in appropriate circumstances in response to objector 0326 (PIC/C/15/B). Again, I support this change which is in line with the spirit of encouraging rural enterprises and the health of the countryside. In response to the same objection, the Council propose to expand the reasoned justification (para 3.29) to clarify those uses which have an overriding need for a countryside location (PIC/C/17). The change improves the clarity of the reasoned justification underlying the policy. A new, complementary policy R5A (see Chapter 8) is proposed dealing with recreation, leisure and tourist proposals seeking a countryside location. A new policy and supporting reasoned justification dealing with farm diversification is proposed (see para 3.207 below).

3.158 I see no good reason for excluding existing enterprises located within the countryside should be excluded from the objectives of the policy. Each case will need to be considered on its merits. It would not be appropriate to exclude a specific site from the provisions of the policy. Nor would it be unusual, or anomalous, for a development proposal to be considered against more than a single policy.

3.159 The Council propose a change to the policy by the addition of an additional criterion; this provides a cross-reference to Policy C4 (criteria for new buildings permitted under C3-see para 3.168 below). The change improves the clarity of the plan.

RECOMMENDATION

3.160 Modify the Plan as follows:

- (A) **Amend Criterion (C) of Policy C3 as set out in Pre-inquiry Change PIC/C/15/B;**
- (B) **amend paragraph 3.29 of the Plan as set out in Pre-inquiry Change PIC/C/17;**

- (C) amend the penultimate sentence of paragraph 3.26 as set out in further change FC/C/1 so that it reads:

“Policy C3, therefore, restricts development in the countryside and coastal areas to that which would not harm the landscape ...”

3.161 POLICY C3(B) - DEVELOPMENT IN THE COUNTRYSIDE

Objection:

0297/5001: English Sports Council (South)

Pre-Inquiry Changes:

Policy C3(B) is amended by PIC/C/15/A.

Counter-Objection to PIC/15/A:

0360/5012: HGP Planning Consultancy

Issue:

- 3.162 Whether the word ‘substantial’ should be replaced by ‘appropriate’ in Criterion (B) in relation to outdoor recreation use.

Conclusions:

3.163 Under Pre-inquiry Change PIC/C/15/A, the Council propose to delete Criterion (B). In its place it is proposed that recreation in the countryside be covered by a separate policy (R5A) in Chapter 8 (see PIC/R/18). Appropriate recreation would still be covered by criterion (A) whereby uses would have an overriding need to be located in the countryside. Associated buildings would be considered under Policy C4 (new buildings permitted under Policy C3). These would be required to be appropriate in size and in keeping with the surrounding environment.

3.164 A **counter objection** (0360) to PIC/C/15/A suggests that rather than delete Criterion (B) it should be modified to refer to new Policy R5A. I am satisfied that the Council's proposed changes provide an adequate response to this objector's concerns that recreation needing a countryside location is adequately provided for. The main policy dealing with recreation/leisure in the countryside, quite rightly in my view, appears in the Recreation Chapter. The cross-reference sought will now appear in the lower case text of paragraph 3.29 "Other Development in the Countryside" as a result of PIC/C/17.

RECOMMENDATION

- 3.165 Modify Policy C3 of the Plan by deleting Criterion (B) as set out in Pre-inquiry Change PIC/C/15/A.**

3.166 POLICY NEW - AGRICULTURAL BUILDINGS/DEVELOPMENT

Objections:

0334/5002: Government Office for the South East

0381/5004: Fareham Society

Pre-Inquiry Changes:

Policy C3 is amended by PIC/C/15/D
 Paragraph 3.28 is amended by PIC/C/16.
 Paragraph 3.31 is amended by PIC/C/19.

Issues:

- 3.167 (i) Whether a new policy is required for considering applications for agricultural development as suggested in paragraph 3.3 of PPG7;
 (ii) whether a new policy is required to deal with derelict agricultural buildings; and whether a provision is required to deal with the incremental increase in agricultural buildings;

Conclusions:

3.168 I see no reason for a specific policy to deal with the provisions of paragraph 3.3 of PPG7. Policy C3 provides for development required for the essential needs of agriculture and forestry. The Council proposes a new criterion (E) for Policy C3 (PIC/C/15/D) dealing with re-use of existing buildings and new buildings. The new criterion cross refers to Policy C5 (conversion of existing buildings in the countryside), Policy C6 (conversion of existing buildings to residential use) and confirms that new buildings will be assessed against Policy C4. A proposed change (PIC/C/16) to the text of paragraph 3.28 explains the objectives of the new criterion (E), which also confirms that new agricultural dwellings will be considered under Policy H11. In my view this raft of policies provide a very full set of provisions for dealing adequately with this objector's concerns.

3.169 I find the Council's proposed change to the text of paragraph 3.31 (PIC/C/19) deals adequately with the Plan's approach to the re-use of agricultural and forestry buildings. In my view, the objector's concerns, which echo those of PPG7 (paras 3.5- 3.7 and Appendix E), are met by the explanation of the legal position in this section of the Plan. I do not see that a new policy would be justified.

RECOMMENDATION**3.170 Modify the Plan as follows:**

- (A) add a new criterion (E) to Policy C3 as set out in Pre-inquiry Change PIC/C/15/D;
 (B) add to the text of Paragraph 3.28 as set out in Pre-inquiry Change PIC/C/16;
 (C) amend the text of Paragraph 3.31 as set out in Pre-inquiry Change PIC/C/19.

3.171 POLICY: NEW - LANDSCAPE CHARACTER AREAS**Objection:**

0001/5002: Hampshire County Council

Pre-inquiry Changes:

Policy C3(i) is amended by PIC/C/15/E
 Paragraph 3.33 is amended by PIC/C/21
 PIC/C/21 is further amended by F/PIC/C/21/A
 A new policy relating to Areas of Special Landscape Character is added by PIC/C/22
 PIC/C/22 is further amended by PIC/C/22/A
 The Proposals Map is amended by PIC/PM/8
 The Proposals Map is amended by PIC/PM/9
 Appendix 1 is amended by PIC/A/1

Counter objections:

0332/5010: BurrIDGE Residents' Association (PIC/C/21)
0334/5041: Government Office for the South East (PIC/C/22)
0445/5027: House Builders Federation (PIC/C/22)
0891/5004: Countryside Commission (PIC/C/22)
0891/5012: Countryside Commission (PIC/A/1)
0366/5012: A H Moody & Sons Ltd (PIC/PM/8)
0366/5013: A H Moody & Sons Ltd (PIC/PM/9)

Issues:

- 3.172 (i) Whether, in order to conform with Policy E6 of the SPR, a new policy is needed which identifies landscape character areas and establishes criteria to protect, conserve and enhance the areas;
- (ii) whether the new policy is in conformity with Policy E6 of the SPR.

Conclusions:

3.173 The Council's Landscape Assessment (FBLA)(CD/14) divides the Borough up into a series of character areas (14 mainly rural and 25 mainly urban). Within the study the FBLA identified 6 Areas of Special Landscape Quality (ASLQ).

3.174 The HCC is concerned to move away from a subjective and restrictive approach to landscape assessment towards one which is more comprehensive. It is argued that this would reduce the number of local designations, which tend to undermine national designations; and would be in line with national guidance PPG7 (para 4.16).

3.175 In response the Council consider that the ASLQs of the LPR provide a basis for the designation of areas of special landscape character where the emphasis is on distinctive character rather than on relative quality. As part of this reappraisal of the notation the Council propose deleting the reference to ASLQs in Policy C3 (i) (PIC/C/15/E); a complete rewriting of the reasoned justification in paragraph 3.33 has been carried out (PIC/C/21) leading to new policy C3B (PIC/C/22). Finally, Appendix 1 is to be changed deleting the reference to ASLQs while replacing it with the new ASLC notation. The essential features and characteristics identified in the selection/identification of the areas in the FBLA are set out under the respective areas listed in Appendix 1 (PIC/A/1).

3.176 The concerns of the HCC are easier to understand in theory than to put into practice. The interpretation of PPG7 advice is in its infancy. I note that the EiP Report (CD/8, pages 104-106) recommends a different approach to that being pursued by the objector. Policy E6 of the SPR may, therefore, be subject to change. Moreover, there appears to be no example of a local plan within the county which has successfully met HCC's views in dealing, in a comprehensive way, with landscape character assessment. It seems that Hart District have gone part of the way, but its approach is criticised as being too restrictive in the wording of the policy. Against this somewhat confused background I have considered whether the relevant section of the Plan (para 3.3) and the new policy is acceptable in terms of PPG7 advice and Policy E6 of the SPR.

3.177 In essence the objector does not reject the basis for the selection of the 6 ASLCs, but wishes to see the Plan include the remaining 8 rural character areas included in the Plan; it also wants to see criteria based policies to aid development control but without being unduly restrictive.

3.178 While I have considerable sympathy with the county's approach, I am not satisfied that it could be introduced at this stage of the Plan's evolution without significant delay. In the absence of detailed guidance from the HCC it could extend the timetable of any modifications. Given the already poor synchronisation with the SPR, additional delay is unlikely to be acceptable. The options, therefore, are either to recommend the deletion of the policy in its entirety, creating the prospect of non-conformity with the SPR, or to proceed with the approach as proposed in the Council's changes with the possibility of later modification to bring it into line with the SPR. Without down-grading the remainder of the rural landscape areas, recognition of the 6 ASLCs in the Borough context is justified. It would not be acceptable to delay recognition of the importance of the ASLCs within the Borough context pending the working up of a comprehensive, county-wide approach.

3.179 In the absence of firmer guidance from the strategic authority, therefore, I see no need at this stage for a detailed, criteria based policy. The Council's concern that the latter would unduly complicate, confuse and duplicate other policies in the plan is difficult to refute. The revised text of paragraph 3.35 summarises the list of 5 characteristics which local authorities are asked to take into account in responding to Policy E6. These together with features/characteristics contained in Appendix 1 will provide the basis on which applications are assessed.

3.180 On the question of conformity, the reasoned justification to Policy E6 of the SPR requires local plans to adopt a comprehensive approach to landscape character. This has been provided in the FBLA. The protection given to landscape character in the plan (Policies C1, C3, C3B, C7 and DG3A) is admittedly diffused. However, given this raft of policies, together with the assessment of landscape provided in the FBLA it is difficult to conclude that the objectives of Policy E6 are not met.

3.181 I find difficulty in seeing how a policy which is seeking to 'protect, conserve and enhance' (Policy E6) can be other than a restrictive policy, particularly when it is part of a countryside "to be protected for its own sake". However, if the HCC's real concern is that emerging policies are **overly** restrictive then this could be a distinction which is creating difficulty for local authorities in interpreting the SPR policy.

3.182 However, I do find that the first part of the final sentence, as proposed for change, namely: 'Although Policy C3B will not be used to resist development, in accordance with other policies of the Plan' is unclear when read in conjunction with the preceding sentence and could be misleading. In my view the text of the proposed change would be clearer if this part of the sentence were omitted. I recommend accordingly.

Counter objections

3.183 **Counter objection** 0332 (PIC/C/21) is to the word 'appropriate' not being defined. The Council accept the point and propose a further change (F/PIC/C/21/A) to delete the word 'appropriate' while adding 'in accordance with other policies of the plan' after 'development' in the final sentence. For the reason explained above (para 3.182) I do not support this proposed change.

3.184 **Counter objection** 0334 to PIC/C/22 is made on the basis that Policy C3B is overly restrictive as local designations carry less weight than national designations (para 4.16 of PPG7 refers); **Counter objection** 0891 is along similar lines and is based on a concern that ASLCs should not be used as an additional landscape/countryside designation. However, national guidance does not preclude additional local countryside designations provided they are justified in local terms. I am satisfied that the ASLCs contain sufficiently important and distinctive features in local landscape terms to justify a policy for their protection. The essential features which are to be protected or enhanced are identified in Appendix 1. In my judgement, it would depend on the scale and circumstances of a proposal as to whether the policy would be used to resist development. It is not appropriate to seek to introduce countryside management objectives within a land use plan.

3.185 **Counter objection** 0445 suggests that the policy could be framed more positively. The Council accept this and propose a further change to word the policy in a more positive way (F/PIC/C/22/A). I support the adoption of more positive wording. The ASLCs are identified on the PM (the former ASLQs).

3.186 The criticism **counter objection** (0891) that all 14 distinctive rural character areas should be included in the revised Appendix 1 (PIC/A/1) has already been considered above at paragraphs 3.177-178 above.

3.187 **Counter objections** (0366) are made to PIC/PM/8 & 9 on the grounds that the inclusion of the boatyards and waterside areas at Warsash and Lower Swanwick within the ASLC notation is inappropriate. I am unable to support these objections. One of the identified features/characteristics (D) of the Lower Hamble Valley (Appendix 1 as proposed for change) is 'the lively, colourful and distinctive character provided by boats, boatyards/marinas and very active recreational use of the river and waterside areas'. Since it is a fact of the landscape along this part of the coast/estuary I see no reason for excluding the boatyards, marinas and waterside from the ASLC.

RECOMMENDATION

3.188 Modify the Plan as follows:

- (A) Delete the reference to 'Areas of Outstanding Landscape Quality' in proviso (i) of Policy C3 as set out in Pre-inquiry Change PIC/C/15/E;
- (B) amend Paragraph 3.33 as set out in the Pre-inquiry Change PIC/C/21; BUT the final sentence be amended to read:
 "...resisted. Particular attention will be paid to development proposals in the ASLC in order to ensure that the inherent distinctive character of the areas is protected and, where possible, enhanced." (Amendment to F/PIC/C/21/A)
- (C) a NEW Policy C3B be added, dealing with Areas of Special Landscape Character to read as follows:

'Policy C3B: Areas of Special Landscape Character

Development will be permitted in the following Areas of Special Landscape Character provided that it would not adversely affect the distinctive character of the area or result in the loss of essential features or characteristics:

- (A) Upper Hamble Valley;
- (B) Lower Hamble Valley;
- (C) Hook Valley;
- (D) Meon Valley;
- (E) Forest of Bere; and
- (F) Portsdown Hill."

(PIC/C/22 as amended by F/PIC/C/22/A)

- (D) the Proposal Map be amended as shown on Pre-inquiry Changes PIC/PM/8 and PIC/PM/9;
- (E) amend the notation of the Proposals Map to reflect the change effected under Pre-inquiry Changes PIC/C/21 and PIC/C/22
- (F) Appendix 1 be amended as set out in Pre-inquiry Change PIC/A/1.

3.189 POLICY C3(i) - DEVELOPMENT IN THE COUNTRYSIDE (ASLQs)**Objections:**

0299/5003: W G Hinton and Sons Ltd
 0332/5003: Burr ridge Residents' Association
 0264/5003: Winchester City Council
 0426/5001: Ms J Willment-Knowles
 0439/5011: David Wilson Homes
 0381/5058: Fareham Society

Pre-inquiry Changes:

Policy C3(i) is amended by PIC/C/15/E

Issues:

- 3.190 (i) Whether the principle of ASLQs is acceptable in terms of PPG7; whether the criterion is overly restrictive and more restrictive than AONBs;
- (ii) whether development should be allowed in ASLQs if they are to be protected and preserved; whether only development which enhances should be permitted;
- (iii) whether the designation of Whiteley Woods should be reconsidered in the light the deletion of the adjacent Curbridge ASLQ;
- (iv) whether the definition of Hamble Valley ASLQ is inconsistent with the criteria in Appendix 1;
- (v) whether the land west of Area 13 (South of Warsash Road) should be included in the Hook Valley ASLQ;
- (vi) whether the area to the north of Fareham (Dean Farm to Knowle) should be designated as an ASLQ.

Conclusions:

3.191 The bulk of these objections, insofar as they relate to a notation (ASLQ) which is proposed should be dropped from the plan, have been met (see PIC/C/15/E and PIC/C/21 and Conclusions at para 3.175 above). A number of objections are maintained, however, since the objections relate with equal force to the new ASLQ allocations. Nevertheless, the test for the new Policy C3B (ASLQs) is whether development would harm the distinctive features of ASLQs (0332). It would be too onerous to seek development proposals to enhance only. Whiteley Woods is no longer proposed as an ASLQ. The Hamble Valley is now to be divided into 2 ASLQs. This corresponds with the approach and description set out in Appendix 1 wherein the features and characteristics are also set out. Boatyards, marinas and associated recreational use are part of the character of the Lower Hamble Valley ASLQ (see para 3.187 above).

3.192 A site specific objection (0299) relates to the inclusion of the eastern part of Brook Avenue within the ASLQ allocation. The objection is maintained following the Council's proposed changes under PIC/C/21 and 22. The objection site forms part of predominantly open land about 0.5km from the River Hamble and close to one of its tributaries. The land is clearly part of the wider valley of the Hamble (see fig 3, CD/18). It is within an area described as being of the horticultural, small holding type. I have no doubt that the objection land forms part of the Lower Hamble Valley landscape. I see, therefore, no reason for excluding it from the ASLQ for the Hamble Valley.

3.193 The characteristics and features of the Hook Valley (0439) are described in Appendix 1 which in turn are taken from the FBLA (CD/18). The northern boundary of the valley follows the urban edge. No substantive reasons are given by the objector for adopting the public bridleway in preference to that shown on the PM.

3.194 This objection (0381) highlights the subjective aspects of making a selection of landscape areas that are **special** in landscape terms compared with other areas identified by a description of those aspects which contribute to character while trying to avoid value judgements. All landscapes can be distinctive in their own way, but may not contain or retain features/characteristics which are as recognisably distinctive and special as those selected. The landscape of this area to the north of Fareham is very open, having suffered from hedgerow, and possibly woodland, removal over the years. It is recognisably distinctive, but sadly it appears to have suffered ecological impoverishment over the years. (Appendix 1, FBC/C/4/A/3). I agree with the Council that the area is no longer special in ASLQ terms, but it may need to be protected from further insensitive development.

RECOMMENDATION

3.195 Make no modification to the Plan in response to these objections.

3.196 PARAGRAPH 3.33 - AREAS OF SPECIAL LANDSCAPE QUALITY

Objection:

0300/5010: Warsash Residents' Association

Pre-inquiry Changes:

Paragraph 3.33 is amended by PIC/C/21

Issue:

3.197 Whether the text should include a reference to 'any building and other development proposals within these areas'.

Conclusions:

3.198 The text as proposed to be amended by PIC/C/21 will no longer refer to ASLQs (see para 3.175). The text as proposed for amendment nevertheless still refers to development. The term 'development' has the meaning attributed to it under the Principal Act. It includes buildings. Any amendment is therefore unnecessary.

RECOMMENDATION

3.199 Make no modification to the Plan in response to this objection.

3.200 PARAGRAPH 3.34 - NEW BUILDINGS IN THE COUNTRYSIDE**Objection:**

0007/5006: Sarisbury Building Ltd

Pre-Inquiry Changes:

Paragraph 3.34 is amended by PIC/C/23

Policy C4 is amended by PIC/C/24/A

Issue:

3.201 Whether the text should acknowledge that there are existing buildings in the countryside which are not in agricultural use.

Conclusions:

3.202 The Council have agreed to amend the wording acknowledging that new buildings with an overriding need to be located there are a feature of the countryside (PIC/C/23). An amendment is also proposed to Policy C4 (criteria for considering **new** buildings) recognising that new buildings may be required under Policy C3 (PIC/C/24/A). I support the proposed amendments in that they add clarity both to the reasoned justification and the policies.

RECOMMENDATION

3.203 Modify the Plan as follows:

- (A) amend the second sentence of Paragraph 3.34 as set out in Pre-inquiry Change PIC/C/23;
- (B) amend Policy C4 as set out in Pre-inquiry Change PIC/C/24/A.

3.204 POLICY C4 - BUILDINGS IN THE COUNTRYSIDE**Objection:**

0334/5005: Government Office for South East

Issue:

3.205 Whether the policy should be expanded to include the criteria to be applied to planning applications for farm based diversification in line with PPG7.

Conclusions

3.206 The Council consider that, since the policy is mainly concerned with new buildings in the countryside, it would be more appropriate to include a new specific policy and supporting text to deal with farm based diversification proposals. This is put forward under pre-inquiry change PIC/C/20. I support the Council's proposed change. It provides a better focused approach for dealing with farm diversification than would be possible through an amendment to Policy C4.

RECOMMENDATION

3.207 Modify the Plan:

- (A) add a new paragraph 3.32A and section under the heading 'Farm-Based Diversification' as set out in Pre-inquiry Change PIC/C/20;
- (B) add a new 'Policy C3A: Farm-Based Diversification' as set out in Pre-inquiry Change PIC/C/20.

3.208 POLICY C4(B) - BUILDINGS IN THE COUNTRYSIDE

Objection:

0417/5002: British Telecommunications Plc

Pre-Inquiry Changes:

Policy C4(B) is amended by PIC/C/24/B

Issue:

3.209 Whether criterion (B) is contrary to paragraph 3.21 of PPG7.

Conclusions:

3.210 The criterion requires new buildings, permitted under Policy C3, to be grouped with existing buildings. The Council's proposed amendment adds the qualification 'where possible' (PIC/C/24/A). The PPG7 emphasises that new development in the open countryside should be strictly controlled. I see no conflict between national guidance and the objectives of the criterion as proposed for amendment to seek to locate a new building within an existing group.

RECOMMENDATION

3.211 Modify criterion (B) of Policy C4 by inserting the words 'where possible,' before 'grouped with existing buildings;' as set out in Pre-inquiry Change PIC/C/24/B.

3.212 POLICY C4(D) - BUILDINGS IN THE COUNTRYSIDE

Objections:

0319/5003: Prima Holdings Ltd
 0320/5006: Mr R Stubbs
 0381/5005: Fareham Society

Pre-Inquiry Changes:

Policy C4(E) is amended by PIC/C/24/C.

Issue:

- 3.213 (i) Whether the criterion should be amended to allow areas of hardstanding and open storage with the use of buildings where it can be screened.
 (ii) whether the means of enclosure should be covered by the policy since they can be unsightly.

Conclusions:

3.214 New development in the countryside should be strictly controlled. Potentially, extensive areas of hardstanding/open storage can have a significant impact on the surrounding countryside. The flexibility sought through this objection would introduce a form of development which could be fundamentally at odds with those uses regarded as acceptable within the countryside. Intentions to screen such development would not be a good argument since it could be repeated too often to the detriment of the wider countryside. This form of development will need to be considered, in principle, under Policy C3. Justifiable exceptions to the policy can always be permitted by the local planning authority as a material consideration. I do not, therefore, support this objection.

3.215 The suggestion, to include 'the means of enclosure' as part of a landscape improvement, is accepted by the Council.

RECOMMENDATION

3.216 Modify criterion (E) of Policy C4 as set out in Pre-inquiry Change PIC/C/24/C, BUT otherwise make no change to the Plan in response to these objections.

3.217 POLICY C5 - CONVERSION OF EXISTING BUILDINGS IN THE COUNTRYSIDE TO EMPLOYMENT USES

Objection:

0381/5006: Fareham Society

Pre-Inquiry Changes:

Paragraph 3.37 is amended by PIC/C/26.

Counter-Objection to PIC/C/26:

0381/5076: Fareham Society

Issue:

- 3.218 Whether the policy should make clear that it does not apply to conversion of residential buildings to employment use.

Conclusions:

3.219 The Council accept this point. It proposes a change (PIC/C/26) to the text of paragraph 3.37. The conversion of residential buildings will only be acceptable under the strict conditions of Policy C6. Likewise the suggestion, from the **counter objector** (0381), that a cross-reference to new Policy E9A (which at proviso (ii)

seeks to resist the loss of residential accommodation) is accepted. The Council propose to include a reference to Policy E9A at the end of revised paragraph 3.37 (F/PIC/C/26/A). I support both changes which address and clarify this important aspect of development in the countryside.

RECOMMENDATION

3.220 Modify the Plan as follows:

- (A) paragraph 3.37 of the Plan as set out in the Pre-inquiry Change PIC/C/26; AND
- (B) amend Pre-inquiry Change PIC/C/26 as set out in Further Change F/PIC/C/26/A by adding at the end of the final sentence “(see Policy E9A)”.

3.221 POLICY C5(C) - CONVERSION OF EXISTING BUILDINGS IN THE COUNTRYSIDE TO EMPLOYMENT USES

Objections:

0319/5004: Prima Holdings Ltd

0320/5007: Mr R Stubbs

Pre-Inquiry Changes:

Policy C5(C) is amended by PIC/C/27/B.

Issue:

- 3.222 Whether the policy should be amended to allow extensions, some new buildings and hardstandings where they can be screened.

Conclusions:

3.223 Policy C5 is a corollary and qualifying policy to Policies C3 and C4. Policy C3 provides guidance on acceptable forms of development in the countryside while Policy C4 qualifies how **new** buildings will be considered under Policy C3. This is made clear as a result of the Council's proposed change to the heading of Policy C5 under PIC/C/27/A (see para 3.359 below). It would be inappropriate to allow forms of development under Policy C5 which are not permitted under Policies C3 and C4. The suggestion that hardstanding should be included is not supported for the reasons already given in connection with objections 0319/5003 and 0320/5006 (see para 3.214 above).

3.224 The objector also seeks greater flexibility in the application of the policy to permit new buildings, major extensions or raising the height of a building. However, the flexibility sought and the examples cited go much further than national guidance (PPG7, para 3.14). This is concerned to ensure that an existing building is given a productive life thereby avoiding it remaining vacant and prone to dereliction and vandalism. The objector appears to be seeking an unfettered approach to the re-use of buildings which, in my view, flies in the face of national guidance. All of the examples could be permitted as exceptions if a sufficiently persuasive case could be made out.

3.225 The Council's proposed change (PIC/C/27/B) to criterion (C) deletes the reference to 'new buildings' which is superfluous. In addition, clarification is provided as to the exclusions to cover hard standing and open storage areas. The changes improve the clarity and understanding of the policy.

RECOMMENDATION

3.226 Modify the Plan by amending criterion (C) of Policy C5 as set out in Pre-inquiry Change

PIC/C/27/B.

3.227 POLICY C5(D) - CONVERSION OF EXISTING BUILDINGS IN THE COUNTRYSIDE TO EMPLOYMENT USES

Objection:

0335/5006: Country Landowners Association

Issue:

3.228 Whether the criterion needs to take account of the limited availability of public transport in rural areas.

Pre-Inquiry Changes:

Policy C5(D) is amended by PIC/C/27/C.

Paragraph 3.38 is amended by PIC/C/28

Conclusions:

3.229 The Council accept this point. It proposes a change to the text of the policy and the reasoned justification. The amendments remove the reference to the development being capable of service by public transport. The emphasis on avoiding excessive traffic generation and attracting travel from a wide area is maintained. I support the changes. They acknowledge that public transport in rural areas can be limited, while keeping within the spirit of PPG13 and Policy T1 (location of new development).

RECOMMENDATION

3.230 Modify the Plan:

(A) amend Criterion (D) of Policy C5 as set out in Pre-inquiry Change PIC/C/27/C;

(B) amend paragraph 3.38 as set out in Pre-inquiry Change PIC/C/28.

3.231 PARAGRAPH 3.38 - CONVERSION OF EXISTING BUILDINGS IN THE COUNTRYSIDE

Objection:

0335/5007: Country Landowners Association

Issue:

3.232 Whether the reference to 'major works' should be clarified.

Conclusions:

3.233 The reference to 'major works' reflects the advice in PPG7 (para 3.14(e)). The latter refers to 'major or complete reconstruction', in connection with buildings in the open countryside. It will be a matter of fact or degree whether proposals are judged to require major works as a requirement of their re-use. I do not see that any further qualification is either necessary or, indeed, could usefully be provided within the text.

RECOMMENDATION

3.234 Make no modification to the Plan in response to this objection.

3.235 POLICY C6(A) - CONVERSION OF EXISTING BUILDINGS IN THE COUNTRYSIDE TO RESIDENTIAL USE**Objection:**

0445/5003: House Builders Federation

Pre-Inquiry Changes:

Policy C6 is amended by PIC/C/29/A

Paragraph 3.39 is amended by PIC/C/30.

Issue:

3.236 Whether the first 2 criteria of the policy need to be mutually exclusive.

Conclusions:

3.237 PPG7 (para 3.15) recognises that the change to residential use of an existing building can have significant negative affects on the character of the countryside. In the circumstances I see no objection to residential being the use of last resort as required by the linking of the 2 criteria. The intense pressure for housing development within the Borough, in conjunction with easy accessibility to the countryside from the district's centres, strengthens the need for that approach in local terms.

3.238 As part of their consideration of this objection the Council have proposed an additional criteria (PIC/C/29/A) to provide for a residential unit ancillary to a conversion scheme providing employment. Consequential changes (PIC/C/30) to the reasoned justification are also proposed to paragraph 3.39. Conditions or a legal agreement may be sought to tie the residential unit to the operation of the enterprise. I support the changes which reflect PPG7 advice.

RECOMMENDATION

3.239 Modify Policy C6 and paragraph 3.39 of the Plan as set out in Pre-inquiry Changes PIC/C/29/A and PIC/C/30.

3.240 PARAGRAPH 3.42 - THE COAST**Objection:**

0300/5011: Warsash Residents' Association

Issue:

3.241 Whether the text should state that resources are required to reinforce the part of the shoreline from Hook Point to Warsash Car Park.

Conclusions:

3.242 The Council is unaware of the need for any reinforcement of the shoreline here. In the absence of evidence by a responsible authority in support of the objectors' assertion it would not be appropriate to include a reference to this aspect in the text.

RECOMMENDATION

3.243 Make no modification to the Plan in response to this objection.

3.244 POLICY C7 - COASTAL ZONE

Objections:

0337/5002: Parkworld Holidays Ltd
 0366/5001: A.H. Moody & Sons Limited
 0370/5001: Association of River Hamble Boatyard & Marina Operators
 0392/5003: Southampton Institute
 0407/5007: Gosport & Fareham Friends of the Earth
 0437/5004: Royal Society for the Protection of Birds
 0468/5002: Bryant Homes
 0472/5017: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Paragraph 3.45 is amended by PIC/C/33/A, PIC/C/33/B and PIC/C/33/D
 Policy C7 is amended by PIC/C/32

Issues:

- 3.245 (i) Whether clarification is needed to the term 'an overriding need for a coastal location';
 (ii) whether the policy is contrary to PPG20;
 (iii) whether stricter controls should be required in respect of boating activities;
 (iv) whether the Coastal Zone (CZ) is too widely drawn at Newtown Road, Warsash;
 (v) whether the CZ should include land at Winnham Farm;
 (vi) whether Sites A and B, Crofton Road, should be included in the CZ.

Conclusions:

- (i) 'Overriding need for a coastal location'

3.246 In response to objection 0337 the Council propose changes (PIC/C/32 and PIC/C/33) to the explanatory text (para 3.45) and criterion (A) of Policy C7 to explain that existing uses in the coastal countryside are covered by the policy. The objector's specific concern is for clarification as to whether existing uses would be regarded as having an overriding need for a coastal location in the context of developing its holiday village either within the existing site or on adjoining land. I agree with the Council's interpretation of the policy that development proposals associated with existing uses would need to meet all criteria within the policy.

- (ii) Relationship to PPG20

3.247 The CZ as defined on the PM is criticised (0366 and 0370), in particular, for its failure to include upper tidal sections of the Rivers Hamble and Wallington. PPG20 gives the LPA's discretion in defining the CZ. The decision of the Council to limit the CZ to the lower tidal reaches of the river was substantially reaffirmed in the review undertaken as part of the FBLA (CD/18). No convincing evidence has been put forward to persuade me that the upper limit of the CZ needs to be extended on tidal rivers beyond that shown on the PM. I see no advantage in dividing the CZ into 2 categories (visual/landscape and coastal process). This approach is not recommended in either national guidance or in the SPR. It would tend to make the policy unnecessarily complicated.

3.248 Policy C7 is concerned with different, but sometimes overlapping, issues to those covered by Policy E10 (boatyards). Policy C7 seeks to control non-marine related development in the CZ. It complements Policy E10 (see para 3.45 of LPR). The CZ policy derives from PPG20, which is in parts restrictive. National guidance is concerned with controlling, in a measured way, the natural beauty and landscape variety of the coast, the nature conservation interests and natural resources (para 3.4). Whether Policy C7 is more restrictive than the nature conservation policies within the Plan (C9A, C9B, C10 and C10A) is a moot point. In practice it is unlikely that it will be so, because development will be judged against the particular nature conservation policy (0366).

Paragraph 2.10 of PPG20 recognises that the undeveloped parts of the coast will seldom be the most appropriate location for new development. I therefore see no conflict between national guidance and C7 (A), which requires new development to be justified by an **overriding need**. Policy C7 is concerned to prevent harm to nature conservation interests, the special character of the coast and the quality of the environment. This is no more than the requirements imposed under PPG20 and the SPR.

3.249 I see no objection to the inclusion of boatyards and marinas in the CZ. It is an appropriate allocation due to their coastal/estuarine location. Drawing a distinction between the built-up and the undeveloped coast within the CZ is straightforward when using the urban/countryside division shown on the PM. I see no merit in seeking to create further distinctions within the zone. While the SPR may appear ambiguous in the way it deals with boatyards and marinas (see Policy C4 and para 375) it is most likely that the SPR assumes that these uses can be found within either category of the CZ. However, I see no fundamental objection to the Council placing all the Hamble River boatyards in the countryside. It is acknowledged that the yards are all built-up to a greater or lesser extent. In terms of the SPR, whichever category the uses are considered under, the main aim is that the sites be restricted to uses requiring direct access to the water. This approach reflects national guidance (PPG20, para 3.8). The same objective is set out in Criterion (A) of the LPR policy. I find no conflict between either PPG20 or the SPR and policy C7 as proposed for amendment.

3.250 So far as concern is expressed that inadequate investment in boatyards is being encouraged by the plan's policies, this is considered in Chapter 9 - Employment (see para 9.103 below). On a further point the objectors assert that there has been no co-ordination with Eastleigh Borough Council. However, I note that the adjoining authority has raised no objection to the Plan in relation to the issues raised by this objection.

3.251 Another concern relates to the duplication provided by the 2 policies relating to ASLC and CZ. It is a fact that both allocations, along the River Hamble, cover much the same territory. However, the ASLC notation is drawn more widely, not least because it is based on the river's wider valley system. Thus, given their different origins, I do not support the objector's suggestion that the CZ only should be shown on the PM where the 2 notations overlap. To do so would prevent the ASLC notation being seen in its whole context. It would also make more difficult an understanding of the derivation of the boundaries.

3.252 As a result of the Council's proposed changes to the supporting text of paragraph 3.45 (PIC/C/32) and Criterion A (PIC/C/33/A) the policy will not prevent appropriate development, related to an existing use in the countryside or new development, re-use or redevelopment in the urban area covered by the CZ. Further changes in response to these objections are proposed in relation to criterion (B) clarifying that it seeks to protect the **special** character of the coast and adds '**the quality of the environment or recreational interests**'. An additional proviso (iii) is proposed which would not permit development in areas at risk from flooding, erosion or land instability. I consider these changes provide improved clarity and comprehensiveness to this part of the plan.

(iii) Control over boating activities

3.253 The objector (0407) is concerned about the creation of pollution by boats. This is not a matter which is appropriate for a local plan. Nor is it a matter for control under the planning acts.

(iv) The extent of the CZ at Newtown Road

3.254 The objection site (Southampton Institute, Warsash Campus) occupies an extensive area on the side of the valley close to the confluence of the River Hamble with Southampton Water. The site is but a short distance from the water. There is inter-visibility between the site and the water, and vice versa. I consider, therefore, the PM is correct to show the site within the CZ.

(v) The extent of the CZ at Winnham Farm

3.255 The objection land, an arable field, is located to the south of residential development at Romsey Avenue. It forms part of an extensive wedge of open land on what remains of the coastal plain between Portchester and Fareham. The southern boundary of the site is about 400m north of the high water mark of Portsmouth Harbour. The CZ was adduced as part of the Consultation draft of the LPR process. It was reviewed, with some amendments, as part of the FBLA (CD/18). The site is substantially hidden by vegetation when viewed from the

sea in summer months. However, I would expect that it would be more exposed during winter when trees are bare of foliage. In my judgement, development on the site would be visible from the harbour. Bearing in mind the flat topography of the land between the site and the coast and its semi-rural character, I see no reason to remove the site from the CZ allocation.

(vi) Sites A and B, Crofton Lane

3.256 These sites are close to the coast, being located within some 40m and 120m respectively of the high water mark. The CZ extends over the residential development to the east of the sites. In my judgement there is no doubt that the sites, visually, are an integral part of the CZ. I see no reason, therefore, to exclude the sites from the zone.

RECOMMENDATION

3.257 Modify the Plan as follows:

- (A) Add at the end of Paragraph 3.45 the text as set out in Pre-inquiry Change PIC/C/32;
- (B) amend criterion (A) of Policy C7 to read:
“in the countryside, it is related to an existing use or it has an overriding need for a waterside or coastal location;” (PIC/C/33/A);
- (C) amend criterion (B) of Policy C7 to read:
“the development, and the extra activity it will create, does not adversely affect nature conservation interests, the special character of the coast when viewed from land or sea, the quality of the environment or recreation interests;” (PIC/C/33/B);
- (D) add a new proviso to Policy C7 as follows:
“(iii) be located in areas at risk from flooding, erosion or land instability.” (PIC/C/33/D).

3.258 POLICY C7(A) - COASTAL ZONE

Objection:

0261/5002: Inntrepreneur Pub Company Ltd

Pre-Inquiry Changes:

Policy C7(A) is amended by PIC/C/33/A

Counter-Objection to PIC/C/33/A:

0891/5005: Countryside Commission

Issue:

3.259 Whether criterion (A) of Policy C7 presumes against development within the urban area unless there is an overriding need for a waterside location.

Conclusions:

3.260 The Council has agreed that a change is required clarifying the intention of this part of the policy (PIC/C/33/A-see para 3.252 above). The counter objection seeks clarification that the criterion relates only to existing uses within the countryside. This is already made clear in the revised text of PIC/C/33/A by the initial

phrase 'in the countryside'.

RECOMMENDATION

3.261 Make no modification to the Plan in response to this objection.

3.262 POLICY C7(B) - COASTAL ZONE

Objection:

0473/5001: Royal Yachting Association

Issue:

- 3.263 (i) Whether the reference to 'activity' should be deleted;
 (ii) whether the term 'adversely affect' needs to be further qualified.

Conclusions:

3.264 The source of potential activity is not limited to boating activity taking place on the water. Most recreation and other activities associated with the coast will be related to a land based building or use. This is recognised in PPG20 - Coastal Planning. (para 3.4). I see no reason, therefore, to remove the reference to activity in the criterion.

3.265 The term 'adversely affect' in the criterion refers to a series of interests, including nature conservation, which are found on the coast. I have already considered a similar objection in Chapter 1 (see para 1.15). My conclusions remain the same in respect of this objection.

RECOMMENDATION

3.266 Make no modification to the Plan in response to this objection.

3.267 POLICY C8 - DEVELOPMENT ON OR ADJACENT TO RIVER HAMBLE & FAREHAM LAKE

Objections:

0297/5002: English Sports Council (South)
 0334/5006: Government Office for the South East
 0334/5040: Government Office for the South East
 0366/5002: A.H. Moody & Sons Limited
 0370/5002: Association of River Hamble Boatyard & Marina Operators
 0381/5008: Fareham Society
 0393/5001: Environment Agency

Pre-Inquiry and Further Changes:

Paragraph 3.48 is amended by PIC/34/B and FC/C/5
 Policy C8 is amended by PIC/C/35/A, PIC/C/35/C-E and FC/C/8

Issues:

- 3.268 (i) Whether the policy should be framed to protect the existing and potential recreational value of these stretches of water;
 (ii) whether criteria (D) and (E) are overly restrictive;

- (iii) whether the policy is necessary; whether there is justification for resisting additional houseboats;
- (iv) whether the policy should include a reference to 'reclamation';
- (v) whether the policy should include a reference to the risk of developing in areas subject to tidal flooding.

Conclusions:

3.269 The Council agrees (0297) that the policy should have an additional criterion requiring that development should not harm the recreation value of the water areas (PIC/C/35/D). The Council also accepts (0334) that criterion (D) (protection of boatyards) can be deleted as unnecessary because these facilities are already protected under Policy E10 (PIC/C/35/C). I support both changes as meeting these objections. I consider that a restriction on the introduction of additional houseboats is a legitimate policy objective in the same way that house development in the countryside is subject to restraint. Accordingly, I find Criterion (E) is justified and I support the proposed addition (PIC/C/34/B) to the text of paragraph 3.48, explaining the reason for the restriction.

3.270 In my view, the areas covered by the policy are sufficiently distinct and important in their own right (objections 0366 and 0370), in water and nature conservation area terms within the Borough to justify a specific policy for the guidance of developers. The Council accepts there is some duplication with other policies. Where this occurs it proposes to include cross-references with the main policies (FC/C/5). I agree that this will help in applying the policies to the 2 areas. I also support the further change (FC/C/8) to substitute the description 'Fareham Lake' in Criterion (A) to correspond with the terminology used on the OS base.

3.271 Navigation (0366 and 0370) is a crucial component within the function of both water areas. It is a fact that navigation is primarily a concern of the harbour and river authorities. Nevertheless, development affecting access to the water and the establishment, replacement and relocation of moorings is a land use matter which can affect navigation. It is not unreasonable, therefore, that navigation and the 'regime of the river and harbour' be identified as issues to be considered in dealing with proposals for development. I have already commented above on the issue of houseboats.

3.272 The Council agree that reference to 'reclamation' (0381) should be included in Criterion (A) (PIC/C/35/A). Given the impact which reclamation can have on coastal activities I find the proposed change helps to clarify the term 'development'.

3.273 A new criterion dealing with increased risk of flooding (PIC/C/35/E) is proposed by the Council in response to objection 0393. I support the change in that it reflects national guidance (Circular 30/92 and PPG20). For completeness and ease of reference I reproduce in the recommendation the whole of Policy C8 incorporating the proposed changes which I support.

RECOMMENDATION

3.274 Modify the Plan as follows:

- (I) amend paragraph 3.48 by adding after the third sentence the following text:

'The introduction of additional houseboats will be resisted as they would be contrary to the general policy of restricting new housing in the countryside (see Policy H11). Some houseboats have already been removed in the River Hamble at Harbour Authority moorings.' (PIC/C/34/B as amended by FC/C/5);

- (II) amend Policy C8 to read as follows:

'Policy C8: Development On or Adjacent to the River Hamble and Fareham Lake

Development, including reclamation, will not be permitted on, or adjacent to the River Hamble and Fareham Lake if it would:

- (A) **jeopardise safety and ease of navigation or have a detrimental impact on the**

- regime of the river and Fareham Lake;
- (B) adversely affect nature conservation interests;
 - (C) adversely affect the character of the area when viewed from land or from the water;
 - (D) result in the establishment of additional houseboats;
 - (E) adversely affect the recreational value of the area; or
 - (F) result in increased risk of flooding or transferring the risk to other areas.”

(Pre-inquiry changes PIC/C/35/A, PIC/C/35/B (see para 3.279 below), PIC/C/35/C, PIC/C/35/D and PIC/C/35/E as amended by FC/C/8).

3.275 POLICY NEW - RIVER HAMBLE LOCAL PLAN POLICIES

Objections:

0366/5003: A.H. Moody & Sons Limited

0370/5003: Association of River Hamble Boatyard & Marina Operators

0381/5068: Fareham Society

Pre-Inquiry and Further Changes:

Paragraph 3.48 is amended by PIC/C/34/A and FC/C/5

Policy C8(C) is amended by PIC/C/35/B

Issues:

- 3.276 (i) Whether a new policy is required to reflect Policy 2 of the River Hamble LP (RHLP);
- (ii) whether a new or expanded policy is required to cover the River Hamble and its valley including some elements of Policy 4 of the RHLP.

Conclusions:

3.277 Policy 2 of the RHLP (CD/4) requires the harbour authority and the LPA to seek to improve navigation and the appearance of the river. This will be achieved through the removal and relocation of piles and buoyed moorings from the mooring restriction areas and any other areas which may be defined in the RHLP.

3.278 I find that, as a statement of intent, it would not be appropriate for this RHLP policy to be included in the LPR. The essential features of the policy, however, are incorporated in Policy R9 (new moorings) and its supporting text (paras 8.74 and 8.75) as proposed for amendment under Pre-inquiry Changes PIC/R/30, PIC/R/30/A and FC/R/1. The Mooring Restriction Areas are to be shown on the PM under changes PIC/PM/35-40 (MAPS R/8-13).

3.279 Policy 4 of the RHLP deals with character, design and impact on the surrounding area. I consider these matters are already adequately dealt with by Policy C8. However, I agree with the Council's proposed change (PIC/C/34/B) to Criterion (C) to make it clear that the proposals affecting the character of the area will be considered in terms of the impact viewed from both land and water. The protection of the distinctive character of the Hamble valley will be considered against the ASLC policy and notation. I therefore support the proposed change to paragraph 3.48 (PIC/C/34/A) wherein this aspect is spelt out more clearly in the context of Policy C8.

RECOMMENDATION

3.280 Modify the Plan as follows:

- (A) Amend paragraph 3.48 of the Plan as set out in the Pre-inquiry Change PIC/C/34/A as amended by Further Change FC/C/5;

- (B) [SEE RECOMMENDATION AT 3.274 (II) (C) ABOVE FOR THE AMENDMENT TO CRITERION (C) OF POLICY C8 - (Pre-inquiry Change PIC/C/35/B)].

3.281 POLICY NEW - ENVIRONMENTAL IMPROVEMENTS

Objection:

0438/5008: Hampshire Wildlife Trust

Issue:

3.282 Whether Policies EN12 and EN13 of the Consultation Draft LPR should be included.

Conclusions:

3.283 Policies EN12 and EN13 of the Consultation Draft LPR related to the Council's intention to foster environmental improvements. It would not be appropriate to include statements of this type as **policies**, since they do not help to control the development or use of land.

RECOMMENDATION

3.284 Make no modification to the Plan in response to this objection.

3.285 PARAGRAPH 3.51 - ENVIRONMENTAL IMPROVEMENT

Objection:

0297/5003: English Sports Council (South)

Pre-Inquiry Changes:

Paragraph 3.51 is amended by PIC/C/36

Issue:

3.286 Whether the text should reflect the positive aspects of recreation in the countryside as identified in PPG17 (Sport and Recreation).

Conclusions:

3.287 The Council accept that recreation can have a positive influence on the countryside. It therefore, proposes a change (PIC/C/36) to the wording of the paragraph to stress its importance in positively protecting the environment and economy through, for example, farm diversification schemes. The need to be aware of the pressures which may arise from the use are retained. I consider the text as proposed for amendment now provides a fair balance in the consideration of this issue.

RECOMMENDATION

3.288 Modify paragraph 3.51 of the Plan as set out in Pre-inquiry Change PIC/C/36.

3.289 POLICY C9 - NATURE CONSERVATION (INTERNATIONAL & NATIONAL DESIGNATIONS)

Objections:

0334/5007: Government Office for the South East

0366/5004: A.H. Moody & Sons Limited

0370/5004: Association of River Hamble Boatyard & Marina Operators

0407/5009: Gosport & Fareham Friends of the Earth

Pre-Inquiry Changes:

Policy C9 is amended by PIC/C/39

Paragraph 3.59 is amended by PIC/C/40/A-C

Further Changes

Policy C9 as amended is further amended by FC/C/6

Paragraph 3.59 as amended is further amended by FC/C/7

Issues:

- 3.290 (i) Whether the policy is contrary to national guidance (paras 27-29 of PPG9 - Nature Conservation);
- (ii) whether international and national designations should be treated differently by dividing C9 into 2 policies;
- (iii) whether criteria (A), (B) and (C) should be deleted because no development which would harm an SSSI should be allowed.

Conclusions:

3.291 The Council accept the bulk of the points made under these objections and proposes a fundamental redrafting of the policy and its supporting text (PIC/C/39, FC/C/6 and FC/C/7). The changes separate the policy into 2: one dealing with **statutory international** designations (new policy C9A); the other deals with **statutory national** and **local** designations (new policy C9B). Paragraph 3.59 is much expanded and provides better and clearer guidance on the approach to the 3 levels of statutory designated sites. The text now accurately reflects the advice in PPG9 concerning Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites (FC/C/6 and 7). I see no conflict between the policies as proposed to be amended and PPG9 and the SPR. I do not accept that an additional Appendix setting out the extent of the SPA and SAC would add greatly to the usefulness of the plan (0366 & 0370). The PM shows their extent within the plan area. Nor do I see any advantage in mentioning any prospective scheme of management for the areas. Such a scheme may be some time in the making. I would expect riparian owners to be consulted before it is finalised.

3.292 Moreover, I do not see that it would be useful to incorporate in the plan a mass of further detail taken from PPG9 as suggested by Objectors 0366 and 370. It is clear from the supporting text that PPG9 supported by English Nature expert advice will be crucial in deciding whether proposed development is likely to have a 'significant effect' on the protected areas. Nor do I see it the function of the LPR to give examples of what type of development might be regarded as of 'overriding public interest'. That can only be assessed in deciding the merits of each planning application. The supporting text, as well as the policies, of a LP is relevant for purposes of S54A. Thus I see the reference to PPG in the supporting text to be sufficient. The amendments to the text will confirm that potential SPAs, SACs and Ramsar sites will have the same protection as those already so classified (FC/C/7). For practical purposes no further distinction would appear to be necessary.

3.293 Criterion (A)-(C) of the policy (0407), including the consideration of preventative measures, is now contained in new Policy C9A (**international** designations) and reflects PPG9 advice (Annex C). I see no need for a further policy to replace paragraph 3.59 as suggested by the objector. The proposed changes, in my view, adequately reflect the objectives and protection afforded to these areas under PPG9.

3.294 In responding to these objections the Council felt a new policy (Policy C10A) and supporting text (paragraph 3.62A) ought to be included in this section. These would cover species (wild plants and animals)

including their habitats which are of international importance and included in the EC Habitats Directive. The changes would also cover those aspects of national importance covered by the Wildlife and Countryside Act of 1981, and other wildlife protected under their own legislation. Insofar as the provision has a land use dimension, I support the proposed new policy and supporting text. It will assist in the protection of species in accordance with paragraph 44 of PPG9.

RECOMMENDATION

3.295 Modify the Plan as follows:

- (A) delete Policy C9 and substitute Policies C9A and C9B as set out in Pre-inquiry Change PIC/C/39; AND incorporate the Further Changes as set out in FC/C/6;
- (B) amend paragraph 3.59:
 - (i) as set out in Pre-inquiry Changes PIC/C/40/A, B and C, AND
 - (ii) incorporate Further Changes as set out in FC/C/7;
- (C) add a new paragraph 3.62A and Policy C10A-Nature Conservation-Protected Species as set out in Pre-inquiry Change PIC/C/45.

3.296 PARAGRAPH 3.60 - NATURE CONSERVATION

Objection:

0438/5011: Hampshire Wildlife Trust

Pre-Inquiry Changes:

Paragraph 3.60 is amended by PIC/C/41

Issue:

3.297 Whether the inclusion of Local Nature Reserves (LNRs) in Policy C10 is misleading and devalues their importance.

Conclusions:

3.298 This objection has been met through the Council's proposed changes (PIC/C/39 and PIC/C/41). The new Policy C9B clarifies the position regarding statutory LNRs. Paragraph 3.60 details the sites of international and national importance, including the LNRs. This clarifies the status of LNRs within the hierarchy. However, under proposed change PIC/C/41, this text is relocated to a new paragraph (3.58A) to follow paragraph 3.58. This results in a more logical arrangement of the text within this section.

RECOMMENDATION

3.299 Modify the plan by re-locating paragraph 3.60 to follow paragraph 3.58 and re-number it 3.58A as set out in Pre-inquiry Change PIC/C/41; BUT make no further modification to the Plan in response to this objection.

3.300 POLICY NEW - SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINC)s

Objection:

0001/5065: Hampshire County Council

Pre-Inquiry Changes:

Paragraph 3.61 is amended by PIC/C/42/A, PIC/C/42/C-E

Policy C10 is amended by PIC/C/43

Paragraph 3.62 is amended by PIC/C/44

Issue:

3.301 Whether, in the interest of consistency with the SPR, a new policy is required to protect SINC's which does not refer to compensatory habitats.

Conclusions:

3.302 HCC did not mention this topic when issuing its statement of Non-conformity. Nevertheless, I consider that HCC's wish to see a uniform approach to this topic across the county is deserving of support. I am not persuaded by the Council's division of SINC's into those which are 'irreplaceable' and those which are not. HCC is of the opinion that all the SINC's identified within Hampshire are substantive. This view is not challenged. The Council's approach would create 2 levels of 'value or importance' within the SINC designation. I consider this would only serve to undermine and confuse the designation process.

3.303 In my view the separation of the local designations (SINC's) from other features and habitats which do not justify SINC status would be a sensible division. I therefore support the objector's suggestion that Policy C10 should be divided into 2 separate policies; one dealing with SINC's and another covering sites of nature conservation interest which are not outside of those designated. Contrary to the Council's fears I consider this approach will make for a clearer plan in that the importance of a site in terms of the hierarchy will be obvious. It would be helpful if the non-designated sites known to the Council could be listed, possibly in an appendix, together with the reasons for their nature conservation interest and, where practicable, identified on the PM.

3.304 I find that the reasoned justification for the 2 substituted policies is adequately set out in the original texts of paragraphs 3.61 and 3.62. However, in view of the division proposed for Policy C9, I can see that the change proposed to Paragraph 3.61 under PIC/C/42/A would be a sensible addition. Similarly, I find that the proposed change (PIC/C/42/B) explaining which bodies are responsible and the basis for selection of SINC's is a helpful addition to the text. I also consider that the replacement of habitat in the final sentence of paragraph 3.62 needs to be related to the practicality of achieving that result. The second of the 2 new policies should follow paragraph 3.62.

RECOMMENDATION

3.305 Modify the Plan:

- (A) **by deleting Policy C10 and replace it with 2 policies, located after paragraph 3.62, as follows:**

"SITES OF IMPORTANCE FOR NATURE CONSERVATION - NON-STATUTORY DESIGNATIONS

Development which is likely to harm a Site of Importance for Nature Conservation (SINC) will not be permitted unless the need for the development outweighs the nature conservation value of the site.

Where appropriate, any permission will be conditioned to ensure the provision of preventative measures or a legal agreement sought to secure long term management or the provision of funds for management, or the provision of nature conservation features to compensate for features lost to development."

AND

'OTHER SITES OF NATURE CONSERVATION VALUE

Outside the designated sites, development in accordance with other policies in this Plan which would have an adverse effect on habitats and features of nature conservation interest will be permitted provided that sufficient provision is made to offset the effects including, where appropriate, replacement or substitution of the habitats or features lost.'

AND RENUMBER THE SUBSTITUTED POLICIES AND THE SUBSEQUENT POLICIES AS APPROPRIATE;

- (B) amend Paragraph 3.61:**
- (i) by inserting the words “national and international” between “statutory” and “designations” in the second sentence. (Pre-inquiry Change PIC/C/42/A); AND**
 - (ii) as set out in Pre-inquiry Change PIC/C/42/B**
- (C) delete the final sentence of Paragraph 3.62 and substitute the following:**
- “Where development is permitted which may harm features of nature conservation interest and a replacement habitat or feature is practicable then compensating provision will be required.”**
- (D) list ‘other sites of nature conservation value’ and, where practicable, identify them on the Proposals Map.**

3.306 POLICY C10 NATURE CONSERVATION (LOCAL DESIGNATIONS)

Objections:

0337/5003: Parkworld Holidays Ltd
 0366/5005: A.H. Moody & Sons Limited
 0370/5005: Association of River Hamble Boatyard & Marina Operators
 0381/5012: Fareham Society,
 0439/5001: David Wilson Homes,

Pre-Inquiry Changes:

Policy C10 is proposed for amendment by PIC/C/43

Issues:

- 3.307 (i) Whether the requirement to provide a ‘comparable compensating habitat’ is too inflexible; and, whether this requirement is excessive in the case of nature conservation areas of lower importance;
- (ii) whether the reference to ‘comparable compensating habitats’ is acceptable where habitats are irreplaceable;
- (iii) whether the wording of the policy is too restrictive and fails to allow for positive management; whether the requirement for replacement habitats needs clarification.

Conclusions:

3.308 Above I recommend the replacement of the policy making a clearer distinction between designated SINC's (non-statutory) and other non-designated local features and habitats. The reference to ‘comparable compensating habitat’ is following national guidance (PPG9, para 28) wherein it is anticipated that there may be a

case for the provision 'of nature conservation features to compensate for such features lost when development takes place'. The objector's (0337) suggestion where 'every effort has been made to provide a comparable compensating habitat', may not be sufficient to justify a development where the need does not outweigh the feature to be harmed or lost. Therefore, I do not support it.

3.309 I do not find the compensatory provisions to be excessive (0366 and 0370). This is an alternative provision put forward in PPG9 and in the SPR (para 418). In neither case does the advice distinguish between the hierarchy of designated and non-designated sites. The availability of compensatory habitats of comparable quality could determine whether or not the proposed development is permitted.

3.310 Where compensatory provisions are not appropriate or practicable in the case of a local site (SINC) and the need for the development does not outweigh the nature conservation value of the site (0381 and 0439) then this would suggest that the development would not be permitted (see recommendation at para 3.305 above). The positive and long term management of the SINCS (0439) is provided for in the new substituted policy. The occasions when compensatory habitats would be acceptable and practicable may be rare. It would be wrong in my view for the plan to seek to give examples as to how compensatory habitats could be implemented. It would very much depend on the circumstances of each case and site in question. The expert advice of the authorities (HCC, English Nature and the Hampshire Wildlife Trust) responsible for designation would be influential.

RECOMMENDATION

3.311 Make no modification to the Plan in response to these objections.

3.312 POLICY C10 - NATURE CONSERVATION (LOCAL DESIGNATIONS - SITES OF IMPORTANCE FOR NATURE CONSERVATION

Objections:

0001/5064: Hampshire County Council
 0286/5001: East Hampshire Badger Group
 0330/5003: Prince, Mr S.G.
 0331/5006: Charles Church Developments Ltd
 0337/5006: Parkworld Holidays Ltd
 0366/5011: A.H. Moody & Sons Limited
 0370/5010: Association of River Hamble Boatyard & Marina Operators
 0377/5002: Goddard, Mr & Mrs A.
 0426/5002: Solar Marine Ltd,
 0438/5012: Hampshire Wildlife Trust

Pre-Inquiry Changes:

The Proposals Map is amended by PIC/PM/13
 Paragraph 3.61 is amended by PIC/C/42/B

Further Pre-Inquiry Changes:

Policy C10 is amended by F/PIC/C/43/A and F/PIC/C/43/B
 Paragraph 3.62 is amended by F/PIC/C/44/A

Counter-Objection to PIC/42/B:

0331/5011: Charles Church Developments Ltd

Issues:

3.313 (i) Whether the SINCS are correctly identified on the PM;

- (ii) whether the land to the west of Solent Breeze Holiday Village should be shown within a SINC on the PM;
- (iii) whether the land within the control of Moody's Boatyard, R K Marine, Eastlands and Universal should be shown within SINC on the PM;
- (iv) whether the land to the south of Oslands Lane, Swanwick should be shown within a SINC on the PM;
- (v) whether the Brownwich Stream/Wilderness SINC is shown incorrectly intruding into a proposed housing allocation at Hunts Pond Road on the PM;
- (vi) whether the proposed SINC at Universal Marina meets the necessary criteria in Appendix 2;
- (vii) whether the derelict orchard adjacent to the nursery at the rear of 113 Mays Lane, Stubbington should be identified as a SINC;
- (viii) whether the area to the north of Oslands Lane, should be shown as a SINC on the PM;
- (ix) whether SINC identified outside the local plan process should be accorded the same weight as those identified within it (Counter objection 331/5011).

Conclusions:

(i) SINC correctly identified on PM

3.314 The Council propose to up-date the PM through PIC/PM/13 in accordance with the most recent revised schedule of SINC-Fareham (December 1996). It is also proposed to insert into paragraph 3.61 an explanation of the rationale for the selection of SINC (PIC/C/42/B) taken from the December 1966 Schedule (CD/62). I support the proposed addition to the text which explains the on-going nature of the identification process and the protection (or removal of it) which will follow from it. The amendment to the text makes it clear that the PM may not reflect the latest schedule of SINC.

(ii) Solent Breeze Holiday Village

3.315 This objection is not opposing the principle or detail of the nature conservation policies, but is seeking assurance that future development will be granted permission. Any such application will be considered, on its merits, against the provisions of the development plan and any material considerations. It is not part of the local plan inquiry process to pre-judge applications which have yet to be made.

(iii) The boatyards

3.316 Objection (0366 and 370) is raised to the absence of survey material as a basis for identifying the SINC. The basis of the SINC selection (sources of records and data and the bodies involved) is set out in the SINC Schedule for Fareham (CD/62). The criteria used in their selection are set out in Appendix 2 to the Plan. I have no grounds to doubt either the number of sites identified, or their detailed boundaries, as they appear on the PM. So far as the latter is concerned the Council has shown itself (see below in relation to Universal Marina and the Wilderness) responsive to detailed criticism when backed by adequate evidence.

(iv) Oslands Lane

3.317 The SINC shown on the PM to the south of Oslands Lane (objection 0377) is proposed for deletion (PIC/PM/13) to reflect the revised list of sites contained in the most recent schedule (CD/62).

(v) Brownwich Stream/Wilderness

3.318 The objector (0331) challenges the criteria and basis under which the Wilderness has been designated a SINC. The Council confirms the designation is made under Criterion 1C (ii) of Appendix 2. I find the criticisms of the basis for the designation of the Wilderness, including the objection site, as inconclusive. While there is a paucity of survey information, I am not persuaded by the objector's sub-division of the SINC into parts as a means of undermining the validity of the SINC as a whole. On the available evidence I am not persuaded that the site is other than of substantive value. It follows that I do not find there is justification for removing this SINC, or part of it, from the PM.

3.319 There is, however, a matter of accurately showing the extent of the SINC on the PM. The Council accepts the boundary as shown is inaccurate. It proposes a change to the boundary of 'Area 2' - see Plan 4

attached to the Council's Proof FBC/C/8/C. On my site visit it appeared to me that the proposed change to the boundary of Area 2 as depicted on Plan 4 is still not quite accurate. My assessment assumes that the northern and western boundary of Area 2 is defined by the line of alder, birch and oak trees and thick undergrowth to west of the Brownich Stream and the distinctive change in character between the open paddock and the dense vegetation along the stream's valley.

3.320 However, I do not see that a minor drafting discrepancy would create problems for the future development of the land to the west. It should be straightforward for the Council and the developer to agree the extent of the developable area either through the medium of a development brief or at the detailed planning application stage. While the Council maintains that there are other examples within the plan area where housing allocations overlie SINC, in the interest of nature conservation and to avoid potential conflicts it would seem prudent in this case to exclude the SINC from the housing allocation on the PM. I deal with the replacement of Policy C10 at paragraph 3.309 above.

(vi) Universal Marina

3.321 A review of the River Hamble Mudflats and Saltmarsh SINC was carried out as a result of this objection and found to be valid (Council's Proof FBC/C/8/F). An amendment (FC/C/13, MAP C/7) is proposed to exclude 2 areas occupied by pontoons at Swanwick Marina and Universal Shipyard. I consider the proposed changes to the PM meet this objection.

(vii) Mays Lane

3.322 I visited the site with the parties. The evidence of badger setts on the site is not disputed (Council's Proof FBC/C/8/G). The objector's case for promoting a designation is based on its badger population, its alleged status as an ancient orchard and as a habitat for 3 species of bats. The Council's view is that, while a protected species, the presence of badgers on the site does not justify the site's designation under the species criteria. The Council sees a Tree Preservation Order as the best means of protecting the site as an ancient orchard.

3.323 As matters stand I support the Council's view, that designation of the site as a SINC is not justified at present. However, the Plan does propose to allocate the site for housing development. Thus, with an unresolved question about the site's nature conservancy properties, the allocation of the site should be made subject to an authoritative, formal view from the HCC as the lead agency on the nature conservation matters (see CD/62).

(viii) Land north of Oslands Lane

3.324 The Council has reviewed the extent of the SINC within the objection site (surveyed-January 1998). That review confirms that the designation should remain along the stream corridor, in order to protect the ecological integrity of the corridor as a whole (Criteria 1A and 5B of Appendix 2). However, the review supports a reduction in the extent of the SINC where it is shown to cover an area of improved grassland and conifer trees. The proposed change to the PM is shown on Plan 4 of FBC/C/8/E. I support the proposed change to the PM (PIC/PM/13) following the Council's confirmation of a reduced area for the SINC within the objection site as part of a wetland habitat (Criterion 5B).

(ix) SINC identified outside LP process

3.325 The identification of SINC is an on-going process. I can foresee that a new SINC could be designated, or indeed, removed from the schedule during the plan period and before a review is undertaken. Similarly, the boundaries of a SINC could also be subject to change. In such circumstances it would be unreasonable to deny protection (or continue protection) to a newly designated (or no longer designated) area under the relevant policies of the plan. Where SINC have not been subject to the local plan process it would be reasonable to give them less weight than those which have. I see no reason, in that case, why equivalent protection should not be given to such sites as will be given to non-designated sites of nature conservation interest under the relevant policy. The proposed changes to the text of paragraph 3.61 explain the on-going nature of the SINC identification process.

RECOMMENDATION

3.326 Modify the Plan as follows:

- (A) Amend the designations of the SINC's as shown on the PM in accordance with the Schedule of SINC's (December 1996) (Pre-inquiry Change PIC/PM/13);
- (B) add the following text after the 3rd sentence of paragraph 3.61:
 "The sites are defined on the basis of criteria agreed by Hampshire County Council, English Nature and the Hampshire Wildlife Trust. The designation of SINC's is an on-going process and the schedule of sites will be updated, including the addition of new sites and the deletion of existing sites, as further information becomes available. Therefore, the Proposals Map may not reflect the latest schedule of SINC's, a copy of which is held by the Planning Department." (Pre-inquiry Change PIC/C/42/B).
- (C) amend the boundaries of the River Hamble Mudflats and Saltmarsh SINC as shown detailed in FC/C/13 (MAP/C/7).

3.327 POLICY C11(D) - LOCAL NATURE RESERVE ALLOCATIONS (QUAVEYS COPSE)**Objection:**

0362/5001: Pelham Homes Limited

Issue:

3.328 Whether Quaveys Copse should be allocated as a Local Nature Reserve (LNR) **and** a Public Open Space (POS).

Conclusions:

3.329 I do not see that the management of the site as a local nature reserve and public open space need create a conflict in objectives or create confusion in the public's mind, provided care is taken to ensure that the nature conservancy characteristics of the LNR (and SINC) are protected. The Council proposes to safeguard the dual function of the site through a Management Plan (see proposed change to paragraph 8.38 in Chapter 8 - Recreation PIC/R/14/C). I support, as providing greater clarification to the Plan, the Council's proposed addition to paragraph 3.65 (FC/C/14) explaining how it intends, through the medium of a Management Plan, to secure the dual role for Quaveys Copse.

RECOMMENDATION**3.330 Modify Paragraph 3.65 of the Plan to read as follows:**

"The management plan for Quaveys Copse, Whiteley, which is allocated as public open space under Policy R4, will amongst other matters show how the needs of the community for open space can be resolved within a woodland park which is of local nature conservation importance." (FC/C/14)

3.331 PARAGRAPH 3.64 - LOCAL NATURE RESERVES**Objection:**

0362/5002: Pelham Homes Limited

Issue:

3.332 Whether the wording of the text would be improved by referring to financial contributions from developers being sought through the provisions of Policy IM1.

Conclusions:

3.333 The Council propose (FC/C/15) that the text of the paragraph should make reference to Policy IM1 wherein it is made clear that infrastructure and other services and facilities made necessary by the development will be expected to be provided as part of the arrangements for the development. I support the proposed change as better reflecting the intentions of the Plan in seeking contributions from developers and national guidance as set out in Circular 1/97.

RECOMMENDATION

3.334 Modify paragraph 3.64 of the Plan to read as follows:

“The Borough Council will seek funding from developers, in line with Policy IM1, towards the laying out, management and maintenance of the proposed Local Nature Reserves at Whiteley.”
(FC/C/15).

3.335 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0007/5005: Sarisbury Building Ltd	Policy C3(C)	Pre-inquiry Change PIC/C/15/B
0300/5008: Warsash Residents' Association	Policy C3(D)	Pre-inquiry Change PIC/C/15/C
0381/5003: Fareham Society		
0381/5009 Fareham Society	Policy C6(iv)	Pre-inquiry Change PIC/C/29/B
0381/5007 Fareham Society	Policy C7(C)	Pre-inquiry Change PIC/C/33/C
0012/5002 Mrs R A Billet	Paragraph 3.46 and Glossary	Pre-inquiry Changes PIC/C/33/C and PIC/A/7/C
0393/5002 Environment Agency	Paragraph 3.48	Pre-inquiry Change PIC/C/34/C and FC/C/5
0438/5010 Hampshire Wildlife Trust	Paragraph 3.59	Pre-inquiry Change PIC/C/40/D
0438/5035 Hampshire Wildlife Trust	Appendix 2	Pre-inquiry Change PIC/A/2

CHAPTER 4 - DEVELOPMENT GUIDELINES

4.0 PARAGRAPH 4.3 - OBJECTIVES

Objections:

0007/5011: Sarisbury Building Limited

0438/5014: Hampshire Wildlife Trust

Pre-Inquiry Changes:

Paragraph 4.3 (Objectives) is amended by PIC/DG/1.

Issues:

- 4.1 Whether the third objective should include a reference to the re-use of previously used land outside existing built-up areas;
whether the first objective should include land management; and whether the last objective should include a more interesting, accessible and biologically rich environment.

Conclusions:

4.2 The Council agrees that the text be amended to include a reference to encourage the re-use or redevelopment of existing buildings without qualification as to where they may be located (PIC/DG/1). I support the proposed change as being in line with current government thinking.

4.3 The reference to land management would not be appropriate as a main objective in a land use plan. The final objective deals with preventing pollution and securing a cleaner environment. I see no advantage in expanding the objectives in the way suggested by the objector. Matters of public access and nature conservation are identified as objectives in Chapter 8 [Recreation, Leisure and Tourism, para 8.2 (a)] and Chapter 3 [Countryside and Coast, para 3.3 (e)].

RECOMMENDATION

4.4 Modify the third objective of Paragraph 4.3 of the Plan to read:

“To make the best of land within existing urban areas whilst avoiding town cramming and to encourage the appropriate re-use or redevelopment of existing buildings.” (PIC/DG/1)

BUT otherwise make no further modifications to the Plan in response to these objections.

4.5 POLICY DG1 - WIDER IMPACT OF DEVELOPMENT

Objections:

0335/5015: Country Landowners Association

0362/5004: Pelham Homes Ltd

0381/5013: Fareham Society

Pre-Inquiry Changes:

Policy DG1 is amended by PIC/DG/3/A and PIC/DG/3/B.

Paragraph 4.10 is amended by PIC/DG/4/B.

Issues:

- 4.6 (i) Whether the policy places enough emphasis on water conservation;

- (ii) whether the policy, together with policies DG2-DG4, are unnecessary and should be replaced by a single policy;
- (iii) whether the policy should include Criterion (D) of Policy DG3.

Conclusions:

4.7 The policy already identifies the need for development to protect water resources (Criterion D). However, the Council propose to amend the supporting text by identifying the impact excessive extraction can have on the water table and adjacent habitats (PIC/DG/4/B). It is also proposed to re-title the policy 'Environmental Impact' as being a more accurate description of the policy (PIC/DG/3/A). I support both changes as improving the clarity of the plan.

4.8 The policy together with Policies DG2-DG4 (0362) lay down a set of development guidelines which cover those matters of fundamental concern in considering the development of a site. These cover the impact of a development on: the environment, other development, the surrounding area and the nature of the site itself. I see advantages in bringing these basic design matters together in one section of the plan for the guidance of developers and the public. If the degree of detail is to be retained, and I see the supporting text for the policies as providing helpful background information for developers and the public, a single policy covering all aspects of the 4 policies would be overly long, complicated and cumbersome.

4.9 Criterion (D) of policy D3 (dealing with conflict with adjoining uses and affect of traffic on surrounding area) could sit equally well in Policy DG1, however, since the policies complement each other I see no reason to amend the policy as suggested. The Council propose to amend Criterion (A) of DG1 (PIC/DG/3/B) to include a reference to the wider environment, which meets this part of the objection (0381).

RECOMMENDATION

4.10 Modify the Plan:

- (A) **by re-titling Policy DG1 as "Environmental Impact" as set out Pre-inquiry Change PIC/DG/3/A;**
- (B) **by amending the first criterion of Policy DG1 to read:**
"it does not detract from the use and enjoyment of adjacent land or have an adverse impact on the wider environment by reason of noise, dust, fumes, heat, smoke, liquids, vibration or light;" (PIC/DG/3/B);
- (C) **by amending the third sentence of paragraph 4.10 to read:**
"Account should also be taken of the impact of the development on the quality and quantity of water resources, for example, due to excessive abstraction, which has an impact upon the water table and adjacent habitats, or pollution and waste from the development." (PIC/DG/4/B).

4.11 PARAGRAPH 4.12 - PREJUDICE TO OTHER DEVELOPMENT

Objection:

0001/5044: Hampshire County Council

Pre-Inquiry Changes:

Paragraph 4.12 is amended by PIC/DG/6.

Policy DG2 is amended by F/PIC/DG/7/A.

Counter-Objection to PIC/DG/6:

0331/5012: Charles Church Developments Ltd

Issue:

4.12 Whether the paragraph should be worded more flexibly to allow development of smaller parcels of land.

Conclusions:

4.13 The Council proposes a change to the text to clarify the approach to piecemeal development which could leave adjoining areas difficult or impossible to develop (PIC/DG/6). I support the change which explains that developing smaller parcels of land can be appropriate provided that development of adjoining areas is not prejudiced.

4.14 **Counter objection** (0331) is based on a fear that the policy may be used to circumvent normal commercial transactions between landowners regarding ransom strips; it is also suggested that the proposed change to the plan would be "ultra vires".

4.15 While ransom strips may be a fact of commercial life they are not in the public interest if they prevent development of land which is otherwise in accordance with the development plan. Moreover, their existence can lead to pressure to develop in less sustainable locations and lead to the unnecessary expenditure of public funds in the pursuit of compulsory purchase powers. Any unwarranted delay to development would also run counter to national policy which seeks to remove obstacles to development in the interest of the national economy. For these reasons I support the Council's changes (PIC/DG/6 and F/PIC/DG/7A) which seek, through the medium of a legal agreement, to prevent the creation of ransom strips.

RECOMMENDATION**4.16 Modify the Plan as follows:**

(A) **amend the last sentence of Paragraph 4.12 and add further text as follows:**

“The piecemeal development of large areas of land through the development of smaller parcels is not considered appropriate unless provision is made for the development of the adjoining areas. Where appropriate, development briefs have been or will be prepared to guide the development of large sites. The Borough Council has a long standing policy of seeking to prevent the establishment of ransom strips which would block access to adjacent land. Developers have been willing to enter into legal agreements which have ensured that ransom strips are avoided as sub-areas are developed.” (Pre-inquiry Change PIC/DG/6)

(B) **amend the second paragraph of Policy DG2 to read as follows:**

“Where piecemeal development could delay or prevent the provision of access to adjacent land, a legal agreement will be sought to prevent the use of the land as a ‘ransom strip’”

(Pre-inquiry Change PIC/DG/7 as amended by F/PIC/DG/7/A - see also paragraphs 4.19-4.21 below).

4.17 POLICY DG2 - PREJUDICE TO OTHER DEVELOPMENT**Objections:**

0334/5008: Government Offices for the South East

0362/5005: Pelham Homes Ltd

Pre-Inquiry Changes:

Policy DG2 is amended by PIC/DG/7.

Counter-Objection to PIC/DG/7:

0331/5013: Charles Church Developments Ltd

Issues:

- 4.18 (i) Whether Policy DG2 should identify the sites which the Council wishes to see comprehensively developed;
 (ii) whether the policy is unnecessary and should be deleted.

Conclusions:

4.19 Paragraph 4.6 confirms the Council's intention to prepare development briefs for the larger development sites and the proposed housing allocations identified in the plan. While I do not see it as necessary for briefs to be prepared for all sites, the adoption of this method of guiding development for the larger sites is a positive step towards meeting the objective of the policy. I support the clarification brought about by the Council's proposed change to the policy (PIC/DG/7). This confirms, as part of the policy, the Council's intention to secure legal agreements where piecemeal development could lead to delay or prevent access to adjacent land through the creation of ransom strips.

4.20 For the reasons already given in respect of the linked objection at para 4.8 above (0362/5004) I see the policy performing an important component in the basic policies guiding development within the plan area. **Counter objection** 0331/5013 to PIC/DG/7 has already been considered at paragraph 4.15 above.

RECOMMENDATION

- 4.21 SEE MY RECOMMENDATION AT PARAGRAPH 4.16 (B) ABOVE. THIS INCORPORATES PRE-INQUIRY CHANGES PIC/DG/7 AND F/PIC/DG/7/A TO POLICY DG2 OF THE PLAN.**

4.22 POLICY DG3 - IMPACT ON THE SURROUNDING AREA

Objections:

0362/5006: Pelham Homes Ltd

0320/5008: Mr R Stubbs

Pre-Inquiry Changes:

Policy DG3(C) is amended by PIC/DG/8.

Issues:

- 4.23 (i) Whether the policy is unnecessary and should be deleted;
 (ii) whether criterion (C) needs to be clarified.

Conclusions:

4.24 Objection 0362 is dealt with at paragraph 4.8 above. The matters of important open space and garden space, covered by criterion (C), are already dealt with by Policies R3 and DG3(B). The Council accepts it is superfluous. The criterion is proposed for deletion under Pre-inquiry Change PIC/DG/8.

RECOMMENDATION

- 4.25 Modify the Plan by deleting Criterion (C) of Policy DG3 (PIC/DG/8).**

4.26 POLICY DG4 - SITE CHARACTERISTICS

Objections:

0362/5007: Pelham Homes Ltd

Issues:

4.27 Whether the policy is unnecessary and should be deleted.

Conclusions:

4.28 This linked objection is dealt with in paragraph 4.8 above.

RECOMMENDATION

4.29 Make no modification to the Plan in response to this objection.

4.30 POLICY DG5 - DESIGN

Objections:

0320/5009: Mr R Stubbs

0450/5001: Wimpey Homes

Pre-Inquiry and Further Changes:

Policy DG5 is amended by PIC/DG/11/B, FC/DG/4 and FC/DG/6.

Paragraph 4.20 is amended by FC/DG/5.

Issues:

- 4.31 (i) Whether the policy and its supporting text should be clarified; and whether the standards and guides included in the plan have been the subject to public consultation;
- (ii) whether the policy should be less restrictive; and whether it should reflect national guidance (PPG1 and PPG3).

Conclusions:

4.32 The Council accepts that the text and the policy could be clearer. A change is proposed to the reasoned justification and policy under PIC/DG/11/B (and PIC/DG/10 - see final paragraph (4.126) in this chapter). It would not be appropriate to include either of the 2 guides (the Extension Design Guide (EDG) and The Residential Design Guidelines (RDG)) within the formal part of the plan. The Extension Guide is described as supplementary planning guidance (SPG) (para 1.16 of the LPR) but the RDG, which appears as Appendix 6, is not so described. In practice it seems the RDG will be treated as SPG.

4.33 It would help all using the plan and the guidelines if the status of the latter could be made clear, both in the plan and on the documents themselves. In order to assist the public and decision makers the RDG and the EDG should carry the date they were adopted (or revised) and the extent of any public participation carried out. Since the Council's guidelines have not been subject to scrutiny as part of the local plan process it is right that the reference to Appendix 6 in Criterion (B) is deleted. Similarly, I support the change to Criterion (F) in now stating that 'regard will be had to', rather than a requirement to 'accord with', the RDG (PIC/DG/11/B). I also support the changes to the text (PIC/DG/10) which confirms that the guidelines will not be treated as prescriptive. This I see as an important rider in view of the very exact figures given in the distances set out in the RDG.

4.34 The specific reference in Criterion (A) to pitched roofs (0320) has been removed under PIC/DG/11/A. I do not agree with the objector's (0320) point that the matter of garaging (Criterion (D)) is already covered in Policy T5. The latter is concerned with the number of spaces whereas Criterion (D) addresses the design and appearance of the provision. However, I support the Council's change to the text of the criterion which clarifies that **either** garaging **or** car parking may be appropriate (FC/DG/4) and, likewise, the consequential changes to the text of paragraph 4.20. The changes deal with the desirability of siting parking facilities within or close to the dwelling's curtilage and draws attention to the visual impact which large car parks/garage courts can have in the townscape. I also support the clarification to Criterion (E) in seeking **where appropriate** a usable area of garden/amenity area outside the canopy of retained trees. I find the qualifications are reasonable in the light of the Council's response that such areas will not always be practicable **in the case of residential development**, for example, flat conversions over existing shops.

RECOMMENDATION

4.35 Modify Policy DG5 of the Plan as follows:

- (A) delete the words “(see Appendix 6)” from Criterion (B) (PIC/DG/11/B);
- (B) amend criterion (D) to read as follows:
“provides satisfactory servicing, cycle and car parking or garaging” (FC/DG/4); AND
- (C) amend paragraph 4.20 to read as follows:
“Vehicular access to the proposed development and on-site parking and servicing arrangements are important design considerations to be taken into account in new development proposals. For example, within residential developments allocated parking and/or garaging should be located within the private curtilage, where possible, or conveniently sited close to the dwelling. Unsatisfactory parking and servicing to existing or proposed premises is an important contributor to traffic congestion. These problems can be avoided if, wherever possible, parking and servicing is provided on-site to adopted standards. The visual impact of large areas of surface car parking or garage courts is also an important consideration.” (FC/DG/5)
- (D) amend criterion (E) to read as follows:
“where appropriate in the case of residential development, a usable garden or open area is provided outside the canopy of any retained trees ; and” (FC/DG/6);
- (E) delete Criterion (F) and substitute the following (an amended PIC/DG/11/B):
“and, where appropriate, it has regard to:
(F) the Residential Guidelines in Appendix 6 and the Council's Extension Design Guide;
(G) the needs of people with disabilities...”
- (F) [SEE ALSO MY COMMENTS AT PARAGRAPH 4.33 ABOVE IN RELATION TO SUPPLEMENTARY GUIDANCE]

4.36 POLICY DG5(E) - DESIGN

Objection:

0402/5001: Mr R Tutton

Pre-Inquiry Changes:

Paragraph 4.15 is amended by FC/DG/1.

Issue:

4.37 Whether the criterion fails to take sufficient account of advice set out in BS 5837:1991; and whether the detail contained within paragraph 4.23 is helpful.

Conclusions:

4.38 The Council propose to include a reference to BS 5837 in paragraph 4.15 dealing with Site Characteristics. Another change is proposed (in response to a different objection), under F/PIC/DG/9/A. This emphasises the importance of trees and hedgerows in the environment. Criterion (E) seeks to ensure that a usable area of garden/amenity space is provided outside the canopy of retained trees. Under certain conditions trees can create too much shade and give rise to nuisance from dropping leaves. Given the pressure to remove trees or branches which can arise if this situation is ignored, I find it reasonable that the policy spells out to prospective developers and the public of the need to take this situation into account.

4.39 In response to another objection, the Council propose to relocate the substance of the text of paragraph 4.23 to Appendix 6. However, as a result of this objection, the Council propose to clarify the text of paragraph 1.17 (as proposed for change under PIC/IN/1) to the effect that Appendix 6 is not formally part of the LPR (see para 1.12 above).

RECOMMENDATION

4.40 Modify the Plan by adding a new sentence at the end of paragraph 4.15 as follows:

“Particular regard should be had to the guidance in BS 5837 (1991): ‘Trees in relation to construction’”. (FC/DG/1).

4.41 POLICY DG5(F) - DESIGN

Objections:

0402/5002: Mr R Tutton

Pre-Inquiry Changes:

Policy DG(F) is amended by PIC/DG/11/B.

Issue:

4.42 Whether criterion (F) should be deleted because it refers to a guide which has not been subject to the statutory plan making procedures.

Conclusions:

4.43 I have already considered this issue in relation to objections to the main policy - see paragraphs 4.32 & 4.33 above. The objection is met by Pre-inquiry Change PIC/DG/11/B.

RECOMMENDATION

4.44 Make no modification to the Plan in response to this objection.

POLICY DG5(I) - DESIGN

Objection:

0393/5004: Environment Agency

Issue:

4.45 Whether criterion (I) should include a reference to water resources.

Conclusions:

4.46 The objective of protecting water resources is a requirement under Policy DG1 (Environmental Impact - criterion (D)). I see no reason to repeat that objective in Policy DG5.

RECOMMENDATION

4.47 Make no modification to the Plan in response to this objection.

4.48 APPENDIX 6 (RESIDENTIAL DEVELOPMENT GUIDELINES)

Objections:

0381/5014: Fareham Society

0445/5022: House Builders Federation

Pre-Inquiry Changes:

Paragraph 4.22 and Appendix 6 are amended by PIC/DG/12.

Paragraph 4.23 and Appendix 6 are amended by PIC/DG/13

Appendix 6 is amended by PIC/A/3.

The status of Appendix 6 is amended by F/PIC/IN/1/A

Issues:

- 4.49 (i) Whether the reference to a requirement of 25sq m landscaped communal garden per dwelling for elderly persons accommodation should be included in Appendix 6;
- (ii) whether Appendix 6 should be deleted because the Residential Development Guidelines are supplementary planning guidance which should be published separately from the LP.

Conclusions:

4.50 The Council accepts that its guidance relating to the size of gardens/amenity space in development, as set out in paragraph 4.22 and 4.23, is best placed in Appendices as supplementary planning guidance (PIC/DG/12 & PIC/DG/13 refer). The example cited in the last sentence of paragraph 4.23 is no longer appropriate given the reference to BS 5837 'Trees in relation to construction' which is proposed for paragraph 4.15 under further change FC/DG/1. Proposed changes to the Plan, already referred to above (see paragraph 1.12), make it clear that the Appendices do not form part of the Plan.

4.51 A proposed change to the preamble to Appendix 6 (Pre-inquiry Change PIC/A/3) will make it clear that the guidelines represent the Council's design expectations without the intention of being prescriptive. I consider the proposed changes will bring the plan into line with national guidance in the way supplementary planning guidance should be treated in the local plan process.

RECOMMENDATION

4.52 Modify the Plan as follows:

- (A) move the last sentence of Paragraph 4.22 to Appendix 6 (as set out in Pre-inquiry Change

PIC/DG/12);

(B) delete the last sentence of Paragraph 4.23 and move the remaining text to Appendix 6 (as set out in Pre-inquiry Change PIC/DG/13);

(C) replace the first 2 sentences of paragraph A6.1 of Appendix 6 with the following:

“The following guidelines provide an indication of the Council's design expectations for new residential layouts; they also indicate those circumstances in which the Council will seek a greater standard. The guidelines are not intended to be prescriptive or to create stereotype development or to stifle experiment, individuality or innovative design. The Council will expect a high standard of design and it will reject poor designs that are inappropriate to their context and out of scale with their surroundings.” (PIC/A/3)

4.53 PARAGRAPH 4.23 - GARDEN AREA

Objection:

0381/5015: Fareham Society

Pre-Inquiry Changes:

Paragraph 4.23 and Appendix 6 are amended by PIC/DG/13.

The status of Appendix 6 is amended by F/PIC/IN/1/A

Counter-Objection to PIC/DG/13:

0381/5070: Fareham Society

Issue:

4.54 Whether the text should discourage/exclude the siting of services within 10m of a tree's canopy.

Conclusions:

4.55 The reference to the siting of new development in relation to a tree's canopy has been deleted under PIC/DG/13. The remainder of the paragraph is re-located to Appendix 6. I see no reason for the retention of the final sentence (see paragraph 4.50 above).

4.56 A **counter objection** (0381) is made to the deletion of paragraph 4.23; it is suggested that the objective of the final sentence of the paragraph could be included within Policy DG4 (Site Characteristics).

4.57 The main thrust of paragraph 4.23 is concerned with the size of gardens and their role in maintaining privacy and their contribution to an area's character. The Council accepts that the plan should have a section which deals with protection of trees. A new paragraph (4.15A) is proposed dealing with this important topic. I support the inclusion of an additional paragraph dealing, in a general way, with the protection of trees and hedgerows.

RECOMMENDATION

4.58 **Modify the Plan by the addition of a new paragraph 4.15A as set out in Further Pre-inquiry Change F/PIC/DG/9/A.**

4.59 POLICY DG6 - LANDSCAPE DESIGN

Objections:

0320/5010: Mr R Stubbs
 0362/5008: Pelham Homes Ltd
 0381/5017: Fareham Society

Pre-Inquiry and Further Changes:

Policy DG6 is amended by PIC/DG/15 and FC/DG/8.
 Paragraph 4.29 is amended by FC/DG/7.

Issues:

- 4.60 (i) Whether the policy should state who determines what is an acceptable landscaping scheme and an adequate site survey;
- (ii) whether the policy should be indicative rather than setting out detailed requirements;
- (iii) whether the policy should require site surveys and open space provision at outline application stage.

Conclusions:

4.61 It is clear that the judgement as to whether a landscaping scheme or site survey is adequate rests with the local planning authority (LPA) as the authority responsible for determining an application. I see no need for this to be spelt out in the policy. The objector's concern (0320) that the schemes will not be considered by qualified staff is not a matter which the LP can address. However, I note the Council says that, where appropriate, it can call on its landscape architect for advice on any schemes. The Council also propose to change the text of paragraph 4.29 (FC/DG/7) and criterion (B) of the policy (FC/DG/8) which make it clear that schemes should be based on site surveys and spells out items for inclusion. The amendment to the policy deletes the words 'an adequate site survey'. I support the amendments to both text and policy as providing clearer guidance on this topic.

4.62 The Council agrees (objection 0362) that the introduction to the criteria in the policy (see PIC/DG/15) should make it clear that each criterion will not need to be met in all cases. I support the proposed change in providing a clearer statement of policy and intent. I do not see that the policy would be very helpful, or clear, if framed in an indicative way as proposed by the objector.

4.63 It is unlikely that a site survey will be required in **all** cases. It seems reasonable to me that the discretion should be left with the LPA. That would not prevent a developer from initiating a site survey should they consider it in their interest to do so. The provision of open space (area and location) will not necessarily be known at the outline application stage, it being dependent on the population to be accommodated and site layout. I see no need, therefore, for this information to be provided at outline stage; it can be safeguarded by condition in any outline permission.

RECOMMENDATION**4.64 Modify the Plan as follows:**

- (A) **amend the preamble to Policy DG6 to read as follows:**
 "Landscape designs required to accompany planning applications or as reserved matter will be approved provided that they comply with Policy DG4 and that, where appropriate, they;" (PIC/DG/15)
- (B) **add a new sentence after the second sentence of paragraph 4.29 to read as follows:**
 "Landscaping schemes should be based on site surveys which include details of ground levels and existing vegetation and other landscape features." (FC/DG/7);
- (C) **amend criterion (B) of Policy DG6 to read:**

“contain appropriate details including a schedule of tree and shrub species and hard landscape materials and the phasing and timing of works;” (FC/DG/8);

BUT, otherwise make no further modifications to the Plan in response to these objections.

4.65 PARAGRAPH 4.30 - LANDSCAPE DESIGN - (PLANTING BELTS)

Objections:

0362/5009: Pelham Homes Ltd
0371/5003: Southern Planning Practice

Pre-Inquiry Changes:

Paragraph 4.30 is amended by PIC/DG/16.

Issues:

- 4.66 (i) Whether the text following the second sentence in paragraph 4.30 (submission of landscaping schemes) should be deleted and replaced by revised text; whether the standards for planting belts are too prescriptive and contrary to national guidance;
- (ii) whether the planting belt requirement between Whiteley Lane (south) and properties in Burr ridge should be deleted.

Conclusions:

4.67 The planting belts are described in the text as ‘standards’. The Council agrees that the dimensions given would read as being too prescriptive. A change to the wording is proposed (PIC/DG/16) to state that landscaping schemes may include planting belts and, where appropriate, have regard to... the guidelines set out in sub paragraphs (a), (b) and (c). I see no objection to the precise location of the planting belts being provided in a development brief as suggested by the objector (0362) since natural features and site contours may provide some scope for minor changes in the position of planting belts to those shown on the PM. The Council's proposed amendment meets the criticism that the text is unduly prescriptive. It also provides flexibility in approach between Class B1 and residential uses and where differing boundary treatment, such as walls and fences, is proposed.

4.68 The Council accepts that the proposed planting belts separating Whiteley and Burr ridge are prescriptive. The proposed 40m planting belt (objection 0371) was a principle established in the Whiteley Local Plan adopted in 1987. The provisions of that plan are being brought forward into the LPR. It has long been an objective of the plan makers and the residents of Burr ridge that the settlements of Whiteley and Burr ridge should remain distinct. If an effective separation is to be maintained, I see no reason to regard, as excessive, a long-term commitment to planting belts of 40m in this part of the plan area.

4.69 The existing tree belt to the north of Whiteley Lane is limited in depth and density of planting. Similarly, the existing planting to the east does not form an effective screen. Neither would effectively screen the scrap yard. I accept that the objective of the planting belts is to secure visual, not social, separation. Notwithstanding the existence of the scrap yard, the predominant character of Whiteley Lane remains rural. The district boundary with Winchester lies a short distance away to the north and east. For the time being this part of Winchester District is to be treated as countryside (Appendix 1, FBC/DG/3/B). In support of the objector's case there has been an attempt to anticipate the timing, form and detail of development within Winchester's plan area. I find this both premature and speculative; it adds little substance to the objector's case.

4.70 If the North Whiteley housing allocation is to form part of the LPR I see no sound planning reason for excluding the scrap yard site from the planting belt. The intention of the LPA is that the area should be developed comprehensively. This would have the advantage of removing the scrap yard use which is visually intrusive and unattractive. If the site is not acquired for housing and remains outside the housing allocation then no doubt the Council will need to consider a realignment of the proposed planting belts to screen the site from any proposed

residential development. I agree that its omission from the allocation would have but a minimal impact on the overall housing land supply situation (para 12 of FBC/DG/3/B). However, no objection was lodged by the operators of the scrap yard against the housing allocation affecting this site. I have no evidence to suggest that the housing value of the site, even with a planting belt superimposed, is insufficient to bring about its redevelopment for residential purposes within the period of the Plan. However, this assumes that individual land owners will eventually co-operate to bring about a comprehensive outcome. In the circumstances I see no reason for deleting the proposed planting belts as shown on the PM in the vicinity of the objection site.

RECOMMENDATION

4.71 Modify paragraph 4.30 of the Plan by deleting from the final sentence the words “together with planting belts to the following standards”:

THEN ADD a new final sentence as follows:

“Such schemes may include planting belts that have regard, where appropriate, the following guidelines:” (Pre-inquiry Change PIC/DG/16).

BUT otherwise make no further modification to the plan in response to these objections.

4.72 PARAGRAPH NEW - RENEWABLE ENERGY (AFTER PARAGRAPH 4.33)

Objection:

0872/5002: Energy Technology Support Unit

Issue:

4.73 Whether more detailed guidance and a new policy is required identifying specific sources of renewable energy.

Conclusions:

4.74 I agree with the Council that without more information about which sources of renewable energy could be exploited within the plan area it is difficult to respond to this objection. Meanwhile Policy DG7 will provide the background against which proposals for the production of energy from renewable sources would be assessed.

RECOMMENDATION

4.75 Make no modification to the Plan in response to this objection.

4.76 POLICY DG10 - TELECOMMUNICATIONS

Objections:

- 0002/5002: Orange Personal Communications Services Limited
- 0002/5003: Orange Personal Communications Services Limited
- 0002/5005: Orange Personal Communications Services Limited
- 0290/5001: Vodafone Limited
- 0417/5005: British Telecommunications Plc

Pre-Inquiry Changes:

Paragraph 4.37 is amended by PIC/DG/19/A.

Policy DG10 is amended by PIC/DG/20/A and PIC/DG/20/B

Issues:

- 4.77 (i) Whether the policy should include a reference and/or give greater emphasis to the need for telecommunication providers to meet the legal and technical requirements of placing their equipment;
- (ii) whether criterion (B) should include the possibility of rejection on technical grounds;
- (iii) whether criterion (E) should be deleted as unnecessary.

Conclusions:

4.78 In response to objections 0290, 0417 and 0002 (part), the Council proposes changes (PIC/DG/19/A and PIC/DG/20/B) to the policy and supporting text (para 4.37) explaining that technical, operational and legal constraints need to be taken into account when determining proposals for placing telecommunications equipment. I support the proposed changes which are in line with national guidance (PPG8). I see the amendments as meeting the general objections to the policy and that specific to Criterion (B).

4.79 In respect to Criterion (E) (objection 0002), the pace of technological development in telecommunications is very rapid. It is not inconceivable therefore that masts and other equipment may become redundant in the future. It seems to me not unreasonable for the LP to require the removal of masts/equipment, in certain circumstances, in the event that a piece of equipment/structure is no longer required. I have in mind the prospect of a redundant mast which could be an intrusive feature in the landscape, remaining in place with no maintenance being carried out to it. I therefore see no objection to this particular criterion. However, I support the Council's proposed clarification of the text, which improves its flexibility (PIC/DG/20/A). While there may be an overlap here between the requirement of the operator's licence, I see this as an important material consideration which the LPA would be wise to satisfy itself about without the need to rely on enforcement powers under different legislation.

RECOMMENDATION

4.80 Modify the Plan as follows:

- (A) amend the third sentence of paragraph 4.37 to read:

“... will be important considerations. The technical, operational and legal requirements of the development will be taken into account.” (PIC/DG/19/A);

- (B) amend Policy DG10 as follows:

- (i) Criterion (E) to read:

“where appropriate, provision is made for the removal of the equipment and restoration of the land following the cessation of the use.” (PIC/DG/20/A)

- (ii) add a new paragraph at the end of the policy as follows:

“In determining applications, the Council will have regard to the technical, operational and legal constraints faced by operators.” (PIC/DG/20/B);

4.81 POLICY DG11 - COLDEAST HOSPITAL

Objections:

0300/5015: Warsash Residents' Association

0407/5011: Gosport and Fareham Friends of the Earth

0415/5001: Capitec NHS Property Management & Secretary Of State for Health

Pre-Inquiry and Further Changes:

Policy DG11 is amended by PIC/DG/21 and FC/DG/3.

Issues:

- 4.82 (i) Whether criterion (B) needs to be amended to reflect Appendix 5;
 (ii) whether the development will cause unacceptable congestion on the A27 and harm the parkland;
 (iii) whether the plan should allow for more housing to be provided on the site and thereby make better use of the land;
 (iv) whether criterion (D) should be deleted (recreational open space/parkland); and whether criterion (i) (development brief) should be deleted; whether criterion (ii) (historic parkland) should be deleted; and whether criterion (iv) (retention of areas) should be amended to permit development of sites (A) and (B).

Conclusions:(i) Whether Criterion (B) needs to be amended

4.83 In response objection 0300 the Council agrees that the wording of the policy should be amended (PIC/DG/21) to clarify that the housing allocation for the hospital site is to be located on that part of the site within the urban area.

(ii) Whether the proposed development would cause unacceptable congestion

4.84 There is no evidence at this stage that development of the proposed housing allocation would not be acceptable in traffic terms. However, I support the Council's proposed addition to the wording of the policy (FC/DG/3) to ensure that development of the site accords with Policy T6 (development requiring new or improved access).

(iii) Whether the Plan should allow for more housing on the site

4.85 The Council's proposals for the site would meet the concerns of this objector (0407) with the exception of the proportion of affordable housing. It would be contrary to national guidance to require all housing on the site to be 'affordable'. However, it is the Council's intention to seek a proportion of affordable housing within the development (see Table 2 and Policy H10 Affordable Housing).

4.86 The number of units attributed to the housing allocations (objection 0415) within the plan are indicative only (see PIC/H/12/B). The precise capacity of a site will only be known at the detailed application stage. Accordingly, I do not see it as necessary or, indeed, helpful to change the allocation for the site (160 dwellings) on some 7ha as set out in Appendix 5 of the plan. Given that it is an indicative figure, there is no basis for assuming that the prospective development will not make the best use of the allocated land.

(iv) Whether Criterion (D) should be deleted (recreational open space/parkland)

4.87 Criterion (D) deals with that part of the site allocated for open space purposes. I consider this aspect under the related objection 0415/5008 to Policy R4 in Chapter 8 and conclude that the objection should not be supported.

Criterion (i)

4.88 I note that a development brief (criterion (i)) for the site has been prepared on behalf of the landowner, but this has not been approved by the Council. Until such time as a comprehensive brief has been agreed by the LPA I consider it appropriate to retain this criterion within the policy.

Criterion (ii)

4.89 While Coldeast Hospital, the former mansion and grounds, is not included on the English Heritage register of nationally important sites of historic parklands, I see no obstacle to the LP identifying those sites within the district which are important in the local context. This aspect is considered in greater detail in connection with

a related objection (0415/5003) to Policy HE11.

Criterion (iv)

4.90 Parts of the site (referred to as sites A & B) were investigated, in 1996, for potential housing development in the lead up to the LPR. They were subsequently abandoned in the selection process. I accept the Council's view that the Plan's housing allocation is sufficient to meet the SPR's housing requirement for the period of the Plan. In the circumstances I see no good reason for changing the Plan's allocation of the sites within a local gap/countryside on the PM pending any review which may be required as part of a modified and adopted SPR (see para 3.120 above).

RECOMMENDATION

4.91 Modify Policy DG11: Coldeast Hospital as follows:

(A) amend criterion (B) to read:

“redevelopment for housing or residential conversion of other existing buildings within the urban area;” (PIC/DG/21); AND

(B) add a new criterion to follow criterion (iv) to read as follows:

“(v) the development is in accordance with the other policies of the plan, particularly Policy T6;” (FC/DG/3).

4.92 PARAGRAPH 4.42 - SEAFIELD PARK

Objections:

0407/5012: Gosport and Fareham Friends of the Earth

0472/5001: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Paragraph 4.42 is amended by PIC/DG/22

Issues:

- 4.93 (i) Whether the proposed access would result in damage to mature trees;
 (ii) whether the text needs up-dating.

Conclusions:

4.94 In relation to objection 0407, the Council is satisfied that a satisfactory access can be provided to the site without damage to mature trees on the site. I have no reason to doubt that assessment. A further objection was made to the principle of development of the site. This objection was not duly made. Nevertheless the Council have chosen to respond to it. Development of part of the site was established in 1988 as part of the Fareham Eastern Wards LP. The principle was carried forward into the adopted LP and in turn this has been carried forward into the LPR. In the circumstances I see no reason to amend either the policy or the developable area shown on the PM. The Council agrees that the text needs to be amended to reflect the up-to-date position. (PIC/DG/22).

RECOMMENDATION

4.95 Modify the Plan by replacing the first 2 sentences of paragraph 4.42 as follows: as follows:

“Seafield Park was used by the Ministry of Defence as a training establishment with ancillary sports facilities and in part for agricultural use. The Ministry of Defence has declared the site

surplus to requirements and it is available for other uses. The prime consideration is to ensure that landscape and conservation interests are not prejudiced. Before any development is permitted ...” (PIC/DG/22)

4.96 POLICY DG12 - SEAFIELD PARK

Objection:

0472/5002: Defence Estates Organisation (Lands) South (2)

Issues:

4.97 Whether criterion (C) and the PM should be amended to show a more rational and natural development boundary.

Conclusions:

4.98 The development boundary adopted for the site was originally recommended by the Inspector in considering objections to the Eastern Wards LP (1988). This boundary was carried forward in the adopted LP. The determining principle in considering the future of the site has been maintaining the landscape and conservation interests of the site.

4.99 The site represents the only significant break in development, along the coast, within the built-up area of Stubbington/Hill Head. As such it performs an important function as an enclave of open land providing an attractive visual contrast to the urban development along the coastal route between Hill Head and Lee-on-Solent. The site supports a well used network of informal footpaths linking the nearby residential areas to the coast. Fine views are available from within the site to the south across the Solent. The FBLA (CD/18) identifies the site as ‘rural landscape type’. I note there are a number of salients of open land/countryside embedded within the built-up areas of the district. This has not led to those sites being shown within the urban area on the PM. Although there is existing urban development to the west and north, its influence on the site is either hidden or muted due to boundary vegetation, particularly to the west. To the east and south the adjoining land use is predominantly open or wooded with some low profile built development screened by vegetation. This background and these characteristics, in my view, support the site being shown as countryside on the PM.

4.100 The site forms part of the coastal plain; it is visually linked to the coast and the site is well used by residents, albeit informally, as a pedestrian link between the urban area and the coast. Moreover, the review of the CZ undertaken as part of the FBLA maintained the site as appropriate to the CZ allocation. However, I see the continuation of the CZ notation over the developable area shown on the PM, albeit by a broken line, as creating an anomaly. If built development is planned for the northern part of the site I suggest that both the urban area and CZ boundary notations be coterminous with the developable area boundary.

4.101 The Council is concerned that the site should be considered as a whole. I regard that as the right way forward. To do otherwise could lead to ‘cherry picking’ to the detriment and possible neglect and dereliction of the open space. This would be poor planning in respect of this prominent and important coastal site. The objector prefers to secure, by condition, the provision of open space as part of any residential (or other) development on the developable area of the site. In practice, I anticipate this would be difficult to achieve, not least because of the prospect of severance and the difficulty of providing the recreational land by condition. Supporting this view is the existence of a SINC on a large part of the site allocated as open space and the likelihood that a management plan would be required to ensure compatible uses. This is most likely to require a legal agreement to cover the details. In the circumstances I consider it is appropriate that this prospect is mentioned in the text of the policy.

4.102 There is a shortfall in playing field provision in Stubbington of some 13.5ha and about 1.1 ha of informal open space. The area of open land remaining outside the development envelope shown on the PM is some 10ha. I find the open character of the site, its countryside and coastal zone notation, the presence of a SINC and a local

need for open space support the policy approach of the LPR and allocation on the PM (subject to my comments at para 4.100 above).

4.103 The objector argues that the open space to be provided on the site is not related to the number of dwellings/population which is to be accommodated on the site. It is my understanding that the proposed open space is allocated under the provisions of paragraph 4, 13 and 15 of PPG17 (Sport and Recreation). As such the allocation is not directly related to the scale and needs of any development which may take place on the northern part of the site, although it is linked in that the policy sets out a comprehensive set of proposals for a redundant site.

4.104 Two alternative boundaries to the developable area are put forward by the objector. Option 1 would not relate to any physical features on the site. It would cut through an area of woodland to the west of the site. Being further south, development would be significantly more intrusive in the landscape when viewed across the remaining open land, from footpaths and from the coast. Option 2 extends deep into the existing open land on the eastern side of the site. Again, development following this option would be extremely intrusive, causing built development to encroach into the open land. I find this option would have particularly damaging impact on the open landscape; it would create an urban character to southern portion of the site and detract in a material way from the site's present visual relationship with the coast. Accordingly, I find no reason to reduce the public open space allocation on the PM. In the absence of an over-riding need for housing land (see also related objection 0472/5003 to Policy R4), I do not support a change to the development boundary.

RECOMMENDATION

4.105 Modify the Coastal Zone and urban area boundary as shown on the Proposals Map at Seafield Park to be coterminous with the "Developable Area" allocation BUT otherwise make no further modification to the Plan in response to this objection.

4.106 PARAGRAPH 4.44 - DAEDALUS AIRFIELD

Objections:

0001/5067: Hampshire County Council
 0263/5001: Defence Estates Organisation (Lands) South
 0302/5001: Mr J W Richardson
 0407/5006: Gosport and Fareham Friends of the Earth

Pre-Inquiry Changes:

Paragraph 4.44 is amended by PIC/DG/23

Issues:

- 4.107 (i) Whether reference should be made in the text to the Proposed Modifications to the Hampshire Minerals Waste Local Plan (HMWLP) (1997);
- (ii) whether reference to the uncertainties to the future use should specify that it is the future of 'aviation' which holds the key;
- (iii) whether reference to the prospect of gravel extraction taking place from the site should be deleted.

Conclusions:

4.108 The Council agree that text should be brought up to date. A change is proposed (PIC/DG/23) to reflect the position following the publication of the Inspector's report on HMWLP (CD/30). I support the proposed change and the further changes (FC/DG/9, 10, 11, 12 and 13) insofar as they state publicly and clarify the Council's proposals for this important site. The amended text also reflects the HMWLP as proposed for modification in respect of the mineral reserves within the site. The changes confirm that it is the uncertainty over

possible future use for **aviation** which needs to be resolved before further consideration is given to the extraction of minerals from the site. (Policy 24A of the HMWLP stresses the importance, in county terms, of the sand and gravel reserves within the site).

4.109 In response to objections 0302 and 0407, the plan notes the existence of mineral deposits under the site. It is for the HMWLP to identify whether the site should be earmarked for future mineral working. Given the uncertainties surrounding the future use of the site, the LPR as proposed for change, provides as clear an indication as is possible at this stage regarding the plan's intentions for dealing with the mineral deposits which underlie the airfield.

RECOMMENDATION

4.110 Modify paragraph 4.44 of the Plan as set out in the Council's Pre-inquiry Change PIC/DG/23 AND further amend the text (Further Changes FC/DG/9, 10, 11, 12 and 13) to read as follows:

“Both Fareham and Gosport Borough Councils raised objections to the proposal within the deposit Hampshire Minerals and Waste Local Plan to extract sand and gravel from the Daedalus site. The objections were considered at a Local Plan Inquiry that ended in February 1996. The Inspector's report was published in December 1996. The Inspector recommended in his report that, although a site is required for further extraction in South East Hampshire and the Daedalus site is suitable in other respects, the site should be deleted from the plan owing to uncertainty over the future use of the airfield. He concluded that uncertainty as to the future of aviation at the airfield and its role in assisting economic regeneration was an overriding objection to the inclusion of Daedalus as a preferred area and that the issue needs to be resolved before any part of the area is identified for mineral working. A further consultant's study to examine the economic viability of continued airfield use has been commissioned by Fareham Borough Council, Gosport Borough Council, Hampshire County Council and the Ministry of Defence. Hampshire County Council have agreed to the Inspector's recommendation subject to the inclusion of new text in the Minerals and Waste Local Plan to refer to the existence of the Daedalus Airfield as a site containing a large reserve of sand and gravel. The text will also refer to the conclusions reached by the Local Plan Inquiry Inspector and the importance of safeguarding the site from development which would prevent or prejudice future mineral working.”

4.111 POLICY DG13 - DAEDALUS

Objections:

0001/5066: Hampshire County Council
 0004/5003: Gosport Borough Council
 0263/5005: Defence Estates Organisation (Lands) South
 0334/5010: Government Office for the South East
 0320/5011: Mr R Stubbs
 0407/5008: Gosport and Fareham Friends of the Earth
 0438/5017: Hampshire Wildlife Trust

Pre-Inquiry Changes:

Policy DG13 is amended by PIC/DG/24/A-H

Issues:

- 4.112 (i) Whether the text should make clear that development will not be permitted if it would prejudice future mineral extraction;
- (ii) whether the text should be amended to reflect the opportunities provided by existing airfield buildings near Stubbington;
- (iii) whether the wording of the options needs clarification;

- (iv) whether the policy as drafted provides adequate guidance as to the future development of the airfield; whether the policy deals with future demands for new development; and whether the potential of the site for mineral and waste development is adequately considered;
- (v) whether the policy could provide for a better range of uses;
- (vi) whether the policy could provide greater certainty as to the future uses of the site; and whether greater emphasis should be given to access and nature conservation.

Conclusions:

(i) Development prejudicial to future mineral extraction

4.113 In response to objection 0001, paragraph 4.47 (as proposed for amendment by FC/DG/14) of the reasoned justification explains the strategic minerals background to the policy. I support the further change as providing additional information as to the importance of the site in terms of its mineral deposits. However, I do not see that it is necessary for the wording of the policy to repeat those of either SPR (Policies MW5 and MW10) or the HMWLP (Policy 24A). The policy and its supporting text make it clear to all that, development which would prevent or prejudice future mineral extraction, will not be permitted. I see no need, therefore, to amend the text of the policy.

(ii) Opportunities provided by existing buildings

4.114 Again I see no need for the text of the policy itself to explain the opportunities for re-use of existing buildings on the site. The re-use or redevelopment of buildings in more appropriate locations, is encouraged in the supporting text (para 4.50) to the policy. There is a limit to the amount of detail the policy can contain before it loses clarity. I am satisfied that the objector's concerns are appropriately covered in the reasoned justification. I note that the objector (0004) has been involved in the preparation of the 'Daedalus Development Strategy' referred to in paragraph 4.48 and that the policy itself reflects the Strategy (para 4.49).

(iii) Clarification of the options

4.115 In response to objection 0263, the Council propose a number of changes to the text of the policy. These include: the addition of headings for each of the 4 options included within the policy (PIC/DG/24/C); amended wording for the first 2 options, 1(A) and 2(A), recognising that the airfield **benefits from an existing use for flying activities and will not require planning permission for continuation of that use** (PIC/DG/24/B); Option 3(A) and 1(B) is to be amended by qualifying that replacement buildings will be **located closer to the Borough boundary** and adjacent to the main building complex in Gosport Borough (PIC/DG/24/B and D); a new criterion will be added to Option 2 to permit **employment or recreation use** in existing hangars not required for general aviation use or in replacement buildings (PIC/DG/24/F); Option 4 is to be amended to enable the site to be used **either separately** or in association with the main building complex within Gosport Borough (PIC/DG/24/G); a number of the options are to include the prospect of agricultural use (PIC/DG/24/H). I support this series of changes in that they improve the understanding of the policy by providing clearer guidance for the future use/development of the site.

(iv) Adequate guidance provided by policy?

4.116 The plan's proposals for the airfield site are layered and depend on a number of unknown factors. These are outlined in the supporting text and in the joint Daedalus Development Strategy, which is effectively a development brief for the site. The reasoned justification and the policy draw heavily on the Strategy. I am satisfied that the policy and supporting text, as proposed for change, is as sound, clear and comprehensive in the guidance it gives to developers and the public as can reasonably be expected, given the complexities of the site and the variety of objectives. In my view, the constraints to future development of the site, including the underlying mineral deposits, are adequately set out in the HMWLP and the supporting text to Policy DG13.

(v) Policy should provide a better range of uses

4.117 The maintenance of the strategic gap and therefore the openness of the site is one of the main objectives of the policy and the Strategy. The continued protection of the gap appears as a criterion in all 4 options (Option 1(C), 2(B), 3(B) and 4(B)). The objectives are set out in paragraphs 4.43 and 4.50 of the Plan.

4.118 Objection (0407) is raised to a major commercial development and housing on the site. The strategy for the site seeks to provide an improved balance between employment, housing and recreation in this part of the district. The major part of the development proposals will take place within the adjoining district of Gosport. I find that the strategy and policy provide a balanced approach to an important site with varied, often conflicting objectives. There appears to be no obstacle, in principle, to the range of uses promoted by the objector within a number of the options should a developer wish to pursue them.

(vi) Policy could provide greater certainty

4.119 I have already referred to the difficulty I see in providing greater clarity and certainty for the future of this site given the variety of objectives being sought and the inherent conflicts which they can throw up. I do not find that the policy could easily meet the concerns of this (0438) and a number of other objectors. All 4 options deal with the question of access, the details would be a matter for consideration at the application stage. In this regard the Council's proposed change, which I support, to the first paragraph of the policy (PIC/DG/24/A) requiring any permission to conform to Policy T6 (Development Requiring New or Improved Highway Access). The after use following mineral extraction would also be considered at the time of an application and would be subject to the policies of the development plan.

RECOMMENDATION

4.120 Modify the plan as follows:

- (I) **add a proviso at the end of the first sentence of Policy DG13 as follows:**
“Planning permission will be granted for one of the following options at the Daedalus Airfield (formerly HMS Daedalus) provided that it is in accordance with the other Policies of the Plan, particularly T6” (PIC/DG/24/A);
- (II) **amend Options 1(A) and 2(A) of Policy DG13 by inserting at the beginning the words “if planning permission is required,” before “general aviation...” (Pre-inquiry Change PIC/DG/24/B);**
- (III) **amend the headings of the options in Policy DG13 to read as follows:**
“Option 1 - Retention of Three Runways and Existing Hangars”
“Option 2 - Retention of the Western Runway and Hangars”
“Option 3 - No Aviation Use”
“Option 4 - Use by One Occupier”
(Pre-inquiry Change PIC/DG/24/C);
- (IV) **amend Option 3(A) of Policy DG13 to read “employment or recreation uses in the existing hangars or in replacement buildings located closer to the Borough boundary and adjacent to the existing main building complex in Gosport Borough;” (Pre-inquiry Change PIC/DG/24/E);**
- (V) **add a new criterion to Option 2 of DG13 as follows:**
“(D) employment or recreation uses in the existing hangars not required for any general aviation use or in replacement buildings located closer to the Borough boundary and adjacent to the existing main building complex in Gosport Borough;” (Pre-inquiry Change PIC/DG/24/F)
- (VI) **amend the first sentence of Option 4 of Policy DG13 to read :**
“Use for education, employment or leisure/recreation by one occupier either separately, or in association with...” (Pre-inquiry Change PIC/DG/24/G)

(VII) amend Options 1(C), 2(B), 3(B), 4(B) of Policy DG13 to read as follows:

“...such as agriculture, public open space, and other open recreation uses;...” (Pre-inquiry Change PIC/DG/24/H);

(VIII) amend Option 1(B) of Policy DG13 to read:

“employment or recreation uses in the existing hangars not required for any general aviation use or in replacement buildings located closer to the Borough boundary and adjacent to the existing main building complex in Gosport Borough;” (Pre-inquiry Change PIC/DG/24/D).

(IX) add at the end of paragraph 4.47 the following:

“The sand and gravel deposits underlying Daedalus Airfield are an important strategic mineral resource. Under Policy MW10 of the Hampshire County Structure Plan and Policy 5 of the Hampshire Minerals and Waste Local Plan, the deposits are safeguarded from any development which would prevent or prejudice possible future extraction of the sand and gravel deposits. The Borough Council will consult Hampshire County Council, as the mineral planning authority, on any proposals for development at Daedalus Airfield.” (Further Change FC/DG/14).

4.121 PARAGRAPH 4.46 - DAEDALUS AIRFIELD

Objection:

0263/5003: Defence Estates Organisation (Lands) South

Pre-Inquiry Changes:

Paragraph 4.46 is amended by PIC/DG/26 and F/PIC/DG/26/A

Counter-Objection to PIC/DG/26:

0263/5006: Defence Estates Organisation (Lands) South

Issues:

4.122 Whether the wording of the paragraph should be amended to explain that planning permission will only be required for general aviation if a material change in the existing use is proposed.

Conclusions:

4.123 The Council agrees that an addition to the text will better explain that planning permission will only be required under certain circumstances. A change is proposed clarifying the position (PIC/DG/26).

4.124 The **counter objection** regards the proposed change to be a departure from paragraphs 5.13 and 5.14 of the Daedalus Development Strategy. Although the text was suggested by the objector, the Council are agreeable to a further change to reflect the wording of the Strategy. In my view, the further change (F/PIC/DG/26/A) provides a clearer statement of the existing use and the circumstances under which planning permission is likely to be required. The use of the term planning **permission** is preferred to planning **consent** in the interest of uniformity and to avoid confusion.

RECOMMENDATION

4.125 **Modify the start of paragraph 4.46 of the Plan to read as follows:**

“The airfield benefits from existing use for flying activities and will not require planning permission for continuation of that use. A planning permission will only be required if a material change of

area or type of operation is proposed. If changes are proposed, a planning permission will ...”
(PIC/DG/26 & F/PIC/DG/26/A)

4.126 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objector/objection	Policy/Para/Map	Change
0117/5003 Solent Protection Society	Paragraph 4.8	Pre-inquiry Change PIC/DG/2/B
0362/5003 Pelham Homes Ltd	Paragraph 4.8	Pre-inquiry Change PIC/DG/2/C
0417/5003 British Telecommunications Plc	Criterion (A) of Policy DG1	Pre-inquiry Change PIC/DG/3/B
0417/5004 British Telecommunications Plc	Criterion (C) of Policy DG1 and Paragraph 4.10	Pre-inquiry Change PIC/DG/3/C and PIC/DG/4/A
0393/5003 Environment Agency	Paragraph 4.10	Pre-inquiry Change PIC/DG/4/C
0407/5010 Gosport & Fareham Friends of the Earth	Paragraph 4.11	Pre-inquiry Change PIC/DG/5
0381/5018 Fareham Society	Paragraph 4.15	Pre-inquiry Change PIC/DG/9
0445/5004 House Builders Federation	Paragraph 4.17 Paragraph 4.24	Pre-inquiry Changes PIC/DG/10 & PIC/DG/14
0361/5001 HGP Planning Consultancy Ltd	Policy DG5(A)	Pre-inquiry Change PIC/DG/11/A
0445/5005 House Builders Federation	Policy DG5(B) & (F)	Pre-inquiry Change PIC/DG/11/B
0334/5009 Government Office for the South East	Policy DG5(F)	Pre-inquiry Change PIC/DG/11/B
0445/5006 House Builders Federation	Policy DG5(F)	Pre-inquiry Change PIC/DG/11/B
0872/5003 Energy Technology Support Unit	Paragraph 4.33	Pre-inquiry Change PIC/DG/17
0381/5020 Fareham Society	Policy DG9	Pre-inquiry Change PIC/DG/18
0002/5004 Orange Personal Communications Ltd	Paragraph 4.37	Pre-inquiry Change PIC/DG/19/B
0334/5010 Government Office for the South East	Paragraph 4.44	Pre-inquiry Change PIC/DG/23
0263/5002 Defence Estates Organisation (Lands) South	Paragraph 4.45	Pre-inquiry Change PIC/DG/25/A and PIC/DG/25/B
0263/5002 Defence Estates Organisation (Lands) South	Paragraph 4.51	Pre-inquiry Change PIC/DG/27

CHAPTER 5: HISTORIC ENVIRONMENT

5.0 POLICY NEW - AREAS OF HIGH TOWNSCAPE QUALITY

Objection:

0300/5005: Warsash Resident's Association

Issues:

5.1 Whether a new policy is needed on Areas of High Townscape Quality to protect buildings of interest which are not listed.

Conclusions:

5.2 The Plan already contains a policy (HE10) which draws attention to and seeks to protect the integrity of buildings on a 'local list' of Buildings of Local Architectural or Historic Interest. I do not see that any further protection is necessary to protect this category of buildings.

RECOMMENDATION

5.3 Make no modification to the Plan in response to this objection.

5.4 POLICY HE1 - ARCHAEOLOGY

Objections:

0334/5011: Government Office for the South East

0449/5002: English Heritage

Issues:

- 5.5 (i) Whether the PM should identify those areas and sites to which the policy is intended to apply in accordance with PPG16;
- (ii) whether the words 'and for appropriate publication' should be added to the second paragraph of the policy.

Conclusions:

5.6 The Council acknowledges (objection 0334) that national guidance advises that areas subject to archaeological policies should be shown on the PM. However, it explains that the County Archaeologist records such information on an archaeological constraints map. The archaeological information has not been assessed to quantify the physical extent or archaeological value of individual sites. The Council says it does not have the necessary in-house expertise to carry out an evaluation of the information held by the county for transposition to the PM.

5.7 It is unfortunate that a reader of the Plan, apart from Scheduled Ancient Monuments, cannot identify sites to which the policy applies. But, in the circumstances, it is a situation which will persist until resources are allocated to remedy the deficiency. I am not aware, even in a general way, of the number and quality of the known sites to which the policy is likely to apply. The Council may feel it needs to provide some guidance, if necessary on an informal basis, for the benefit of the public and developers as a start towards complying with PPG16, paras 15 and 16. I have in mind a list of sites along the lines of the 'local list' referred to in para 5.2 above. It will need to publicise the existence of such a list and, preferably make reference to it in the supporting text to the policy. The Council should also consider the identification of sites on the County Constraints Map, on the PM, by a symbol to show their general location. The text of paragraph 5.13 can explain the status of the symbol and its limitations. Developers and the public should be able to get information on the known areas of

constraint from the PM.

5.8 A request is made (objection 0449) that the text of the policy be amended to require the appropriate publication of any recording of archaeological investigations carried out in accordance with the policy. PPG16 guidance states that such publication **should be provided as part of an agreement** (see paras 25 and 26). I do not see that the text of the policy need carry a requirement for publication which can better be dealt with as part of an agreement to cover such matters as excavation, recording and publication.

RECOMMENDATION

5.9 The Council should consider the need to produce an informal list of sites of archaeological interest for the district as a first step towards full compliance with PPG16, paragraphs 15 and 16. Similarly, it should consider identifying sites on the list, on the Proposals Map. The preparation of the list should be referred to in the reasoned justification to Policy HE1 together with an explanation of the limitations and generality of the symbol on the Proposals Map.

BUT otherwise make no modification to the Plan in response these objections.

5.10 PARAGRAPH 5.14 LISTED BUILDINGS

Objection:

0335/5016: Country Landowners Association

Issue:

5.11 Whether the plan needs to identify how resources can be made available to enhance as well as protect Listed Buildings (LBs) and Conservation Areas (CAs).

Conclusions:

5.12 I agree with the Council that the sourcing of funding for improvements to LBs is not appropriate to a LP because resources may fluctuate from year to year. Paragraph 5.15 of the Plan confirms the Council's role in offering technical and professional advice and, as resources allow, financial assistance for a variety of work connected with LBs.

RECOMMENDATION

5.13 Make no modification to the Plan in response to this objection.

5.14 PARAGRAPH 5.19 - HOOK CONSERVATION AREA

Objection:

0266/5001: Mr R L Newbury

Issue:

5.15 Whether the boundary of the Conservation Area (CA) should be redrawn to exclude 'The Nook'.

Conclusions:

5.16 The review of a CA boundary should be pursued separately from a LPR - see PPG15, paragraph 2.9. Accordingly, I do not support this objection.

RECOMMENDATION**5.17 Make no modification to the Plan in response to this objection.**

5.18 POLICY: NEW - CONSERVATION AREA APPRAISAL**Objections:**

0012/5013: Mrs R A Billet
0381/5024: Fareham Society
0449/5005: English Heritage

Issues:

- 5.19 (i) Whether the Plan should indicate when proposals for the preservation or enhancement of CAs are to be undertaken; whether the designation of CAs should be undertaken without proper monitoring;
- (ii) whether the Plan should include a policy stating a commitment to publishing proposals for the preservation and enhancement of CAs during the period of the Plan; whether the Plan should contain detailed assessment for each CA; whether publication of an owners guide to LBs is necessary.

Conclusions:

5.20 Statements of intent are not appropriate for inclusion in a LP. The designation of CAs should be carried out separately from the LPR - see para 2.9 of PPG15. The duty laid on the Council to formulate and publish proposals for the preservation and enhancement of CAs is acknowledged in paragraph 5.20 of the Plan. I see no need for the Plan to go further than this acknowledgement. While I sympathise with this objector (0381) at the rate at which detailed character assessments are produced for the CAs, the progress is dependent on availability of resources to carry out the work. I feel sure the Council, in making decisions on the allocation of its limited resources, will be aware of the advantage of character appraisals in deciding applications affecting CAs. I see no need for a new policy to state a commitment to carry out its statutory duty. The objector requests that the Council take part in the production of an owners guide to LBs. However, I see that as being a subject of an informal, voluntary arrangement outside of the LP process.

RECOMMENDATION**5.21 Make no modifications to the Plan in response to these objections.**

5.22 POLICY: NEW - UPPER HAMBLE CONSERVATION AREA**Objection:**

0332/5004: Burr ridge Resident's Association

Issue:

- 5.23 Whether an area of land at Upper Hamble Shore/West of Burr ridge should be designated a new CA.

Conclusions:

5.24 The process of designating new CAs lies outside that of the LPR - see para 2.9 of PPG15. I note, however, that the Council does not regard the area as having special architectural or historic interest that would justify designation as a CA.

RECOMMENDATION**5.25 Make no modification to the Plan in response to these objections.**

5.26 POLICY HE4 - CONSERVATION AREAS (SETTING)**Objections:**

0320/5012: Mr R Stubbs

0390/5002: Ms D Downes

Pre-Inquiry Changes:

Paragraph 5.20 is amended by FC/HE/1.

Paragraph 5.21 is amended by PIC/HE/5

Issues:

- 5.27 (I) Whether further guidance is required as to how the policy would be implemented; whether schemes for the preservation or enhancement of CAs should identify areas outside designated where sensitivity is required under the policy;
- (ii) whether CA boundaries should be reviewed and the guidelines used included in the Plan; whether the boundaries to the Titchfield Abbey and Catisfield CAs should be amended.

Conclusions:

5.28 In response to objection 0320, the Council proposes a change to the text of paragraph 5.21 (PIC/HE/5) to explain that detailed character assessments will identify those areas outside the CA which are particularly sensitive to development proposals. Under paragraph 5.20 of the Plan the detailed assessments will be provided for each CA. However, the important features of the CA are already set out in Appendix 4 of the Plan. Thus, the descriptions of these features provide a helpful general indication of those CAs where the setting is likely to be significant in considering applications for development. A further change is proposed to paragraph 5.20 which explains that the promised detailed character assessments will be used to assist in the application of the policies of the Plan. I support both changes as clarifying the intended application of the Policy to the CAs and their hinterland.

5.29 When designating a CA, it will not always be practicable or, indeed, sensible to include areas sensitive to development within the boundaries of the CA (0320). I note that the Council intends to identify, for example, specific views or vistas where relevant in its character assessments as it has done in recently designated CAs. PPG15 makes it clear that detailed assessment documents will not necessarily form part of the Plan, but the relationship between the two will need to be clear. At present the weight to be given to the emerging character assessments/studies is lacking in the supporting text as proposed for amendment. I suggest that the Council should indicate the weight which will be given to the documents in accordance with PPG15 (para 2.9) and PPG12 (para 3.19). The LPR is not the appropriate procedure for reviewing CA boundaries (0390). This will be undertaken as a separate exercise under S71 of the P(LB & CA) Act 1990.

RECOMMENDATION**5.30 Modify of the Plan:**

- (A) **add the following text after the third sentence of paragraph 5.20:**

“The assessments will be treated as further background information which will assist in the application of policies of the Plan.” (FC/HE/1)

THEN

ADD to the text to explain the weight which will be given to the assessments in decisions on applications;

(B) add the following text after the first sentence of paragraph 5.21:

“Those areas outside the Conservation Area boundary where particular sensitivity in the application of Policy HE4 is likely to be required will be identified in conservation area character assessments. However, many areas are already identified in Appendix 4.” (PIC/HE/5).

5.31 POLICY HE10 - BUILDINGS OF LOCAL ARCHITECTURAL OR HISTORIC INTEREST

Objections:

0334/5015: Government Office for the South East

0415/5002: Capitec NHS Property Management and Secretary of State for Health

Pre-Inquiry Changes and Further Changes:

Paragraph 5.27 is amended by PIC/HE/12.

Policy HE10 is amended by PIC/HE/13 and FC/HE/2.

Paragraph 5.28 is amended by PIC/HE/14 and FC/HE/3.

Issue:

5.32 Whether the policy needs to take account of the relative importance of locally listed buildings compared to those on the statutory list;

Conclusions:

5.33 The Council agrees that the supporting text and the policy should be amended. Changes are proposed (PIC/HE/12, 13 and 14) which make the distinction clear that locally listed buildings do not enjoy the full protection of statutory listing. Further amendments to the proposed changes suggested by objector 0415 are accepted by the Council as providing improved clarification to the Plan.

5.34 I support the proposed changes as making clearer the objectives and the effect of the policy. In my view the policy as proposed for amendment now adequately reflects the advice set out in PPG15 (para 6.16) regarding the protection of ‘locally listed’ buildings.

RECOMMENDATION

5.35 Modify the Plan as follows:

(A) replace the last sentence of paragraph 5.27 with the following:

“Those remaining will form the basis of a ‘local list’ of Buildings of Local Architectural or Historic Interest which will be held in the Planning Department. This list will be updated and expanded as resources permit to include buildings or building groups considered to be important at the regional, county or local level but which are not formally defined as Listed Buildings.” (PIC/HE/12);

(B) amend Policy HE10 to read:

“Proposals for Buildings of Local Architectural or Historic Interest (that is, buildings not on the Statutory List but contained within the Local List), involving alterations, additions or other development, including changes of use, will be permitted, provided that such

development does not adversely affect their character of setting.” (PIC/HE/13 as amended by FC/HE/2);

(C) replace the first sentence of paragraph 5.28 with the following:

“Although ‘locally listed’ buildings do not enjoy the full protection of statutory listing, the Council will seek to ensure that buildings included on the ‘local list’ are retained, maintained and, where possible, enhanced. It will, therefore, encourage proposals which secure their retention and continued use and particular attention will be paid to applications for development which would involve their demolition or harm their character or setting.” (PIC/HE/14 as amended by FC/HE/3).

5.36 POLICY HE11 - HISTORIC PARKS AND GARDENS

Objections:

0381/5028: Fareham Society

0415/5003: Capitec NHS Property Management and Secretary of State for Health

Pre-Inquiry Changes:

Policy HE11 is amended by PIC/HE/15.

The Appendices are amended by PIC/A/4.

The Proposals Map is amended by PIC/PM/14

Counter-Objection to PIC/PM/14:

0415/5011: Capitec NHS Property Management and Secretary of State for Health

Issue:

- 5.37 (i) Whether historic parks and gardens in the Borough should be listed in the Plan;
- (ii) whether Policy HE11 should distinguish between sites which have statutory designation and those that are locally recognised; whether the policy should be worded more flexibly and should not provide a presumption against development.

Conclusions:

5.38 The Council agree that historic parks and gardens should be listed in the plan. A proposed change will provide a list of the sites in a new Appendix 4A (PIC/A/4). The historic gardens and parks have been identified by The Hampshire Garden Trust. The sites will also be identified on the PM under a new notation for **historic parks and gardens** (PIC/PM/14). The Council has also agreed that the policy should be worded in a positive form under proposed change PIC/HE/15.

5.39 As an important part of the Borough's heritage and environment, I support the identification of the district's historical parks and gardens in the Plan. No nationally registered parks and gardens are currently identified within the plan area. However, I see the protection of the district's historic gardens and parks (as well as its CAs) as particularly important in providing a counter balance to the extensive areas of volume house building which predominate in the district. Much of the modern housing is of uniform and indifferent townscape quality; it is generally lacking in features either natural or man made which raise the developments above the ordinary. Against this background the parks and gardens of yesteryear provide valuable points of visual interest and contrast. This approach is supported by national guidance PPG1 (para 32).

5.40 In general I support the more positively worded text within the policy. However, in the absence of any English Heritage registered sites within the district, I see no point in referring to nationally important sites in the policy. I have no evidence to suggest that situation is likely to change in the near future. Accordingly, I suggest that the absence of nationally registered sites within the district should be stated in paragraph 5.29 and the

reference to 'national' removed from the revised text. But since it is not known whether the County Council's review of sites will identify any of the Borough's 7 sites as being of regional or county importance it would be appropriate to replace 'national' with 'regional'.

5.41 A **counter objection** (0415) has been made to the identification of an historic park and garden at Coldeast Hospital. The local register of historic parks and gardens is being compiled by the HCC and the Hampshire Gardens Trust. The basis of the research is the HCC's Historic Parks and Gardens Survey. Coldeast is recorded within the survey. While the local list has yet to be finalised, it seems there is sufficient evidence to justify the inclusion of the site, at least at this stage. If Coldeast fails to make the local register once finalised then this will obviously be a material consideration in the application of the policy.

5.42 The boundaries of the Coldeast site to be shown on the PM as subject to Policy HE11 was also an issue between the parties. The middle portion of the northern section of the original parkland has been eroded by hospital buildings. This area lies within the urban area on the PM. The southern part, however, containing the core of the house and gardens within parkland setting, remains largely intact. Nevertheless, this part has suffered from neglect. There is general agreement as to the extent of the gardens. The main difference lies on the north-west and west of Mr Bonvoison's Fig 8 and FBC/H/4/5 Plan 1.

5.43 Having studied the evolution of the site from the submitted plans and from what I have seen on my site visits, I prefer the Council's interpretation of the boundary. I find that Site A (FBC, Plan 1) reads as integral to the setting of park, garden and house. In taking this view I note that Site A appears to have been integral to the larger plot (no 488) on the 1909 OS map. In 1932 this plot has been sub-divided. However, Site A (OS ref 488a) forms part of the setting to the curving boundary of the garden. This historical land pattern and the natural physical boundary provided by the water course marking the north-western boundary of Field A, suggests that the site should be considered as part of the park, garden and house for purposes of the policy. I also support the inclusion of the strip of land adjoining the site of Sarisbury County Infant School because it, too, appears to have formed part of the historical park by being part of plot no 488 (1932 OS Map).

RECOMMENDATION

5.44 Modify the Plan as follows:

- (A) **replace the second sentence of paragraph 5.29 with the following:**
“Nationally important sites are included on the English Heritage Register of Parks and Gardens of Special Historic Interest. There are no nationally important sites within the Borough. However, there are other sites of regional or local importance which should be protected from harm and enhanced, where possible. The Database ...”
- (B) **replace Policy HE11 with the following:**
“Development in accordance with the other policies in the Plan will be permitted provided that it does not harm historic parks and gardens, whether of regional or local importance, or their settings.”
- (C) **add a new Appendix to the Plan listing historic parks and gardens (PIC/A/4);**
- (D) **add a historic parks and gardens notation and identify the sites (listed in the new appendix - see (C) above) on the Proposals Map (PIC/PM/14);**
- (E) **show the site of Coldeast Hospital on the Proposals Map as indicated on Plan 1 of Council's Proof FBC/H/4/5.**

5.45 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0381/5023 Fareham Society	Policy HE2	Pre-inquiry Change PIC/HE/1
0449/5003 English Heritage	Policy HE2	Pre-inquiry Change PIC/HE/1
0334/5012 Government Office for the South East	Policy HE3	Pre-inquiry Change PIC/HE/3
0449/5004 English Heritage	Paragraph 5.18	Pre-inquiry Change PIC/HE/4
0334/5013 Government Office for the South East	Policy HE5	Pre-inquiry Change PIC/HE/7
0012/5014 Mrs R A Billet	Paragraph 5.25	Pre-inquiry Change PIC/HE/9
0337/5014 Government Office for the South East	Policy HE8	Pre-inquiry Change PIC/HE/10/B
0381/5026 Fareham Society	Policy HE8	Pre-inquiry Change PIC/HE/10/A
0381/5027 Fareham Society	Policy HE9	Pre-inquiry Change PIC/HE/11

CHAPTER 6 - HOUSING

INTRODUCTION - THE STRATEGIC HOUSING REQUIREMENT

6.0 A recurring theme for a number of objectors throughout the inquiry, in relation to the strategic housing requirement of the Plan, was that it did not take account of the recommendations of the EiP Panel as set out in its Report (CD/8) in relation to Fareham. As I have explained in my preamble to this report (preceding Chapter 1) I have accepted the Council's use of the permitted assumption that the SPR has been adopted for purposes of the LPR's preparation. It follows from this approach that it would be premature to anticipate modifications to the SPR which were not published before the close of the inquiry. I have therefore accepted the Council's starting point for calculating the LPR's housing requirement as that set out in Policy H1 of the SPR. The Council intends to embark on an early review of the LPR when the modifications to the SPR have been adopted. I support the Council's approach as a reasonable and pragmatic response to the emerging SPR.

6.1 PARAGRAPH 6.10 - STRATEGIC HOUSING REQUIREMENT

Objections:

0031/5001: Mr K S Nash

0073/5002: Sarisbury Residents' Association

0381/5029: Fareham Society

Issues:

- 6.2 (i) Whether the Plan should include an explanation of how the housing requirement was determined;
- (ii) whether the requirements for large scale housing proposed in the Plan needs to be proven;
- (iii) whether the release of further housing land to meet the stated housing requirement conflicts with other planning objectives, e.g., the coalescence of settlements; and whether the amount of development proposed exceeds the environment capacity of the Borough.

Conclusions:

6.3 In response to objector 0031, paragraph 6.5 of the Plan explains that the Plan's housing requirement derives from a strategic housing requirement of 3,625 dwellings between 1996 and 2006. The SPR requirement, i.e., the county requirement, derives from Regional Planning Guidance for the South East (RPG9 March 1994). Although the RPG is not mentioned in the supporting text of the Plan, I consider the reference to the SPR requirement is sufficient to set the context for the LPR housing requirement. The LPR has been prepared on the permitted assumption that the policies of the SPR have been adopted.

6.4 In response to objection 0073, I do not see that the Council could easily provide its strategic housing requirement through small and medium sized housing sites alone. To do so could be more damaging, environmentally, than allocating a range of sites of varying size. There is also advantage in locating new housing within or adjacent to existing settlements to reduce the need to travel and to make the best use of existing facilities and infrastructure. The objector fails to suggest a practical alternative. I agree with the Council that, while it can encourage the provision of 1 or 2 bedroom dwellings, it cannot compel developers to build small units of accommodation. The LPR, in seeking to meet the SPR housing requirement, cannot discriminate against occupation of the dwellings by out-county residents whether on large sites or otherwise. Any additional pressures on existing facilities will be taken into account. The public utilities and the providers of services in the plan area were consultees during the evolution of the Plan and would have indicated if services were unable to cope.

6.5 The Plan's housing requirement (objection 0381) needs to be balanced against the environmental cost of providing additional dwellings. It is an important part of the LP process to ensure that an acceptable and sustainable balance is maintained between the competing needs of providing for development while seeking to

protect the countryside and other elements of the environment (see para 6.20 of the LPR). The concept of environmental capacity is a matter of balance and judgement.

RECOMMENDATION

6.6 Make no modification to the Plan in response to these objections.

6.7 POLICY H1 - HOUSING ALLOCATIONS (HOUSING LAND SUPPLY)

Objections:

0294/5002: Boyer Planning Limited
 0298/5001: Laing Homes Limited
 0318/5002: Mr K West
 0320/5013: Mr R Stubbs
 0322/5005: Mr M J Peagram
 0362/5010: Pelham Homes Limited
 0371/5004: Southern Planning Practice
 0407/5014: Gosport & Fareham Friends of the Earth
 0424/5003: Chantry Holdings Ltd
 0439/5002: David Wilson Homes
 0445/5008: House Builders Federation
 0468/5004: Bryant Homes
 0470/5003: Mr & Mrs J Sturgess

Pre-Inquiry Changes and Further Changes:

Paragraph 6.10 is amended by PIC/H/2.
 Paragraph 6.11 is amended by PIC/H/3.
 Paragraph 6.12 is amended by PIC/H/4.
 Paragraph 6.13 is amended by PIC/H/5.
 Paragraph 6.14 is amended by PIC/H/6 and FC/H/1/A.
 Paragraph 6.15 is amended by PIC/H/7.
 Paragraph 6.16 is amended by PIC/H/8.
 Table 1 is amended by PIC/H/9, FC/H/2 and 2/A.
 Paragraph 6.17 is amended by PIC/H/10.
 Paragraph 6.18 is amended by PIC/H/11, FC/H/2 and FC/H/3/A.
 Paragraph 6.19 is amended by PIC/H/12/A.

Counter-Objections to PIC/H/9:

0298/5021: Laing Homes Limited
 0332/5008: Burr ridge Residents' Association

Counter-Objections to PIC/H/4:

0445/5030: House Builders Federation
 0888/5001: Redrow Homes

Counter-Objection to PIC/H/8:

0445/5031: House Builders Federation

Counter-Objection to PIC/H/10:

0888/5002: Redrow Homes

Issues:

- 6.8 (i) Whether the Plan makes adequate provision for new housing to 2006; whether the 10% allowance for the non-implementation of identified sites is too small; whether the estimate of housing capacity of the allocated sites is reasonable; whether the Plan brings forward sufficient land to meet the medium and long term needs of the Borough and to meet wider strategic requirements;
- (ii) whether the housing land supply will need to be reassessed in the light of the EiP's Report on the SPR (CD/8); whether, because the SPR undershoots the RPG's provision, part of the shortfall will need to be made up by allocating land in the borough;
- (iii) whether the Plan should identify contingent housing sites against the need to increase provision in the light of the Panel Report (CD/8); and whether the Plan places too much reliance on housing supply from extant permissions, its allocations and windfall sites;
- (iv) whether calculation of housing needs is flawed because it was based on projections of uptake in an atypical market;
- (v) whether there is an element of double counting in the calculation for large windfall sites and the capacity of the urban area which requires an additional allocation.

Conclusions:Background

6.9 Table 1, sets out the Plan's Housing Requirement and Supply. It has been brought up-to-date to 1 April 1997 (PIC/H/9). In addition a number of changes are proposed to the supporting text. These include: a change to para 6.10 to explain the derivation of the strategic housing requirement of 3625 dwellings (PIC/H/2); para 6.11 is amended to explain the EiP's Panel's recommendations still need to be considered by the strategic planning authorities (PIC/H/3); para 6.12 is amended to explain the Council's intention, to avoid unnecessary delay, to base the strategic housing requirement on the SPR provision; it is intended that the strategic housing requirement for 2006-2011 will be incorporated into the First Alteration of the adopted LPR when that is undertaken (PIC/H/4); figures in para 6.13, 6.14, 6.16, 6.17, 6.18 and 6.19 are brought up-to-date as at 1997, in addition to which amendments are proposed to the text and revised estimates are explained for large and small windfall sites (PIC/H/5, 6, 8, 10, 11 and 12/A); a revised estimate (260 instead of 240) is proposed for the allocation at North of Whiteley in Further Change FC/H/2); changes to the text of para 6.15 explain the basis of the discount (20%) used in estimates of dwellings expected to be built on sites without planning permission. Further amendments are proposed (FC/H/1/A, 2/A, and 3/A) as a result of corrections to figures appearing in Appendix 1 of Paper 1: Housing Land Supply (February 1998) (CD/24).

6.10 I support these amendments which update and correct information on which the plan's housing requirement has been calculated. The amendments also clarify the relationship between the LPR and the emerging SPR and places it in the context of the EiP Panel Report. The proposed changes confirm the Council's intention, in the interest of timeliness, to deal with the strategic housing requirement when it is confirmed through an adopted SPR by way of an early review of the LPR.

(i) Whether adequate provision has been made for housing to 2006

6.11 The SPR housing requirement for Fareham for the years 1996-2006, as corrected, is 3625 (see paragraph 5 of CD/24). Taking into account the dwellings built in 1996-1997 the remaining requirement is for 3079 dwellings. In making its calculations for the housing supply for the remainder of the period of the Plan (Table 1) the Council has made a series of allowances/discounts. The percentages adopted for these discounts and the total housing allocation were criticised by a number of objectors (objector's 0294, 0298, 0362, 0371 0445, 0468 and 0470).

6.12 The issue of housing was the subject of a Round Table Session (RTS). The main concerns related to the approach used by the Council in calculating the Plan's housing requirement and supply. Following the circulation of my Housing Position Paper (10.2.98), objectors produced detailed criticisms of the housing requirement figure. The Council's response was set out in considerable detail in 3 documents (see paras 14 - 20 Topic Paper 1 (CD/24)), the FBC Response (paras 9-20) and its Supplementary Paper).

6.13 A number of objections considered that the Council's methodology appears not to have taken into account the most recent trends which have underpinned the Council's updated figures. I have considered the arguments and counter arguments to the Council's analysis and methodology very carefully. I have found no fundamental flaw in any stages of the calculation of the Plan's housing requirement. I therefore find it to be appropriate, fair and soundly based. I see no objection to the use of a 10% discount in respect of sites with planning permission. The Council have carried out a detailed assessment of the sites. In so doing it has analysed the sites developed between 1991-1997. This includes a reassessment of sites formerly earmarked for higher density elderly persons accommodation and analysis of past take up rates including land ownership and infrastructure constraints (paras 9-14 of FBC Response).

6.14 Similarly, I find the 20% discount used for sites where no planning permission exists to be both reasonable and realistic. These sites, too, have been subjected to very detailed analysis with allowances made to meet particular constraints and characteristics. A similar thorough approach has been attempted (paras 16-18 of FBC Response) in respect to estimates of housing capacity on allocated sites. The capacities start at 25 dwellings per hectare where no specific planning permission exists, but range between 9 and 55 dwellings per hectare where planning permission has been granted to reflect a particular site's location or the type of development proposed. Estimates for large and small windfall sites have been based on the trends over the past 15 years (para 15 of FBC Response, FBC's Supplementary Response and paras 4 & 5 of FBC/H/2). In my view the Council have adopted an appropriately conservative projection for these categories. Finally, a further margin is provided within the calculation by increasing, by 10%, the figure of new sites to meet the shortfall (item D in Table 1).

6.15 It follows from the foregoing that I do not find that the Plan over estimates the housing land supply situation (objection 0362). Nor do I find that a case has been made for increasing the allowances for sites with or without planning permission. I find that sufficient account has already been taken of past take up rates, environmental constraints of particular sites and the contribution which large and small windfall sites are likely to make to the housing supply calculation. Indeed, I would anticipate that a move to reflect this objector's suggestions would introduce a serious over provision in relation to the strategic housing requirement as expressed in the SPR.

6.16 Conversely, I do not find that the figure of 3625 dwellings is excessive (objection 0407) given that it is but restating the strategic housing requirement (see para 6.9 above). It is a fact that the majority of the new allocations (Table 1) are on greenfield sites. Nevertheless, I have no evidence to support the criticism that the Plan could provide more housing on previously developed land ('brownfield' sites).

6.17 Notwithstanding the foregoing, I am very conscious that the production of housing land supply estimates is a notoriously difficult area of forecasting. However, on paper, the supply side provides a surplus of some 7.5% over the remaining SPR requirement (3312 compared with 3079). Where reductions in the indicative estimates of sites occur as a result of my recommendations e.g., Mays Lane, these will already have been anticipated within the 20% allowance for allocations without planning permission. Thus I see this as an acceptable margin given the Council's undertaking to embark on an early review of the Plan. I accept that the strategic housing requirement cannot be met by restricting development to the urban area and development of greenfield sites will therefore be necessary. However, given the concern, nationally, to conserve the countryside and avoid unnecessarily building on greenfield sites, I fully support the Council's reluctance to allocate additional greenfield sites for development until the strategic housing requirement in the SPR modifications is known and, equally important, how it will be allocated between districts. In order to meet any SPR strategic housing requirement for the longer term, say for the period 2006-2011, I would expect the Council to do this as part of its early review of the LPR (objections 0318 and 0320).

(ii) Whether housing land supply will need to be reassessed in the light of the EiP Report CD/8

6.18 The Council has accepted (objection 0294) that it will need to undertake an early review of the strategic housing requirement once the modifications to the SPR have been adopted - see paragraph 6.12 as amended by PIC/H/4. Any discrepancy between the SPR and Regional Planning Guidance (RPG) will be a matter for the strategic planning authorities in their consideration of the EiP Panel's Report (CD/8). It would clearly be wrong and inappropriate for this LP, independently, to seek to remedy any mismatch between the SPR and the RPG before the SPR is adopted. Equally, it would be wrong for this Plan to follow the EiP Panel's recommendations

before they have been formally adopted through the SPR process.

(iii) Whether contingent housing sites should be identified

6.19 The discounts and allowances built into the calculation of the LPR's housing requirement (objection 0298) could well provide a contingency allowance. I do not see that there is a need to provide an **additional** contingency within the estimates. Nor, as I have already indicated (para 6.17 above), would I advocate additional allocations of greenfield sites as a contingent measure in anticipation of an increased strategic housing requirement as part of the SPR modifications. The identification of additional sites, at this stage, could result in a significant **over** allocation of greenfield land in locations which could be at variance with, and prejudicial to, allocations to particular districts which may be identified as part of any SPR modifications process. Such an approach is unlikely to result in a sustainable form of development. Nor do I support the criticism that too great a reliance has been made on housing supply from extant permissions, housing allocations and identified and windfall sites. In my view the strategy provides an acceptable balance between new allocations and other sources (see Table 1) from which the housing supply of the district derives. I am provided with no firm evidence to suggest that the Council's approach is less than robust.

(iv) Whether the calculation of housing need was flawed

6.20 The calculation of housing need is not dictated by the state of the housing market (objection 0322) but by the strategic housing requirement. If the housing allocation for the period of the Plan is taken up too rapidly because of a buoyant housing market, it will be for the Council to decide whether it will review the Plan in accordance with the advice set out in para 57 of PPG3-Housing and consistent with the provisions of the SP.

(v) Whether there is double counting in the calculation for large windfall sites

6.21 The Council accepts that the reference to windfall sites in para 6.15 is an error (objections 0445, 0468 & 0470). This is corrected by PIC/H/7. I am satisfied that there is no double counting in the calculation and that Appendix 5 correctly deals with 3 sites, The Salterns, Hi-Temp and 20, Osborn Road. In the light of the Council's explanation (see the Council's Supplementary Response) I see no inconsistency in the approach to windfall sites as presented to the EiP Panel.

Counter objection to PIC/H/4 (para 6.12)

6.22 Objection (0445) was made to the Council's housing strategy because it fails to reflect the EiP Panel's findings. The SPR is contrary to RPG and it is inappropriate for the LPR to conform with that Plan. I have already addressed the criticism that the LPR should reflect the recommendations of the EiP Panel (see para 6.18 above). Insofar as the failure of the SPR to reflect the RPG is concerned, the Council can only seek to conform with the SPR. It would be unreasonable to expect the LPR to look to an interpretation of RPG and ignore the SPR (see also para 6.18 above).

6.23 Another objector (0888) considers it wrong that the LPR is based on a strategic housing requirement of 46,000 (sic; the true figure was 44,000 (CD/7, para 299)) when the Panel recommends that the strategic requirement be increased to 56,000. Again I find the Council had no reasonable alternative than to base its housing strategy on the deposit version of the SPR. If the Panel's recommendations for Fareham are in fact confirmed, there is insufficient information available to identify which part of the SPR's plan period the allocations would be placed in given the caveats to development laid down in respect of Knowle and North Whiteley (see para 3.45 of CD/8).

Counter objection to PIC/H/8 (para 6.16)

6.24 Objection (0445) was made to the comparison between sites 'permitted' and sites 'completed' as being unnecessary and confusing. I note that the amended text and the updated figure refer to the number of dwellings 'permitted' in the period 1991-1997. The forecast is that an average of 25 dwellings each year will be 'constructed' on the large windfall sites. I do not find this summary confusing, but rather a helpful explanation of the approach adopted for this category of housing development in the overall calculation of housing supply.

Counter objection to PIC/H/9 (updating of Table 1)

6.25 Objection (0298) is made to the revised period covered by the table on the grounds that it should be based on the period of the Plan. Another objector (0332) suggests the figures are over cautious and the allowances are too high. I have some sympathy with this objector's concern at the prospect of having to deal with a stream of revised data as it becomes available. However, I support the Council's decision to bring that information forward for the benefit of developers and the public. The updating of data ensures as far as possible that the Plan is based on the best information available. It makes for a better Plan and, hopefully, will reduce the prospect of housing targets being based on inaccurate information. The period of the plan is not affected. I have already discussed and dismissed the objection that the Plan's housing strategy would over provide the supply of housing land within the period of the plan (see para 6.13-6.17).

Counter objection to PIC/H/10 (Para 6.17)

6.26 Objection (0888) is raised to the increase in the allowance for completions on large windfall sites from 40 to 50 dwelling pa. I note that the figures in this paragraph relate to **small** and not **large** windfall sites. The upward revision was made as a result of more accurate and up-to-date information undertaken by the HCC following a detailed study. In the absence of substantiated evidence to the contrary I do not support the objection.

RECOMMENDATION

6.27 Modify the Plan as follows:

- (A) amend paragraph 6.10 as set out in Pre-inquiry Change PIC/H/2;
- (B) amend paragraph 6.11 as set out in Pre-inquiry Change PIC/H/3;
- (C) amend paragraph 6.12 as set out in Pre-inquiry Change PIC/H/4;
- (D) amend paragraph 6.13 as set out in Pre-inquiry Change PIC/H/5;
- (E) amend paragraph 6.14 as set out in Pre-inquiry Change PIC/H/6 as amended by Further Change FC/H/1/A;
- (F) amend paragraph 6.15 as set out in Pre-inquiry Change PIC/H/7;
- (G) amend paragraph 6.16 as set out in Pre-inquiry Change PIC/H/8;
- (H) amend Table 1 as set out in Pre-inquiry Change PIC/H/9 as amended by Further Changes FC/H/2 and FC/H/2/A;
- (I) amend paragraph 6.17 as set out in Pre-inquiry Change PIC/H/10;
- (J) amend paragraph 6.18 as set out in Pre-inquiry Change PIC/H/11 as amended by Further Changes FC/H/2 and FC/H/3/A;
- (K) amend paragraph 6.19 as set out in Pre-inquiry Change PIC/H/12/A.

6.28 APPENDIX 5 (HOUSING LAND SUPPLY)

Objections:

0300/5023: Warsash Residents' Association

Issue:

6.29 Whether the Appendix should be amended to reflect appeal decisions in respect of the Salterns at the

Southampton Institute Warsash (SIW) Campus.

Conclusion:

6.30 The Council confirms that Appendix 5 accurately reflects the up-to-date position regarding the Salterns site and land adjacent to 125/127 Newton Road (the Gilcrest site) both formerly part of the SIW campus.

RECOMMENDATION

6.31 Make no modification to the Plan in response to this objection.

6.32 PARAGRAPH 6.19 - HOUSING ALLOCATIONS

Objection:

0362/5011: Pelham Homes Limited

Issue:

6.33 Whether the Plan should reflect the likely changes to the strategic housing requirement as a result of the Panel's Report on the SPR.

Conclusion:

6.34 Until the strategic planning authorities have considered the Panel's recommendations and they have been embodied into modifications and formally adopted, it would be premature for the LPR to anticipate the SPR process.

RECOMMENDATION

6.35 Make no modification to Plan in response to this objection.

6.36 PARAGRAPH 6.21 - HOUSING ALLOCATIONS

Objections:

0407/5015: Gosport & Fareham Friends of the Earth
0472/5007: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Paragraph 6.19 is amended by PIC/H/12/B and F/PIC/H/12/B/1.

Counter-Objection to PIC/H/12/B:

0889/5004: Farming and Rural Conservation Agency

Issues:

6.37 (i) Whether traffic reduction measures should be included in all proposed new developments;
(ii) whether the Plan should clarify that the indicative figure used for each new allocation will not preclude a higher figure provided policies are not breached.

Conclusions:

6.38 The reduction of the need to travel and encourage the use of energy efficient forms of transport and alternatives to the private car are strategic aims of the Plan (para 2.7); the proposed pattern of development (paras

2.9-2.12) and national guidance also have similar aims. I do not see there is a need to restate those aims in this section. Each site will need to be examined, on its merits, against the strategic aims.

6.39 The Council has agreed to amend the text of paragraph 6.19 (PIC/H/12/B) to explain that the number of units appearing in Policy H1 are **indicative** only and are use to demonstrate that the housing requirement can be met. At detailed application stage permission may be granted for a different number of dwellings. I support the clarification confirming that of the figures shown for new allocations under Policy H1 are indicative only.

6.40 A **counter objection** (0889) is made to the absence of a reference to capacity being affected by considerations to protect agricultural land of the best and most versatile quality. The Council agrees (F/PIC/H/12/B/1) that an amendment to the text of the proposed change would further clarify the considerations which could influence the capacity of a given site. I support this further clarification.

RECOMMENDATION

6.41 Modify the Plan by adding a further sentence at the end of paragraph 6.19 as set out in Pre-inquiry Change PIC/H/12/B AND further amend the additional text as set out in F/PIC/H/12/B/1 to read as follows:

“The numbers of units for each site in Policy H1 are indicative only and are included to demonstrate that the housing requirement can be met. Detailed proposals for the sites, taking account of constraints such as agricultural land quality and natural or historic features, may demonstrate that permission could be granted for a different number of dwellings.”

6.42 POLICY H1 - HOUSING ALLOCATIONS

Objections:

0371/5005: Southern Planning Practice

0472/5006: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Paragraph 6.19 is amended by PIC/H/12/B.

Issues:

- 6.43 (i) Whether the safeguarding of housing allocations is inappropriate in that it conflicts with the wording used in the employment policy; whether the reference to safeguarding should be deleted;
- (ii) whether the figures used in the policy need an explanation of the basis for the figures and how they will be applied.

Conclusions:

6.44 The safeguarding of the housing allocations within the plan is reasonable given the implications for other land use in the plan area, in particular open countryside, should the housing land supply be reduced in any significant way. This could affect the plan's ability to meet the strategic housing requirement. I do not see it as conflicting with other policies. Indeed, Policies E1 (Category A) and E2 have similar safeguarding aims. Thus, I support the safeguarding provision in the policy.

6.45 The proposed change to the text of paragraph 6.19 (PIC/H/12/B) explains how the indicative numbers in Policy H1 are to be used. I consider this change to the text meets the concerns of this objector (0472).

RECOMMENDATION

6.46 Make no modification to the Plan in response to these objections.

6.47 POLICY H1 - HOUSING ALLOCATIONS (MAYS LANE)**Objection:**

0286/5002: East Hampshire Badger Group

Issue:

6.48 Whether the orchard land at Mays Lane should be allocated for housing development (on the PM and Appendix 5) in view of the presence of a badger sett.

Conclusions:

6.49 The Council recognises the badger sett represents a constraint which could affect the development of the site for housing. I have already commented on this site in the context of an objection (0286/5001) which seeks the designation of the site as a SINC (see para 3.322-3.323). The confirmation of the site as one where residential development would be appropriate depends on the nature conservancy implications. These include: whether the site functions as a roost/breeding feeding area for bats, flora in the form of lichens, trees which are the subject of a TPO and considerations of whether the presence of badgers on the site represent an impediment to its development and therefore its allocation. I appreciate that the grant of a licence to permit badgers to be disturbed would be under other legislation. Nevertheless, it seems to me there are sufficient factors here requiring investigation before the site is confirmed as suitable for residential development. I see no objection to the allocation of site in the Plan pending clarification of these matters. The site is given an indicative capacity of some 46 dwellings. If all or part of the site were to prove unsuitable for development I would not expect it to have a significant impact on the housing supply figures. I would expect any shortfall to be absorbed within the flexibility allowances which have been built into the land supply calculation.

RECOMMENDATION

6.50 Confirm the inclusion of Mays Lane as a site for residential development on the Proposals Map and Appendix 5, subject to an authoritative, formal view being given on the nature conservation properties of the site and the extent to which these may constrain development.

6.51 POLICY H1 - HOUSING ALLOCATIONS (GAS HOLDER, BATH LANE)**Objection:**

0117/5002: Solent Protection Society

Pre-Inquiry Changes:

The Proposals Map is amended by PIC/PM/15.

Issue:

6.52 Whether the site should be shown on the PM; and whether the allocation conflicts with Policy C9 (protection of nature conservation sites).

Conclusions:

6.53 The Council agree that the site should be shown on the PM. It proposes an addition to the map under PIC/PM/15.

6.54 The objection site is located within the urban area on the PM. The adjoining internationally important site for nature conservation is the Portsmouth Harbour Special Protection Area (SPA). I do not see that the allocation of the objection site for housing would conflict with the adjoining foreshore of the SPA designation provided any development was in conformity with Policy C9A (as proposed for replacement for Policy C9).

RECOMMENDATION

6.55 Modify the Proposals Map as set out in Pre-inquiry Change PIC/PM/15 BUT otherwise make no modification to the Plan in response to this objection.

6.56 POLICY H1(J) - HOUSING ALLOCATIONS (WADHAM KENNING)

Objection:

0439/5012: David Wilson Homes

Pre-Inquiry Changes:

Policy H1(J) is amended by PIC/H/13/A.

Paragraph 6.31 is deleted by PIC/H/21.

The Proposals Map is amended by PIC/PM/20.

Issue:

6.57 Whether the objection site is correctly shown within Policy H1 and whether it would be more correct to treat it as a windfall site, located as it is in the urban area.

Conclusions:

6.58 Planning permission has been granted, on appeal, for the site to be developed as a foodstore. Accordingly, the Council proposes to delete the allocation from the Plan.

RECOMMENDATION

6.59 Modify the Plan by deleting:

- (A) the housing allocation notation from the Wadham Kenning site on the PM (Pre-inquiry Change PIC/PM/20); and
- (B) “Wadham Kenning, West Street, Fareham 40” from Policy H1 as shown on Pre-inquiry Change PIC/H/13/A; and
- (C) paragraph 6.31 as shown in Pre-inquiry Change PIC/H/21.

6.60 POLICY H1(L) - HOUSING ALLOCATIONS (CHALK PIT, HILL ROAD)

Objections:

0001/5009: Hampshire County Council

0298/5012: Laing Homes Limited

0318/5006: Mr K West

0320/5017: Mr R Stubbs

0407/5027: Gosport & Fareham Friends of the Earth

Issue:

- 6.61 Whether the site should be deleted from the list of proposed housing allocations with consequent amendments to the text and PM.

Conclusions:

- 6.62 The Council confirms that in February and October 1997 two outline planning permissions were granted for a total of 20 (7 and 13 units) dwellings on the site. The larger of the 2 schemes was subject to legal agreements. Since the principle of residential development for the number of units shown in the Plan has been established, I see no basis for removing the allocation from the Plan.

RECOMMENDATION

- 6.63 Make no modification to the Plan in response to these objections.**

6.64 POLICIES H1(A) & (B) - HOUSING ALLOCATIONS (EAST OF BOTLEY ROAD & NORTH OF WHITELEY)

Objections:

0072/5001: Julie & Richard Hewlett; 0072/5002: Julie & Richard Hewlett; 0075/5001: Mr & Mrs M J Bell; 0075/5002: Mr & Mrs M J Bell; 0114/5001: M J Wright; 0114/5002: M J Wright; 0121/5001: Mr R & Mrs M Morgan; 0121/5002: Mr R & Mrs M Morgan; 0122/5001: P J & S F Bradbury; 0122/5002: P J & S F Bradbury; 0270/5001: D E Clark; 0270/5002: D E Clark; 0277/5001: Mr & Mrs Eves; 0277/5002: Mr & Mrs Eves; 0278/5001: Mrs P Shipp; 0278/5002: Mrs P Shipp; 0283/5001: Mr & Mrs P Wetherill; 0283/5002: Mr & Mrs P Wetherill; 0291/5001: Mr Lewis White; 0291/5002: Mr Lewis White; 0306/5001: D G & A J Kettle; 0306/5002: D G & A J Kettle; 0307/5001: Mrs W Dawson; 0307/5002: Mrs W Dawson; 0308/5001: Mrs D Mitchell; 0308/5002: Mrs D Mitchell; 0309/5001: Anne Green; 0309/5002: Anne Green; 0310/5001: Mr & Mrs K J Richens; 0310/5002: Mr & Mrs K J Richens; 0311/5001: Captain F J Dawson; 0311/5002: Captain F J Dawson; 0312/5001: Mrs H Vernon; 0312/5002: Mrs H Vernon; 0324/5001: Alan Fox; 0324/5002: Alan Fox; 0332/5005: Burr ridge Residents' Association; 0332/5006: Burr ridge Residents' Association; 0333/5001: Stephen Mills; 0333/5002: Stephen Mills; 0338/5001: Mrs A Ailes; 0338/5002: Mrs A Ailes; 0339/5001: Mr & Mrs G Swabey; 0344/5001: K Butcher; 0344/5002: K Butcher; 0345/5001: R A Butcher; 0345/5002: R A Butcher; 0346/5001: Mr & Mrs J P Toman, Mr & Mrs W F Reddick, Mr J W P Toman; 0346/5002: Mr & Mrs J P Toman, Mr & Mrs W F Reddick, Mr J W P Toman; 0347/5001: Mr Alan Renshaw; 0347/5002: Mr Alan Renshaw; 0349/5002: P R Colley; 0349/5003: P R Colley; 0350/5001: Mr Antony Black; 0350/5002: Mr Antony Black; 0351/5001: Mrs Iris Black; 0351/5002: Mrs Iris Black; 0352/5001: David Lloyd; 0352/5002: David Lloyd; 0354/5001: A F Harber; 0372/5001: D J Smith; 0372/5002: D J Smith; 0381/5030: Fareham Society; 0381/5031: Fareham Society; 0407/5016: Gosport and Fareham Friends of the Earth; 0407/5017: Gosport and Fareham Friends of the Earth; 0420/5001: Mr & Mrs C Page; 0420/5002: Mr & Mrs C Page; 0423/5001: R G Carter; 0423/5002: R G Carter; 0431/5001: T E Clark; 0431/5002: T E Clark; 0451/5001: C M Richards; 0451/5002: C M Richards; 0463/5001: Mr & Mrs M W Beard; 0463/5002: Mr & Mrs M W Beard; 0866/5001: Mr B Russell; 0866/5002: Mr B Russell; 0868/5001: Mr P J Ellerton; 0868/5002: Mr P J Ellerton; 0870/5001: Mr & Mrs Mardle; 0870/5002: Mr & Mrs Mardle; 0871/5001: Mr A Ailes; 0871/5002: Mr A Ailes.

Issues:**6.65 (I) GENERAL ISSUES**

- (i) Whether additional development is required at Whiteley; whether the proposed development is developer led; whether the proposed development will encourage inward migration; whether the Plan is required to follow the SPR housing requirement; whether the proposed development will lead to pressure to develop further north; whether development on Botley Road is justified;
- (ii) whether the housing allocation for Fareham should be reduced or a higher proportion of housing

provided by way of redevelopment in the urban area; whether development of greenfield sites such as Whiteley is contrary to government policy; whether a higher proportion of development should be in the eastern wards;

- (iii) whether development at Whiteley should only be considered as part of the SPR;
- (iv) whether the proposed allocation is sited in a sustainable location; and, similarly, whether there is sufficient infrastructure to support additional development.

6.66 (II) LOCAL ISSUES

- (i) Whether infill/frontage development east of Botley Road should be similar in size and character to adjoining property;
- (ii) whether the proposed development will impact on Fairlawns Retirement Home; and whether development will take place to the rear of existing properties contrary to LP policies;
- (iii) whether proposed development will detract from the value of existing properties along Whiteley Lane.

6.67 (III) ENVIRONMENTAL ISSUES

- (i) Whether the proposed development will result in the loss of countryside and the rural character of the area and impact on the landscape;
- (ii) whether the development will result in the loss of an important gap between settlements; and whether the development will result in the loss of the separate identity/village character of Burridge;
- (iii) whether the proposed 40m landscape belt will take many years to mature; and whether it can be maintained as an effective buffer; whether it should be increased because it would be inadequate;
- (iv) whether the development will adversely affect the environment and wildlife; whether the North of Whiteley site should be managed as a Nature Reserve; whether the proposed development will adversely affect the water table.

6.68 (IV) HIGHWAY ISSUES

- (i) Whether the traffic from additional development will exacerbate problems of traffic congestion on Botley Road and the surrounding area in relation to:
 - (A) Land East of Botley Road and
 - (B) North of Whiteley;
- (ii) whether additional development should be considered at Whiteley until the Whiteley Way Distributor Road is complete;
- (iii) whether there should be an additional access/emergency access onto Botley Road; whether a new emergency access would become used by pedestrians/cyclists; whether the development would result in increased pollution from traffic/noise/lighting.

Conclusions:

(I) GENERAL ISSUES

- (i) Whether additional development is required at Whiteley..

6.69 Although private developers are carrying out the development of Whiteley I have no evidence that the allocation of the area for additional housing is other than plan led (objector 0114). The Council is required to allocate land to meet the SPR housing requirement. The allocation at Whiteley (some 260 units) is substantial in that it comprises about 22% of the plan's new allocations (1160 units) (objectors 0121, 0338, 0352, 0420, 0866, 0871). The allocation therefore is important in the contribution it makes to the plan's strategic housing requirement. In the absence of any better or more sustainable site(s) I find the housing allocation at Whiteley is justified.

6.70 The Council can seek to persuade developers to build smaller units of accommodation (one and two bedroom units), but in the last resort it is the housing market which determines the size of dwellings built. In a private development scheme there is no control over the origins of the occupants of the completed dwellings or, indeed, the new occupiers when resale of the units occurs subsequently (objectors 0332, 0338, 0871). It is likely,

therefore, that an element of in-migration will occur even if the housing requirement were to be limited to the locally generated demand for new dwellings. However, Policy H10 of the Plan will seek to obtain a proportion of new dwellings on appropriate sites for affordable dwellings for local people. Apart from the limited influence of Policy H10 there is no means by which the LPR can control inward migration given the hierarchy through which the LPR's housing requirement derives (RPG, SPR and then LPR).

6.71 It is a matter of record that the Council challenged the SPR strategic housing requirement for the period 2006-2011 (objectors 0332 and 0349). Once it is formally adopted, the LPR will be expected to meet the strategic housing requirement. The EiP Panel's report recommends that Fareham accommodate some 2000 additional dwellings within the period of the SPR (1996-2011). The Panel also recommended that a further 2000 dwellings be accommodated North of Whiteley within Winchester District (CD/8, para 3.40(v)). The Panel's recommendations still have to be formally approved as part of any modifications to the SPR. I would not anticipate that the LPR's allocation for the Fareham part of Whiteley to have any direct influence on SPR allocations for Winchester.

6.72 The need for an allocation within Burr ridge (East of Botley Road) is challenged (0332). The land comprises a small area of countryside (2.86ha) which is unlikely to have any viable future as agricultural land. It is capable of making a small, but nevertheless useful contribution to the housing requirement with the prospect of utilising the community facilities to be provided at Whiteley while remaining physically separate. Given the location of the site between the North of Whiteley allocation and the settlement at Burr ridge, it seems to me to be a sensible use of the land.

(ii) Whether the housing allocation for Fareham should be reduced...

6.73 The Council have based its housing allocations for the LPR on the first phase (1996-2006) of the deposit version of the SPR (objector 0114). Given the permitted assumption under which the Plan has been prepared the Council has no scope to reduce its housing allocation within the LPR plan period. National policy discourages the development of greenfield sites where suitable opportunities to redevelop or recycle urban sites exist within a district (objections 0332, 0338, 0352, 0463, 0871 and 0114). However, I have no evidence to support these objectors' assertions that more housing could be provided through redevelopment within the urban area.

6.74 There is a concentration of new housing allocations within the Plan in the western wards. This is criticised as creating an imbalance to the disadvantage of the eastern wards. The Council's approach is summarised in para 2.11 of the Plan. It explains that the proposed pattern of development has been strongly influenced by the aim to consolidate the former growth areas of Locks Heath/Titchfield Common, the new settlement at Whiteley and the need to plan for less travel by locating housing close to employment, shopping and leisure uses. Given these laudable objectives I am not persuaded that any other pattern would better meet Council's search for sustainable solutions to its strategic housing requirement.

(iii) Whether the development at Whiteley should only be considered as part of the SPR

6.75 The allocation at Whiteley is one of the largest of the new housing allocations within the Plan (objections 0332, 0338, 0420, 0871). There are, however, 2 other allocations in excess of 200 units. The HCC, as the strategic planning authority, did not object to either the size or location of the housing allocation at North Whiteley. I do not see that the allocation is made less legitimate because it was not included in the HCC's Development Area Studies. The Council's knowledge of its own district places it in a very strong position in identifying the preferred locations for additional housing within its area. In the circumstances I see no need for the allocation to be underpinned by a specific reference in the SPR. Should the Panel's recommendation for a new Major Development Area (MDA) at North Whiteley be formally adopted in the SPR, the majority of it would be located in the adjoining district of Winchester (CD/8, para 3.40(v)). This would require a review of the Winchester District LP and of the Fareham LPR should any part of the MDA affect Fareham (0332).

(iv) Whether the proposed allocation at Whiteley is a sustainable location

6.76 The new settlement at Whiteley has been in the process of development for a number years based on the HCC's Whiteley LP adopted in the 1987 (objectors 0332, 0114, 0121, 0277, 0332, 0338, 0347, 0352, 0420, 0463, 0866, 0870, 0871). The development straddles the 2 districts of Fareham and Winchester. I have no

reason to doubt the Council's assertion that shopping, leisure and educational facilities (a primary school is due to open in 1999) will be provided in the near future as part of the development of the settlement. Planning permission was granted in 1997 for a district centre, within Winchester District for a range of uses, including a 3,000sq m foodstore.

6.77 The timing of the provision of the facilities is invariably dependent on the population growth in the settlement. The facilities once in place will be readily accessible by foot and bicycle. Significant housing and employment development already exists. A community hospital is planned for development in the grounds of the former Coldeast Hospital. This lies some 4km to the south. Swanwick railway station is about 3km away by road or 1.5km by cycle or foot; there is a prospect of a bus connection to Swanwick station via the shorter route in the near future. With good prospects of the facilities being provided within the period of the plan I see no reason to delay development until all the facilities are in place.

6.78 Motor vehicle access to the new settlement and the business park, including the new north Whiteley allocation, is only possible at present via Junction 9 of the M27 and the Segensworth Roundabout on the A27. The congestion which is experienced, at peak hours, on the approaches to these junctions were cited as one of the main reasons for halting further development at Whiteley.

6.79 It is no longer national or local policy to attempt to cater fully for demands to travel by car, particularly at peak periods. However, I note that it is the Council's intention to consider a range of measures to deal with this acknowledged problem, including improvements to the local passenger transport network, pedestrian and cycle links as well as road improvements (para 11.46 of the LPR). With this range of facilities either existing or likely within the period of the Plan I find the allocations are sustainable. Accordingly, I do not support the objectors' concerns in this respect.

(II) LOCAL ISSUES

(i) Whether infill/frontage development East of Botley Road should be in character

6.80 The housing allocation (some 2.86ha) for the land east of Botley Road is for some 25 units of accommodation (objections 0072, 0122, 0346, 0349, 0354, 0354, 0463, 0866, 0870). The resulting indicative density is very low at some 9 dwellings per ha. Moreover, the Council propose an amendment to the text of paragraph 6.22 (F/PIC/H/14/B), which I support with some reservations, explaining the intended approach to the development of this area. The emphasis is on low density development, in character with its surroundings. I do not agree with a number of the objectors who seek to restrict the development to frontage development only. That would be wasteful of the land and would deny the developer the opportunity of producing an interesting scheme which might raise the visual interest of this prominent site within the village. I am satisfied that the development of this allocation could be carried out in a manner which is sympathetic to the character of this road side settlement.

6.81 There is concern that this allocation will create a precedent for further development within the settlement (0332). I note that the Council have excluded the settlement from the urban area to discourage such pressure. It does not intend to define the allocation as a small 'pocket' of urban area within the village. This measure together with Policy H13 (frontage infill development in the countryside) should prove sufficient to resist development pressures.

(ii) Whether the proposed development will impact on Fairlawns Retirement Home

6.82 The objection property, No 266, Botley Road is a locally listed building. It is bounded on 2 sides by a public footpath (objections 0306, 0307, 0310, 0312, 0324). The amendments to the text of paragraph 6.22 confirm the Council's intention to safeguard the setting of the objection site and those of nos. 268 and 270, Botley Road to the north. Given the low indicative density of the allocation and the scope for screen planting I am satisfied that the housing allocation can be developed in a way which will respect the setting and integrity of these plots and their buildings.

6.83 It is proposed that there will be a 40m planting belt separating the North of Whiteley allocation and the frontage properties between No 270 Botley Road and Whiteley Lane. Given this degree of separation and the

depth of the Botley Road plots I am also satisfied that the North of Whiteley allocation could be developed without significant harm to either the amenities or setting of the Botley Road frontage dwellings (objections 0283, 0324, 0346, 0332, 0338, 0347, 0354, 0354, 0423, 0431, 0463, 0866, 0868, 0871).

(iii) Whether the proposed development will detract from the value of the existing properties

6.84 The affect of development on the value of properties is not a matter for the local plan (objection 0333).

(III) ENVIRONMENTAL ISSUES

(i) Whether the development will result in the loss of countryside..

6.85 It is inevitable that any form of built development on greenfield sites will result in the loss of countryside, rural character and landscape (objectors 0121, 0311, 0324, 0332, 0333, 0338, 0344, 0346, 0352, 0353, 0381, 0407, 0431, 0871, 0072, 0075, 0121, 0278, 0306, 0311, 0312, 0324, 0332, 0352, 0354, 0423, 0431, 0868, 0306, 0324, 0332). National, regional and structure plan policies recognise this. All the responsible authorities are concerned that that loss be kept to a minimum commensurate with the need to meet the strategic housing requirement. In the case of the objection sites I have had no evidence that there are more suitable sites available given the dual objectives of pursuing sustainable development and making the best use of existing infrastructure/facilities.

(ii) Whether the development will result in the loss of an important gap..

6.86 The proposed housing allocation sites do not form part of any recognised gap between settlements. Accordingly, I do not see that the proposals would undermine any structural policy of either the LPR or SPR (0072, 0306, 0312, 0324, 0332, 0347, 0381, 0866).

6.87 In my view the proposed 40m wide landscaped buffer strip to the east and rear of the Botley Road frontage plots will ensure that Burr ridge retains its separate identity (0072, 0075, 0121, 0122, 0270, 0277, 0278, 0283, 0291, 0308, 0309, 0332, 0333, 0338, 0344, 0345, 0347, 0350, 0372, 0423, 0431, 0451, 0866, 0868, 0870, 0871). The absence of any vehicular link between the 2 developments will reinforce that separation.

(iii) Whether the proposed landscape belt will take many years to mature..

6.88 The Council accepts that the landscape belt will take many years to reach maturity. I agree with that assessment (0114, 0338, 0868, 0871). Nevertheless, by careful attention to detail at the design brief/application stage and through the choice of species and the approach to the siting of plots/buildings within the allocations I am satisfied that an acceptable separation could be achieved and maintained, even in the early years of development. In my view, the maintenance of an effective landscaping belt is a readily attainable goal. I am satisfied that the time scales set out in paragraph 4.30 (c) provide a reasonable basis for the establishment of the planting belt. The most likely means by which the planting belts will be provided and maintained is through a legal agreement. In my view the details of those arrangements are not appropriate for consideration in the LPR.

6.89 So far as increasing the width of landscaping belt is concerned (0338, 0431, 0868, 0870, 0871), I consider that the proposed 40m is an adequate depth to achieve and maintain an effective physical and visual separation between the 2 settlements. This depth of belt repeats policies L2 of the now defunct Whiteley LP and Policy EN10(b)(i) of the adopted LP. Moreover, I note that a previous Inspector, in dealing with a similar objection to the Whiteley LP, in 1986, considered that this depth of landscaping together with the depth of plots at the rear of the Botley Road properties would provide ample visual separation between the 2 communities (FBC/H/3/A/1, Appendix 2). I agree with that assessment.

6.90 The location of the planting belt was the subject of discussion. I support the line which straddles the 28m contour and is as shown on the PM (and at a larger scale on LN6 of P/0362/71). In this location it would be more effective as a screen since it would occupy higher ground than the line preferred by the Burr ridge Residents Association. It would also avoid overly long rear gardens on the Botley Road side should the housing to the west take the form of frontage development.

(iv) Whether the development will adversely affect the environment and wildlife..

6.91 Once built on, a greenfield site will be lost to the countryside (objections 0308, 0311, 0324, 0346). To that extent the loss of a greenfield site is also likely to impact on the wildlife and the environment. However, the prospective developers acknowledge the local importance of Quaveys Copse and existing hedgerows. These features are to be retained, protected and enhanced. No other recognised natural resource is affected by the 2 allocations. Apart from the foregoing specific features, which it is intended to safeguard, there is no evidence that the north of Whiteley should be managed as a Nature Reserve or that the allocations would harm any features of significant importance in terms of wildlife habitats. I note that the Council expects more detailed work to be carried out on this aspect. However, on the present evidence I see no reason for deleting, or reducing, the allocations based on the nature conservancy value of the 2 sites.

6.92 Although surface water attenuation will be required on the Whiteley site, the Environment Agency as the principal agency responsible for safeguarding water resources, has not objected to either of the 2 housing allocations. There is no evidence that the proposed developments so adversely affect the water table (0306) that this would represent a material obstacle to their development.

(IV) HIGHWAY ISSUES

(i) Whether the traffic from additional development would exacerbate problems of traffic congestion on Botley Road

(A) East of Botley Road

6.93 It is not disputed that the alignment of Botley Road (A3051) is relatively poor where it passes through the settlement of BurrIDGE; vehicles tend to travel at or above the 40mph speed limit (TM/P/0362/71, para 2.28) (objections 0072, 0075, 0121, 0122, 0283, 0291, 0306, 0324, 0332, 0338, 0346, 0347, 0350, 0351, 0352, 0381, 0407, 0420, 0431, 0868, 0871). Some 25 additional dwellings are proposed with access onto Botley Road. The form of development ultimately permitted will dictate the number of new accesses onto Botley Road.

6.94 The prospective developer suggests the number of new accesses could be limited to two: a shared access for frontage development and a 'T' junction or roundabout for the remainder of the site. The additional traffic generated by this number of dwellings is likely to be some 18 movements in the peak hour (TM/P/0362/71, para 2.36). With this order of increase in traffic, I consider that there is unlikely to be any significant increase in danger or inconvenience for users of the road, for either pedestrian or vehicular traffic. In arriving at this view I take into account the numerous access points which already exist to serve the frontage development on Botley Road and an average daily flow on the road of between some 8000 and 9000 vehicles a day (TM/P/0362/71, TM2, Para 8.7). If access were restricted to 2 points and the opportunity were taken, as has been suggested, to introduce traffic calming measures along Botley Road, then traffic speeds might be reduced and road safety improved to the benefit of local residents and road users.

(B) North of Whiteley

6.95 The development at North of Whiteley will result in some 260 additional dwellings. The development would be accessed through the existing links to the M27 (Junction 9) and the A27 (Segensworth Roundabout). No direct link is proposed to Botley Road (although see objection 0362/5022 in respect to Policy T9) until the new district distributor road (DDR), Whiteley Way, has been completed (objections 0072, 0121, 122, 0277, 0291, 0338, 0346, 0347, 0351, 0352, 0451, 0463, 0866, 0868, 0871). Without a completed DDR and no connection provided between the North Whiteley development and Botley Road, it is estimated the new housing would result in an increase of some 12 additional vehicles using Botley Road during each of morning and evening peaks hours (TM/P/0362/71, TM7, para 4.9).

6.96 Given this order of increase in relation to the total traffic using the road, I find that the development would not materially detract from the amenities of residents of the frontage dwellings in BurrIDGE. Nor would I expect the additional traffic to make any significant difference to the safety of pedestrians and vehicles using Botley Road. In arriving at this view I am aware that the Inspector (Application ref: P/94/0805/FP) in refusing planning permission for making a junction between Yew Tree Drive and Botley Road, came to a different view in respect of that proposal. However, in that case the proposal was different of a different order of magnitude in that the junction, potentially, could have served the **whole** of the Whiteley development.

6.97 So far as concerns are expressed (objection 0332) that the allocation will create more pressure to make a road link to Botley Road, I note that the existing development has already prompted an objection to Policy T9 (access to Botley Road - see para 6.95 above).

(ii) Whether additional development should be considered before the Whiteley Way DDR is constructed.

6.98 The HCC in discussion with consultants for Pelham Homes have confirmed that the development of the North of Whiteley allocation is not constrained by the delays to the completion of the northern section of the DDR (LN/P/0362/71/B, para 3.2) (objections 0121, 0277, 0291, 0332, 0338, 0347, 0352, 0451, 0463, 0866, 0868, 0871). Moreover, I note that the HCC raised no objection in principle in relation to the application P/97/0540/OA which proposed some 256 dwellings on the allocated land. Accordingly, I see no obstacle to this allocation being developed for housing before the DDR is completed.

(iii) Whether there should be an additional emergency access onto Botley Road

6.99 The consultants acting for Pelham Homes considered that there would be no need for an emergency access to serve the land to the East of Botley Road provided the main access to the main development (some 20 dwellings) were provided as near to the centre of the frontage as possible (TM P/0362/71, para 2.40) (objections 0075, 0114, 0277, 0354, 0372, 0451, 0463, 0866, 0868). This assessment was not disputed. Even were an emergency access required it could be restricted to emergency use only. In which case it would be used but rarely and I would not see it as creating a significant hazard to the free flow of traffic on Botley Road. Nor would I see that its use by cyclists and pedestrians as posing an objection on either safety or amenity grounds .

6.100 I have no evidence to suggest that the development of the 2 allocations would result in a significant increase in pollution from traffic/noise/lighting. I do not therefore regard these aspects as giving rise to sustainable objections. (0278, 0308, 0312, 0324, 0351).

RECOMMENDATION

6.101 Make no modification to the Plan in response to these objections.

6.102 POLICY H1 (B) - HOUSING ALLOCATIONS (NORTH OF WHITELEY ONLY)

Objections:

0362/5013: Pelham Homes Ltd
0378/5001: Mr N Castle and others

Further Change:

Policy H1 is amended by FC/H/2.
Paragraph 6.23 is amended by FC/H/1

Issues:

- 6.103 (i) Whether the number of houses shown in Policy H1 for North of Whiteley should be amended to 300;
(ii) whether the housing allocations should be subject to phasing with Beckings Copse released for early development.

Conclusions:

6.104 The number of units shown in Policy H1 are indicative only. The objector (0362) questions the area of the allocation. It has been agreed between the parties that the allocation has a gross area of 13.78 ha (not 13.00 ha as in the deposit LPR). This is reflected in the Council's proposed change to paragraph 6.23 (FC/H/1). This increases the net area to 11.82 ha which, at an average density of 22 dwellings/ha, provides an indicative figure of

some 260 units for this allocation (FC/H/2 - see para 6.9 above).

6.105 The Council's assessment is that the current shortfall of housing land supply within the district requires early release of land for housing development in order to avoid land being released in an ad hoc way on appeal. This view has not been seriously challenged. Accordingly, there appears to be no justification for phasing development within the allocations of the LPR. I see no reason why one sub-area (Beckings Copse) in one particular allocation within the LPR should be picked out and identified for early development. The timing of provision, in practice, is likely to turn on the availability of infrastructure to support the development.

RECOMMENDATION

6.106 Modify the Plan as follows:

- (A) amend the area given in paragraph 6.23 for 'North of Whiteley' to read "13.78" hectares (Further Change FC/H/1);
- (B) amend the indicative number of units in Policy H1 for 'North of Whiteley' to read "260" (Further Change FC/H/2).

6.107 PARAGRAPH 6.22 - HOUSING ALLOCATIONS (EAST OF BOTLEY ROAD)

Objections:

0362/5012: Pelham Homes Limited
0274/5001: Mrs J C Colley

Pre-Inquiry Changes:

Paragraph 6.22 is amended by PIC/H/14, F/PIC/H/14/A & F/PIC/H/14/B.

Counter-Objections to PIC/H/14:

0020/5004: Mr A M Jupe & Mrs J P Jupe
0332/5009: Burrige Residents' Association
0362/5028: Pelham Homes Limited
0420/5003: Mr & Mrs C Page

Issues:

6.108 Whether the description of development in the text should be more detailed in respect of proposed density and other factors.

Conclusions:

6.109 The Council propose to amend the text to indicate that the Botley Road frontage should be developed in keeping with the pattern and scale of development within Burrige. For the remainder of the allocation the text proposes low density development protecting the settings of 266-270 Botley Road and a public right of way (PIC/H/14). I support the proposed change with some reservation. While I consider it reasonable that the new development should be required to be compatible with its surroundings, the text should not be prescriptive as to the form of development which might be appropriate. The designers should not have their hands tied. The opportunity for creating an interesting "village scape" feature within the settlement was mentioned during the inquiry. That prospect should not be thwarted in the text of the Plan. The reference to 'in keeping with the general pattern and scale...' would not, I hope, preclude a form of development other than frontage plot development, but which could be appropriate to this roadside settlement. Frontage plot development may be the ultimate solution; it may not. In order to avoid being overly prescriptive I suggest the references to the form of development be less rigid.

6.110 The constraints represented by nos. 250 and 260, Botley Road may not remain indefinitely. I detected an awareness that the existing settlement lacks any central focal feature or real sense of place, apart from the post office. The proposed allocation may present an opportunity to remedy that situation. A high quality architectural design for this important centrally located site should not be unreasonably proscribed by a reference to low density development in the text. A combination of architectural solutions may be appropriate. I suggest that the text make this clear.

6.111 A **counter objection** (020) seeks to provide more detailed description regarding the form of development, defining length of gardens and in effect prescribing more ribbon development. For the reasons given above, I do not support any more prescription in the text. A further **counter objection** (0362) seeks to protect the present line of the public right of way (PROW). However, I see no necessity for the text to require the PROW to remain on its present alignment. A change of alignment will only be possible on completion of the necessary statutory procedures. Another **counter objection** wishes the text to confirm that the allocation will be accessed from Botley Road. The Council agrees to this amendment. **Counter objector (0420)** seeks that the text require that development be in the form of frontage development only. I see this as unreasonable for the reasons already set out above.

RECOMMENDATION

6.112 Modify paragraph 6.22 of the Plan to read as follows:

“East of Botley Road, Burridge (2.86 hectares): The site will be separated from the extension to Whiteley by a 40 metre planting belt. A joint development brief will be prepared for this site together with the extension to Whiteley. Access will be from Botley Road. The site may be suitable for low density development including frontage infill on Botley Road. Any scheme of development must respect the setting of 266/268 Botley Road, the Grade II listed building at 270 Botley Road and the public right of way along the northern boundary. The opportunity for low density development of the site, however, is not intended to prevent the production of a high quality architectural design solution for this important site within Burridge.”

6.113 PARAGRAPH 6.23 - HOUSING ALLOCATIONS (NORTH OF WHITELEY)

Objections:

0020/5003: Mr A M Jupe & Mrs J P Jupe
 0273/5002: David Searle
 0354/5002: A F Harber
 0362/5014: Pelham Homes Limited
 0393/5005: Environment Agency

Pre-Inquiry Changes:

Paragraph 6.23 is amended by PIC/H/15/A and PIC/H/15/B.

Counter-Objection to PIC/H/15/A:

0020/5005: Mr A M Jupe & Mrs J P Jupe

Issues:

- 6.114 (i) Whether the proposed emergency access to serve North Whiteley should be relocated;
 (ii) whether the plan should indicate the density of development adjoining the landscape buffer strip;
 (iii) whether the development of the allocation should be prevented until the community facilities and DDR are completed;
 (iv) whether the text should state that planting belts will be necessary to safeguard views of the site

- from the north; and whether it should be stated that density should be at a level consistent with that previously adopted at Whiteley;
- (v) whether the text should refer to the possibility that surface water attenuation will be required which could affect the number of dwellings accommodated on the site.

Conclusions:

6.115 The location of an emergency access (objection 0020) is a detailed matter which is not appropriate for a local plan. It is better considered as part of a development brief or at the planning application stage.

6.116 The layout and density of development within this allocation is, again, a detailed matter which is best dealt with in the proposed development brief. I have already commented on the adequacy of the 40m landscape buffer strip (see para 6.89 above). A guideline depth of some 20 m is suggested for the landscape buffer strip along Whiteley Lane is provided in paragraph 6.23. Given the predominantly rural character of the land to the north of Whiteley Lane and the paucity of housing I consider that the proposed 20 m planting belt would be adequate to screen the proposed housing from the north. I see no need for this aspect to be developed in more detail in the LPR. Further detail would be more appropriate to the development brief. Changes to the existing footpath would only be possible on completion of the necessary statutory procedures.

6.117 In response to objector 0354, I have already indicated that I see no reason to delay development in North Whiteley until the community facilities and the DDR are in place (see paras 6.79 and 6.98 above). The plan will maintain the separation between Burr ridge and North of Whiteley. The road connection between the 2 settlements is safeguarded by Policy T9 (access to Botley Road). Other points raised, including maintaining existing character, development being restricted to Botley Road and the Whiteley development should only promoted by the HCC are considered in paragraphs 6.69-6.100 above.

6.118 The text of the paragraph makes it clear that the planting belts are intended to screen the development from the north not to safeguard views of the site from the north. The text already states that the 'development... will continue the existing form and scale of development of the new settlement'. Given the need to make the best use of housing land it would be appropriate to include "density" in that sentence to confirm that the policy of providing a wide range of densities at Whiteley will be continued. The Council proposes a change (PIC/H/15/A) to the fourth sentence of the paragraph confirming the intention to separate the site from the land east of Botley Road. I support the proposed change as complementing the same point which is made in paragraph 6.22 of the Plan.

6.119 The Council accepts that an amendment to the text would be appropriate to reflect the Environmental Agency's (objector 0393) requirements for surface water attenuation on the site (PIC/H/15/B). I support the proposed change which provides essential information which may influence the layout of the development.

6.120 A **counter objection** (0020) suggests that PIC/H/15/A should be further amended to state that the planting belt should be continuous and a **minimum** of 40m in depth. I consider the amendment as proposed, together with the reference in paragraph 6.22, is sufficient to convey the LPA's intentions regarding the planting belt. I see no need for the text to carry any more detail.

RECOMMENDATION

6.121 Modify paragraph 6.23 of the Plan as follows:

(A) **amend the second sentence to read:**

"The development of the site will continue the existing form, density and scale of development of the new settlement."

(B) **replace the fourth sentence with the following:**

"A 40 metre planting belt will separate this site from the land east of Botley Road and from existing dwellings in Botley Road." (Pre-inquiry Change PIC/H/15/A);

(C) add a new sentence before the sixth sentence to read:

“Surface water attenuation will be provided in accordance with the requirements of the Environmental Agency.” (Pre-inquiry Change PIC/H/15/B).

BUT otherwise make no further modifications in response to these objections.

6.122 POLICY H1(C) - HOUSING ALLOCATIONS (PETERS ROAD)

Objections:

0022/5001: Mr & Mrs A Quartermain
 0259/5001: Mr John Stuart
 0300/5018: Warsash Residents' Association
 0381/5032: Fareham Society
 0439/5003: David Wilson Homes
 0454/5002: Mr P D P Kemp

Issues:

- 6.123 (i) Whether development would result in loss of attractive countryside/gap and result in the urbanisation of Locks Heath;
 (ii) whether the development will result in the loss of high quality agricultural land;
 (iii) whether the number of dwellings should be increased from 180 to 210; whether the site should be reduced and planned at lower density;
 (iv) whether the land should be allocated for development having been previously rejected in an earlier plan;
 (v) whether the development will exacerbate traffic congestion in the area; whether the development should take place before the Western Distributor Road (WDR) is completed; and whether the existing infrastructure is adequate.

Conclusions:

(i) Whether the development would result in the loss of attractive countryside...

6.124 While the loss of open land/countryside is to be regretted I see no prospect of the SPR's strategic housing requirement for Fareham being met without development of greenfield sites. The housing requirement cannot be met by redevelopment within the urban area alone (see paragraph 6.17 above). That being so, it is inevitable that urbanisation of the previously open land will result from its development (objectors 0022, 0381).

6.125 There is little doubt that had the site not been allocated for housing development it would have been identified, with the open land to the south, as part of the local gap separating Locks Heath from Warsash. However, I am satisfied that the open land which will remain to the south will be sufficient to maintain the physical separation of the 2 settlements (0381).

(ii) Whether the development will result in the loss of high quality agricultural land

6.126 The Peters Road site has an area of some 8.5 ha of which some 3.3 ha is Grade 1 and 2 under the Agricultural Land Classification (objection 0439). These represents the 2 highest grades of the best and most versatile agricultural land which it is national policy should be protected for future generations (PPG7, paras 2.16-2.20). In support of the allocation, on the other hand, the site has a fragmented ownership pattern and is embedded within the built-up area of Locks Heath having development on 3 sides; it is well located for schools, shops and community facilities with access to public transport.

6.127 It was suggested on behalf of MAFF that, in order to protect the best quality agricultural land on the objection site **and** the open land to the south, consideration should be given to distributing the development

proposed for the Peters Road site (some 210 units) onto the areas of lower quality land. I see 3 main objections to the suggestion. Firstly, it would encroach on the remainder of the local gap and, in my view, would effectively destroy its openness and erode its function as a local gap. Secondly, it is likely to create a disparate, uneconomic form of development which would lack cohesion. Finally, it could leave 'islands' of best quality land which could prove difficult to cultivate. It is also likely to increase the problems of urban fringe encroachment. In my view, the most effective means of protecting the best quality agricultural land to the south of the objection site will be through the national, SP and LP policies which seeks its protection linked with the countryside and local gap policies.

6.128 Having considered the options which have been put to me as objections at the inquiry I see no site as being better in locational terms. Significant in the balance is the prospect that future residents will be within easy distance of shops, schools and community facilities by foot and bicycle. It is also reasonably sited in respect to public transport. Nevertheless, I am conscious that the protection sought for the best quality agricultural land should not be set aside lightly. But in this case I find that the sustainability and locational advantages of the objection site for housing development outweighs the agricultural objection to the allocation.

6.129 However, it may be possible to go some way in meeting MAFF's concerns to protect the best quality land. By careful planning at the detailed layout stage it should be possible to ensure that any open space/screen planting provided as part of the development is located on the best quality land. Moreover, I note that the Council, in recognition of the accessibility of the site to shops and services, accepts that the site may be suitable for higher density development. I welcome and support the Council's intention to investigate a higher density development on the site. This may also present the opportunity to develop at a higher density on the poorer quality land.

(iii) Whether the number of dwellings should be increased from 180 to 210

6.130 These objections (0259, 0459) arise from the number of housing units attributed to the allocation involving a smaller site area (7.23ha) in the consultation draft of the plan. The figure of 210 units is based on a guideline figure of 25 dwellings/ha (site area of 8.61ha) used for assessing the plan's housing requirement (see para 6.37 of the LPR). Bearing in mind the need to make the best use of housing land and reduce the encroachment of development into the countryside, I see no need to reduce the number of units shown in Policy H1. Indeed, for the reasons given above there are grounds for considering an increase in the number of units on the site provided that could be achieved without harm to the adjoining area.

(iv) Whether the should be allocated for development having been previously rejected in an earlier plan

6.131 A previous Inspector, in considering objections to the Western Wards Action Area Plan (1977) recommended against a housing allocation on the site. However, I do not see that a view given 20 years ago proscribes consideration of a housing development on the site as part of the current review (objection 0259).

(v) Whether the development would exacerbate traffic congestion in the area

6.132 The traffic generated by an additional 210 dwellings will increase the use of the surrounding road network (0259, 0381). However, the HCC as highway authority have raised no objection to the allocation. There is no evidence to suggest that the local road network does not have sufficient capacity to accommodate the additional development. The Council's requirement for the completion of the Western Distributor Road to Warsash Road before any dwellings on the site are occupied is not based on a highway need for the new road. I consider the linkage between the new development and the WDR in more detail below. The Council has scope, under a number of policies within the Plan, to seek contributions from developers towards community and education facilities should they need to be expanded as a result of the Peters Road development. Thus I have no reason to believe that the existing and planned infrastructure in terms of roads, schools and other facilities, is inadequate to support the development.

RECOMMENDATION

6.133 While the allocation is confirmed, the development brief should seek to ensure that, at the detailed design stage, built development should as far as possible be kept clear of the best quality

agricultural land.

6.134 PARAGRAPH 6.24 - HOUSING ALLOCATIONS (PETERS ROAD)

Objections:

0083/5001: Mr Philip Ramswell
 0296/5001: Alfred McAlpine Homes (Southern) Limited
 0298/5003: Laing Homes Limited
 0397/5001: Mr Peagram & Mr Dibden
 0407/5018: Gosport & Fareham Friends of the Earth
 0444/5001: Mr & Mrs T Dibden

Pre-Inquiry Changes:

Paragraph 6.24 is amended by PIC/H/16/A and PIC/H/16/B.

Counter-Objections to PIC/H/16/B:

0259/5003: Mr John Stuart
 0298/5022: Laing Homes Limited

Issues:

- 6.135 (i) Whether the density proposed for the site is too great and out of keeping with the surrounding area;
- (ii) whether the reference to the need to complete the WDR before development is permitted should be deleted; and whether the reference to a planting belt should be deleted;
- (iii) whether a reference should be included to the possibility of a southward extension of the site; whether the reference to a development brief should be deleted; and, whether the reference to the proposed secondary/emergency access to the site should be amended;
- (iv) whether a reference should be included to the prospect of the early development of part of the site accessed from Chichester Close;
- (v) whether a reference should be made in the development brief to a requirement for traffic calming measures with cycle and pedestrian access.

Conclusions:

(i) Whether the density of the development is too great

6.136 This objector's point (0083) has already dealt with in the preceding batch of objections under Issue (iii).

(ii) Whether the reference to the need to complete the WDR before development is permitted should be deleted

6.137 The provision of the WDR is provided for under Policy T2 of the adopted LP. However, the HCC as highway authority, accepts that there is no **traffic** case, based on current traffic data, which justifies the WDR to be completed. In the HCC's view the case for completion rests on the wider transport perspective. It would provide a complete and efficient distributor road network which would give relief to existing unsuitable access roads. The objectors' (0296 and 0298) view is that, without a **traffic** justification, the requirement in the text to the prior completion of the WDR is not justified.

6.138 The Council proposes to change the text of the paragraph to the effect that no dwelling can be **occupied** before the completion of WDR to Warsash Road (PIC/H/16/B). I support the proposed change since it would be unreasonable to prevent **development** of the site, once a permission were granted, until completion of the WDR.

6.139 The origins of the WDR (and the now deleted Southern Distributor Road (SDR)) date back to the late

1970's. The roads were part of a planned expansion of the Western Wards. There is little doubt that the abandonment of the SDR has weakened the comprehensiveness of the planned distributor network in this part of the district. Nevertheless, about half of the WDR has been completed with only the southern section (Upper Brook Drive - Warsash Road) to be built. In terms of the future planning of the area this is clearly an unsatisfactory state of affairs. The HCC has confirmed that the programmed start for the southern section of Stage 3 of the WDR (Greenaway Lane/Warsash Road) is November 1998 (HCC letter 6.4.98). Once this is completed only a relatively short section will remain to be built. A dispute exists between the HCC and one of the objectors concerning the implementation of a Section 52 agreement to secure the completion of the remaining northern section of Stage 3 of the WDR.

6.140 My attention was drawn to the decision of the SSE (12.5.98) on the "called in" S78 application to develop the objection site (P/97/0067/OA). In that case, the reporting Inspector's view was that the release of the site should not be dependent on the WDR (para 6.26). The SSE made no comment on the Inspector's conclusions in respect of the WDR.

6.141 There seems little doubt that the completion of the WDR would give some relief to Brook Lane and Locks Road, the present main north/south routes in this part of the district, although that relief may be limited. Some relief would also be expected to Peters Road/Heath Road although there would be some increase in the use of Warsash Road. All of these roads, while they still have reserve capacity in highway engineering terms, perform the dual function of providing access and acting as local distributors. The roads contain a multiplicity of access points serving individual dwellings and business premises with conflicts arising due to the differing needs of access and through traffic. I accept that this is clearly unsatisfactory where some of the local roads (Brook Lane and Locks Road) in peak hours are carrying in excess of the 300-600 vph range regarded as the 'environmental capacity' for an access or local distributor roads (Appendix 6, FBC/H/3/B/1). I acknowledge that such figures are subjective, but the reduction of through traffic is obviously of concern to the residents and both Councils. That is a wholly reasonable objective in the context of the local plan.

6.142 At present the local roads carry more traffic than would be the case if they had been designed today as access only roads. While in highway engineering terms the development of the objection site would not give rise to significant increases in traffic on the local network, taken together with the estimated increase of traffic on the network up to 2006 (JAE1), they become more significant. In my view it is a laudable objective for the Council and the HCC to seek, as part of the LPR, to improve the environment of frontage properties by redistributing the traffic onto the WDR.

6.143 The objection site represents possibly the last major development site in this part of Locks Heath/Warsash area. It appears that there is a public perception that the development would exacerbate the traffic conditions on roads that are already environmentally compromised under existing conditions; similarly, there is a perception that relief would be given to the roads in the network through the completion of the WDR. In the interests of the proper planning of its area and in order to ensure that the investment already made in the WDR is not wasted I consider it reasonable for the Council to link the development of the site with completion of the WDR. Further, this does not absolve the Council of the need to apply the tests set out in Annex B2 of Circular 1/97 in respect of seeking contributions from developers on any application to develop the site. Moreover, in my view, that linkage would only be supportable under circumstances where the HCC carry out their undertaking to complete that part of the WDR for which they are responsible (HCC letter 6.4.98 refers).

Planting Belt

6.144 I see no justification for the removal of the reference to a 15m planting belt (0296, 0298, 0444) within the text. The reference confirms the guidance set out in paragraph 4.30 of the Plan. In my view the belt would represent an appropriate and sensible demarcation between the objection site and the land to the south which is identified as countryside/local gap on the PM. It will also provide greater certainty for landowners or prospective developers. The deletion of the planting belt for the reason that the land to the south will be developed for residential purposes is speculative and unfounded. I do not support its deletion on that basis.

(iii) Whether a reference should be included to a possibility of a southward extension

6.145 In the absence of an overriding need to increase the LPR's housing requirement at this time, I see no

justification to refer to the prospect of development to the south on land that is allocated as countryside/local gap (objections 0296, 0298). On present evidence, therefore, such a reference would be misleading and insupportable.

Reference to a development brief

6.146 I see no reason for the deletion of the reference to the Council' expectation that a development brief will be prepared for the site (0296, 0298, 0397, 0407). The site is a significant one in terms of its area. It is in different ownerships and, moreover, it is likely to be developed by more than a single developer. These factors, and the need to develop the site comprehensively, with the prospect of building on parts while leaving others free of development, strongly suggest that a development brief would be an essential pre-requisite to the development of the site.

Reference to secondary/emergency access arrangements

6.147 It is accepted that primary access to the site will be from the WDR on the eastern side of the site. However, an objector (0298) disputes the need for a secondary or emergency access from Peters Road. With a development site of some 8.6 ha I consider it sensible that a secondary/emergency access to the site is not ruled out. The Council proposes a change to the text stating that a secondary/emergency access will be required from Peters Road (PIC/H/16/A). However, the Council concedes that, the type of access and its need will not be known until the development brief is drawn up or as part of a planning application. I suggest it would be preferable for the proposed amendment to the text to reflect that view.

(iv) Whether a reference to development accessed from Chichester Close should be included

6.148 This objection site (0083, 0397, 0444) comprises some 1ha of derelict glasshouses and grassland within the south-western part of the Peters Road allocation. In my view the piecemeal development of parts of the allocation would not represent a sensible planning solution given the aim to reduce the loss of the best agricultural land and the practical difficulties in providing open space to serve the number of dwellings proposed. Moreover, Chichester Close is unsuitable as an access for further residential development since its junction with Brook Lane is sub-standard in terms of visibility. It would be preferable, in highway safety terms, for the site to be served from the WDR as part of a comprehensive scheme.

Traffic calming measures as part of a development brief

6.149 According to the Council, development briefs produced by the LPA typically include provision for pedestrians and cyclists. The briefs will be subject to public consultation. The detailed content of the brief is not a matter for the LPR. This objector's concerns (0407) would better be directed at the public consultation stage in the brief's preparation. I trust the Council will take note the objector's interest.

6.150 A **counter objection** (0298) is raised to PIC/H/16/A with a suggested amendment to the description of the proposed access arrangements. I recommend below a revision to the text which, in my opinion, meets the counter objection.

6.151 A **counter objection** (0259) is raised to PIC/H/16/B suggesting that the original text be maintained. I support the Council's revised wording. It would be unreasonable to resist the **construction** of the dwellings until the completion of the WDR.

RECOMMENDATION

6.152 Modify paragraph 6.24 to read as follows:

“Peters Road, Warsash (8.61 hectares): The site may be suitable for higher density development as it is close to shops and services. The primary access to the site will be from the Western Distributor Road. Depending on the final layout, a secondary/emergency access may be required onto Peter Road. No dwelling will be occupied before the completion of the Western Distributor Road to Warsash Road. A 15 metre planting belt will be required along the southern boundary and the setting of the public right of way must be protected. A development brief will be prepared

for the site.” (PIC/H/16/A (amended) and PIC/H/16/B).

6.153 POLICY H1(D) - HOUSING ALLOCATIONS (HUNTS POND ROAD)

Objections:

0003/5001: Lt Colonel J L H Tudor
 0021/5001: Mr P D Reynolds
 0298/5004: Laing Homes Limited
 0318/5003: Mr K West
 0320/5014: Mr R Stubbs
 0322/5006: Mr M J Peagram
 0381/5033: Fareham Society
 0407/5020: Gosport & Fareham Friends of the Earth
 0461/5001: Rebecca Longley
 0462/5001: Mr Paul Ramsay

Pre-Inquiry Changes:

Paragraph 6.25 is amended by PIC/H/17.

Issues:

- 6.154 (i) Whether the allocation of this site is justified; whether the allocation will result in the loss of countryside and an important local gap; whether it would be more appropriate to allocate the land for industrial or office use;
- (ii) whether development of the site would exacerbate road congestion in the area; whether the proposed access would alleviate road congestion;
- (iii) whether the site is poorly located in relation to the local centre; whether existing education and health facilities are adequate; whether the pattern of ownership would prevent its development within the period of the Plan; and
- (iv) whether the site is subject to constraints which would reduce its capacity; whether the proposed development would adversely affect the Wilderness SINC and other nature conservation interests;
- (v) whether the cross reference to paragraph 3.30 needs clarification;

Conclusions:

(i) Whether the allocation is justified

6.155 The site is extensive (some 10.92 ha); it comprises mainly open land, including long gardens and paddocks at the rear of dwellings fronting Hunts Pond Road. The capacity of the site is estimated at some 240 units representing some 20% of the new allocations in the plan. I have already acknowledged that there is insufficient land within the urban area to meet the plan's housing requirement. As a consequence development of some greenfield sites is unavoidable. In terms of the districts housing requirement the site makes an important contribution to the housing requirement. Although development of the site would result in the loss of open land (the site was identified as countryside in the adopted LP) I accept this is an inevitable consequence of meeting the housing requirement. However, the site is relatively well screened from the public view being located between housing on the west and fairly dense vegetation on the east and south. To the north it abuts an area of playing fields. Given the housing requirement in the Plan, I consider that the allocation represents an acceptable housing development site (objections 0003, 0318, 0320, 0381, 0407, 0461, 0462).

6.156 The land lies to the south-west of the finger of open land forming a local gap (Segensworth/Locks Heath) where it meets the open countryside at Lambert's Coppice. In my view the development of the site would not harm the integrity of the local gap nor lead to the coalescence of neighbouring settlements (0381). The development is about 0.75km from the western limits of the village of Titchfield. The intervening countryside is

within the strategic gap. In the circumstances I see no likelihood that the development would adversely affect either the village of Titchfield or its setting (0461).

6.157 I have no evidence to support the view that the plan makes insufficient provision for land for industry/office development. Given the identified need for additional housing in the district therefore I do not support the development of the site for an alternative use (0322).

(ii) Whether development of the site would exacerbate road congestion in the area

6.158 The Council accepts that there is peak hour congestion around most potential housing sites within the district; it also accepts that requiring access from Warsash Road (a road with no frontage development) would not by itself alleviate congestion (0021, 0381, 0461). I note that the HCC as highway authority for the area does not raise objection to the development. It is the Council's intention to seek contributions from the developers, where appropriate, for improvements to transport infrastructure including public transport. In the circumstances, I do not accept that because the development of the site will add to congestion it is justification for deleting the proposed allocation.

(iii) Whether the site is poorly located in relation to the local centre

6.159 The site is about 1km from shops in Hunts Pond Road, 1.5km from Titchfield's shops and about 2km from the district centre (0298, 0461). There are 3 schools within walking distance of the site. There is the prospect that the provision of a convenience store within the development will be considered as part of the development brief. Improvements to health and education facilities are also included in the Plan. In the circumstances I consider that the site is reasonably accessible to the usual range of community facilities.

Pattern of ownership

6.160 I note that although the site is in multiple ownership, a large block of the objection site is under the control of national house builders (0298). None of the owners have indicated that they are against the principle of development. In the circumstances I see no reason why the land should not come forward for development within the period of the plan.

(iv) Whether the site is subject to constraints which would reduce its capacity

6.161 The main constraints imposed on the development of the site comprise existing vegetation and overhead power lines. The existing boundary vegetation defines the eastern boundary of the site. The vegetation grows along the valley of the Brownwich stream, much of which falls within SINC designations (The Wilderness and Lambert's Coppice). The overhead power lines generally follow the line of the stream. The Council confirm that they have already made allowance for any development to safeguard existing vegetation and kept clear of the overhead power lines. In the preparation of the development brief I would expect any nature conservation interests on the site to be protected; similarly, in drawing up the brief, I note the Council will consider the need for a landscape belt between the existing and new development (0461). However, in considering an objection to this SINC (The Wilderness) in Chapter 3 (0331/5006, see paras 3.318-3.320 above), I recommend that that part of the SINC which falls within the housing site on the PM be excluded from the allocation. This minor boundary amendment would slightly reduce the area of the allocation but, because of its small area in relation to the total site, I would suggest that the indicative capacity remain unchanged. Otherwise, I see no reason for reducing the estimated capacity of the site where these constraints have already been taken into account.

6.162 Concern was also raised to a range of possible adverse health effects which have been reported in connection with electromagnetic fields generated by power lines (objector 0322). I have taken very careful account of this point. I find the Council's intended approach to the problem is reasonable. It is aware of the on-going debate and undertakes to keep the matter under review. Until more detailed guidance is available at the national level I see the Council's cautious approach as the correct response. It will ensure that only open uses will be permitted within 20m of the centre line of the pylons and, within 20-30m, some buildings may be appropriate subject to use, height and materials. The prospective developers are aware of the concern. In their view it will not affect marketability. Given the foregoing, the run of the power lines on the extremity of the site, and the scope to keep development well clear of lines, I consider that this objection does not justify deletion or any further adjustment in the allocation.

(v) Cross Reference to Paragraph 3.30

6.163 The Council accept that this reference is an error which should be deleted (Pre-inquiry Change PIC/H/17).

RECOMMENDATION

6.164 Modify the Plan as follows:

- (A) **amend the Hunts Pond Road housing allocation on the Proposals Map by excluding from it the Site of Nature Conservation Importance (The Wilderness, referred to as Area 2 - see paragraphs 3.318-3.320 above).**
- (B) **delete “(see paragraph 3.30)” from paragraph 6.25.**

6.165 PARAGRAPH 6.25 - HOUSING ALLOCATIONS (HUNTS POND ROAD)

Objections:

0001/5047: Hampshire County Council
 0003/5002: Lt Colonel J L H Tudor
 0331/5005: Charles Church Developments Ltd
 0412/5001: Mrs H M King
 0413/5001: Mr & Mr Abbs
 0414/5001: Mrs W Breckell & Mr J Whitaker
 0450/5002: Wimpey Homes (George Wimpey Plc)

Pre-Inquiry Changes:

Paragraph 6.25 is amended by PIC/H/17.

Issues:

- 6.166 (i) Whether the primary access to the site needs to be approved by the HCC since it crosses ecologically important land; whether the primary access to Warsash Road should be described as a ‘preferred’ access; whether in the absence of agreement regarding access this aspect should be left to the development brief stage or application stage; whether the emergency access would be used on a regular basis; whether access from Hunts Pond Road with traffic calming measures should be considered; whether reference to a second access from Hunts Pond road should be included;
- (ii) whether the housing allocation should be reduced;
- (iii) whether the text is too prescriptive and covers matters which need to be covered in the development brief; whether the development could be carried out comprehensively in stages beginning at an early date and reflected in the development brief.

Conclusions:

(i) Whether the primary access needs approval by the HCC

6.167 The land between the objection site and Warsash Road is identified as a SINC (0001, 0412). The objection (0001) has been unconditionally withdrawn without any amendment to the text. The HCC own the land within the SINC. Nevertheless, if the main access, or indeed any access, to the proposed housing allocation is to be via Warsash Road it will obviously need to be designed with considerable care in order to ensure that the integrity of the SINC is not harmed (see recommended replacement policy for Policy C10 at para 3.305 above). Such detailed consideration is obviously more appropriate to the development brief than to the Plan.

Whether the primary access should be described as 'preferred' access

6.168 The site falls within the Locks Heath/Warsash Transportation Study (LHWTS) area which has examined and reported on existing and future travel demands within this part of the district. The recommendations have yet to be considered by the Council (0331, 0412, 0413, 0414, 0450). The Council identifies a number of constraints associated with Hunts Pond Road which rule it out as a primary access. These include on-street parking, speeding, poor pedestrian and cyclist facilities and road safety at a number of junctions and in relation to St John's Primary School. The report suggests a number of proposals for improving traffic conditions in Hunts Pond Road. I note there is no comment from the HCC as highway authority.

6.169 If speed controls are introduced along Hunts Pond Road it is possible that traffic would be discouraged from travelling north from any new access onto Hunts Pond Road. Instead drivers may prefer to access the development via Warsash Road to the south. If so, this would tend to have a similar effect, in traffic terms, to locating the primary access on that road. In the circumstances I find that, while an access onto Warsash Road, under present conditions, may be preferred it would be premature to close down the options, assuming the implementation of recommendations arising from the study can be expected in the short term. Certainly, I am not persuaded on the evidence available that Hunts Pond Road should be entirely ruled out at this stage. Accordingly, I consider it would be sensible for the text to reflect that situation.

Whether decision on the access should be left to the development brief stage

6.170 If the Council accept my recommendation (see previous paragraph) any development brief would be able to finalise the access arrangements for the site provided decisions have been taken by the Council on proposals affecting the local network arising from the LHWTS (0331). If the outcome of the study is still unclear, the Council will no doubt decide the question of access on the best advice available at the time. This could be either at the brief or application stage.

Whether the emergency access would be used on a regular basis

6.171 Assuming an emergency access is necessary I feel confident that it would be possible to prevent its use on a regular basis through appropriate design and the use of lockable bollards or a barrier (0003).

Whether access from Hunts Pond Road with traffic calming measures should be considered

6.172 I have dealt with this suggestion at paragraphs 6.168-6.169 above in connection with the LHWTS proposals for the area (0412). Similarly, in leaving the question of access open pending the Council's consideration of that study, the question of a second access from Hunts Pond Road would be part of that process (0450).

(ii) Whether the housing allocation should be reduced

6.173 In dealing with the objections to the allocation of this site under Policy H1 above I have already rejected the suggestion that the indicative number of housing units for this site should be reduced.

(iii) Whether the text is too prescriptive

6.174 The text identifies a number of constraints which the Council identify and will guide any development of the site. I am recommending a caveat regarding a final decision on access. I consider the matters referred to are helpful and pertinent to any proposed development. They will inform both prospective developers and the public. I do not regard them as too prescriptive. I would expect detailed consideration of the constraints to be addressed in the development brief.

Whether the development could be carried out comprehensively

6.175 The Council intends to explain the detailed approach to development of the site through the medium of a development brief (0412, 0413, 0414). Whether an early start can be made and whether phasing is necessary will depend on a number of factors, including land ownership and access, which are likely to be outside the control of the Council. These are not matters for the LPR.

RECOMMENDATION**6.176 Modify the first sentence and add a new sentence following the second sentence of paragraph 6.25 of the Plan to read as follows:**

“The preferred primary access for the site will be from Warsash Road with an emergency access onto Hunts Pond Road. The access onto Warsash Road should be located at a point which is most suitable in relation to highway safety and the impact on the area. Any final decision on access arrangements for the site will take into account any changes proposed to the local road network arising from the Locks Heath/Warsash Transportation Study. Development of the site must protect ...”

BUT otherwise make no further modification to the Plan in response to these objections.

6.177 POLICIES H1(E), (F) & (G) - HOUSING ALLOCATIONS (SEGENSWORTH ROAD - NORTH AND SOUTH & EAST OF WHITELEY LANE)**Objections:**

0008/5002: W P and P J Phillips
 0008/5003: W P and P J Phillips
 0008/5004: W P and P J Phillips
 0298/5007: Laing Homes Limited
 0321/5001: Mr C E Sprinks
 0359/5001: Mr & Mrs Horn
 0359/5002: Mr & Mrs Horn
 0385/5002: Mr Ian Hammond
 0407/5021: Gosport & Fareham Friends of the Earth
 0407/5022: Gosport & Fareham Friends of the Earth
 0407/5023: Gosport & Fareham Friends of the Earth
 0456/5002: Mr N J D & Mrs W D Enoksen
 0456/5003: Mr N J D & Mrs W D Enoksen
 0456/5004: Mr N J D & Mrs W D Enoksen

Issues:**6.178 (A) ALL SITES**

- (i) Whether the sites should form part of the Plan's housing allocation; whether the allocations conflict with Local Plan Policies and should remain as part of the countryside; whether the development of the sites will cause traffic congestion, particularly at the Segensworth Roundabout;
- (ii) whether the area is suitable as a sustainable location for housing development; whether it would be more appropriate to allocate the sites for employment use; whether it is certain the Distributor Road will be built in the plan period;
- (iii) whether the proximity of the Segensworth Road (South Site) to employment uses will create land use conflicts;

(B) SEGENSWORTH ROAD - NORTH AND SOUTH

Whether there is a lack of facilities to support the allocations; whether the developments will adversely affect the Meon Valley Conservation Area; and whether the allocations will exacerbate existing road congestion;

(C) SEGENSWORTH ROAD - SOUTH

Whether the allocation is contrary the objectives of the Development Guidelines; whether the site

would integrate with existing settlements, improve the environment or provide a range of housing types;

(D) EAST OF WHITELEY LANE

Whether the development will result in the loss of start up facilities for small farmers.

Conclusions:

(A) ALL SITES

(i) Whether the sites should form part of the Plan's housing allocation

6.179 The sites have a total area of some 10.73 ha with an indicative capacity in the region of 240 units. This represents about 20% of the capacity of newly allocated sites within the Plan. The sites therefore make an important contribution to meeting the LPR's housing requirement. I see no good reason for deleting any of the sites from the list of new allocations (0008). I have already accepted that if the Plan is to meet the SPR housing requirement, by far the larger part of the new allocations will be on previously undeveloped land (see para 6.16). The development of areas previously allocated as countryside in the adopted LP, therefore, will be inevitable (0359). Development of the sites will, of course, result in additional traffic being introduced onto the local road network. Contributions can be sought from developers in respect of improvements to transport infrastructure necessitated by the development. The HCC, as highway authority, has not objected to the development of the sites in principle, although a detailed objection was made concerning access to Segensworth Road-North (see para 6.188 below).

(ii) Whether the sites are in a sustainable location

6.180 The sites are about 1.5km from local shops and other services located in Titchfield village and some 2km from Park Gate (0298). They are close to employment opportunities. The sites will be separated from the adjoining countryside by the eastern distributor road (EDR) which is due for completion in 1998. I have no reason to believe that the completion date will slip significantly. The advantages of the allocations are that they will have minimal impact on the countryside being contained within the EDR. The allocation represents a sensible rounding off of the urban area within the line of the road. Notwithstanding the distance from shops and services the advantages of the 3 sites outweigh comparable sites put to me as part of the inquiry. I have no evidence that the plan has allocated insufficient land for employment uses. Thus the greater need in terms of the SPR is for additional land to meet that plan's housing requirement.

(iii) Whether the proximity of Segensworth Road-South to employment uses will create conflicts

6.181 The site will be bounded to the east by the proposed new eastern distributor road and a proposed employment area to the south (0407). The Council proposes to ensure that, through planting, that this site will be separated from the new road and the employment area. Regarding the land to the south, I would expect the 2 uses to be able to operate without undue harm or conflict, each to the other, provided that attention is given to the layout of the sites and their treatment at the detailed planning stage.

(B) SEGNSWORTH ROAD - NORTH AND SOUTH

Whether there is a lack of facilities and affect on Conservation Area

6.182 With regard to facilities, my response to this objection is the same as that in paragraph 6.180 above in respect to all 3 sites (0351). The sites do not abut the Conservation Area (CA). They would be separated from the CA by the proposed new distributor road. Building at higher densities does not necessarily involve building above 2 or 3 storeys. I would expect that, the combination of the distance of the site from the CA, the proposed planting along the western side of the road, as well as along the new road itself, the development would have no significant impact on the CA. My response to the traffic objection is set out in paragraph 6.179 above.

(C) SEGNSWORTH ROAD - SOUTH

Whether the allocation is contrary to Development Guidelines objectives

6.183 The development of a greenfield site which has previously been identified as part of the countryside in the

adopted LP will inevitably conflict with the objectives of the Development Guidelines (0321 and 0359) in relation to that Plan. The development will provide an extension to the limited residential development which exists at Segensworth. I have accepted that, notwithstanding the distance of the sites from existing community facilities the allocation is acceptable (see para 6.180 above). I note that the Council intends to seek contributions to the provision or improvement of social and recreation infrastructure arising from the needs of the development. If one accepts that the sites will no longer be open land but will be part of the settlement of Segensworth, I see no reason why it cannot, with careful design, become an attractive extension to Segensworth. I note that the proposed density will be of the order of 22-23 dwellings/ha which need not be out of keeping with the frontage development along Segensworth Road.

6.184 If an element of affordable housing were considered suitable within the site I would not expect it to be markedly different, visually, from market housing. The range of housing types will depend on the proportion of dwellings erected as affordable housing, should this be considered appropriate, and the developers' assessment of the market needs. I see no significant impact on the CA arising from the development (see para 6.182 above).

(D) EAST OF WHITELEY LANE

6.185 This site is a small parcel of open land which will be severed from its open hinterland by the eastern distributor road. The objector (0385) is concerned that it will remove an HCC smallholding and a start up facility for small farmers. The loss of the facility is to be regretted. I would hope if the land performs a useful function as a start up facility for small farmers the HCC will consider replacing it elsewhere. Meanwhile, however, in the absence of an objection from HCC on this issue I do not see it as overriding the allocation of the land for housing purposes. I comment on the effect on the CA in paragraph 6.182 above.

RECOMMENDATION

6.186 Make no modification to the Plan in response to these objections.

6.187 PARAGRAPHS 6.26, 6.27 & 6.28 - HOUSING ALLOCATIONS (SEGENSWORTH ROAD - NORTH AND SOUTH & EAST OF WHITELEY LANE)

Objections:

0001/5006: Hampshire County Council
 0170/5001: Mr D R Thorne
 0170/5002: Mr D R Thorne
 0170/5003: Mr D R Thorne
 0295/5001: J S Bloor (Newbury) Ltd
 0321/5002: Mr C E Sprinks
 0398/5001: Store Property Developments Ltd

Pre-Inquiry Changes:

Paragraph 6.26 is amended by PIC/H/18/A and PIC/H/18/B.

Counter-Objection to PIC/H/16/B:

0456/5005: Mr N J D & Mrs W D Enoksen

Issues:

- (i) Whether paragraph 6.26 should be amended to confirm that 'access will be from Segensworth Road';
- (ii) whether the scale and density of the proposed development is contrary to Appendix 6 and would lead to loss of its semi-rural character; whether the development should be permitted before the completion of the Distributor Road; whether the plan should include references to a joint

development brief; whether a reference to footpaths should be included; whether a reference to the possibility of site being developed in stages should be included.

Conclusions:

(i) Whether access should be from Segensworth Road

6.188 The Council has agreed to meet the objections to the reference to the location of the proposed access to serve Segensworth Road-North (0001, 0295, 0321 and 0398). A pre-inquiry change is proposed to paragraph 6.26 (PIC/H/18/A) confirming that access to the objection site will be from Segensworth Road and not from the proposed District Distributor. I support the proposed change which, in the interest of safety and the free flow of traffic, will limit the number of accesses onto the District Distributor.

(ii) Whether the scale and density meets Appendix 6 Guidelines - all 3 sites

6.189 In response to objection 0170, I have already accepted that the strategic housing requirement cannot be met without development of greenfield sites (see para 6.17). I consider the sites are suitable for residential development (see para 6.179 above). The development of greenfield sites will inevitably change the open character of the land. However, I see no reason why the sites could not be developed on the frontage, in accordance with Appendix 6, Development Guidelines, so as to be compatible with existing development along Segensworth Road, while providing higher density development behind. Construction work has already started on the Distributor Road and is due for completion in 1998. The provision of footpaths along existing highways is a matter for the relevant highway authority. It would not appear in the local plan. However, the Council confirms that a footpath is to be provided as part of the new Distributor Road.

6.190 In response to objections (0295 and 0398), the Council have agreed to delete from the text the reference to a joint development brief in paragraph 6.26 (PIC/H/18/B) because of its commitments to permit development on individual parcels within the allocation (Segensworth Road-North). The Council proposes to permit access from Segensworth Road; accordingly, a change is proposed to the text of paragraph 6.26 (PIC/H/18/B). The proposed amendments to the text reflect the Council's current commitments.

6.191 I do not see that the text (para 6.26) needs to include a reference to the possibility of the site being developed in stages (0295). On larger sites, this is a likely outcome in any event. Policy DG2 would require that the development of the whole should not be prejudiced by piecemeal development. Objector 0321 raises concern in a supplementary statement regarding increased traffic and lack of facilities. I have considered similar objections in paragraphs 6.179 and 6.183 above.

6.192 A **counter objection (0456) to PIC/H/18/A** is made to the deletion of the reference to the access in paragraph 6.26 on the grounds that it is vital that the Distributor Road be completed before any permission is granted. Since the Distributor Road is due for completion in 1998 and the Council have resolved to grant permission for the western part of the site with access from Segensworth Road I do not support this counter objection.

RECOMMENDATION

6.193 Modify Paragraph 6.26 of the Plan:

(A) by deleting the fourth and fifth sentences and replacing them with the following:
“The site will be accessed from Segensworth Road.” (Pre-inquiry Change PIC/H/18/A).

(B) by deleting the last sentence (Pre-inquiry Change PIC/H/18/B)

BUT make no further modification to the Plan in response to these objections

6.194 POLICY H1(H) - HOUSING ALLOCATIONS (CATISFIELD LANE)

Objection:

0298/5008: Laing Homes Limited
 0439/5004: David Wilson Homes

Issues:

6.195 Whether the site should be included in the proposed housing allocations under Policy H1; whether the proposed capacity (30 dwellings) is too high; and whether the site should be allocated for recreation or retail use rather than housing.

Conclusions:

6.196 I see no reason why a site within the urban area should not be allocated for housing under Policy H1. There are a number of other examples identified in the Plan. The capacity of the site is indicative only. Not until a detailed scheme is available will a more accurate assessment of capacity be possible. I have no doubt that the proximity of the CA will be taken into account when any application for development is considered. I note that the Council do not rule out recreation or shopping development of the site, although they doubt whether this would be likely. I have serious reservations whether the retail or recreation uses could be introduced in a way that would not prejudice the character and appearance of the adjoining CAs. The Council considers that residential use is the more likely to bring the site forward for development. I agree with that assessment.

RECOMMENDATION

6.197 Make no modification to the Plan in response to these objections.

6.198 PARAGRAPH 6.29 - HOUSING ALLOCATIONS (CATISFIELD LANE)**Objections:**

0014/5002: A D Smale
 0292/5001: Dr R J Carmichael
 0449/5006: English Heritage
 0465/5001: Mrs M R Erridge
 0476/5001: S H Day
 0859/5001: Barbara & James Pechal

Pre-Inquiry Changes:

Paragraph 6.29 is amended by PIC/H/20.

Issues:

6.199 Whether the number of dwellings shown for the allocation should be reduced; whether development along the frontage of the site should reflect the character of the village street; whether the site should be developed for small businesses; whether housing development on the site would be unacceptable on traffic grounds.

Conclusions:

6.200 I have already dealt with the objections to the indicative capacity of the site in paragraph 6.196 above (objections 0014, 0292, 0465, 0476, 0859). I agree with the Council's assessment that a higher density of development would be appropriate on the site reflecting the much tighter, urban character of the older buildings within the CA to the south. Development of the frontage could help in channelling views towards the core of the village. The Council agrees that the text should be amended in response to objection 0449. The pre-inquiry change (PIC/H/20) suggests that development along the frontage should reflect the character of the village street,

while requiring high quality development behind screened from the countryside beyond. Given that the site is bounded to front and rear by CAs, I support the proposed amendment in pointing to the need for new development to relate sympathetically to the CAs. However, I suggest a revised form of words which does not infer by omission that the frontage development could be of a lower quality.

6.201 I note that the site is not included as suitable for affordable housing under Policy H10 (objector 0476), however, since the capacity is above the threshold (Circ 6/98) for the reasons given below (see para 6.482 below) I suggest it is not ruled out at the outset. I would not support the establishment of small business development on the site for the same reason I would resist recreation and shopping development (see para 6.196 above). The HCC as highway authority have not objected to the proposed allocation. I see no basis, therefore, for residential development being resisted on traffic grounds.

RECOMMENDATION

6.202 Modify the Plan by replacing the first sentence of paragraph 6.29 as follows:

“Development of the site should be of a high quality in recognition of its location between two Conservation Areas (Catisfield and Titchfield Abbey). Development along the frontage of the site should reflect the character of the village street and development behind the frontage should be screened from the countryside.” (PIC/H/20 amended)

BUT otherwise make no further modification to the Plan in response to these objections.

6.203 POLICY H1(I) - HOUSING ALLOCATIONS (FORMER WT STATION)

Objections:

0001/5007: Hampshire County Council
 0016/5001: J Collenette
 0024/5001: Mr D G Smith
 0025/5001: Mrs P J Smith
 0026/5001: P A Holroyd
 0082/5001: Mrs Phyllis Brown
 0116/5001: Mr B Swithenbank
 0129/5001: Mr K & Mrs V King
 0276/5001: S & E C Jones
 0280/5001: D J Craker
 0281/5001: Mrs C M Craker
 0282/5001: Mr & Mrs D J Badman
 0315/5001: Mr & Mrs Bannister
 0318/5004: Mr K West
 0320/5015: Mr R Stubbs
 0343/5001: Mrs Muriel G Hart
 0353/5001: Mr Martin Lazell
 0357/5001: Mr & Mrs Belcher
 0407/5025: Gosport & Fareham Friends of the Earth
 0421/5001: Mrs T Minshull
 0432/5001: Mrs B E Adams

Pre-Inquiry Changes:

The Proposals Map is amended by PIC/PM/17.

Counter-Objections to PIC/PM/17:

0268/5002: Barbara Elstob

0269/5002: G D Elstob

0886/5001: Crofton Manor Farm

0472/5018: Defence Estates Organisation (Lands) South (2)

Issues:

- 6.204 (i) Whether there is a need for further housing development at Stubbington; whether the site will involve the loss of countryside;
- (ii) whether the form of development proposed is objectionable;
- (iii) whether the proposed development would lead to traffic congestion; and whether the housing allocation should be deleted from the plan because it has not been demonstrated that a satisfactory access and visibility can be achieved;
- (iv) whether there is adequate infrastructure to support the development;
- (v) whether the site should be used for purposes other than housing.

Conclusions:

(i) Whether there is a need for the development

6.205 I have already accepted that in order to meet the strategic housing requirement for the Borough, sufficient sites cannot be found within the urban area and development of greenfield sites will be necessary (see para 6.17 above). Inevitably, this will result in incursion into the countryside. The Council has had to balance the need to develop on certain greenfield sites against the environmental objectives of maintaining strategic and local gaps and protecting the countryside for its own sake (0026, 0082, 0129, 0276, 0280, 0318, 0320, 0407).

6.206 The former WT Station site is unused; it comprises some 3.67 ha and will provide some 75 dwellings on the edge of Stubbington. I accept that the allocation conforms with Policy H3 of the SPR in that it would result in the development of a vacant, underused site adjacent to the built up area and which has been released from its former use. The site is enclosed on 2 sides by development, a wood to the east and open farmland to the north. However, the latter is screened to a limited extent by a hedge. So the impact on the countryside will be limited.

6.207 The site is one of 3 sites which are allocated for development in the Stubbington area. In total the sites will provide some 250 dwellings. In my view, the sites in terms of their size and distribution are not so large or close that they are likely to harm the character of Stubbington. Because the site is well contained the allocation is unlikely to lead to pressure to develop adjoining land. Given the Council's need to meet the strategic housing requirement, the site will make a worthwhile contribution to the housing supply for the district.

(ii) Whether the form of development is objectionable

6.208 A number of objections are concerned with the prospect of high density development taking place on the site (0016, 0276, 0357). The Council does not have a general policy on residential densities, but it confirms its intention to follow the guidance laid down in Policy DG3 to ensure that development 'is in keeping with the character of the surrounding area in terms of scale, layout, density, height, mass and space around buildings'. A 15m planting belt is proposed along the northern boundary as well as the protecting the setting of the public rights of way which abut the northern and southern boundaries. Development of the site will also involve the loss of views of open land which are presently available to occupiers of dwellings abutting onto the site (0260). However, the planning system does not exist to protect the private interests of one person against the activities of another (PPG1, para 64). A development brief is to be prepared for the site. I would expect the brief to consider the detailed matters of density, storey heights and matters such as protecting the privacy of existing properties (0128, 0129, 0282, 0285, 0301, 0357, 0432, 0458).

(iii) Whether the proposed development would lead to traffic congestion

6.209 The development of a site of this size will inevitably create additional traffic on the adjoining road network. Similarly, it follows that current peak time congestion will be aggravated (0016, 0024, 0025, 0026, 0082, 0116, 0276, 0280, 0281, 0282, 0315, 0353, 0357, 0407, 0421, 0432). The highway authority's objection to the details of the proposed access (0001/5007) has been met by the Council's proposed pre-inquiry change (PIC/PM/17). I note that there is the prospect that the HCC will seek contributions from the developer(s) for off-

site transport infrastructure improvements. This provides scope to introduce traffic calming and/or other safety measures in Burnt House Lane which is used as a route to avoid congestion on the B3334 (Stubbington Lane). I see no reason, therefore, to delete the allocation on highway/traffic grounds.

(iv) Whether there is adequate infrastructure to support the development

6.210 There is no evidence that the existing infrastructure would be inadequate to support the proposed development (0026, 0116, 0129, 0280, 0281, 0315, 0357). The relevant authorities and trusts responsible for providing health services within the district and the HCC, as education authority, have raised no objection to the proposed allocation. The drainage authority for the area has raised no objection to the site being developed as a result of any tendency to flooding (0031). Where facilities are likely to be inadequate as a result of a specific development the opportunity would exist for a contribution to be sought from the developer, on behalf of a particular provider, to meet any shortfall.

(v) Whether the site should be used for purposes other than housing

6.211 The LPR recognises that Stubbington is under provided with allotments. An allocation (0.9ha) is made at Stroud Green to remedy the deficiency. I have no evidence that any further allotments allocation is required (0281). While there is a deficiency of playing fields and informal open space in Stubbington the major part of that deficiency will be met at Seafield Park, another former MOD site south of the objection site. The Council is of the view that there is no need to identify additional land for open space at Stubbington other than that which may be required in connection with new housing. Thus I see no more appropriate use for the site than its residential allocation.

Counter objections

6.212 **Counter objections** 0268 and 0269 were made to pre-inquiry change PIC/PM/17 on the basis that the site would be increased, by the addition of Nos. 9,11 and 15 Burnt House Lane, and therefore more dwellings could be built on the site. The increase in area associated with this amendment is primarily to ensure that a safe access to the site can be secured. In my view, any increase in potential housing capacity would not be significant in relation to the original site. Thus I see no need for the notional capacity of the site to be increased since the number of units given in Policy H1 for the site is indicative only. The form of development on the additional site will be a matter for the development brief. I see no basis for the allocation to be deleted or reduced in size.

6.213 Further **counter objections** (0472 and 0886) to PIC/PM/17 were made on the grounds that it would be inappropriate to specify an access at this time since the Council's preferred access may be subject to technical and legal constraints. An alternative access should not be precluded. I see no serious difficulty in the preferred access being identified in the Plan. The details of the access are more appropriately a matter for the development brief. If insurmountable problems arise which would prevent provision of the preferred access then consideration would obviously need to be given to an alternative. I see it as premature to seek to anticipate that eventuality in the LPR.

6.214 **Counter objector** 0886 supported an alternative access to the north of the existing access across land located between Meoncross School and No 49 Burnt House Lane. The alternative scheme was linked with proposals which, it was claimed, would reduce the amount of on-street parking associated with the school. The HCC, as highway authority, raised no objection in principle to the proposed mini-roundabout. However, the details had not been fully investigated. Thus the detailed siting of the roundabout, its limits and land take remain to be agreed. The proposed works to secure this northern access could put two protected trees adjacent to the highway at risk. Moreover, the proposal could also reduce the number of on-site car parking spaces for the school. The Council's fear that many parents would continue to park on the street is not easily countered. Having visited the site at school closing time I am not persuaded that on-street parking would be significantly reduced by the proposed arrangements even were there sufficient space on site for parking/setting down/picking up. In practice, parents could continue to park on-street and obstruct the new roundabout and its approaches. I see advantages, therefore, in highway terms, in defence of the strategic gap and protection of the 2 trees, if the school activities and main housing access were kept separate.

6.215 While doubts were raised at the inquiry whether the whole of the land covered by PIC/PM/17 would be available to provide an access the balance of the highway evidence suggests that an acceptable access could be

provided over the site of No 15 Burnt House Lane, which I understand could be made available. There is no certainty that an emergency access would be needed. This would depend on the proposed road layout in any housing development. Should it be required as a condition of development, there would seem to be scope for it to be provided on the line of the existing access. On present evidence, therefore, I support an access on the line of that preferred by the Council and see no need for an alternative to be shown at this stage.

RECOMMENDATION

6.216 Modify the Proposals Map in accordance with Pre-inquiry Change PIC/PM/17 BUT otherwise make no further modification to the Plan in respect of these objections.

6.217 PARAGRAPH 6.30 - HOUSING ALLOCATIONS (FORMER WT STATION)

Objections:

0027/5001: Mr J W Butler
 0030/5001: Mr P Russell
 0123/5001: J A Field
 0128/5001: Mr Robert F Jefferies
 0268/5001: Barbara Elstob
 0269/5001: Mr George D Elstob
 0285/5001: Mr & Mrs G Starr
 0301/5001: Mrs I M Richardson
 0457/5001: Mr & Mrs J Cropland
 0458/5001: Mrs A Haddow

Issues:

- 6.218 (i) Whether there is a need for further housing land at Stubbington; whether the development will result in the loss of countryside;
 (ii) whether the form of development proposed is objectionable;
 (iii) whether the development would result in traffic congestion and whether the proposed access is objectionable;
 (iv) whether there is adequate infrastructure to support the proposed allocation;
 (v) whether the proposed allocation pays sufficient regard to nature conservation.

Conclusions

(i) Whether there is a need for further housing land

6.219 The objections raised under this heading (0027, 0301, 0457) are considered under the previous set of objections in relation to Policy H1 (see paras 6.205-6.207). The availability of houses for sale in the area has no direct correlation with the strategic housing requirement as it applies to Fareham.

6.220 The number of units shown for the site (75) is indicative only (objection 0301, 0457). In my view it would be unreasonable to place a ceiling on the number of dwellings to be provided in any development. This would more appropriately be dealt with in the development brief.

(ii) Whether the form of development is objectionable

6.221 This issue has already been considered in paragraph 6.208 above (0027, 0123, 0128, 0268, 0269, 0285, 0301, 0457, 0458).

(iii) Whether the proposed development would lead to traffic congestion

6.222 This issue is considered under the preceding group of objections at paragraph 6.209 and 6.213-6.215 above (0030, 0128, 0301, 0457, 0458). I do not find that the loss of 9-15 Burnt House Lane (0886 counter-

objection to PIC/PM/17) contrary Policy H4 represents a sustainable objection given the substantial net increase in housing which would result from the development of the site.

(iv) Whether there is adequate infrastructure to support the development

6.223 This aspect is considered under paragraph 6.210 above (objections 0128, 0269, 0301, 0458). I have no evidence to suggest that any tendency to flooding which the site may have is such that it cannot be dealt with in the normal way by a normal drainage system (objector 0301).

(v) Whether the proposed allocation pays sufficient attention to nature conservation

6.224 The main concern under this issue is the impact that housing development would have on Tips Copse, an ancient, semi-natural woodland and proposed SINC (0123, 0128, 0457). Provision is made within the supporting text (para 6.30) that the wood should be protected. Public access through the wood already exists. However, I would anticipate that the development brief would be able to secure satisfactory separation between housing and the wood. I expect that housing development on the objection site would lead to an increase in public use of the copse by virtue of its proximity. In which case regular monitoring would be needed to ensure that increased public access does not harm the integrity of the woodland/SINC, this should include the setting up of remedial action should that prove necessary. Such monitoring, however, is outside the scope of the LPR

RECOMMENDATION

6.225 Make no modification to the Plan in response to these objections.

6.226 POLICY H1(K) - HOUSING ALLOCATIONS (FORMER WICOR SCHOOL)

Objections:

0298/5011: Laing Homes Limited
0318/5005: Mr K West
0320/5016: Mr R Stubbs

Issue:

6.227 Whether the site should be allocated for housing given its location in the CZ and the local gap on the PM.

Conclusions:

6.228 The Council has resolved to grant planning permission in respect of the site subject to a legal agreement. Given that a binding commitment to develop the site has been made by the LPA, I see no useful purpose in considering these objections.

RECOMMENDATION

6.229 Make no modification to the Plan in response to these objections.

6.230 PARAGRAPH 6.32 - HOUSING ALLOCATIONS (FORMER WICOR SCHOOL)

Objections:

0001/5008: Hampshire County Council
0407/5026: Gosport & Fareham Friends of the Earth

Pre-Inquiry Changes:

Paragraph 6.32 is amended by PIC/H/23.

Counter-Objection to PIC/H/23:

0888/5003: Redrow Homes

Issues:

6.231 Whether the text should make reference to the need for an emergency access to serve the development; whether the development would have an adverse impact on traffic in White Hart Lane and Cornaway Lane.

Conclusions:

6.232 The Council agree to meet the HCC's objection. A pre-inquiry change (PIC/H/23) confirms that any emergency access, which may be required in addition to the main access, should also be from Cranleigh Road.

6.233 A resolution to grant planning permission has already been passed subject to completion of a legal agreement. A formal commitment to the allocation has therefore already been made. Nevertheless, the existing use of the site as a parking area/store and workshops for the preparation of new cars for sale already generates a significant flow of traffic. I have no reason to believe that the proposed residential development would have a materially greater impact on the local network.

6.234 A **counter objection** (0888) is made to the pre-inquiry change because the latest information from the LPA is that an emergency access will not be necessary. The Council confirms that a scheme has been approved for 14 houses without the need for an emergency access. However, I consider the pre-inquiry change should remain since it only refers to the location of an emergency access should it be required. Moreover, there is no guarantee that the recently approved scheme will be built. It could be superseded by a different proposal.

RECOMMENDATION

6.235 Modify the second sentence of paragraph 6.32 of the Plan to read as follows:

“The access together with any emergency access will be from Cranleigh Road.” (PIC/H/23)

6.236 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (AREA 13 EXTENSION)

Objection:

0439/5006: David Wilson Homes

Issue:

6.237 Whether the site should be allocated for housing development under Policy H1; whether the objection site should be included in the Hook Valley ASLQ (now ASLC).

Conclusions:

6.238 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above. Accordingly, I do not support the extension of the existing housing allocation to the east of Area 13. The objection site extends to some 5.3 ha. The objector considers that only the southern portion (Area B, some 1.3 ha) would be suitable for development; this is currently used as a paddock. Notwithstanding the intention to leave the northern, wooded part of the site free of development, I consider the proposal objectionable on a number of grounds.

6.239 The reasons for rejecting development of the site, given by the Inspector in 1989, in respect of a S78 appeal, remain valid today. Firstly, the site is an integral part of the countryside located between 2 attractive areas

of woodland; it should be protected for its own sake from development. Secondly, Area 13 already protrudes into the countryside creating an obtrusive, isolated arm of development poorly related to main part of the settlement area; this is particularly apparent when viewed from the west and south. The proposal would worsen that situation by extending built development deeper into the countryside. This would erode the open hinterland which hereabout forms part of the strategic gap. Moreover, it seems to me, that development here would seriously diminish the rural setting and attractiveness of the public bridlepath which runs along the southern boundary. I do not find that the prospect of screen planting would overcome these objections of principle to the development of Site B.

6.240 The highway authority raises no objection to the development of 40 units on the site in isolation. Nevertheless, it considers that the cumulative affect of development of the non-allocated sites in the Locks Heath/Segensworth/Warsash area would exacerbate the problems of congestion, at peak periods, at Segensworth Roundabout on the A27 and on the approaches to Junction 9 of the M27.

6.241 The objection site is identified as part of the Hook Valley ASLC in the FBLA (CD/18). This ASLC is recognised under Policy C3(B). The wooded northern part of the objection site and the area to the south are both identified as SINCS. In my view, these areas and Site B of the objection site, in landscape terms, are correctly identified as part of the ASLC. While the pasture area, comprising Site B, is notably different in landscape character to the woodland on either side, I see it as no less worthy of inclusion within the ASLC. In my judgement the site remains as an integral part in the variety of landscape, including woodland, rough pasture, lakes and reed beds, remaining free of development along the Hook Valley. Accordingly, I see no justification for its deletion from the boundary of the ASLC shown on the PM.

RECOMMENDATION

6.242 Make no modification to the Plan in response to this objection.

6.243 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (BEACON BOTTOM)

Objection:

0271/5001: Mr Roy P Giggins

Issue:

6.244 Whether the objection site should be allocated for residential development under Policy H1.

Conclusions:

6.245 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above. The objection site has not been defined but lies between Park Gate and the M27. The site comprises attractive, tree, shrub and gorse covered open land. It is prominent when viewed from the motorway and from Botley Road when travelling south. The Council's estimate that the site extends to some 7 ha has not been disputed.

6.246 I see no justification for the development of this attractive area of countryside which separates the motorway from the northern edge of the settlement, a distance of some 200m. As an area of countryside the land is deserving of protection for its own sake; this objective is strengthened in this case because the land additionally contributes to the open landscape setting of Park Gate. Equally important here, however, is the noise intrusion experienced on the site from the motorway. PPG24 - Planning and Noise, advises that noise sensitive developments, such as housing, be separated from significant noise sources. In my judgement the site is also unsuitable for development for that reason.

6.247 The congestion experienced on the A27 (Segensworth Roundabout) and Junction 9 of the M27 has already been noted (para 6.240 above). The local highway authority raises objection to the effect additional traffic

would have on these junctions arising from development of the site of some 175 (7ha x 25dph) units of housing. It is also concerned about additional traffic which could be expected on the A3051 through Botley village. Thus an objection to the allocation on traffic grounds would also appear to be justified in the absence of highway evidence refuting the highway authority's view.

6.248 In support of providing housing on the site the objector promotes the prospect that the Park Gate Short Bypass could be funded by the development. However, the future of that road is in doubt in that the HCC has formally abandoned the safeguarding of the road. I deal with this aspect in greater detail in Chapter 11 in respect to objections to Policy T8(C). But, putting aside whether the road will be needed, it is the HCC's view that the cost of the road is likely to be greater than that which could be negotiated under Circular 1/97 (Planning Obligations). I agree with the HCC's misgivings on this aspect. Furthermore, the highway authority is of the view that even if funding were available third party land would be involved without which the construction of the road would not be possible. In my view, the prospect of funding offered by the objector does not overcome the objections, in principle, to allocating the site for residential development.

RECOMMENDATION

6.249 Make no modification to the Plan in response to this objection.

6.250 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (BROOK AVENUE)

Objection:

0299/5001: W G Hinton and Sons Limited

Issue:

6.251 Whether the objection site should be allocated for housing development under Policy H1.

Conclusions:

6.252 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above. The objection site is an area of open land within the local gap identified on the PM separating Locks Heath from Warsash. The site is also within a swathe of predominantly open land forming the valley of the River Hamble which is identified as an ASLC under Policy C3B. It is clearly within the countryside as defined on PM, which needs protection for its own sake in the absence of any identified need for additional housing development outside the provisions of the Plan. The proposal would result in piecemeal development unrelated to the existing settlement pattern. Accordingly, I do not support this objection.

RECOMMENDATION

6.253 Make no modification to the Plan in response to this objection.

6.254 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (CATISFIELD LANE PADDOCKS)

Objections:

0033/5001: Mr M Tartaglia-Kershaw; 0034/5001: Mrs E Hillyer; 0035/5001: T E Taylor; 0036/5001: M G Hancock; 0037/5001: P Barnes; 0038/5001: R Withers; 0039/5001: H Sneath; 0040/5001: Mr N P G Sibley; 0041/5001: Mary Doherty; 0042/5001: Mr S J Haines; 0043/5001: Mr A Neville; 0044/5001: Mrs P E Riches; 0045/5001: Sue Beardsmore; 0046/5001: Kelly Doyle; 0047/5001: David Mockford; 0048/5001: Mrs N Biddis; 0049/5001: Malcolm Ayling; 0050/5001: P Perrio; 0051/5001: Stuart Rogers; 0052/5001: Barry Turner;

0053/5001: Mr E E Johnson; 0054/5001: Mrs P Turner; 0055/5001: S B Hancock; 0056/5001: Gary Doherty; 0057/5001: Mr R W Faulds; 0058/5001: Mr D Robinson; 0059/5001: Mr N Wilson; 0060/5001: Mr S J Haines; 0061/5001: Steve Bartlett; 0062/5001: J Crudgington; 0063/5001: Keith Knight; 0064/5001: B Reeves; 0065/5001: Mrs Kershaw; 0066/5001: Mrs M A Heath; 0068/5001: Mrs Y Curtis; 0069/5001: S T Denham; 0070/5001: T Froud; 0084/5001: Mr J E Langley; 0085/5001: Mrs J Haines; 0086/5001: Mrs J Taylorson; 0087/5001: Mrs J Hartfall; 0088/5001: Rodger Haines; 0089/5001: J Haley; 0090/5001: Mrs Paula Prince; 0091/5001: Gordon Barker; 0092/5001: Kerry Brown; 0093/5001: Haley, Joanne; 0094/5001: Sheila J Bartlett; 0095/5001: Michael Baker; 0096/5001: Joanna Jones; 0097/5001: Mrs G R Langley; 0098/5001: Mrs I Neville; 0099/5001: G Tucker; 0100/5001: Mrs J A Faulds; 0101/5001: Liam Cooper; 0102/5001: Mark Jennings; 0103/5001: Pamela French; 0104/5001: Jeannette Jennings; 0105/5001: John Bartlett; 0106/5001: Andrew Biddiss; 0108/5001: Charles Gale; 0109/5001: Mary Bartlett; 0110/5001: Hugh Curtis; 0111/5001: Mrs S J Martin; 0112/5001: Dr R Kershaw; 0133/5001: Mr D M Whittingham; 0134/5001: Mrs A Huggett; 0135/5001: Mr Young; 0136/5001: K Hurley; 0137/5001: E G Fleet; 0138/5001: Mrs S M Hurley; 0139/5001: I M Furlong; 0140/5001: Mrs L Woods; 0141/5001: Jamie S Reid; 0142/5001: A P Hennen; 0143/5001: R A Dunford; 0144/5001: Jodie Gearing; 0145/5001: Mr G Arnold; 0146/5001: Ashwin C Hill; 0147/5001: Mr Thomas Burns; 0149/5001: Mrs B.Ferris; 0150/5001: Mr M.Ferris; 0151/5001: Ms K Aitken; 0152/5001: A Brooks; 0153/5001: Miss Mavis Longhurst; 0154/5001: Mr Clyde J.Hoile; 0155/5001: Peter Longhurst; 0156/5001: Carole A Browne; 0157/5001: Jean Longhurst; 0158/5001: Mr Trevor Prince; 0159/5001: B Crudgington; 0160/5001: Ben Prince; 0161/5001: Sam Prince; 0163/5001: Kenneth Woodhouse; 0164/5001: Miss J Turner; 0165/5001: W Hill; 0167/5001: Claire West; 0168/5001: Margaret Collins; 0173/5001: Mr C Huggett; 0175/5001: Mr D Gill; 0176/5001: Mrs P Booth; 0177/5001: A Bailey; 0178/5001: Miss K Jackson; 0179/5001: Stacey Purdy; 0180/5001: Crendle Pink; 0181/5001: Lee Ricketts; 0182/5001: Miss L Gilham; 0183/5001: Annabel Kirby; 0184/5001: Mrs Lee; 0185/5001: Kelly Glassey; 0186/5001: Teresa C Challoner; 0188/5001: Claire Mills; 0189/5001: A Dunn; 0190/5001: Kate Curtis; 0192/5001: Mr Lee; 0193/5001: Miss S Foot; 0194/5001: Richard Bennett; 0195/5001: Mr F Pollock; 0196/5001: R A Shaw; 0197/5001: Mrs Judith Lording; 0198/5001: Mr Gregory J Lording; 0199/5001: Mrs S Grant; 0200/5001: Mr & Mrs A Brickley; 0201/5001: Mrs D.R.Shaw; 0202/5001: Kevin Lording; 0203/5001: P J Lording; 0205/5001: Mrs Margaret Palmer; 0206/5001: Lynn Viggers; 0207/5001: J A Roffey; 0208/5001: Jason White; 0209/5001: Mrs B L Tipper; 0210/5001: Kim John; 0211/5001: Miriam M Whyld; 0212/5001: Donald Laing; 0213/5001: Mrs S L Gates; 0214/5001: Derrick F Whyld; 0215/5001: Alan Woolf; 0218/5001: Miss G Roberts; 0219/5001: Erika Potter; 0221/5001: Mark Slade; 0222/5001: Josh Liney; 0223/5001: Carly Estell; 0224/5001: Steven E. McAllister; 0225/5001: Emma Pickles; 0226/5001: David Hardy; 0228/5001: Kirstie Carpenter; 0231/5001: Rachel Sharp; 0232/5001: Vikki Neville; 0234/5001: Mark Monaghan; 0237/5001: Mrs M. Todd; 0238/5001: Rebecca Youngs; 0239/5001: Alex Whitby; 0242/5001: Jamie Belstone; 0243/5001: John Belstone; 0246/5001: Justin Payne; 0248/5001: Mr K. Chandler; 0249/5001: Leon Herron; 0250/5001: Lisa Jarvis; 0252/5001: Chris Harley; 0253/5001: Linzi Clemente; 0254/5001: Stuart Harvey; 0255/5001: Martin Dobson; 0256/5001: Sean Harland; 0257/5001: Vicki Mullings; 0258/5001: Mark Raymond; 0335/5021: Country Landowners Association; 0390/5001: Ms D Downes; 0481/5001: Richard Downes; 0482/5001: Andrew Harrington; 0483/5001: Joan Smith; 0484/5001: Mrs Joan Reed; 0485/5001: Mr S.J. Bissell; 0486/5001: Lucy Griffin; 0487/5001: Gail Breslin; 0488/5001: Mr P.N.Kelly; 0489/5001: Miss S.M.Hall; 0490/5001: Lynsey Bartlett; 0491/5001: Barry Bartlett; 0492/5001: Lucy Griffin; 0493/5001: Neil Parish; 0494/5001: Miss Sarah L. Creal; 0495/5001: Peter Goodman; 0496/5001: Betty Goodman; 0497/5001: Neil Walker; 0498/5001: Charles Bone; 0499/5001: L. Freeman; 0500/5001: G. Wicker; 0501/5001: Mr R. Rumgay; 0502/5001: Mr S. Couzens; 0503/5001: Mrs Freeman; 0504/5001: Miss E. Coker; 0505/5001: Mrs J. Hodgkinson; 0506/5001: Mr D. Barnes; 0507/5001: Mr S. Adams; 0508/5001: Mrs K. Adams; 0509/5001: D.S. Baker; 0511/5001: J.W. Bartlett; 0512/5001: P.J. Bennett; 0513/5001: V. Bennett; 0514/5001: W.J. Bennett; 0515/5001: J.W. Bennett; 0516/5001: J.A. Brown; 0517/5001: A. Brown; 0518/5001: Mrs K. Brown; 0519/5001: Mr R. Brown; 0520/5001: M. Brown; 0521/5001: Ms J. Brooks; 0522/5001: Mrs Burns; 0523/5001: A. Campbell; 0524/5001: B.L. Clark; 0525/5001: Mr D.T. Clark; 0526/5001: Mr Colley; 0527/5001: Mrs M. Crook; 0528/5001: D.S. Doherty; 0529/5001: B.L. Doherty; 0530/5001: J. Gill; 0531/5001: R. Gill; 0532/5001: Mrs P. Haines; 0533/5001: Linda Hart; 0534/5001: Lisa Hart; 0535/5001: Mrs M.A. Jackson; 0536/5001: R. James; 0537/5001: V.F. Jones; 0539/5001: Mrs S. Jones; 0540/5001: Mr D.B. Jones; 0541/5001: Mrs M.M. Jones; 0543/5001: Mr L. Knight; 0544/5001: Mrs L. Knight; 0545/5001: Mrs K. John; 0546/5001: Mrs P. Knight; 0547/5001: Mr S. Knight; 0548/5001: Ms D. Liney; 0549/5001: G.A. Payne; 0550/5001: Mr M. Payne; 0551/5001: Mr E. Mainwaring; 0552/5001: Mrs Mainwaring; 0553/5001: Mr Mainwaring; 0554/5001: Mr G. Marshall; 0555/5001: Mr R. Marshall; 0556/5001: Ms J. Marshall; 0559/5001: Mr M. Mills; 0560/5001: Mrs

C. Phillips; 0561/5001: Mrs J.E. Phillips; 0562/5001: Ms V.A. Pink; 0564/5001: Mr R. Riches; 0565/5001: Mrs C. Roberts; 0566/5001: Mr K. Robinson; 0567/5001: Mr I. Robinson; 0568/5001: Ms N. Russell; 0569/5001: Mr N. Smith; 0570/5001: Mrs C. Smith; 0571/5001: K. Smith; 0573/5001: Mrs C. Smith; 0574/5001: Mr N. Smith; 0575/5001: Ms L. Smith; 0576/5001: Mr C. Taylor; 0577/5001: Ms L. Thorn; 0578/5001: Mrs E.C. White; 0579/5001: Mrs T. Whittingham; 0580/5001: Mr C. Williams; 0582/5001: Mrs Sankey; 0583/5001: Mr T.J. Matthews; 0584/5001: Mr T.J. Griffiths; 0585/5001: Mr E. Phillips; 0587/5001: Mrs L. Couzens; 0588/5001: Mrs I. Voysey; 0589/5001: Mr K.R. Strevens; 0590/5001: Mr D.P. Andrews; 0591/5001: Mrs Figgins; 0592/5001: Ms O. Barnett; 0593/5001: Mr G. Beale; 0594/5001: Mr N. Kerslake; 0595/5001: Mrs Kerslake; 0596/5001: Mrs A.J. Andrews; 0597/5001: Mr Patterson; 0598/5001: Mrs Patterson; 0600/5001: Mrs Vezey; 0601/5001: Mrs Elvidge; 0603/5001: Mr Fisher; 0604/5001: Mr F.E.C. Roe; 0605/5001: Mrs D.A. Roe; 0607/5001: Mrs McGann; 0608/5001: Mrs M.M. Everdell; 0609/5001: Mr L.T. Everdell; 0610/5001: Cdr P.A. Munday; 0611/5001: Mrs J.D. Munday; 0612/5001: A.M. Organ; 0613/5001: S. Fenwick; 0615/5001: S. Cripps; 0616/5001: P.K. Cripps; 0617/5001: M. Sarfarald; 0618/5001: Mr M. Sarfarald; 0619/5001: Mr R. Biggs; 0620/5001: Ms F. Biggs; 0621/5001: Mr R. Catlin; 0622/5001: Mr M. Weir; 0623/5001: Mr G. Onion; 0624/5001: K. Woodford; 0625/5001: Mrs B. Coker; 0626/5001: Mr E.E. Johnson; 0627/5001: Mrs R.K. Johnson; 0628/5001: L.G. Pope; 0629/5001: A.C. Benyard; 0630/5001: Mrs L. Hodgson; 0631/5001: Mr B. Webb; 0633/5001: Mr Ward; 0635/5001: Mr Horner; 0636/5001: Mrs D. Couzens; 0637/5001: Mr Brookman; 0638/5001: Mrs G.M. Pratt; 0639/5001: Ms G. Ford; 0640/5001: Mr P. Woodford; 0641/5001: Mrs J.M. Woodford; 0642/5001: Mr R.D. Ellis; 0643/5001: Mrs M. Wilks; 0644/5001: Mrs T. Ellis; 0645/5001: Mr J. Motier; 0646/5001: Mr R.W. Hunt; 0647/5001: Mrs P. Tolson; 0648/5001: Mr P.G. Grigg; 0649/5001: R.J. Tomkins; 0650/5001: Mrs S. Ponteaux; 0651/5001: Mr M. Dixon; 0652/5001: Mr Wildridge; 0653/5001: Miss M. Tolson; 0654/5001: Ms R. Rundle; 0656/5001: Mrs A.B. Dodds; 0657/5001: Mr W.G. Dodds; 0658/5001: Mrs J.N. Richards; 0659/5001: K. Dyer; 0660/5001: Miss N. Morris; 0661/5001: Mr T.J. Millerchip; 0662/5001: Mrs B. Grigg; 0663/5001: Mrs S.M. Hunt; 0664/5001: Mr S. Norcroft; 0665/5001: Mrs D. Varndell; 0666/5001: Mr P.W. Varndell; 0667/5001: Mr D. Couzens; 0669/5001: Mrs J. Farr; 0670/5001: Mrs A. Fraser; 0671/5001: Ms E.H. Hewson; 0672/5001: A.P.M. Hewson; 0673/5001: Ms S. Kerridge; 0674/5001: Mrs S. Hewitt; 0675/5001: Mr S. North; 0676/5001: Mrs M. North; 0677/5001: Mrs Brookman; 0679/5001: K. Brown; 0680/5001: Mr K. Plumridge; 0681/5001: K. Millett; 0682/5001: Mrs S.C. Tyzzer; 0683/5001: P.A. Dimond; 0684/5001: Mr E. Ayrton; 0685/5001: Mrs Ayrton; 0686/5001: Mr P. Bardsley; 0687/5001: Mr J. Voysey; 0688/5001: Mr T.R. Lawson; 0689/5001: Ms A.P. Beale; 0690/5001: Mrs G. Bayley; 0691/5001: Mr T. Bayley; 0692/5001: Mr P. Fitzgerald; 0693/5001: Mr C.D. Lock; 0694/5001: J. Haytor; 0695/5001: D. Unwin; 0696/5001: Mr C. Jenkinson; 0697/5001: Miss K. Foster; 0698/5001: Mr D. Westover; 0699/5001: Miss H. Buxton; 0700/5001: Mr J. Parr; 0701/5001: Ms G. Heesen; 0702/5001: E.A. Burridge; 0703/5001: J. Jouan; 0704/5001: K. Jouan; 0705/5001: Mr H.C. Timmins; 0706/5001: Mr G. Cull; 0707/5001: M. Bateman; 0708/5001: Miss Hood; 0709/5001: Ms M. Dossett; 0710/5001: Mr M. Harrison; 0711/5001: Mrs V.R. Crosby-Clarke; 0712/5001: Mr F.T. Marrow; 0713/5001: Mr R.A. Parr; 0714/5001: Ms D. Carter; 0715/5001: Ms N. Veck; 0716/5001: A.R. Whicker; 0718/5001: Mr E. Whicker; 0719/5001: Mrs S.Parr; 0720/5001: Mr G.A. Earwaker; 0721/5001: Mr L.J. Carter; 0725/5001: Mr P. Wellman; 0726/5001: T.R. Lancaster; 0727/5001: R. Ray; 0728/5001: Ms J. Tribe; 0729/5001: Ms S. Crosby; 0731/5001: Mr & Mrs Moore; 0732/5001: Mr S. Moore; 0733/5001: Mr D.A. Law; 0734/5001: Mrs D. Penny; 0735/5001: H.J. Hicks; 0736/5001: Mr M. Parr; 0737/5001: Mr D. Shepherd; 0738/5001: Mr I. Forbes; 0739/5001: Mrs V.R. Blow; 0740/5001: Mr A. Mawman; 0741/5001: Mrs Durrant; 0742/5001: Mr Durrant; 0743/5001: Ms A. Sostrova; 0744/5001: Mrs H. Mawman; 0745/5001: Mr R. Mawman; 0746/5001: D. Bowers; 0747/5001: E.G. Bowers; 0748/5001: J. Bowers; 0749/5001: Ms A. Thomas; 0750/5001: Mr Sismey; 0751/5001: Mr C. Newman; 0752/5001: Mrs M. Chase; 0753/5001: H. Ng; 0754/5001: Ms K Ng; 0755/5001: Mr R.J. Bowyer; 0756/5001: Mr M. Bowyer; 0757/5001: Mrs D.M. Bowyer; 0758/5001: N.K.C. Hesselmann; 0759/5001: Mr C.J. Matthews; 0760/5001: Ms P.M. Lewis; 0761/5001: H.G.J.M. Hesselmann; 0762/5001: N.C.C. Hesselmann; 0763/5001: Mr D. Brennan; 0764/5001: Mr M.G. Greenwood; 0765/5001: S. Lillywhite; 0766/5001: Mr D. Youngs; 0767/5001: Mr D. Youngs; 0768/5001: Mr B. Carr; 0769/5001: Mrs S. Mundy; 0770/5001: Ms S. Wood; 0771/5001: Ms C. Vanallen; 0772/5001: Ms P. Bartlett; 0773/5001: I.G.J. Clark; 0774/5001: Mrs Clark; 0775/5001: M. Scott; 0776/5001: Mr K. Donaldson Potter; 0777/5001: Ms L. Wiltshire; 0778/5001: J.C. Harris; 0779/5001: J.S. Harris; 0781/5001: Mr B. Howard; 0785/5001: Mr N. Armstrong; 0786/5001: A. Armstrong; 0787/5001: Mr D. Ash; 0788/5001: Ms E. Ball; 0789/5001: Mr G. Bavabus; 0790/5001: Mr F. Cutler; 0791/5001: Ms P. Cutler; 0792/5001: S. Gray; 0793/5001: Mr C. Edearon; 0794/5001: Mr R. Murphy; 0795/5001: Ms L. Davies; 0796/5001: Mr P. Curd; 0797/5001: D.A. Cook; 0798/5001: Ms T. Cooper; 0799/5001: B.A.E. Cook; 0800/5001: Ms K. Clarke; 0801/5001: Mr D. Chambers;

0803/5001: Mrs B. Hardman; 0804/5001: Mr A. Hardman; 0806/5001: Mr J. Hardman; 0807/5001: Mr R.A. Suter; 0808/5001: Ms P.M. Suter; 0810/5001: Mr A. Thomas; 0811/5001: F.J. Bartlett; 0812/5001: Mrs C. Salisbury; 0813/5001: L. Cutler; 0814/5001: C. Cutler; 0815/5001: Miss J. Szymanski; 0816/5001: Ms K. Szymanski; 0817/5001: Kelly Stock; 0818/5001: Jennifer Stock; 0819/5001: Ms M. Lamb; 0820/5001: Mr G. Skinner; 0822/5001: Ms G. Rigby; 0823/5001: Mr M. Richmond; 0824/5001: Mr N. Reader; 0826/5001: Miss M. Patterson; 0827/5001: Z. Hodgson; 0828/5001: Mr C. Martin; 0829/5001: Ms L. Howard; 0832/5001: S. Lymer; 0833/5001: Ms C. Lye; 0834/5001: Ms G. Lewry; 0835/5001: Ms J. Lewry; 0836/5001: Mr D. Keefe; 0837/5001: Ms L. Hutchinson; 0838/5001: Mrs J. Thomas; 0839/5001: Ms K. Hutchinson; 0841/5001: Mr D. Hines; 0842/5001: Mrs A. Hines; 0843/5001: Miss C. Haye; 0845/5001: Ms N. Grainger; 0846/5001: Anna Gailey; 0847/5001: C. Fitz-Maurice; 0848/5001: Ms L. Drummond; 0849/5001: Miss L. Drain; 0850/5001: Mr P. Denton; 0851/5001: Mr C. Penny; 0852/5001: A.V. Withers; 0853/5001: P. Thomson; 0854/5001: Ray & Company; 0855/5001: Mrs A. Pavey; 0856/5001: Mr R.A. Coker; 0857/5001: Julie Coker; 0858/5001: Mr T. Kartok; 0862/5001: Patrick M. Chappell; 0863/5001: Mr C.E. Harrison; 0864/5001: Mrs M. Harrison; 0865/5001: S.M. Willcocks;

Issue:

6.255 Whether the site should be allocated for housing development under Policy H1.

Conclusions:

6.256 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above.

6.257 The objection site comprises an area of paddock and storage area to the north of the Catisfield Lane allocation. The site is in the same ownership as the allocated land to the south. At the root of the objection is the owners' view that the allocated land has a significantly greater value in its existing use(s) than as a housing site; thus the allocated site will not be developed. The objectors therefore seek a larger site for development in order to extinguish the existing uses on the allocated site and in order to make its development worthwhile.

6.258 The objection land is outside the urban boundary of Catisfield and falls, therefore, in the countryside. The land is also within the extensive Titchfield Abbey Conservation Area (CA); it also forms part of the Meon Valley ASLC and is within the Meon Valley strategic gap. As part of the countryside the land should be protected for its own sake.

6.259 Objections 0390 and 0481 challenge the boundaries of the Meon Strategic Gap, the ASLC and the CA. I have considered the Council's approach to both ASLCs and the Meon Strategic Gap in Chapter 3 above (see paras 3.23-3.29 and 3.53-3.59). In general, I support the boundaries shown on the PM. PPG15, para 2.9 confirms that the LPR process is not the appropriate means by which CA boundaries should be reviewed.

6.260 The northern boundary of the allocated site provides a logical, hard and easily delineated boundary to the built-up area of the village. An extension to the built-up area as proposed would encroach into the countryside which here provides an open setting to the village of Catisfield. This would erode and blur the existing well defined boundary contrary to Policies C1 and C3. I agree with the Council's assessment that the proposed development would register as a substantial incursion into the open land to the north of the hotel in long views from the footpaths across the golf course and in the vicinity of the Tithe Barn. The proposal would also result in development within the CA and the ASLC. Such development would seriously harm the open character and appearance of the CA and, consequently the ASLC (Policies HE6 and C3B).

6.261 Moreover, the site is located in the narrowest corridor of the Meon strategic gap (Policy C2A). It is a little over 1 km wide at this point. Accordingly, I see this as a particularly vulnerable part of the gap which would be eroded unacceptably by the proposed development. The proposed screen planting and low-density development in the countryside would not overcome this fundamental objection to the principle of development. Thus I find the reasons for resisting the proposal are valid and should not lightly be set aside.

6.262 There is a substantial difference between respective valuations of the allocated site and the enclosures/uses to the north (Plan 1 of FBC/H/4/4). On the owners side it may be difficult to separate a realistic

value from the 'hope' value attaching to the various uses within the site. According to the Council, there are a number of uses within the complex which are of dubious legality. Moreover, the Council questions whether the 1976 outline permission remains extant. I declined to accept the submission of the owners' detailed valuation because it could not be made public. This meant that the valuation could not be tested in cross-examination. Accordingly, in the absence of comparable detail to that set out in the Council's valuation, I can give little weight to Primmer Olds' estimate of valuation (letter to Ms Downes 13.3.98). Nevertheless, it is clear that unless the owners consider that the development of the allocated site is financially viable it will not happen. I am conscious, however, that changes in the local and national economy could significantly affect values and, therefore, investment decisions during the period of the Plan. That said, however, I find it unsatisfactory that the LPA should be placed in a position where, through the LP process, it is being asked, in effect, to pay to extinguish undesirable buildings and uses by permitting development **on adjoining land**. This could create a potentially harmful precedent.

6.263 In the circumstances the best that the LPR can do is to provide the certainty on which development decisions can be made. The existing uses and buildings on the Catisfield Lane site do little to raise the quality of the townscape in this part of the village. I fully support the Council's efforts in providing an incentive to secure the redevelopment of the allocated site. However, in my judgement that redevelopment does not justify the substantial extension of the built up area over the land to the north. In coming to this view, I have carefully considered the weight of objectors and the written and oral submissions in support of the proposal. However, I am firmly of the view that the harm to the countryside, the setting of the settlement, the strategic gap, the CA and the ASLC, arising from the proposal, far outweigh the desirable objective of replacing the existing commercial uses and buildings on the allocated site.

RECOMMENDATION

6.264 Make no modification to the Plan in response to these objections.

6.265 POLICY H1(NEW) - SUGGESTED HOUSING ALLOCATIONS (COLDEAST HOSPITAL)

Objection:

0415/5004: Capitec NHS Property Management & Secretary of State for Health

Issue:

6.266 Whether the objection land should be allocated for housing development under Policy H1 to provide an additional 155 dwellings on sites A and B.

Conclusions:

6.267 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above.

6.268 I see no justification for allocating additional land ahead of any modifications which may be adopted as part of the SPR and the review which the Council will undertake when Fareham's allocation is known (see also para 3.120 above). Sites A & B (see Plan 2 on Council's proof FBC/H/4/5) were considered as part of the public consultation exercise on preferred housing sites as part of the LPR (CD/17). The Council decided not to allocate the sites. But this process does not give added weight to their allocation where the strategic housing requirement is met.

6.269 I note that the HCC, as the local highway authority (FBC/H/4/5/A), would object to additional housing development on the site of the hospital if it involved development significantly above the level shown indicatively for the site as part of Appendix 5. The HCC's estimate is that the additional residential development shown as part of the Health Authority's objection (see Fig 15 - P/0415/83) would result in an additional 400-500 dwellings on the site. If proposals in an outstanding planning application and the LP submissions are added together it is

expected that an **additional** 490-590 dwellings could be provided on the site. In the view of the HCC the additional traffic generated by this scale of development would exacerbate existing congestion at the A27 Segensworth roundabout. Accordingly, the HCC would resist, on traffic grounds, additional development of this order.

6.270 It would appear that the objector's traffic consultant is not seeking the additional housing over and above the LPR's housing allocations, but in **replacement** of other unspecified allocations within the Plan. The objector makes no suggestion as to which of the Plan's allocated sites should be deleted in favour of additional development at the objection site. Should an adopted SPR point to additional housing development within the district along the lines of the EiP panel's recommendation, I agree with the Council that this site should be examined along with all other candidates in an early review of the Plan. I see no justification for pre-empting that exercise as part of the current LP process.

RECOMMENDATION

6.271 Make no modification to the Plan in response to this objection.

6.272 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (CRANLEIGH ROAD)

Objection:

0376/5001: Evergreen Properties Ltd

Issue:

6.273 Whether the objection site should be allocated for housing development under Policy H1.

Conclusions:

6.274 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above. In my view, the objection site is unsuitable for housing development on 3 main grounds. Firstly, the site forms part of the coastal zone/countryside. I note that the FBLA (CD/18) identifies the site as part of the Coastal Zone (CZ). In the review of the boundary it was not selected for deletion. The site forms part of the continuous wedge of open land which, in my view, is correctly identified as forming the CZ along this north-western arm of the Portsmouth Harbour. The site is not clearly visible from the coast or water, but I agree with the S78 appeal Inspector (1997:Ref P/96/0623/0A) that 2 storey development would be seen particularly in winter months creating a more urban character to this fringe area.

6.275 Secondly, the site is part of the Wicor/Cams Local Gap. This stretches, virtually without interruption, for a distance of some 2.5km from east to west. I have considered objections to the principle of retaining this local gap (see paras 3.142-3.143). Development of the objection site would unacceptably, further erode this important local gap and CZ.

6.276 Thirdly, the site is shown as predominantly Grade 1 (some 5.6 ha) on the Agricultural Land Classification Map. The land is rough grassland and, therefore, not actively cultivated. Nevertheless, being in the top grade it is potentially the most flexible, productive and responsive to inputs. Its development should not be permitted unless there is an overriding need for development which cannot be accommodated on other less productive land. Given that there is no need, on present evidence, for additional land to meet the strategic housing requirement, I see no justification for allocating this site for development.

6.277 Although poorly located in relation to employment opportunities, I accept that in terms of access to other community facilities the site is reasonably well located. I also accept that any capacity problems arising from a development of the site in respect to school and the local road network could be overcome through financial contributions from the developer. However, for the reasons given I do not support this objection.

RECOMMENDATION**6.278 Make no modification to the Plan in response to this objection.**

6.279 POLICY H1(NEW) - SUGGESTED HOUSING ALLOCATIONS (DEAN FARM)**Objections:**

0336/5002: Dean Farm Estates Limited

0365/5002: Mr G Moyse & Marchstone Estates

Issue:

6.280 Whether the site should be allocated for housing development under Policy H1 of the Plan; (this proposal is associated with a proposal for a further allocation of employment land of some 40 ha).

Conclusions:

6.281 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above.

6.282 The objection site is an extensive area of predominantly arable farmland located to the north of the M27. It lies to the west of the A32 close to the northern boundary of the district. The major part of the site is shown as Grade 3a on the Agricultural Land Classification Map. The objection proposals affect both Fareham and Winchester districts. A Major Development Area (MDA) is proposed for 1,500 dwellings in addition to the 500 proposed at Knowle (Winchester). Development totalling some 240 ha is proposed within the borough of Fareham including some 40 ha of employment land. The proposal includes an additional 800 dwellings at Dean Farm (Fareham) up to 2006. The justification for the proposals put forward by the objectors is the EiP Panel's report (CD/8).

6.283 I have already expressed the view that it would be wrong for the Council to anticipate or seek to pre-empt the final form of the adopted SPR (see paras 6.17-6.18 above). The EiP's recommendation to create an MDA at Knowle would have a profound affect on this part of Fareham should it be adopted as part of the SPR. I am not surprised, therefore, that the Council wishes to deal with any fresh major allocations arising from modifications to the SPR in a balanced and measured way, including taking the opportunity to carry out further public consultation. Given my views on the correct response to the Panel's recommendations as they affect Fareham I intend to deal but briefly with the issues raised by this objection.

6.284 The objection land is very prominent in the landscape; it can be seen from the motorway which is on embankment here; it is conspicuous from the higher land to the south of the motorway and is visible from the northern approach to Fareham along the A32. The high quality of the agricultural land requires that it should not be lost to development unless there is an overriding need for the development and lower quality land is unavailable (para 2.18 of PPG7). Development on the scale proposed would have a substantial and, in my view, major deleterious impact on the open setting of Fareham and its northern approach. There is no evidence of the need for a major increase in the allocation of employment land unless supported in a regional and county context (see Chapter 9). Thus development of the site on this scale, for either housing and/or employment purposes, should only be countenanced in the context of its promotion as part of an adopted SPR.

6.285 The objectors have registered their concern that, unless the MDA is recommended as part of the LPR, there will be a shortfall in housing land towards the end of the Plan period. I do not share their concern on the ground of timeliness. I note that the Council is committed to the preparation of any appropriate modifications to the LP as soon as possible after the strategic framework is clarified. The Council does not rule out a start date on an MDA in 2004/5 should that be confirmed through the statutory process. I accept that that prospect would effectively combat the release of 'other unplanned land' should a 5 year supply of land not be available toward the end of Plan period. Given the scale of this proposal and its impact on the countryside I am wholly supportive of

the Council's cautious approach to the premature release of greenfield sites before it is proved to be absolutely necessary.

RECOMMENDATION

6.286 Make no modification to the Plan in response to these objections.

6.287 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (EAST OF BYE ROAD AND WALPOLE LANE, LOWER SWANWICK)

Objections:

0873/5001: Dunleavy Holdings

0873/5002: Dunleavy Holdings

Issue:

6.288 Whether the sites should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.289 The objections relate to 2 areas of land. The first comprises the plots of 4 frontage dwellings (one partly demolished) to the East of Bye Road. The second site, includes the previously mentioned land and the plots of dwellings to the east; all the properties have long rear gardens. The objection sites extend beyond the main built-up area of Lower Swanwick. Given the form and character of the objection land, with ribbon development fronting an area of deep gardens/paddocks of a semi-rural character, I find that it is correctly shown outside the urban area on the PM. The objection land is also identified within the local gap separating Lower Swanwick from Sarisbury. A number of other objections (some 7 in no.) to the Plan are recorded in respect of land within this gap. These, too, seek housing development. It is therefore evident that the gap is subject to intense pressure to develop and confirms its vulnerability. The wider area of open land comprising the local gap is semi-rural in character; it is crossed by public rights of way. I consider the proposed development would unacceptably encroach into this attractive area of open land and seriously damage the integrity of the local gap. I do not agree with the objector's argument that the proximity of the site to the Swanwick Centre (air traffic control centre) is a sufficient reason to permit development in what is generally a poor location in terms of proximity to local community facilities.

RECOMMENDATION

6.290 Make no modification to the Plan in response to these objections.

6.291 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (FAREHAM STATION)

Objection:

0389/5002: Railtrack Plc

Pre-Inquiry Changes:

No change is proposed to Policy H1.

Issue:

6.292 Whether the site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.293 The objection site lies to the east of the tracks serving Fareham Station. It is bounded to the south by commercial uses and to the east by residential development. The major part of the site is occupied by an aggregates depot. On its western side, the site is shown on the PM as being affected by the line of the proposed South Hampshire Rapid Transport (SHRT) system. This derives from Policy T11 of the SPR. Policy T3 of the SPR encourages the movement of freight by rail and sea. Thus the retention of the present use or one making use of the rail facilities is a priority for the site. In transport planning terms it also seems eminently sensible that the site should be considered for 'park and ride' in connection with the Town Centre and the SHRT system. Under Policy E4 (Fareham Railway Station Yard) of LPR, if the present aggregate depot use is discontinued, the preferred option would be for a suitable rail freight use. If an appropriate rail freight use does not come forward then a comprehensive development of Class B1 development or mixed use, including Class B1 would be encouraged under the policy.

6.294 The site clearly provides a rare opportunity to provide good transport interchange facilities within the town centre. That opportunity should not be prejudiced by development unrelated to its transport/interchange function. The Council and the HCC clearly have this prospect in mind in connection with the SHRT and the Fareham Town Centre Transport Study. Subject to the foregoing priorities, the proposals for the site under Policy E4 provide a sound basis for the future development of the site in the event of the closure of the present use.

6.295 The location of employment uses close to the town centre and good public transport facilities would be in accordance with the aims of PPG13 (para 3.6) to reduce reliance on the private car. Given the proximity of the site to a fairly busy railway line I would not see it as a prime site for residential development. Accordingly, in the absence of an overriding need for additional residential development, I would see the encouragement of Class B1 development on the site as the preferred option if no transport-related use can be found. Failing that some form of mixed development, perhaps with Class B1 and higher density residential development could be appropriate. However, I agree with the Council that the shape of the site could make a conventional residential layout difficult to achieve. I do not, therefore, support a purely residential development of the site.

RECOMMENDATION

6.296 Make no modification to the Plan in response to this objection.

6.297 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (HUNTS POND ROAD - NORTH)

Objection:

0001/5041: Hampshire County Council

Issue:

6.298 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.299 The site is used as a paddock; it has an area of some 2.18 ha. In the adopted LP the objection site was included within a larger allocation for secondary school purposes. That allocation has now been abandoned. In the LPR the site is safeguarded for education/community and recreation purposes. A proposal to develop part of the site as a primary school has been dropped in preference for a site south of the Locks Heath centre. (In confirmation of this the Borough Council propose a change to paragraph 7.17 of the Plan, which considers school provision on this site). The Council argues that the land should continue to be safeguarded because of the existing and anticipated, but as yet indeterminate demands for education and playing field uses, arising from the development of allocated sites for residential purposes within the period of the plan and beyond to 2011.

6.300 The Director of Education (HCC) is of the opinion that the existing and proposed demand for education

sites in the Western Wards of the borough can be satisfactorily accommodated without reliance on the objection site. The schools likely to require additional playing fields are St John the Baptist Primary School and Brookfield (Secondary) School, Brook Lane. An additional, detached, playing field of some 0.5 ha for the primary school can be provided through dual use of the recreation ground to the south; this is licensed by the HCC to the Council. At Brookfield School, there could be a need for an additional 5000 sq. m (0.5 ha) of playing field area if the school roll increases to 1800. This could be met either by a more intensive use of the existing facilities, or as extension onto the adjoining Coldeast Hospital site. The Council is seeking to maintain a substantial part of the latter site as local gap with a provision of informal open space and playing fields. The Council estimates that some 9 ha of the hospital site could be used for playing fields.

6.301 The EiP Panel recommended the Coldeast site for additional residential development (CD/8, para 3.40(i)). Thus until any review of the strategic housing requirement has been carried out following the adoption of the SPR, the extent to which the undeveloped land at Coldeast Hospital could contribute to the identified playing field deficiency must remain an uncertainty. The total deficit, in playing fields facilities, in the settlements making up the western wards (Sarisbury, Warsash, Locks Heath & Titchfield) is of the order of 18.8 ha (CD/63).

Because of the restrictions on use by the general public, I agree with the Council that too much reliance should not be placed on the existence of private playing fields in the district. In the absence of any need to allocate additional housing land to meet the strategic housing requirement as set out in the submitted SPR (see paragraphs 6.11-6.17 above), it would be prudent to keep the objection site free of development pending a clarification of the needs for additional playing field to meet any identified shortfall. I note the Council's concerns, on traffic grounds, which would arise from a residential development of the site. However, the substance of an objection on these grounds would need to be considered in the light of action taken by the Council on the Locks Heath/Warsash Transportation Study. I recommend no change to the allocation of the site on the PM.

RECOMMENDATION

6.302 Modify the fourth sentence of paragraph 7.17 of the Plan to read as follows:

'The County Council favour provision of a new primary school on the site allocated at Heath Road/Centre Way in preference to part of the site at Hunts Pond Road.' (FC/CF/1)

BUT otherwise make no further modification to the Plan in response to this objection.

6.303 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (KILN ROAD)

Objection:

0126/5001: J R Thistlethwayte

Issue:

6.304 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.305 The site comprises an extensive area of paddock and arable land located between the M27 and north Fareham. From Kiln Road, the site falls quite steeply from south to north providing fine views over the motorway and the open countryside beyond. The site provides an attractive break between the motorway and the built-up area of the town. As such it makes a valuable and positive contribution to the setting of the settlement. Indeed, I see its contribution to the setting of the town to be sufficiently important that its development could only be justified in the circumstances of overriding need. As I have already indicated that need has not been established (see paras 6.11-6.17). In arriving at this view I am aware that the site is very well located in relation to the town centre and other community facilities and that a traffic assessment would be required for a development of this scale (some 200 dwellings). The site has been severed from the main holding by the M27 and the agricultural quality of the land has been assessed at Grade 3b; a farm track connects the 2 parts. However, the locational advantage and its severance in agricultural terms do not override the major contribution

and inherent value which the site makes to the countryside and the semi-rural setting to this part of the town.

6.306 I find the inclusion of the site within the Forest of Bere designation is appropriate given the important role the site has in visually retaining the link between the countryside to the north with an open setting to the town and motorway. The loss of open aspect between road and town and vice versa would be lost. For this reason I do not support the objector's argument that the limit of the town should be drawn along the M27. The potential harm to living conditions for occupants of dwellings on the site arising from noise generated by motorway traffic is an added reason to reject the M27 as the northern limit of the settlement.

RECOMMENDATION

6.307 Make no modification to the Plan in response to this objection.

6.308 POLICY H1(NEW) - SUGGESTED HOUSING ALLOCATIONS - (LOWER SWANWICK ROAD)

Objection:

0440/5003: Amplevine Plc (Linden Homes Ltd)

Issue:

6.309 Whether the site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.310 The objection site is an area of woodland and scrub forming part of open land lying to the south of the settlement area of Lower Swanwick. The site is bounded to the north and east by the plots of, and an access road serving, an area of residential development. The open land of which the site forms part is identified as a local gap separating Lower Swanwick/Sarisbury (see paras 3.113-3.116). To the south and west the countryside is recognised as a SINC. This particular local gap, which is already narrow and therefore vulnerable, is under intense pressure from development aspirations as evidenced by objections to the LPR. I accept that there would be an added risk of damage to the vegetation which is the basis for the identification of the SINC if housing were to be built on the objection site. This is likely to arise through increased public access/trespass. In the absence of a need to allocate additional housing to meet the strategic housing requirement (see paras 6.11-6.17) I do not support this objection which would seriously erode the local gap/countryside in this part of the district.

RECOMMENDATION

6.311 Make no modification to the Plan in response to this objection.

6.312 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (MEON VIEW FARM)

Objection:

0369/5001: Linden Homes South East Limited

Issue:

6.313 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.314 The objection site consists of 2 blocks of mainly arable land lying between the western edge of the settlement of Stubbington/Hill Head and the Titchfield Haven SSSI centred on the valley of the River Meon. The

site is shown as countryside within the Meon Gap on the PM. The land also falls within the Meon Valley ASLC. The southern section of the appeal site is shown within the CZ. However, during the inquiry the Council's witness agreed that the revised boundary of the CZ would be better drawn to follow existing field boundaries to the south and west of the site. I agree that the revised boundary to CZ, which can be easily identified on the ground, is preferable to that shown on the PM. I therefore support the amendment.

6.315 I am satisfied that the Plan allocates sufficient housing land to meet the strategic housing requirement as set out in the submitted SPR - see paragraphs 6.11-6.17 above. I have already considered objections to the principle and extent of ASLCs (see paras 3.23-3.29 above) and the Meon Gap (see paras 3.53-3.59) as detailed on the PM. More particularly, I consider the development of the objection site would create a major and damaging incursion into the Meon gap at a point where the distance between the River Meon and the urban edge varies between some 200m and 800m. Thus in visual and physical terms I find that the development would unacceptably reduce the remaining, narrow belt of open land/countryside lying between the river and the urban edge. In my judgement a development of the scale proposed would wholly undermine the integrity of the strategic gap and ASLC in this part. The ASLC, in my view, being centred on the river is correctly drawn as conterminous with the urban edge here where it defines the eastern limit of the river valley. Equally, I find that the only rational, readily understood and defensible boundary to the strategic gap is the existing urban edge.

RECOMMENDATION

6.316 Modify the Proposals Map to redraw the boundary of the Coastal Zone notation in the vicinity of Marsh Lane to the east of Titchfield Haven, as shown on Further Change FC/C/16 (Map C/6), BUT otherwise make no further modification to the Plan in response to this objection.

6.317 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (MORAUNT DRIVE)

Objection:

0375/5001: Borthwicks Plc

Issue:

6.318 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.319 The objection site is in 2 parts, an area of allotments to the north and an area of open grassland to the south. The site adjoins the urban edge on its northern and eastern boundaries. The proposal is to develop the allotment site and an area of open land to its south. An area of replacement allotments and public open space is proposed to the south of the development area. The site is shown within the countryside, coastal zone (CZ) and local gap (Fareham-Portchester) on the PM.

6.320 In the absence of an overriding need for a development to meet the strategic housing requirement (see paragraphs 6.11-6.17 above), I see no justification for permitting the development of this site for residential purposes. In my judgement the land both physically and visually forms part of the coastal plain and countryside. In this I find myself in agreement with the Inspector's assessment of the site (1987) in considering objections to the Eastern Wards LP (see Appendix 1 to FBC/H/4/17).

6.321 There was debate as to whether the site should be allocated as CZ and Local Gap in addition to its countryside notation. There is a direct and obvious relationship between the southern part of the site and the coast both on physical and visibility grounds. Although the allotment site is not readily visible from the southern part of the site, due to a strong existing hedge on the southern boundary, it is clearly part of the undeveloped coastal plain; the latter is about 400m deep at this part between coast and urban edge. I consider that the whole of the objection site is correctly included within the CZ.

6.322 Similarly, what remains of the coastal plain south of the A27 is identified within the Wicor/Cams local gap. I have already considered objections to the identification of the Cams/Wicor gap (see paras 3.142-3.143 above). The objection site forms an integral part of the remaining open land separating Fareham from Portchester south of the A27. The site is particularly sensitive to built development given that it is crossed by 2 well used public footpaths, the coastal path (the Solent Path) and the Wicor Path. In my view, development of the northern part of the site would seriously detract from the open character and appearance of this part of the CZ. Moreover, development as proposed, even with additional planting, would significantly erode this eastern, coastal section of the local gap. I find, this would materially harm the integrity of the both the gap and CZ.

RECOMMENDATION

6.323 Make no modification to the Plan in response to this objection.

6.324 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS - (NEW ROAD SWANWICK)

Objection:

0019/5001: Mr D Peel

Issue:

6.325 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.326 The objection site is a rectangular shaped plot (about 0.28ha) used as a paddock. It is bounded on all 4 sides by open land. The area is semi-rural in character. Access to the site is via New Road, an unadopted track, through a plot to the north of Manor Farm Cottage. The site is poorly related to the existing ribbon development along New Road, which is itself outside any recognised urban area on the PM. A housing allocation here would result in a piecemeal form of development remote from established community facilities and poorly served by public transport. Residential development would not constitute an acceptable form of infilling being to the rear of the sporadic development which exists on the western side of New Road. The site, by virtue of its small size and poor location in relation to local facilities, in my view, would not make a good site for affordable housing. Any access from Sopwith Way would be over land which is under the control of a third party. It would be speculative to assume access could be obtained across that land. Access concerns apart, however, in the absence of an established housing need (see paras 6.11-6.17 above) the main objection to the proposal is one of principle to the prospect of developing outside, and remote from, the established settlement pattern.

RECOMMENDATION

6.327 Make no modification to the Plan in response to this objection.

6.328 POLICY H1 (NEW) SUGGESTED HOUSING ALLOCATIONS - (NEWGATE LANE)

Objection:

0298/5014: Laing Homes Ltd

Issue:

6.329 Whether the objection land should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.330 The objection land constitutes a substantial swathe of predominantly open land located between the built-

up areas of Gosport and Stubbington. It forms part of a corridor of open land which is identified as forming the eastern arm of the strategic gap separating the settlements of Gosport/Lee-on-Solent/Stubbington/Fareham. I have no doubt that the boundary of the strategic gap as shown on the PM is correctly and appropriately drawn here. The boundary follows the existing urban edge either side of the remaining undeveloped land separating the aforementioned substantial settlements where it is already narrow and, accordingly, vulnerable to development (see paras 3.95-3.96 above). I have already commented on the sufficiency of the Plan in meeting the structure plan's housing requirement (see paras 6.11-6.17).

6.331 The proposed development would significantly reduce the strategic gap in both a visual and physical sense. Housing development on the objection site would occur close to intrusions into the gap caused by existing development. This takes the form of a sewage treatment works and ribbon development at Peel Common and Woodcote Lane. These developments have already resulted in the openness of the gap being compromised. The objection proposal would have the effect of compounding that intrusion. Accordingly, development as proposed would undermine and materially harm the integrity of the open land forming the strategic gap which separates the settlements of Gosport and Stubbington/Fareham.

6.332 Moreover, significant areas within the objection site are identified as Grade 3a in the Agricultural Land Classification. Such land is among the best and most versatile which should only be developed where there is an overriding need (para 2.18 of PPG7). That overriding need has not been established. I agree with the Council that there is insufficient detail for an assessment of the highway and traffic implications of the proposal on the local and strategic road network to be made. The argument that the improvement of Newgate Lane [Policy T7 (A)] requires substantial development on the objection site to fund it is not supported by the Highway Authority (see para 11.81 below). The objector argues that the proximity of the site to the proposed South Hampshire Rapid Transport (SHRT) system makes it suitable for residential development and thereby would give support to this major public transport investment. Part of the site is within some 0.5 km of a proposed halt (Wych Lane) on the SHRT line. Once statutory approvals have been obtained there will no doubt be a review of potential housing opportunities along its length. Any potential housing land will need to be considered in the light of the adopted SPR (see para 6.17 above). However, I see no reason for pre-empting the SPR modifications based on a proximity to the proposed SHRT link and to the exclusion of other important considerations such as the separation of substantial settlements.

RECOMMENDATION

6.333 Make no modification to the Plan in response to this objection.

6.334 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (NORTH OF WHITELEY LANE, BURRIDGE)

Objection:

0364/5001: W C Collins & others

Issue:

6.335 Whether the objection land should be allocated for housing purposes under Policy H1 of the Plan.

Conclusions:

6.336 The objection site (some 2.77ha) lies to the north of Whiteley Lane, an unadopted track; it comprises a group of 3 dwellings sited within a woodland setting. The northern part of the site is ancient semi-natural woodland identified as a SINC. The northern boundary of the site is contiguous with the district boundary with Winchester. The land to the south of Whiteley Lane, including a scrap-yard, is allocated for housing development in the LP. Whiteley Lane provides a natural and readily identified boundary to the settlement of Whiteley which will be separated from Whiteley Lane by a planting belt some 20m deep. The character of Whiteley Lane, given this degree of separation, will remain substantially semi-rural in character. I consider that

the prospect of a denser form of built development along this stretch of Whiteley Lane would detract in a material way from the open, semi-rural setting of Whiteley. The objector proposes to exclude the area of the SINC from any development of the objection site. Nevertheless, in the absence of an overriding need of additional allocations to meet the strategic housing need (see paras 6.11-6.17) I see no justification for allocating the objection site for housing development.

6.337 The EiP Panel report (CD/8, para 3.40) on the SPR recommended that the area to the north of Whiteley, within Winchester, should be allocated as a Major Development Area. The objector relies on this recommendation as justification for the allocation of the objection site. However, in the absence of firm proposals arising from the Panel's report confirming the MDA as part of an adopted SPR, I regard any proposals to take this land out of its countryside allocation as premature.

RECOMMENDATION

6.338 Make no modification to the Plan in response to this objection.

6.339 POLICY H1 (NEW - SUGGESTED HOUSING ALLOCATIONS (NORTHFIELD PARK))

Objection:

0396/5002: Mr & Mrs Trimmings

Issue:

6.340 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.341 The site, referred to as Site B by the objector, is a rectangular area of unused grassland on rising ground to the west of a mobile home park. Open land adjoins it on 3 sides. The land to the south is allocated as an extension to the grounds of a crematorium. The site lies within the Portchester/Wallington local gap. An extension to the south of the mobile home site is supported by the Council (Site A) and is the subject of Pre-inquiry Change PIC/PM/5. This will extend the area of the caravan park by about 20%. This proposed extension would be well related to the existing pattern of development being interposed between the crematorium and the park. The objection proposal, however, would increase the size of the park by about a half on a particularly prominent parcel of land. In the absence of an overriding need for additional land to meet the strategic housing requirement (see para 6.11-6.17 above) I see no justification for an incursion of this scale into the countryside/local gap. Notwithstanding the objectors' proposed screening of the development behind mounding/planting I consider it would have the effect of eroding, visually and physically, the eastern edge of the open land in this part of the local gap.

RECOMMENDATION

6.342 Make no modification to the Plan in response to this objection.

6.343 POLICY (NEW) - SUGGESTED HOUSING ALLOCATIONS (PEEL COMMON-EAST)

Objection:

0318/5007: Mr K West

Issue:

6.344 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.345 The objection site is a large garden area attached to a nursing home sited on the east side of Newgate Lane. To the north of the site are the plots of dwellings fronting Woodcote Lane, an unadopted track. The site lies within, and in its present open state contributes to, the open land comprising the strategic gap which separates the settlement areas of Gosport and Stubbington. The open land within this important and vulnerable gap between these settlements has already been compromised by the development fronting Newgate Lane and Woodcote Lane. This is well illustrated on the aerial photograph attached to the Council's proof (FBC/H/4/21).

6.346 Housing on the site would result in a consolidation and extension of the existing development; it would materially add to the erosion which has already taken place at this narrow part of the strategic gap. Thus development would reduce in both visual and physical terms the effectiveness and function of the gap. I do not support the objector's suggestion that the site should be excluded from the strategic gap allocation. To do so would increase the threat of further erosion through building on open land that remains between Gosport and Stubbington. The appeal decision, which permitted the erection of 2 replacement dwellings on land to the south, in my view, does not create a precedent for permitting development on the objection site. Although no details are available, I note that the highway authority reserves its position on any new access onto the B3385.

6.347 The objector argues that the objection site will provide a small site for one or more small local builders in accordance with PPG3 advice. However, it is a fact that sites of less than 10 dwellings are mainly provided through windfall sites which by their nature are difficult to predict. An allowance of some 450 dwellings is identified from this source (see Table 1 of LPR). Provision of this order seems to me to be a reasonable proportion (some 12.5%) of the total housing supply side. Given the foregoing and my conclusion that the development of the site is objectionable in principle, I give little weight to the small site argument.

RECOMMENDATION

6.348 Make no modification to the Plan in response to this objection.

6.349 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (PEEL COMMON - WEST)

Objection:

0399/5001: Milletts Equestrian Promotions

Issue:

6.350 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.351 The objection site (some 6.7ha) lies to the west of existing ribbon development at Peel Common. The site consists of open land used as paddocks, riding training facilities and stables. A majority of the site is grade 3a under the agricultural land classification. The site is prominent within the arm of open land which forms the strategic gap separating Gosport and Stubbington. I have already noted (see para 6.330 above) that I find the existing edge of the built-up areas of Gosport and Stubbington as being the appropriate boundary of the strategic gap as shown on the PM.

6.352 The open character of the site and its contribution to the local gap is particularly evident for travellers on the Gosport Road (B3334) and users of the public footpath which crosses the site. Development of this site would materially reduce the open land between the 2 settlements at a point where the gap has already been compromised by existing development fronting Newgate Lane, Woodcote Lane and Albert Road. I see the protection of the remaining open land/countryside within this part of the gap as a compelling reason for resisting any further encroachment through built development. The land is of the best and most versatile in terms of agricultural land quality. As such it should only be developed exceptionally if there is an overriding need for the development. No

overriding need for additional housing land exists (see para 6.11-6.17).

RECOMMENDATION

6.353 Make no modification to the Plan in response to this objection.

6.354 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (ROOKERY AVENUE, WHITELEY)

Objection:

0861/5001: Mr & Mrs Luttmann

Issue:

6.355 Whether the objection site should be allocated for housing development under Policy H1 of the Plan.

Conclusions:

6.356 The objection site comprises predominantly open land located immediately to the north of the M27 motorway. To the north of the site is the new settlement of Whiteley. The acoustic study carried out by the objectors is of limited value having been carried out over a 2 day period in one (winter) season of the year only (6-8.1.98). Nevertheless, it does represent the only noise data available for the site. The measurements place the site within Category C of the Noise Exposure Categories (NEC)(Annex 1 of PPG24-Planning and Noise). Within this category the advice is that planning permission for residential development should not normally be granted.

6.357 The objector's expert opinion is that the site could be provided with an acceptable environment for residential development provided development is set back from the motorway boundary and subject to a planting scheme and the erection of a noise barrier. It is the objector's view that a barrier some 3m high would bring the 2 proposed housing areas within Category B of the PPG24 (NEC) chart. Notwithstanding the objector's advice, it is my judgement that noise from the motorway would be very intrusive indeed for prospective residents. While measures might be introduced to reduce noise nuisance it would nevertheless remain a serious problem due to noise intrusion through open windows in summer and for residents wishing to relax in their gardens. There is no overriding need for additional land to meet the strategic housing requirement (see paras 6.11-6.17 above). Should additional housing land need to be identified following adoption of the SPR it would not be sensible to consider this site before quieter sites have been investigated.

6.358 The highway authority is concerned at the cumulative effect on traffic conditions at the A27 Segensworth and M27 Junction 9 roundabouts which could arise from development of the non-allocated objection housing sites. The site is affected by the proposed alignment of Rookery Avenue. The authority is concerned that development of the site would prevent any alternative alignment of the distributor road to an appropriate standard. However, I find there is insufficient detail to comment usefully on the implications for the distributor road. I accept that the site is well located in terms of local community facilities, but the favourable locational factors do not override what I see as a valid objection to the development of the site on noise grounds. (See also objection 0861/5002 to Policy E2 in Chapter 9, para 9.75 below).

RECOMMENDATION

6.359 Make no modification to the Plan in response to this objection.

6.360 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (SOPWITH WAY, SWANWICK)

Objection:

0443/5001: Persimmon Homes (South Coast) Ltd

Issue:

6.361 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.362 The objection site is located in a semi-rural area. It has a prominent position with frontages to Swanwick Lane and Sopwith Way. The latter road provides access to the new CAA Control Centre and a Nature Reserve. The site is used for horticulture/agricultural purposes. The area consists of scattered agricultural development and ribbon residential development. The site is clearly outside the nearest, recognised settlement areas of Swanwick and Whiteley. In my view the site is not well related to local community facilities and the nearest bus services are between 1.0 and 1.3km from the site. I would anticipate that future residents would be heavily dependent on the private car for transportation. In terms of PPG13 criteria, therefore, I do not regard the site as being in a sustainable location for residential development in general or affordable housing in particular. In my view residential development of the scale proposed would neither relate well to the existing settlement pattern nor to the character of the existing development in the area. I am satisfied that there is no overriding need for additional residential development (see paras 6.11-6.17). Accordingly, I see no justification for supporting this objection.

RECOMMENDATION**6.363 Make no modification to the Plan in response to this objection**

6.364 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (SOUTH OF BRIDGE ROAD, SARISBURY GREEN)**Objections:**

0382/5001: J L Everitt

0383/5001: Mrs G A Slattery

0442/5001: A E L Elliott & J L Elliott

Issue:

6.365 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.366 The objection site (some 2.94ha) is an area of attractive parkland, part of the original Brooklands estate, which lies in the valley of, and close to, the River Hamble. Brooklands, the original mansion and a Grade II listed building, is situated between the River and the site. Adjoining to the east is the Sarisbury Green CA, while a few hundred metres to the north is the Lower Swanwick CA. The site has a frontage to the A27. The site occupies a crucial position within an attractive open landscape separating the settlements of Lower Swanwick and Sarisbury.

6.367 I am unable to accept the objectors' argument that the site could be developed without damage to views from across the river in Eastleigh. Although any development of the site might be screened by vegetation during summer months when viewed from the opposite side of the river (The High Street, Bursledon), it is likely to be visible during the winter months when trees are bare of foliage. However, this view point is but one aspect of the proposal. I consider the proposal should be resisted on a number of grounds. Firstly, it would result in a serious and damaging incursion of built development into the local gap/countryside which is already vulnerable and under intense development pressure. This is evidenced by the number of objections to the Plan, seeking residential development within this local gap. Equally, it would detract in a major way from the attractive ASLC (Lower

Hamble Valley), the open setting of Sarisbury Green, its CA and the historic parkland setting of Brooklands. I agree with the Council's assessment that any significant increase in traffic around the Green and/or road widening to accommodate additional traffic is likely to detract in a material way from the character and appearance of the CA. This combination of factors, in my view, provide compelling grounds for resisting residential development on the objection site.

RECOMMENDATION

6.368 Make no modification to the Plan in response to these objections.

6.369 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (SWANWICK FORMER GOODS YARD)

Objection:

0389/5001: Railtrack Plc

Pre-Inquiry Changes:

The urban area boundary is amended by FC/ST/4.

Issue:

6.370 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.371 The objection site is a long, narrow strip of land adjoining the operational tracks to the east of Swanwick Railway Station. As part of its response to an objection to the non-allocation of land to the north of the objection site for employment purposes the Council proposes to extend the urban area boundary up to the M27 (see PIC/E/5/A and PIC/PM/42 - Little Park Farm Road). This consequential change (FC/ST/4) has the effect of placing the objection site within the urban area. It meets, therefore, part of the objector's concerns that the site should not be shown as countryside. I support the revision to the urban area boundary as a consequence of the proposed extension to the settlement area here (see para 2.131 above).

6.372 A number of factors militate against the use of the site for residential development. Firstly, its proximity to the railway tracks is likely to give rise to a serious noise nuisance for residents of housing on the site. The very narrowness of the site, which is further reduced by a wooded embankment, would create practical difficulties in working up a satisfactory layout. However, the most persuasive argument against development is the opportunity it presents for providing improvements to public transport within the area. The Council identifies Swanwick as offering the only major opportunity to develop 'park and ride' possibly linked with integrated facilities for buses, taxis and other SHRT users. While the Plan makes no specific allocation for the site I feel strongly that the opportunity should not be lost to improve public transport/interchange facilities within the area.

RECOMMENDATION

6.373 [Modify the Proposals Map in accordance with FC/ST/4 (extend urban area boundary at Park Gate - see paragraph 2.131 above)]

6.374 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (WARSASH GAP)

Objections:

0296/5002: Alfred McAlpine Homes (Southern) Ltd

0298/5013: Laing Homes Ltd

Issue:

6.375 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.376 The objection site is an area of existing and former horticultural businesses situated between Brook Lane and the WDR. I am satisfied that there is no reason to allocate additional greenfield sites for housing development pending the outcome of the SPR modification process (see paras 6.11-6.17 above). I have also confirmed my support for the protection of the local gap separating Warsash and Locks Heath (see paras 3.106-3.107 and 3.125-3.126 above). I have also commented unfavourably on the prospect of developing the objection site in the context of considering objections to the proposed housing allocation at Peters Road (see para 6.145 above). I have nothing further to add on the matters raised by these objections.

RECOMMENDATION

6.377 Make no modifications to the Plan in response to these objections.

6.378 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (WEST OF HILL ROAD)

Objections:

0395/5001: Sturgess Trust

0470/5002: Mr & Mrs J Sturgess

Issue:

6.379 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.380 The objection site is a small area of paddock/grassland located between an area of modern housing and the M27 on the northern edge of the settlement area of Portchester. The land forms part of a more or less continuous strip of open land which separates the motorway from the settlements of Fareham. PPG24 advises that noise sensitive uses should be sited away from major sources of noise. Although, the motorway is in cutting at this point, I nevertheless consider that noise from traffic would be extremely intrusive for residents occupying housing on this site. While there is no acoustical evidence available, in my judgement the site would not provide an attractive or acceptable environment for prospective residents even were development to be set back from the motorway embankment. My views on the need to allocate additional housing land are set out in paras 6.11-6.17 above. Any advantages the site may have in terms of proximity to local community facilities do not override the poor environment of the site due to noise. I therefore see no justification for allocating the site for residential development. Given the desirability of providing a physical separation of settlement areas from the motorway I find the allocation of the site as countryside is appropriate.

RECOMMENDATION

6.381 Make no modifications to the Plan in response to these objections.

6.382 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (WICOR FARM)

Objection:

0424/5004: Chantry Holdings

Issue:

6.383 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.384 The objection site (about 1.3ha) occupies a prominent site on the coastal plain within a swathe of open land which is identified as the Wicor/Cams local gap on the PM. The site is bounded to the south by the foreshore of Portsmouth Harbour, to the north and west by open land and to the east by a boatyard. The site is occupied by a group of agricultural buildings set within an area of paddock. Cranleigh Road abuts the northern boundary of the site. The same road is part of Public Footpath 111 which provides an east/west route through the coastal strip. I do not agree with the objector's contention that the site should be excluded from the local gap and CZ. In my judgement the site is clearly integral to both allocations (see also paras 3.142-3.143 above). The proposal would undermine the objective to keep the CZ free of unnecessary development contrary to C4 of the SPR, Policy C7 of the LPR and the advice set out in PPG20-Coastal Planning (para 2.10). The proposal would also result in unacceptable erosion of the local gap. The site is clearly visible in long distance views from Portsdown Hill, from the public footpath and from Portsmouth Harbour. The loss of this site to built development would detract in a material way from the open character and appearance of this conspicuous coastal site. Accordingly, I do not support the objection.

RECOMMENDATION

6.385 Make no modification to the Plan in response to this objection.

6.386 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (FORMER WICOR SCHOOL PLAYING FIELD)

Objection:

0368/5001: J D Hordell

Issue:

6.387 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.388 Following an appeal under S78 of the Principal Act (ref P/97/1014/FP), planning permission was granted (by letter dated 18.6.98) for the residential development of the objection site, together with land to the west. Accordingly, the Plan should be amended to reflect this decision.

RECOMMENDATION

6.389 Modify Policy H1 and the Proposals Map, together with consequential alterations to Table 1, to allocate the objection site for residential development to reflect the planning permission granted on 18 June 1998.

6.390 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (WINNHAM FARM - NORTH)

Objection:

0450/5003: Wimpey Homes

Issue:

6.391 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.392 I am satisfied that there is no need to identify additional housing land in order to meet the SPR strategic housing requirement (see 6.11-6.17 above). The objection site (some 20 ha) comprises arable farmland and contains a group of farm buildings. The site lies within a swathe of open land which remains between the settlements of Wallington and Portchester between the railway and the M27. This area of open land is identified as part of the Wallington/Portchester local gap on the PM. I have already confirmed my support for the protection of land within local gaps generally (see paras 3.106-3.107 above) and this gap in particular (see 3.137).

6.393 The objection site makes up a substantial part of the open land within the gap. The proposal is to develop some 11 ha of the site on the lower slope while leaving the northern part of the site free of development. In my view the loss of even half of the site to development would have a damaging physical and visual impact on the remaining land within the gap. The development would be visible from points along the coastal path and from Fareham Lake. More immediate to the site, the development would have the effect of extending the urbanisation of Downend Road at the point of the proposed access. Here the present views into the site across farm land would be lost to the detriment of the landscape and the semi-rural character of Downend Road.

6.394 A significant part of the objection site is Grade 3a in terms of its Agricultural Land Classification; the remainder of the site is Grade 3b. Grade 3a is among the best and most versatile land. The FRCA, while accepting that there is nothing to prevent farming operations being continued from the site, does not raise objection to the prospect of housing development on the site. That view stems primarily from the way in which the land is farmed as part of a widely scattered farm holding and operation and the limited suitability and life of the farm buildings on the site. However, government advice is that best quality agricultural land should only be developed exceptionally when there is an overriding need for the development (PPG7, para 2.18). I do not find those circumstances exist here.

6.395 I accept that a development of the scale proposed (between 200 and 280 dwellings) would result in increased delays at the Downend Road/A27 junction. However, it must be acknowledged that it is no longer policy to facilitate commuting by private car. Were the objection site to be acceptable in principle I am not satisfied that the highway objection, on its own, would be sufficient for the site to be rejected. However, I find that the proposal would seriously harm the objective of the local gap policy and result in the unwarranted loss of countryside and Grade 3a agricultural land. I do not, therefore, support the objection.

RECOMMENDATION

6.396 Make no modification to the Plan in response to this objection.

6.397 POLICY H1 (NEW) - SUGGESTED HOUSING ALLOCATIONS (WINNHAM FARM - SOUTH)

Objection:

0468/5003: Bryant Homes

Issue:

6.398 Whether the objection site should be allocated for residential development under Policy H1 of the Plan.

Conclusions:

6.399 The objection site comprises some 14ha of arable land located to the west of Portchester. It is bounded to

the north by residential development, but otherwise it lies within a swathe of open land forming part of the coastal plain between Fareham and Portchester. The site lies in a semi-rural landscape which is identified as countryside within the CZ and the Wicor-Cams local gap on the PM. The site is Grade 1 and 2 in the Agricultural Land Classification.

6.400 I am satisfied that there is no need to identify additional housing land in order to meet the SPR strategic housing requirement (see 6.11-6.17 above). I have already confirmed my support for the protection of land within local gaps generally (see paras 3.106-3.109 above) and this gap in particular (see 3.142-3.143).

6.401 Objection is made to the inclusion of the site within the CZ. However, I am satisfied that the site is correctly shown within the CZ. It is integral to the coastal plain; it is within 200-400m of the high water mark and is visible from a number of public vantage points, including the sports ground to the south, stretches of the coastal footpath, the 'dog leg' bend in Cranleigh Road and from Portsdown Hill. The undeveloped coast around Portsmouth Harbour is particularly precious because of its rarity. Residential development, which does not require a coastal location, would be contrary to Policy C4 of the SPR, Policy C7 of the LPR and PPG20 (para 2.10). The proposal would undermine the objectives of the policies which seek to keep the CZ free of inappropriate development. The loss of the site to built development would also seriously undermine the effectiveness and function of the eastern part of the local gap. It would also result in a needless loss of countryside and Grade 1 and 2 agricultural land.

6.402 A further consequence and objection to the proposal would be its affect on the land to east (the Cranleigh Road site). Development of the site would leave the adjoining site virtually surrounded by development. In my view it would be difficult to resist development of that site in that situation. Thus the release of the objection site to development would be likely to compound the harm to the countryside, the CZ, the local gap and the loss of best quality agricultural land. The site is relatively well located in terms of local community facilities, but this does not override the objection in principle to the residential development of the site.

RECOMMENDATION

6.403 Make no modification to the Plan in response to this objection.

6.404 POLICY H2 - RESIDENTIAL DEVELOPMENT WITHIN THE URBAN AREA

Objections:

0313/5002: R F Crook
 0334/5016: Government Office for the South East
 0417/5006: British Telecommunications Plc
 0449/5007: English Heritage

Pre-Inquiry Changes:

Policy H1 is amended by PIC/H/13/B.
 A new paragraph relating to Westbury Farm is added by PIC/H/22.
 Paragraph 6.34 is amended by PIC/H/24/B.
 Paragraph 6.35 is amended by PIC/H/25.
 Policy H2 is amended by PIC/H/26.
 The Proposals Map is amended by PIC/PM/19.

Counter-Objections to PIC/H/13/B:

0390/5003: Ms D Downes
 0481/5002: Richard Downes
 0484/5002: Mrs Joan Reed

Issues:

- 6.405 (i) Whether the Plan should give details of the number and location of dwellings which will come forward under Policy H2;
- (ii) whether Policy H2 needs to be strengthened to ensure maximum use is made of brownfield sites;
- (iii) whether the word 'appropriate' should be deleted from the policy.
- (iv) whether a caveat should be added to the policy to safeguard listed buildings (Policy HE2) and conservation areas (Policy HE8).

Conclusions:(i) Whether the Plan should provide more detail under Policy H2

6.406 Insofar as this objector (0313) is seeking details of windfall sites before planning permission is granted, that patently is not possible to provide. Otherwise Table 1, paragraphs 6.16-6.18 and Appendix 5 of the LPR (as proposed for amendment under PIC/H/8-11) describe the approach to estimating windfall sites or, where known, identify the sites allocated under the policy for development within the urban area. I do not see that the Plan can provide more detailed information.

6.407 Objection is raised to an allocation at Alexander Grove for 10 houses (Appendix 5 of the LPR). The allocated site, together with other land nearby, is held in trust by the Council for charitable purposes. Both the Council and the Charity Commissioners are of the view that a scheme for sheltered housing could be acceptable within the terms of the trust. In the circumstances, I see no objection to the retention of the allocation within Appendix 5 list of sites given the Council's intention to provide sheltered housing within the terms of the trust. The Council acknowledges that the Appendix is incorrect in showing the site as having the benefit of planning permission; it should appear in the 'without planning permission' column. The appendix no longer forms part of the Plan as a result of Further Pre-inquiry Changes (F/PIC/IN/1/A and F/PIC/IN/3/A). The change in status of the allocation will have a marginal affect on the total supply figure in Table 1. In the circumstances it would seem sufficient to leave the appendix and table unchanged and correct the misdescription through the Council's annual up-dating of the Housing Land Supply Schedule. The request by the objector for the deletion of all references to the planning permission in Council documents is not a matter for the LPR.

(ii) Whether the policy needs to be strengthened

6.408 While the opportunities for redevelopment within the district may be limited (objector 0334) I consider the wording of the policy would be improved, by specific reference to opportunities which may arise through developing neglected, underused or derelict land. This would accord with PPG3 advice. I recommend accordingly. The Council identifies a further urban site, the former Westbury Farm, as a new housing allocation. I support the proposed changes to Policy H1 and supporting text (PIC/H/13/B and PIC/H/22) which reflects the addition of this site to the housing supply. Further amendments to the supporting text are proposed which clarify further the Council's approach to redevelopment in Fareham Town Centre in seeking to encourage accommodation for small households (PIC/H/24/B, PIC/H/25). I support the further explanation of policy provided in these amendments.

(iii) Whether the word 'appropriate' should be deleted

6.409 I see no reason to retain the word 'appropriate' within the text of the policy when the wording requires development to meet the raft of policy objectives within the plan. Moreover, specific policies and development guidelines are also highlighted within the text of the policy.

(iv) Whether a caveat is required within the policy

6.410 The Council have agreed to amend the text of the policy to refer specifically to the protection afforded to the setting of listed buildings and conservation areas. That protection would exist whether or not the policies were specified. However, I see no harm in drawing attention of developers and the public to the sensitivity of these parts of the townscape. I therefore support the proposed pre-inquiry change (PIC/H/26).

6.411 **Counter objections** (0390, 0481 and 0484) to Pre-inquiry Change PIC/H/13/B were lodged on the grounds that the proposed allocation at Westbury Farm had not been the subject of public consultation. The

allocation reflects a planning permission granted on appeal. The development has already started. I see no reason why the Plan should not reflect an extant planning permission.

RECOMMENDATION

6.412 Modify the Plan as follows:

(A) Amend Policy H2 to read:

“Within the urban areas shown on the Proposals Map residential development will be permitted if it comprises infilling, the use of neglected, derelict or underused land or redevelopment. Development will need to conform with the relevant policies of the Plan, particularly HE2, HE8 and those in Chapter 4: Development Guidelines.” (PIC/H/26-amended).

(B) Add the site of Westbury Farm, Westbury Road, Fareham as a new housing allocation in Policy H1 as follows:

“Westbury Farm, Fareham 40 [units]” (PIC/H/13/B);

(C) Add a new paragraph after 6.31:

“6.31A Westbury Farm, Westbury Road, Fareham (0.40 hectares): The site is located in the town centre adjacent to the Primary Shopping Area and is suitable for high density development. It is ideally located for access to shops and services and the public transport network. Vehicular access should be taken from Westborn Road or Malthouse Lane.” (PIC/H/22)

(D) Add a new housing allocation at Westbury Farm, Westbury Road, Fareham to the Proposals Map (PIC/PM/19).

(E) Delete the last 5 sentences of paragraph 6.34 (PIC/H/24/B).

(F) Replace paragraph 6.35 with the following text:

“The Council encourages residential development in appropriate parts of the town centre as part of the Town Centre Strategy outlined in the shopping chapter. Sites at Trinity Street, Westbury Road and Fareham Community Centre have therefore been allocated for residential redevelopment. These sites are suitable for small households and because of their location close to facilities and public transport, off-street parking requirements will be minimised. Planning permission for a supermarket has been granted at the Wadham Kenning site in West Street, Fareham. The Borough Council considers that residential use of the site would be appropriate if the supermarket is not built.” (PIC/H/25)

6.413 PARAGRAPH 6.38 - HOUSING DENSITIES

Objection:

0362/5015: Pelham Homes Ltd

Issue:

6.414 Whether the text should refer to previously adopted residential guidelines at Whiteley.

Conclusions:

6.415 The text provides a general approach to the application of density control. I see no reason for mentioning

one part of the district unless there is a sound reason for doing so. Good planning practice should ensure that the best use is made of available housing land commensurate with the need to respect the character of the surrounding area. I find nothing in the supporting text to prevent the adoption of densities contained in earlier guidelines provided they respect this general approach. The text of the paragraph allows for the prospect of a range of densities, particularly on large sites.

RECOMMENDATION

6.416 Make no modification to the Plan in response to this objection.

6.417 POLICY H3 - AREAS OF SPECIAL RESIDENTIAL CHARACTER

Objection:

0322/5007: M J Peagram

Issue:

6.418 Whether the policy is unnecessary, unclear and inappropriate and should be deleted.

Conclusions:

6.419 The policy identifies a number of enclaves of older houses, frequently with spacious, mature gardens. These are considered to have a special character within the built-up area the loss of which should be resisted. In a district where there is a preponderance of uniform and often indifferently designed estate development I consider the policy is both justified and worthy of strong support. While the protection of these areas may put greater pressure on greenfield sites I do not see that as justification for the abandonment of the policy. It is, moreover, following advice set out in PPG3 (para 23).

RECOMMENDATION

6.420 Make no modification to the Plan in response to this objection.

6.421 POLICY H3(B) - AREAS OF SPECIAL RESIDENTIAL CHARACTER (HOLLY HILL)

Objection:

0262/5001: J A S Eccles

Issue:

6.422 Whether the designation of this area is justified given the development which has already taken place and committed.

Conclusions:

6.423 Much of the frontage along this section of Holly Hill Lane has already experienced infill development. However, the large mature gardens provide an attractive and complementary component within this semi-rural area. Accordingly, I see no contradiction in the proposal in seeking to retain the special character of the gardens and the frontage development.

RECOMMENDATION

6.424 Make no modification in response to this objection.

6.425 POLICY H3(D) - AREAS OF SPECIAL RESIDENTIAL CHARACTER (NEWTOWN ROAD)**Objections:**

0300/5019: Warsash Residents' Association
 0381/5060: Fareham Society

Pre-Inquiry Change:

The Proposals Map is amended by PIC/PM/21.

Counter-Objection to PIC/PM/21:

0392/5004: Southampton Institute

Issue:

6.426 Whether the designation should be extended southwards to include houses standing in large gardens formerly part of the Warsash Institute.

Conclusions:

6.427 The Council accepts the logic of this objection. A pre-inquiry change (PIC/PM/21) is proposed which extends the designation southwards to include a number of detached houses standing in large grounds. I see the proposed change as a sensible and appropriate extension to the designation. It therefore has my support.

6.428 A **counter objection** (0392) is made to the proposed extension to the Area of Special Residential Character (ASRC) on the grounds that it includes land within the curtilage of the Warsash Institute. The justification for the identification of ASRCs is not based on land ownership, but on the character of the areas. I do not therefore support the counter objection.

RECOMMENDATION

6.429 Modify the Plan by extending the Area of Special Residential Character on the Proposals Map on the west side of Newtown Road, Warsash as shown on Pre-inquiry Change PIC/PM/21.

6.430 POLICY H3(E) - AREAS OF SPECIAL RESIDENTIAL CHARACTER (HOOK PARK ROAD)**Objection:**

0392/5001: Southampton Institute

Issue:

6.431 Whether the boundary of the ASRC should be extended to include the walled garden at Golf House, Hook Park Road.

Conclusions:

6.432 Permission has been granted for the erection of a dwelling within the walled garden of Golf House. The Council's response to this objection is that the walled garden is not within the curtilage of a dwelling. It is a question of fact as to whether the walled garden is within the curtilage and setting of the buildings to the north; the latter are within the ASRC. I note that the dwelling permitted within the walled garden has a listed building consent. If that consent was granted in relation to the **setting** of one of the buildings within the ASRC it suggests that the garden, too, should be included within the designation. Pending clarification of this aspect I make no recommendation to modify the Plan.

RECOMMENDATION**6.433 Make no modification to the Plan in response to this objection.**

6.434 POLICY H3(F) - AREAS OF SPECIAL RESIDENTIAL CHARACTER (HILL HEAD)**Objections:**

0284/5001: M K Stratton-Brown

0381/5034: Fareham Society

0313/5007: R F Crook

Pre-Inquiry Change:

The Proposals Map is amended by PIC/PM/22.

Issue:

- 6.435 (i) Whether the area should be designated as an ASRC;
(ii) whether the ASRC designation should be extended to include the north side of Monks Way and the south side of Seafield Park Road.

Conclusions:

6.436 The proposed ASRC covers a large swathe of low density residential development set within a mature landscape close to the coast at Hill Head. In my judgement the area possesses a character which meets the objectives of the designation set out in paragraph 6.40 of the LPR and which would suffer materially from subdivision of plots or infilling. In response to objection 0313, therefore, I see no reason for removing the designation.

6.437 In response to objections 0284 and 0381 the Council propose to extend the ASRC over a small enclave of development between Seafield Park Road and Monks Way (PIC/PM/22). The residential development covered by the amendment is of the same character as that already included within the designation; accordingly, I see the proposed change as an appropriate and sensible extension to the ASRC.

RECOMMENDATION**6.438 Modify the Plan by extending the Area of Special Residential Character on the Proposals Map at Seafield Park Road/Monks Way as shown on the Pre-inquiry Change PIC/PM/22.**

6.439 POLICY H3(G) - AREAS OF SPECIAL RESIDENTIAL CHARACTER (CROFTON AVENUE, HILL HEAD)**Objection:**

0472/5016: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Change:

The Proposals Map is amended by PIC/PM/23.

Issue:

- 6.440 Whether the objection sites should be included within the Crofton Avenue, Hill Head ASRC.

Conclusions

6.441 The objection relates to 2 sites: referred to as Site B (located at the junction of Crofton Avenue and Stubbington Lane) and Site C (junction of Stubbington Lane and Sea Lane). Because it accepts that the site should be included within the urban area boundary, the Council agrees that Site C should be included within the ASRC. A pre-inquiry change (PIC/PM/23) is proposed to the PM to that effect. Although the site is undeveloped at present its inclusion within the ASRC designation will ensure its development respects the character of the block of housing to which it is physically attached. I therefore support the proposed change.

6.442 The inclusion of Site B within the urban area, however, is not supported (see para 2.49 above). It would not be appropriate for a site in the countryside to be shown within an ASRC on the PM.

RECOMMENDATION

6.443 Modify the Proposals Map to include Site C within the Crofton Avenue Area of Special Residential Character (Pre-inquiry Change PIC/PM/23), but otherwise make no further modification in response to this objection.

6.444 POLICY H3(J) - AREAS OF SPECIAL RESIDENTIAL CHARACTER (THE AVENUE, FAREHAM)

Objections:

0328/5001: David Moon
 0379/5001: Mr W Allen
 0433/5001: Mr J A & Mrs O M M Roberts
 0455/5001: Mr Colin Bielckus
 0869/5001: Mr & Mrs Denton

Pre-Inquiry Change:

The Proposals Map is amended by PIC/H/19.

Issues:

- 6.445 (i) Whether the designation of the area as an ASRC is an unnecessary additional protection;
 (ii) whether the designation is appropriate;
 (iii) whether the designation would decrease the value of the land and limit the full and free use of the land.

Conclusions:

6.446 The identification of areas of special character is a legitimate planning tool to secure the protection of areas which are worthy of protection, but which do not meet the criteria of a Conservation Area. PPG3-Housing (para 23) recognises that some areas may deserve such protection through the local plan process (objection 0328). I do not see that Policy DG3 makes the policy unnecessary, but complements it by identifying particular areas where the maintenance of the existing character will be safeguarded. The Council, however, agree that a revision to the ASRC shown on the PM is justified. It is proposed to exclude the plots of 8 detached properties at the western end of the ASRC (FC/H/19). I support the proposed amendment to exclude houses which are of more recent construction; these stand in smaller plots and lack the maturity of landscape found in the remainder of the designated area.

6.447 The Avenue was identified in the FBLA (CD/18) as an area which should be considered as an ASRC based on the size of the plots of substantial suburban villas with gardens comprising mature landscapes. The group of dwellings identified within the ASRC stand out as a distinct enclave of housing, contrasting with the

surrounding area which has been developed at much higher density. The surrounding development lacks the mature vegetation within generous plots of the ASRC. The aerial photographs (FBC/H/6/A) clearly illustrate this. An objector (0379) claims that the public are not aware of the vegetation and space within rear gardens. However, I noted that views between dwellings are available from The Avenue, revealing vegetation and the sense of spaciousness to the rear. The distinctiveness and special character of the area is very evident when viewed from the public highway. The loss of potential development land may be an outcome of the policy, but housing supply is not a goal which should be pursued to the point where the character and amenity of established residential areas are irretrievably damaged.

6.448 The effect of the policy (0433, 0455, 0869) on property values is not a matter for the Local Plan. The policy will be used to ensure that development will not harm the character of the area (0433 and 0869). I see that as a legitimate objective of the policy.

RECOMMENDATION

6.449 Modify the Proposals Map by deleting the properties in Heathfield Avenue from The Avenue, Fareham Area of Special Residential Character as shown on Further Change FC/H/19 (Map H11).

6.450 POLICY H3 (NEW) - SUGGESTED AREAS OF SPECIAL RESIDENTIAL CHARACTER (SOUTHAMPTON ROAD, FAREHAM)

Objections:

0012/5015: Mrs R A Billett
0381/5061: Fareham Society

Further Change:

Paragraph 4.13 is amended by FC/DG/2.

Issue:

6.451 Whether Southampton Road, Fareham, together with the Osborn Road and part of Wickham Road should be designated as an ASRC.

Conclusions:

6.452 Osborn Road, as a Conservation Area, has adequate protection in its own right. I do not see any advantage in including it within an ASRC. Southampton Road and a short section of Wickham Road contain some interesting examples of turn of the century houses, but the properties stand on generally narrow plots, with shallow front gardens. However, the area does not contain the maturity of vegetation or sense of space which characterises the ASRCs identified under Policy H3. Accordingly, I do not support the objections.

6.453 A number of the dwellings have suffered from unsympathetic alterations and extensions. I agree with the Council that this represents the main threat to the character of the area. In those circumstances, the most effective protection would be through designation as a Conservation Area or the making of Directions under Article 4 of the GPDO, or a combination of the two. The Council has undertaken to investigate that possibility when resources are available. Such an exercise would be undertaken outside the LPR process. Pending that investigation, the Council has suggested an amendment to paragraph 4.13 of the LPR. This sets out to highlight the existence of areas, such as Southampton Road, which are not designated as either Conservation Areas or ASRCs, but which possess a character which deserves respect when considering proposals for development. I find the proposed amendment a sensible and worthwhile addition to the plan.

RECOMMENDATION

6.454 Modify the Plan by adding the following after the second sentence of paragraph 4.13 (IMPACT

ON THE SURROUNDING AREA):

“Conservation Areas are subject to more specific Policies HE4-9 and Policy H3 identifies Areas of Special Residential Character. Other areas, such as Southampton Road, Fareham, whilst not identified as Conservation Areas and not appropriate for designation as Areas of Special Residential Character also have a particular character which should be respected when considering development proposals.” (FC/DG/2)

6.455 POLICY H3 (NEW): AREAS OF SPECIAL RESIDENTIAL CHARACTER (FAREHAM PARK ROAD, FAREHAM)

Counter objection:

0405/5001: R Bowman

Issue

6.456 Whether a new ASRC be designated in this part of Fareham Park Road.

Conclusions

6.457 This is a **counter objection** (unnumbered) to the Council's Pre-inquiry Change PIC/PM/3 in response to the related (and original) objection to the urban area boundary as defined on the PM in this part of Hill Park (0405/5001). I deal with this in Chapter 2 - Strategy, wherein I recommend that the proposed change (PIC/H/29) be supported (see para 2.77 above).

RECOMMENDATION

6.458 SEE PARAGRAPH 2.78 (C) ABOVE

6.459 POLICY H4 - RETENTION OF HOUSING

Objections:

- 0172/5001: Natwest Group
- 0334/5017: Government Office for the South East
- 0360/5004: HGP Planning Consultancy
- 0402/5003: Mr R Tutton

Pre-Inquiry and Further Changes:

- Paragraph 6.41 is amended by FC/H/13.
- Policy H4 is amended by FC/H/14 (supersedes PIC/H/30 & F/PIC/H/30/A).
- Paragraph 6.42 is amended by PIC/H/31, F/PIC/H/31/A-B & FC/H/15.

Counter-Objections to PIC/H/30:

- 0012/5028: Mrs R A Billett
- 0332/5011: Burrige Residents' Association
- 0334/5042: Government Office for the South East
- 0360/5013: HGP Planning Consultancy
- 0381/5073: Fareham Society

Issue:

6.460 Whether the wording of the policy is too inflexible.

Conclusions:

6.461 The Council proposes to change the wording of the policy and the supporting text. The policy will be criteria based. It is more flexible than the original wording. Further Changes FC/H/13, 14 and 15 taken together, in my view, provide an acceptable balance between the need to encourage mixed uses as recommended by PPG4 (paras 14-17) and the need to protect the character and amenities of residential areas. As pointed out in paragraphs 6.41 and 6.42, as proposed for amendment, some parts of the town centre and, indeed the district, are better able to accommodate mixed uses than others. The supporting text explains the local context, with examples, the problems and opportunities in introducing mixed development into a residential area/building. I do not accept that the policy is unnecessary as suggested by one objector (0402) because of the planned increase in the number of dwellings under the LPR. A cumulative loss of residential accommodation within the urban area would inevitably lead to a less sustainable outcome and place greater pressure on greenfield sites. Similarly, the introduction of commercial/community uses on a significant scale could harm the character and amenities of a residential area. However, it would be more logical to place the policy to follow paragraph 6.42.

6.462 **Counter objections** (0012, 0332 & 0381) to a more flexible policy are made on the grounds that it could undermine the character of predominantly residential areas or result in only a token residential unit remaining. I accept that this policy requires a balance to be struck. However, safeguards to the undermining of the character of wholly or mainly residential areas remain in the application of Policies DG1 (Environmental Impact) and DG3 (Impact on the Surrounding Area). Moreover, mixed uses are encouraged to locate in or close to existing centres.

6.463 **Counter objections** (0334 & 0360) are made on the basis that the policy does not allow the introduction of community uses which may be appropriate to a residential area. These concerns are met by the further change FC/H/14. The prospect of dealing with a proposal to redevelop an isolated group of dwellings (0360) within a predominantly commercial setting will be an exceptional situation and would need to be dealt with, on its merits, as an exception to policy. The concerns that residential should remain the primary use in properties subject to changes of use are met by the proposed change to the text of paragraph 6.42 (FC/H/15); this requires that a substantial part of a building should remain in residential use. I find this provides an acceptable balance between mixed use and protecting residential character. Concerns (**Counter objection** 0381) about the need to protect residential use in Conservation Areas are met through alterations to the text of paragraph 6.41 (FC/H/13). This explains the intended approach to the particular circumstances in Fareham town centre.

RECOMMENDATION

6.464 Modify paragraphs 6.41, 6.42 and Policy H4 of the Plan as follows:

(I) Paragraph 6.41: delete the final sentence and add the following:

“In the Borough’s Conservation Areas there are additional reasons for the retention of housing relating to their special character, see Chapter 5. The High Street and Osborn Road Conservation Areas have been under pressure for the conversion of residential properties to other uses because of their location in or adjacent to Fareham town centre. It is particularly important that the residential element in High Street should not be reduced (see Policy S4). In Osborn Road some non-residential uses have been permitted where they are ancillary to the main residential use of the house. The residential character is a vital element of the Osborn Road Conservation Area which should not be diluted.” (as set out in Further Change FC/H/13).

(II) (i) amend Policy H4 to read as follows:

“Change of use or development which results in the loss of residential accommodation will be permitted provided that:

(A) the new use is for the establishment of a small business, a medical or dental practice or another community facility to serve the wider residential area: and

(B) a smaller unit of accommodation is retained.”

(as set out in Further Change FC/H/14)

(ii) AND RELOCATE THE POLICY TO FOLLOW PARAGRAPH 6.42

(III) Delete Paragraph 6.42 and replace it with the following:

“The Council wishes to encourage mixed use areas, particularly in or close to existing centres, where appropriate uses can be located to serve the wider residential areas and thus minimise the need to travel. Such uses include doctors, dentists, together with certain small businesses and community facilities which would be appropriate within a residential area. Permission for such uses will therefore be granted where a smaller unit of accommodation is retained. However, in order to avoid adverse effects on the character of residential areas by the introduction of non-residential uses, it will be expected that the remaining residential unit will occupy a substantial part of the building. Development proposals will be considered against all relevant policies in the Plan, particularly Policies DG1, DG3, S4, and T5, and schemes which would adversely affect the amenity of the surrounding area, especially for adjoining residents, will not be acceptable. In certain circumstances, the change of use of single flats on the upper floors of certain commercial uses, such as banks, back into uses within Classes A1 (Shops) and A2 (Business and Professional Services) is now permitted development under the General Permitted Development Order 1995.” (as set out in Pre-inquiry Changes PIC/H/31 and F/PIC/H/31/A-B as amended by Further Change FC/H/15)

6.465 POLICY H5 - CONVERSIONS TO FLATS

Objections:

0007/5013: Sarisbury Building Society

0381/5036: Fareham Society

0449/5008: English Heritage

Pre-Inquiry Changes:

Policy H5 is amended by PIC/H/32/A-B.

A new paragraph is added after paragraph 6.45 by PIC/H/34.

Issues:

6.466 Whether the policy should acknowledge the potential of extensions to provide additional accommodation; whether the policy adequately covers its implications for the High Street CA and existing gardens; whether the policy adequately addresses its effect on listed buildings and buildings in CAs.

Conclusions:

6.467 The Council proposes amendments to the policy which will: bring the prospect of conversion of offices and extensions within the scope of the policy (PIC/H/32/A); clarify the affect of the policy on CAs under Criterion (D) (PIC/H/32/B); add a further paragraph to the supporting text (PIC/H/34) which explains that the scope for conversion and extensions in relation to listed buildings and building in CAs will be limited due to their sensitivity to sub-division and the impact of services and Building Regulation requirements. I find that the proposed amendments adequately meet the concerns raised in these objections.

RECOMMENDATION

6.468 **Modify the Plan as follows:**

- (A) (i) amend the first sentence of Policy H5 to read:
 “The conversion and/or extension of offices, existing dwellings and of vacant floorspace above shops to smaller self-contained units of residential accommodation will be permitted provided that: ...” (PIC/H/32/A); AND
- (ii) amend criterion (A) of Policy H5 to read:
 “the proposal, or the cumulative impact of the proposal ...” (PIC/H/32/B)
- (B) add a new paragraph to follow paragraph 6.45 to read:
 “6.45A Extensions and subdivision of listed buildings and buildings in conservation areas can be damaging both individually and cumulatively. Fragmentation of ownership often has a harmful impact on gardens and open areas. Opportunities for extensions and conversions to listed buildings and in conservation areas will therefore be limited.” (PIC/H/34)

6.469 POLICY H5(D) - CONVERSIONS TO FLATS

Objections:

0007/5014: Sarisbury Building Limited
 0334/5019: Government Office for the South East

Pre-Inquiry Changes:

Policy H5(D) is amended by PIC/H/32/D.

Issues:

6.470 Whether the policy pays sufficient regard to the difficulties of providing outdoor amenity space for conversions of accommodation above shops and offices; whether Criterion (D) is contrary to PPG3 (paragraph 6).

Conclusions:

6.471 The Council proposes a change to the text of criterion (D) which obviates the need to provide outdoor amenity space in ‘other commercial locations’ as well the town centre. I see this as meeting this objector’s concerns (0007).

6.472 I agree with this objector (0334) that in quoting a specific area for outdoor amenity space this part of the policy becomes over prescriptive. Rather than quote a quantum of open space for new units of accommodation it would be preferable to refer to the Council’s Residential Development Guidelines in the supporting text and refer, in the policy, to the provision of an appropriate garden area. In support of this approach is the reference to Garden Areas in the Development Guidelines and Policy DG5 (Criterion (F.i) as amended).

RECOMMENDATION

6.473 Modify the Plan as follows:

- (A) amend paragraph 6.45 by inserting, after the second sentence, the following:
 “The Council will have regard to its Residential Development Guidelines (see Appendix 6) in respect of the provision of amenity areas for flats.”
- (B) amend Criterion (D) of Policy H5 to read as follows:

“with the exception of the town centre and other commercial locations, an appropriate outdoor amenity space is provided; and” (PIC/H/32/D amended)

6.474 POLICY H6(A), (B) & (C) - SUB-DIVISION OF PROPERTIES FOR THE PURPOSES OF MULTIPLE OCCUPATION

Objection:

0320/5024: Mr R Stubbs
 0381/5038: Fareham Society
 0381/5039: Fareham Society
 0402/5005: Mr R Tutton
 0402/5007: Mr R Tutton

Pre-Inquiry and Further Changes:

Policy H6(A) is amended by PIC/H/35/A.
 Paragraph 6.47 is amended by F/PIC/H/36/A & FC/H/16.
 The Glossary is amended by FC/H/17.

Counter-Objection to PIC/H/35/A:

0402/5006: Mr R Tutton

Issues:

6.475 Whether Criterion (A) of the policy should indicate which properties are unsuitable for conversion for purposes of multi-occupation; whether Criterion (B) should be deleted because it is too vague and covers matters covered by other legislation; whether Criterion (C) should include criteria against which cumulative impact can be assessed; and whether the policy, particularly Criterion (C), adequately covers the High Street CA.

Conclusions:

General & Criterion (A)

6.476 I am satisfied that the Council, after a series of proposed amendments and further changes to meet these objections and the subsequent **counter objection**, has now produced an acceptable form of wording for the reasoned justification and the policy itself. Following the changes, Criterion (A) will refer to the unsuitability of properties of the size of ‘a small family dwelling’ (PIC/H/35/A as amended by FC/H/18). This, together with the definition of a ‘small family dwelling’ which is to be added to the Glossary (FC/H/17), will indicate the size of dwelling which is **unlikely** to be suitable for conversion under the policy.

Criterion (B)

6.477 In relation to matters of internal layout (dealt with under Building Regulations and Environmental Health), I am satisfied that there is a sufficiently close relationship between the internal and external environments of a conversion and the general objective of achieving **a satisfactory living environment** (criterion B) for them to be linked in the reasoned justification of the policy. Both aspects are frequently influenced by the size of a property being considered for conversion e.g., space about the building, car parking and intensity of use. I see no objection, therefore, to a reference in the text to environmental health guidelines as a means of stressing the link (as proposed in further change F/PIC/H/36/A), provided it is not intended to intrude into other legislation. In planning terms it remains a matter of judgement whether a satisfactory environment is achieved, but that does not invalidate the justification for the criterion.

Criterion (C)

6.478 I see no prospect of an LPA being able to devise a set of criteria to test when a proposal or series of

proposals would harm the character of an area. It is a matter of judgement and would depend on the circumstances of the case. But, again, that does not remove the need and justification for the criterion. I support the Council's proposed change to the wording of the policy (PIC/H/35/B) to clarify that a proposal on its own or taken together with others could harm the character of an area. Similarly, I find that the Council's proposed change to the supporting text to safeguard the integrity of listed buildings and CAs meets the concerns of objector 0381/5039.

RECOMMENDATION

6.479 Modify Policy H6, paragraph 6.47 and Glossary as follows:

- (A) amend criterion (A) of Policy H6 to read:
 “the property to be converted is not a small family dwelling;” (PIC/H/35/A as amended by FC/H/18)
- (B) amend the first part of criterion (C) of Policy H6 to read:
 “the proposal, or the cumulative impact of the proposal with other similar proposals ...” (PIC/H/35/B)
- (C) amend the second and subsequent sentences of paragraph 6.47 to read:
 “The property should be of a sufficient size and the scheme should meet environmental health guidelines relating to the provision of a satisfactory living environment. Such uses should not however, have a detrimental effect on the building, particularly a listed building or on the area's character, particularly in conservation areas, through excessive traffic or parking areas nor adversely affect the amenities of occupants and neighbouring properties.” (F/PIC/H/36/A as amended by FC/H/16) and (PIC/H/36)
- (D) add to the Glossary the following:
 “Small Family Dwelling - A one or two bedroom dwelling with access to private outdoor space at ground level.” (FC/H/17)

6.480 POLICY H10 - AFFORDABLE HOUSING

Objections:

0012/5018: Mrs R. Billet
 0298/5016: Laing Homes Limited
 0331/5007: Charles Church Developments Ltd
 0362/5016: Pelham Homes Limited
 0445/5009: House Builders Federation
 0450/5004: Wimpey Homes

Pre-Inquiry Changes:

Paragraph 6.55 is amended by PIC/H/41 and FC/H/5.

Issues:

- 6.481 (i) Whether the policy needs to be clarified as to circumstances when affordable housing will be sought;
 (ii) whether the term ‘appropriate’ needs to be defined;
 (iii) whether the policy conforms with the most recent national guidance (Circular 6/98);
 (iv) whether the requirements for affordable housing under the policy is based on an existing

- demonstrable need;
- (v) whether the reference in the policy to 'local people' reflects a cascading approach as recommended in national guidance;
 - (vi) whether the policy reflects the forms of affordable housing identified in national guidance;
 - (vii) whether the policy provides for the opportunity for commuted payments;
 - (viii) whether the policy is too inflexible in not stating that affordable housing is a negotiable benefit.

Conclusions:

6.482 This topic was the subject of a Round Table Session during the Inquiry. The Council produced a Topic Paper on the subject (CD/25). Moreover, through a series of Pre-inquiry Changes and Further Changes the Council introduced a number of amendments to the text of the reasoned justification to the policy. I find the proposed changes meet the substance of these objections. I see no need for the wording of the policy to be changed. More specifically, Further Changes FC/H/6 and FC/H/9 amend paragraphs 6.55 and 6.57 which provide a detailed explanation as to the circumstances under which affordable housing will be sought. I do not see that the term 'appropriate' in the policy needs to be explained (0012). The appropriateness of a site for the provision of affordable housing is explained in paras 6.53, 6.55 and 6.57. As a result of the proposed changes the text now reflects current national guidance on affordable housing as set out in Circular 6/98. The Council have reviewed the housing allocations in the light of the lower thresholds. It proposes that Area 17, West of Crescent Road, Warsash, be added to Table 2 (FC/H/10). In carrying out its review the Council propose **not** to include 2 other sites (Catisfield Lane and East of Botley Road), which would otherwise be above the threshold. While the Council may decide to seek no contribution under Policy H10 once negotiations get under way, it strikes me as wrong and premature to make an irrevocable decision before the outline or details of the schemes are before the Council for determination. I suggest, therefore, that the Council include in Table 2 all housing sites identified in the Plan above the threshold. If this recommendation is accepted the figures for the number of units (1800) and percentage (35%) set out in paragraph 6.57, as proposed for amendment, will need to be revised.

6.483 A Housing Needs Survey was carried out in 1997 confirming that some 1135 households are in need of affordable housing (CD/20, page 5). A change in the text of paragraph 6.58 (see FC/H/7) provides for 'cascading' to neighbouring LA areas where accommodation is not taken up by 'local people'. As a result of Further Change FC/H/3 the text of paragraph 6.53 now includes a list of the forms which affordable housing may take, including shared equity, reflecting national guidance. The importance of social landlords (or housing associations) is identified in para 6.59. The opportunity to provide for commuted payments, under certain circumstances, again reflecting national advice, is now set out in the text of paragraph 6.55 as amended by FC/H/5. Reading the section as a whole, as proposed to be amended, I feel no developer (or member of the public) would be in any doubt that the provision of affordable housing is other than a **negotiable** matter and not a prerequisite to the granting of planning permission.

(For convenience I recommend here changes to paragraph 6.55 incorporating **all** the proposed amendments which I support. This includes a number of amendments arising from objections to this paragraph dealt with below.)

RECOMMENDATION

6.484 Modify the Plan as follows:

- (A) **Amend paragraph 6.55 of the Plan to read as follows:**

"In order to achieve this target the Borough Council will negotiate the provision of a proportion of affordable housing on suitable sites in accordance with Government guidance in Planning Policy Guidance Note 3: 'Housing' (PPG3) and Circular 6/98 'Planning and Affordable Housing'. This guidance states that it will only be appropriate to seek affordable housing on development of 25 or more dwellings or residential sites of 1 hectare or more, irrespective of the number of dwellings. The sites currently identified as subject to Policy H10 for the provision of affordable housing are set out in Table 2. The Borough Council will also seek the provision of an element of affordable housing under Policy H10 on other sites of 25 or more dwellings or 1 hectare or more which are currently not

identified but which may come forward for development by 2006. On certain sites which are suitable for affordable housing it may be preferable to provide financial or other contributions towards the provision of affordable housing on a different site within the Borough rather than on the site subject to the planning application. The Council will apply this Policy to all appropriate planning applications including renewal applications for previously approved residential development.” (Incorporating Pre-inquiry Change PIC/H/41 and Further Changes FC/H/5 and FC/H/9).

- (B) That all housing sites identified in the Plan which are likely to be above the revised thresholds set out in Circular 6/98 be included in table 2.

6.485 PARAGRAPH 6.55 - AFFORDABLE HOUSING

Objection:

0445/5010: House Builders Federation

Pre-Inquiry Changes:

Paragraph 6.55 is amended by PIC/H/41 and FC/H/5.

Issues:

- 6.486 Whether it is justifiable and in accordance with national guidance for the Council to seek to obtain an element of affordable housing when planning permissions are renewed.

Conclusions:

6.487 Where an application for the renewal of a planning permission on a suitable site is before the LPA for consideration I see no reason why the proposal should not be considered against Policy H10. Circumstances may have changed since planning permission was first granted. In particular the thresholds under Circ 6/98 have been reduced. Changes in policy and national guidance are material considerations. Indeed, paragraph 60 (a) of Circ 11/95 specifically covers this situation. However, as part of LPA's consideration it would be legitimate for a developer to ask for the financial viability of the scheme to be taken into account.

RECOMMENDATION

- 6.488 Make no modification to the Plan in response to this objection.

6.489 PARAGRAPH 6.57 - AFFORDABLE HOUSING

Objections:

0295/5002: J S Bloor (Newbury) Limited
 0296/5003: Alfred McAlpine Homes (Southern) Limited
 0298/5017: Laing Homes Limited
 0362/5017: Pelham Homes Limited
 0397/5002: Mr Peagram & Mr Dibden
 0398/5002: Store Property Developments Ltd
 0402/5008: Mr R Tutton
 0417/5007: British Telecommunications Plc

Pre-Inquiry and Further Changes:

Paragraph 6.53 is amended by PIC/H/39 and FC/H/3-4.

Paragraph 6.54 is amended by PIC/H/40.

Paragraph 6.56 is amended by PIC/H/42.

Paragraph 6.57 is amended by PIC/H/44 and FC/H/6.

Counter-Objections to PIC/H/44:

0298/5023: Laing Homes Limited

0415/5010: Capitec NHS Property Management & Secretary of State for Health

0441/5002: Thamesway Homes Ltd

0445/5032: House Builders Federation

0472/5019: Defence Estates Organisation (Lands) South (2)

Issues:

- 6.490 (i) Whether the text should acknowledge that matters other than housing need and locational factors (such as market conditions and site costs) will influence an assessment of the appropriate level of affordable housing for the district;
- (ii) whether the text should identify affordable housing targets for specific sites;
- (iii) whether sufficient justification is provided for the Borough wide target for affordable housing;
- (iv) whether town centres should be favoured locations for affordable housing and acknowledged in the text as such;
- (v) whether the text fully meets the requirements of national guidance;
- (vi) whether the text should set out the considerations which will influence the provision of affordable housing on a particular site.

Conclusions:

6.491 The text of paragraph 6.53 is redrafted under proposed change (PIC/H/39) to reflect the outcome of the Housing Need Survey carried out in 1997. That provides a very detailed and up-to-date (given the gestation period of a LP) survey of housing needs within the Borough. Paragraph 6.54 is replaced under PIC/H/40, paragraph 6.56 is deleted by PIC/H/42 and paragraph 6.57 is replaced under PIC/H/44. I support these consequential changes which clarify and up-date the supporting text to the policy.

6.492 The Council, in proposing a change to the text of para 6.57 (FC/H/6), makes it clear that there is a range of factors, including the economics of provision, which need to be considered when negotiating for a level of affordable housing on a site. Although Circ 6/98 suggests that a LP should set indicative targets for specific sites (para 9 b) the Council have proposed that these be dropped from the plan (PIC/H/43). The indicative targets gave rise to a number of objections. The Council prefers an approach which aims at a target in the region of 25%. The Council acknowledges that the Table 2 indicative targets were probably too high in some cases. I can understand that some developers would prefer the certainty of an indicative figure being included within the plan. However, it seems to me that the indicative capacity contained in Table 2, together with a target percentage of some 25%, will provide a reasonable basis for negotiations between landowners, developers and the LPA.

6.493 As a result of the 1997 Housing Need Survey, the Council have assessed an annual target of some 75 dwellings under Policy H10. This is against the background of a total of some 1,135 households in need of affordable housing (CD/20, page 5). Given this order of need and the indicative capacity of sites to which the policy is likely to apply (Table 2) I find the annual target to be reasonable. At the RTS a discrepancy was identified between the targets for affordable housing set out in the Council's Draft Enabling Housing Strategy Document and the LPR. However, that discrepancy does not persuade me to prefer the lower figure of a yet to be approved draft document. If LA finance constrains the provision of affordable housing then this will no doubt be taken into account in any negotiations. It does not affect the identified **need** within the district.

6.494 While town centres make favoured locations for the provision of affordable housing (see para 14 of Circ 6/98) I see little advantage in this being explicitly stated in the plan if there are few if any sites within the district's centres which fall within the thresholds. If sites do arise as windfalls they can be considered against Policy H10. The locational aspects of sites within Table 2 will no doubt be a topic for any negotiations under the policy.

6.495 The policy and supporting text is now generally in line with Circ 6/98 (0397, 0398 and 0402). The considerations which influence the provision of affordable housing on a particular site are now set out in the amended paragraph 6.57.

Counter objections to PIC/H/44

6.496 A **counter objection** (0298) to the final sentence of para 6.57 as amended by PIC/H/44 seeks that a reassessment of the need for affordable housing and the proportion of the dwellings be undertaken once a planning application is made. I see no justification for such a reassessment. The proportion of affordable dwellings will be the subject of negotiation in any event. The suggested amendment adds nothing to the thrust of the policy and its supporting text. **Counter objections** (0415, 0441, 0472) are made to the reference in the text that affordable housing in the region of 25% will be sought. I find no conflict between the policy, its supporting text and national guidance. The latter advises that a LP should set indicative targets for specific suitable sites. The amended supporting text and the deletion of targets from Table 2 permit the circumstances of each site to influence negotiations. The reference to a percentage provides a benchmark for the parties to the negotiations. I see no reason to set a maximum figure. I do not see that an indication of provision 'in the region of 25%' can be described as securing a uniform quota (**counter objection** 0445) when it is clear that the negotiations will take place in respect of specific sites.

RECOMMENDATION

6.497 Modify the Plan as follows:

(A) amend paragraph 6.53 to read as follows:

“In order to ensure the provision of housing for sale or for rent for those local people unable to afford open market housing, the Council will seek to increase the supply of ‘affordable housing’ in appropriate circumstances through negotiations with developers and others in accordance with Policy H10. ‘Affordable housing’ includes four tenures: low-cost market, discounted low-cost market, shared equity (part ownership), and social rented (known as ‘subsidised rented’). A second survey of local housing needs, carried out in 1997, again demonstrated a considerable need for housing at a lower cost than that available for sale or rent on the open market. A major part of the need identified was for subsidised rented housing and although it will remain a matter for negotiation, the Council would expect that the majority of the affordable housing to be provided under Policy H10 will be in the form of subsidised rented housing in order to meet the specific needs of the Borough.” (PIC/H/39 as amended by FC/H/3 and FC/H/4).

(B) replace paragraph 6.54 with the following text:

“Some affordable housing will be provided through the current programmes of Housing Associations in the area and others will be provided through purchase of existing dwellings, changes of use, conversions or smaller scale development in the area. The information from the 1997 survey has been considered in relation to the forecast supply of land for new housing development, and a target of 75 affordable homes each year has been established. The target will be reviewed regularly particularly when subsequent surveys of local housing need are carried out.” (PIC/H/40)

(C) delete paragraph 6.56 (PIC/H/42)

(D) replace paragraph 6.57 with the following:

“It is not expected that the total capacity of sites to which Policy H10 applies would exceed 1800 dwellings. A target for the plan area of 75 dwellings per annum therefore represents 35% of the estimated total capacity of appropriate sites. Government advice states that a uniform quota on all developments should not be imposed but experience in Fareham and elsewhere suggests that a target of 20 to 25% is generally considered by developers to be appropriate. Other factors, such as the existing mix of development in the area, the

proportion of existing affordable housing, site size, economics of provision (for example, particular costs associated with the development of the site), and suitability including location in relation to public transport or where public transport could be provided, employment areas and shopping facilities also needs to be considered when negotiating the provision of affordable housing on specific sites. It is, therefore, considered that for the sites identified in Table 2, affordable housing in the region of 25% should be sought.” (PIC/H/44 as amended by FC/H/6)

[If as recommended - see paragraph 6.482, all sites at or above the Circular 6/98 threshold are included in Table 2 the figures of 1800 and 35% will need to be revised]

6.498 PARAGRAPH 6.57 - AFFORDABLE HOUSING (TABLE 2)

Objections:

0001/5048: Hampshire County Council
 0298/5018: Laing Homes Limited
 0321/5003: Mr C E Sprinks
 0331/5008: Charles Church Development Limited
 0359/5003: Mr & Mrs Horn
 0362/5018: Pelham Homes Limited
 0415/5005: Capitec NHS Property Management & Secretary of State for Health
 0441/5001: Thamesway Homes Ltd
 0472/5005: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry and Further Changes:

Table 2 is amended by PIC/H/43 and FC/H/10.

Issues:

- 6.499 (i) Whether the indicative targets shown in Table 2 can be justified in the absence of an up-to-date housing need survey;
- (ii) whether the indicative targets for specific sites will inhibit development;
- (iii) whether some sites are inappropriate for inclusion in the table;
- (iv) whether the indicative targets have taken account of the economics of development;
- (v) whether the indicative targets is contrary to national guidance which advises against uniform quotas and urges parties to negotiate; whether the indicative targets are unrealistically high.

Conclusions:

6.500 The Council proposes to delete the indicative targets from Table 2 through Pre-inquiry Change PIC/H/43. Although Circ 6/98 (para 9 b) suggests that LPA's should set indicative targets for suitable sites in LPs, the Council has decided to delete the targets with the intention of negotiating on a site by site basis for provision of affordable housing in the region of 25% (para 6.57 as amended by PIC/H/44). I see some merit in proceeding on the Council's preferred course. It has the advantage of allowing negotiations to be carried out at the time applications are made rather than as part of the LP process. This will enable pertinent circumstances to be taken into account at that time. It is very likely that factors influencing the outcome of negotiations will change over time. Thus negotiations based on up-to-date information must be an advantage.

6.501 So far as the indicative targets in the table are the subject of these objections I consider they are met by their deletion. In the case of Seafield Park (objection 0472) the landowner objects to its inclusion in the table on grounds of costs, that aspect can be argued at the time when application is made and all factors relevant to the development proposal should be known. Similarly, the site at 42-44 Gosport Road (objection 0441), has a planning permission for 31 dwellings which is above the current threshold of 25 dwellings. Therefore, I see no reason to delete either of the sites from the Table where both are clearly above the threshold of Circ 6/98 and the

revised supporting text to Policy H10.

RECOMMENDATION

6.502 Modify Table 2 of the Plan:

- (A) by deleting the heading and replacing it to read as follows “Capacity of Sites Subject to Policy H10”

AND

- (B) delete the “Indicative Target” sub-heading and the figures which appear below it. (PIC/H/43)

6.503 PARAGRAPH 6.58 - AFFORDABLE HOUSING

Objections:

0300/5020: Warsash Residents’ Association
 0331/5009: Charles Church Development Limited
 0362/5026: Pelham Homes Limited
 0396/5003: Mr & Mrs Trimmings
 0402/5009: Mr R Tutton

Pre-Inquiry and Further Changes:

Paragraph 6.53 is amended by FC/H/3-4.
 Paragraph 6.58 is amended by PIC/H/45 and FC/H/7.

Issues:

- 6.504 (i) Whether the plan needs to clarify how the units will be made affordable;
 (ii) whether the reference to ‘local people’ should make reference to the cascade approach set out in national guidance;
 (iii) whether the text should state that different sites will be more appropriate for different forms of affordable housing and respond to paragraph 10(c) of Circ 13/96;
 (iv) whether the plan should recognise the part played by park homes to the provision of affordable homes;
 (v) whether the plan should confirm that ‘low cost market housing’ falls within the definition of affordable housing.

Conclusions:

6.505 It is not necessary for the Plan to show how units will be made affordable. The Council has commissioned a housing need study (CD/20) which has examined in considerable detail the relationship between those within the district who are in housing need and their ability to buy/rent market housing. Whether prospective units are ‘affordable’ within the terms of those in housing need will be an important strand in any pre-application discussion/negotiations.

6.506 The term ‘local people’ has been expanded by an amendment (FC/H/7) to include neighbouring local authority areas should the accommodation remain unoccupied for 6 months. This accords with national guidance Circ 6/98 (para 19). A Pre-inquiry Change (PIC/H/45) makes the introduction of the paragraph clearer.

6.507 The factors determining the suitability or otherwise of particular sites for the provision of affordable housing is now set out in paragraph 6.57 as amended by PIC/H/44. The scope for providing the different forms of affordable housing is dealt with in paragraph 6.53 as amended (see para 6.497 (A) above). A summary of the

approach covered in paragraph 10 c) of Circ 13/96 (now para 9 c) of Circ 6/98) is contained within paragraph 6.54 as amended by PIC/H/40 (see para 6.497 (A) above).

6.508 PPG3 (para 29) acknowledges that park homes may have a part to play in providing low cost accommodation for small households. However, since proposals for park homes need to be decided on their own merits I see no need for a specific mention to be made to this type of accommodation in this section of the Plan.

6.509 The amendment to the text of paragraph 6.53 (FC/H/3) confirms that 'low cost market housing' falls within the definition of affordable housing. However, the analysis of the research carried as part of the Council's Housing Needs Study (CD/20) suggests that only social rented accommodation will make any significant contribution to meeting affordable housing needs within Fareham (see page 7, item 13 of Executive Summary). The Council proposes an amendment to the text of para 6.53 (FC/H/4) reflecting this conclusion. I support this amendment as identifying an important local factor in the application of this policy.

RECOMMENDATION

6.510 Modify paragraph 6.58 of the Policy as follows:

- (A) amend the first sentence to read:
 “The affordable housing will be specifically for local people unable to afford open market housing in the area. In order ...” (PIC/H/45)
- (B) add a new sentence at the end of the paragraph as follows:
 “Initially occupancy will be restricted to local people but if the housing remains unoccupied for 6 months, eligibility will be widened to include neighbouring local authority areas to ensure that a suitable occupant is found.” (FC/H/7)

[My recommendations for the modification of paragraph 6.53 through PIC/H/39 and Further changes FC/H/3 and FC/H/4 are set out above in paragraph 6.497 (A) of this report]

6.511 PARAGRAPH 6.60 - AFFORDABLE HOUSING

Objection:

0335/5017: Country Landowners Association

Issue:

6.512 Whether consideration should be given to the provision of affordable housing in rural settlements.

Conclusions:

6.513 There are no rural settlements of less than 3000 population within the district. That is the threshold for funding through the Housing Corporations Rural Programme for affordable housing. Other small settlements, mostly in the form of ribbon development such as at Burridge, Peel Common and Swanwick because of their closeness to the major settlements would not fall within the terms and spirit of Annex A to PPG3 (Affordable Housing For Local Needs in Rural Areas).

RECOMMENDATION

6.514 Make no modification in response to this objection.

6.515 POLICY H11 - RESIDENTIAL DEVELOPMENT IN THE COUNTRYSIDE**Objections:**

0402/5010: Mr R Tutton

0425/5001: Janet Willment-Knowles

Issues:

- 6.516 (i) Whether the policy should be amended to permit a worker's dwelling in connection with an equine use;
- (ii) whether the policy should permit the restoration of Field Bungalow for use in connection with the management of the adjoining marina.

Conclusions:

6.517 I have no evidence that equine business enterprises are of such significance in the district's rural economy that the exception accorded to agricultural/horticulture workers should be explicitly extended in relation to the location of dwellings in the countryside. The circumstance in Winchester, cited by the objector (0402), are not comparable with Fareham where equine businesses are not prominent in the economy and its rural areas are never more than a few kilometres from settlements and community facilities. If the particular circumstances of a equine establishment justify a new dwelling it can be argued as an exception to policy as envisaged in PPG7 and the LP.

6.518 Similarly, I see no justification for making a site specific exception to a general policy to cover the circumstances of this particular site (0425) which, to a large extent, stem from its planning history. The circumstances here are unusual. To make exceptions to a general policy to cover rare and exceptional circumstances would make for an unnecessarily complex policy. As in the case of the previous objection it is always open to applicants to argue exceptional circumstances as material considerations in the application of policy. It seems to me that would be an appropriate course in this objector's case.

RECOMMENDATION**6.519 Make no modification to the Plan in response to these objections.**

6.520 POLICY H11 (B) - RESIDENTIAL DEVELOPMENT IN THE COUNTRYSIDE**Objections:**

0334/5020: Government Office for the South East

0445/5011: House Builders Federation

Pre-Inquiry Changes:

Policy H11(B.iii) is amended by PIC/H/46/A.

Paragraph 6.63 is amended by PIC/H/47.

Paragraph 6.64 is amended by PIC/H/48.

Counter-Objection to PIC/H/47 (Paragraph 6.63):

0445/5033: House Builders Federation

Issues:

- 6.521 (i) Whether Criterion B.iii is contrary to national guidance;
- (ii) whether the criterion wrongly assumes a correlation between the need for an agricultural dwelling and the size of the dwelling.

Conclusions:

6.522 The Council accepts that this Criterion is too prescriptive. It proposes amendments to the wording of the policy through PIC/H/46/A and the supporting text (paras 6.63 and 6.64) through PIC/H/47 and PIC/H/48. The amendments, in requiring that a dwelling should not be unusually large in relation to the needs of the unit, meet the concerns of these objectors.

6.523 A **counter objection** (0445) to the proposed changes to paragraph 6.63 is made on the grounds that policy is being relegated to explanatory text. This is directed at the reference in the amended wording to an indication of what will be regarded as a large dwelling (normally above 140 sq. m.). I do not find the reference to a guide figure either objectionable or prescriptive in this context. The reference to a floor area will provide helpful guidance for the benefit of applicants and the public in the interpretation of policy.

RECOMMENDATION

6.524 Modify the Plan as follows:

- (A) **replace Criterion (B)(iii) of Policy H11 with the following:**
 “the dwelling is not unusually large in relation to the agricultural needs of the unit nor unusually expensive to construct in relation to the income it can sustain in the long term.” (PIC/H/46/A)
- (B) **amend the second sentence of paragraph 6.63 to read:**
 “If large dwellings (normally those exceeding 140 m²) are erected ...” (PIC/H/47)
- (C) **amend the final two sentences of paragraph 6.64 to read:**
 “... the Council will restrict floorspace to that which the unit can sustain in the long term. In addition, it will impose a condition to remove the permitted development rights to extend the dwellings.” (PIC/H/48)

6.525 POLICY H11 (D) - RESIDENTIAL DEVELOPMENT IN THE COUNTRYSIDE

Objection:

0381/5040: Fareham Society

Issue:

6.526 Whether the last sentence of the supporting text (the inappropriateness of replacing flats by dwellings - para 6.65) should be included within the policy.

Conclusions:

6.527 I see no need to cover what is likely to be a rare occurrence within wording of the policy.

RECOMMENDATION

6.528 Make no modification to the Plan in response to this objection.

6.529 PARAGRAPH 6.65 - REPLACEMENT DWELLINGHOUSES IN THE COUNTRYSIDE

Objection:

0320/5018: Mr R Stubbs

Pre-Inquiry Changes:

Paragraph 6.65 is amended by PIC/H/49.

Issue:

6.530 Whether the text needs to cover the situation where it is proposed to replace existing flats by houses.

Conclusions:

6.531 The Council's reason for including this guidance appears to arise from a case which it lost on appeal. Without commenting on the quality of that decision, I consider it unnecessary to anticipate in the text what will be a rare situation. The policy in permitting a one for one replacement, subject to conditions on siting, design and size should provide sufficient protection of the countryside. If more effective control is considered necessary to cover the type of case raised at the inquiry, it should consider limiting increases in bulk to the tolerances provided for under Part 1 of Schedule 2 of the GPDO. This would achieve a more equitable and consistent application of the policy.

RECOMMENDATION

6.532 Modify paragraph 6.65 of the Plan by deleting the final sentence.

6.533 POLICY H12 - EXTENSIONS TO DWELLINGS AND ANCILLARY BUILDINGS IN THE COUNTRYSIDE

Objections:

0320/5019: Mr R Stubbs

0334/5021: Government Office for the South East

0384/5002: Mr Martin Moyse

0445/5012: House Builders Federation

Pre-Inquiry and Further Changes:

Paragraph 6.66 is amended by PIC/H/50.

Policy H12 is amended by PIC/H/51/A.

Policy H12(A) is amended by FC/H/11.

Policy H12(B) and H12(D) are amended by PIC/H/51/B and FC/H/12.

Policy H12(C) is amended by PIC/H/51/C.

Issues:

- 6.534 (i) Whether the policy should be framed more positively;
 (ii) whether Criterion (C) is contrary to PPG7 (Annex I, paras 11 and 12) in specifying a floor space limit;
 (iii) whether the reference to limited extensions in Criterion (A) requires clarification.

Conclusions:

6.535 The Council agrees that the introduction to the policy could be worded more positively. It proposes a change (PIC/H/51/A) to that effect. The Council agree, too, that Criterion (C) would be improved by relating the size of an agricultural dwelling to that which the unit can sustain in the long term. Changes to the text of the policy and supporting text (para 6.66) is proposed under PIC/H/51/C and PIC/H/50 respectively. In both cases I find that the amendments meet the concerns of the objectors.

6.536 The Council also agree that Criterion (A) was vague. A Further Change (FC/H/11) requires that extensions be appropriate in size and design and in character with the area and the wider landscape. I suggest the text should clarify that it applies to **extensions** and relates their appropriateness to **the building and its site**. A Further Change (FC/H/12) is also proposed to Criterion (B), as amended by PIC/H/51/B, which ties it to ancillary buildings, requires them to be of appropriate design and acceptable within the landscape. I consider that **size** should also be a factor of appropriateness. A consequential amendment to the supporting text of paragraph 6.66 is suggested. These amendments obviate the need for Criterion (D) which is to be deleted. The foregoing changes will improve the clarity of the policy and the supporting text.

RECOMMENDATION

6.537 Modify the Plan as follows:

(I) amend Policy H12 to read as follows:

“A residential extension or the erection of ancillary buildings will be permitted in the countryside provided that:

- (A) in the case of an extension it is of an appropriate size and design in relation to the building and its site and does not adversely affect the character of the area or the wider landscape; or
- (B) in the case of the erection of an ancillary building, it is of an appropriate size and design and located within or close to an existing group of buildings so that it does not adversely affect the landscape; and
- (C) in the case of an extension to an agricultural worker's dwelling, it does not result in a dwelling larger than the unit can support in the long term.”

(PIC/H/51/A, FC/H/11 amended, PIC/H/51/B & FC/H/12 amended, PIC/H/51/C)

(II) amend the first sentence of paragraph 6.66 to read as follows:

“Extensions to existing dwellings and new ancillary buildings in the countryside are generally acceptable provided that they are appropriate in size and design to the building and its site and that they do not have an adverse affect on the landscape or neighbouring dwellings.”

AND

amend the final sentence of paragraph 6.66 to read:

“... the Council will impose a condition to restrict the erection of any extension which would result in the dwelling exceeding the size which the unit can sustain in the long term.”
(PIC/H/50)

6.538 POLICY H13 - FRONTAGE INFILL IN THE COUNTRYSIDE

Objections:

0019/5002: Mr D Peel
 0320/5020: Mr R Stubbs
 0322/5008: Mr M J Peagram
 0367/5001: Mrs C Bekker
 0374/5001: Mr & Mrs P C Edwards
 0380/5001: Mr & Mrs Filkins
 0380/5002: Mr & Mrs Filkins
 0402/5011: Mr R Tutton
 0403/5001: Mrs A Barney

0445/5013: House Builders Federation
 0447/5001: Mr Patrick P Ryan
 0474/5004: Hanson Properties Limited
 0474/5005: Hanson Properties Limited

Pre-Inquiry and Further Changes:

Policy H13(A) is amended by PIC/H/52/A.
 Policy H13(B) and Policy H13(E) are amended by PIC/H/52/B.
 Paragraph 6.67 is amended by FC/H/8.

Issues:

- 6.539 (i) Whether the plan should be amended to define those areas where infilling would be acceptable in principle; whether land at Burridge, Swanwick, the southern part of the Meon Gap and Warsash should be identified under a frontage infill policy; whether the restriction to one or two dwellings is too arbitrary;
- (ii) whether clarification of Policy H13 is required to explain if it is intended to loosen restraint in the countryside and bring forth a housing yield; whether the restriction to infilling under Criterion (A) is contrary to the SP policy for local and strategic gaps; whether Criterion (B) is too restrictive in preventing minor ‘rounding off’; whether Criterion (D) should be deleted as contrary to PPG7; whether the use of the term ‘important gaps’ in Criterion (E) is open to misinterpretation;
- (iii) whether the policy should be amended to allow infilling between Winnards Copse and ‘Sunnyside’, Holly Hill Lane, Sarisbury;
- (iv) whether Policy H13 should be applied to other areas of the district including local gaps.

Conclusions:

(i) Whether the Plan should identify areas where infilling would be acceptable

6.540 I see no need for the LP to identify frontages within the countryside areas of the district where infill development would be acceptable. The Council is of the view that most of the opportunities for acceptable infill development have been permitted and built under the infilling policy of the adopted LP. I have no evidence to suggest that that view is other than a reasonable assessment of the situation. I agree with the Council that to identify frontages where opportunities do not exist would be misleading. However, even if that were not the case and opportunities for infilling remain, Policy H13 of the LPR provides a criteria based policy against which such proposals would be judged. For that reason I do not support the use of a notation on the Proposals Map covering the specific areas of ribbon development at Burridge (0367, 0403), Swanwick (0019, 0367), Warsash (0367, 0374), Titchfield (0374) and in the southern part of the Meon Gap (0474). I cannot support the allegation that the reference to one or two dwellings in the introduction to the policy is too arbitrary. It is an indication of what is likely to be acceptable. In my view it provides helpful guidance to developers and the public. It does not prevent proposals involving a larger number of dwellings coming forward, but it is questionable whether these would meet the PPG7 description of infilling (see below para 6.544).

(ii) Whether clarification of Policy H13 is necessary

6.541 I do not see it is as necessary for the policy to state whether it represents a loosening of restraint on development in the countryside in order to produce a housing yield (0320, 0402, 0474). The policy is in response to national guidance (PPG7) where **sensitive** infill within **small gaps** within **small groups** of houses (my emphasis) can be acceptable. Although any additional housing will add to the housing stock it would be neither good nor sustainable planning to expect anything but a small yield from infilling.

6.542 The Council agrees that infilling within a small group of dwellings in a local or strategic gap is unlikely to visually or physically extend the development (0320, 0402). Accordingly, it proposes to delete Criterion (A) and amend the supporting text in paragraph 6.67 through PIC/H/52/1 and FC/H/8. I endorse the proposed changes.

Criterion (B)

6.543 Criterion (B) is criticised as being too restrictive. The Council's assertion that, in practice, most of the development in the countryside is in the form of ribbons of development along road frontages rather than in small groups is not refuted. Nor is the contention that the extension of substantial ribbons of development is normally harmful to the countryside. The omission of this explicit prospect does not prevent a proposal from being argued as being acceptable as exception to the policy. Much will depend on the circumstances and merits of an individual case. Within the context of Fareham's countryside and the existing development within it, however, I see no objection to a policy which omits a reference to extensions to existing groups of dwellings.

Criterion (D)

6.544 Similarly, I find the Council's arguments for retaining Criterion (D) as persuasive and complementary to the those above in relation to Criterion (B) (objections 0374, 0380, 0402). The district is not a large one; much of it is built up. It has no large tracts of countryside. What countryside exists is generally close to settlement areas and interspersed with dwellings in the form of ribbon development or sporadic groups and individual dwellings. The countryside here is frequently under intense development pressure. Most acceptable infill opportunities have already been taken up under the adopted LP's infill policy. It is national policy that building in the countryside should be strictly controlled. PPG7 does not say extensions to existing frontages will be acceptable. It says they **may** be acceptable subject to the character of the surroundings and the number of groups in the area. Given the local characteristics of Fareham's countryside, therefore, I see the need to control the extension of a frontage or the consolidation of isolated groups of dwellings as a legitimate objective in protecting what remains of the Borough's open landscape.

Criterion (E)

6.545 The Council agrees that the reference to 'important gaps' in this criterion would better be expressed as part of Criterion (B). The amendment deals in a general way with preventing 'harm to the character of the area' (PIC/H/52/B). The revision will improve the clarity of the policy. Whether the potential loss of a gap would harm the character or appearance of an area would depend on the circumstances of the site and its surroundings. I see no merit in seeking to formulate separate criteria to identify those circumstances. The impact of a proposal would remain a matter of judgement.

(iii) Whether the policy should be amended to allow infilling in specific locations

6.546 This objector (0322) and a number of others are concerned that the Plan does not allow for development on specific sites within areas allocated as countryside on the PM. It would not be appropriate for a general, criteria based policy such as H13 to identify particular sites as suitable for development. Whether a site is acceptable will need to be considered against the policy. In response to site specific objections to the policy the Council have produced plans (nos. 1-8, FBC/H/9/B) which show that most suitable infill opportunities within frontages identified under Policy H11 of the adopted LP have either been developed or are now included within the urban area. In the case of Swanwick Lane (objection 0447), New Lane, Swanwick (0367) residential development proposals have been consistently resisted over a long period, on appeal and as an objection to the Whiteley LP. All the proposals have been rejected on the basis that the proposals did not amount to an acceptable form of infill development. I see no justification for amending the policy which will continue to provide a basis for considering development on individual sites.

RECOMMENDATION

6.547 Modify the Plan as follows:

- (A) **delete Criteria (A) and (E) from Policy H13; (PIC/H/52/A and PIC/H/52/B)**
- (B) **amend Criterion (B) by adding "and would not harm the character of the area;" after the words 'built-up frontage'; (PIC/H/52/B)**
- (C) **amend the first sentence of paragraph 6.67 to read:**
"Within the countryside there are ribbons of development creating almost continuous built-up frontages within which individual or two-plot residential infilling may be appropriate."

(FC/H/8)

6.548 POLICY NEW - GYPSY SITE ALLOCATIONS**Objection:**

0407/5028: Gosport and Fareham Friends of the Earth

Issue:

6.549 Whether sites for gypsies and travellers should be identified, following consultation, as part of the Plan.

Conclusions:

6.550 Although no gypsy site has been identified as part of the Plan, an established gypsy site exists a short distance to the north of the Borough boundary, in Whiteley Lane, within Winchester City District. The plan contains a policy against which the needs of gypsies will be assessed. The absence of objections from individual gypsies, representative organisations or the HCC suggests that there is currently no unmet demand for a site within the district. Should a need for a site arise during the period of the Plan proposals can be assessed against Policy H14.

RECOMMENDATION

6.551 Make no modification to the Plan in response to this objection.

6.552 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0438/5019: Hampshire Wildlife Trust	Paragraph 6.2	Pre-inquiry Change PIC/H/1
0001/5046: Hampshire County Council	Proposals Map	Pre-inquiry Change PIC/PM/16
0360/5002: HGP Planning Consultancy Ltd	Proposals Map & Policy H1 (Appendix 5)	Pre-inquiry Change PIC/PM/18
0392/5002: Southampton Institute	Proposals Map & Policy H1 (Appendix 5)	Pre-inquiry Change PIC/PM/18
0012/5019: Mrs R A Billet	Paragraph 6.34	Pre-inquiry Change PIC/H/24/A
0381/5035: Fareham Society	Paragraph 6.40	Pre-inquiry Change PIC/H/27
0388/5001: Mr G Painter 0435/5001: Mrs D J Painter	Proposals Map	Pre-inquiry Change PIC/PM/24/A
0076/5001: Dr R A Bellenger 0381/5059: Fareham Society 0388/5002: Mr G Painter 0435/5002 Mrs D J Painter	Proposals Map	Pre-inquiry Change PIC/PM/24/B

Objection/objector	Policy/Para/Map	Change
0387/5001: Mr J A Sands	Policy H3 and Proposals Map	Pre-inquiry Changes PIC/H/28 & PIC/PM/25
0334/5018: Government Office for the South East	Policy H5(C)	Pre-inquiry Change PIC/H/32/C
0381/5037: Fareham Society	Policy H5(A) and New Paragraph 6.45A	Pre-inquiry Changes PIC/H/32/B & PIC/H/34
0402/5004: Mr R Tutton	Paragraph 6.45	Pre-inquiry Change PIC/H/33
0012/5016: Mrs R A Billet	Policy H7	Pre-inquiry Change PIC/H/37
0012/5017: Mrs R A Billett	Policy H8	Pre-inquiry Change PIC/H/38

CHAPTER 7 - COMMUNITY FACILITIES AND PUBLIC SERVICES

7.0 PARAGRAPH 7.12 - COMMUNITY FACILITIES (COLDEAST)

Objection:

0415/5006: Capitec NHS Property Management and Secretary of State for Health

Issue:

7.1 Whether the text should state that the safeguarding of the hall at Coldeast for community purposes under Policy CF1 is dependent on the condition of the building and user/management arrangements being made; whether the proposed housing development at Coldeast would justify the need for a new community hall.

Conclusions:

7.2 The identification of a site/building for community purposes within a borough wide network is a legitimate land use allocation within the LP process. However, so long as a controlling interest in the building is retained by the objector, the Health Authority will be able influence the way in which the building is used and under what terms. Such detailed negotiations are not a matter for the LP. Paragraph 7.12 of the LPR makes it clear that the community hall is to be provided to serve the wider community and not just the proposed Coldeast housing development.

RECOMMENDATION

7.3 **Make no modification to the Plan in response to this objection.**

7.4 PARAGRAPH 7.16 - EDUCATION FACILITIES (HEATH ROAD)

Objections:

0259/5002: Mr J Stuart

0871/5003: Mr A Ailes

Further Changes:

Policy CF2(B) is amended by FC/CF/3.

The Proposals Map is amended by FC/CF/2.

Issues:

7.5 (i) Whether the objection site should be used to provide for a day centre;
 (ii) whether the reservation of the objection site as a primary school would have an adverse impact on the catchment area of Sarisbury Infant School.

Conclusions:

7.6 The day centre (a resources centre providing day services for people with learning disabilities) has been granted permission and is under construction (objection 0259). The objector's concerns as to the way that decision was made are not a matter for the LP process. In terms of location and accessibility, the provision of community facilities within or close to this district centre seems eminently sensible. The objector, subsequently argued that the objection site should be reserved for a secondary school. I accept the Council's decision that this aspect formed no part of the duly made objection. Accordingly, the Council has chosen not to address the issue, as is its right. However, I note that the HCC, as education authority, makes no comment on the absence of a

secondary school allocation on the site. An additional concern of the objector was the lack of information available to the public about what was proposed for the site. The HCC, as owner and prospective developer, may regard it as a matter of good public relations to erect a sign on the site announcing its development intentions.

7.7 The allocation of the site for the provision of a new primary school was agreed between the HCC and the Borough Council. With a need for only one additional primary school to meet the forecast future school population, the objection site was preferred as the most central of the 2 sites previously allocated in the adopted LP. As a result of reviewing the area of the site required for the new primary school (FC/CF/2 and FC/CF/3) the Council propose to amend its boundary on the PM and its area as stated in Policy CF2(B). A new primary school is best located as centrally as possible within the catchment area it is intended to serve, subject to land availability. If the new site will have an affect on the catchment area of another school near by that is a matter for the education authority. It is not a matter for the local plan.

RECOMMENDATION

7.8 Modify the Plan as follows:

- (A) amend the Primary School allocation on the Proposals Map at Heath Road/Centre Way, Locks Heath to that shown on Plan 1 of FBC/CF/1 (FC/CF/2);
- (B) amend Policy CF2(B) to read:
 “a new primary school, Heath Road/Centre Way, Locks Heath (2.8 hectares); and”
 (FC/CF/3)

7.9 POLICY CF3 - EDUCATIONAL ESTABLISHMENTS AND INSTITUTIONS IN THE COUNTRYSIDE

Objections:

0381/5041: Fareham Society
 0439/5007: David Wilson Homes

Pre-Inquiry Changes:

Paragraph 7.19 is amended by PIC/CF/2.

Counter-Objection to PIC/CF/2:

0392/5005: Southampton Institute

Issues:

- 7.10 (i) Whether the plan should be amended to indicate the extent of development considered appropriate for education establishments in the countryside, particularly where they occupy sensitive locations;
- (ii) whether the policy should be amended to clarify that expansion of education establishments in the countryside will need to take account of landscape and nature conservation designations.

Conclusions:

7.11 The Council accept that the supporting text (para 7.19) should make it clear that additional buildings and extensions to institutions required for educational purposes will be expected to comply with other policies of the Plan. A change (PIC/CF/2) is proposed to that effect. The clarification brings the supporting text into line with the policy and meets the concerns of this objector.

7.12 Another objector's (0439) concern is focused on Locks Heath County Primary School which is located

on the edge of the built-up area, but within the countryside. Part of the school site is shown to be within a SINC, the Meon Gap and an ASLC. Following the Council's proposed change under PIC/CF/2 it is clear that Policy CF3 requires development to be in accordance with the relevant policies of the Plan dealing with those 3 issues. I see no need for further clarification within the policy.

7.13 I do not agree with the **counter objection** (0392) which asserts that the pre-inquiry change does not clarify the Plan, but has the opposite effect. In my view the objective of the policy and its application is clear.

RECOMMENDATION

7.14 **Modify paragraph 7.19 of the Plan as set out in Pre-inquiry Change PIC/CF/2, BUT otherwise make no further modification to the Plan in response to these objections.**

7.15 **The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-**

Objection/objector	Policy/Para/Map	Change
0001/5040: Hampshire County Council	Paragraph 7.18	Pre-inquiry Change PIC/CF/1
0415/5007: Capitec NHS Property Management and Secretary of State for Health	Paragraph 7.22 Policy CF4, Criterion B Proposals Map	Pre-inquiry Changes PIC/CF/3, PIC/CF/4 and PIC/PM/26

CHAPTER 8 - RECREATION, LEISURE AND TOURISM

8.0 POLICY R1 - RECREATION LEISURE AND TOURISM

Objections:

0334/5022: Government Office for the South East

0335/5018: Country Landowners Association

Pre-Inquiry Changes:

Policy R1 is amended by PIC/R/3.

Paragraph 8.21 is amended by PIC/R/4.

Policy R11 is deleted by PIC/R/36

Issues:

- 8.1 (i) Whether the policy should be extended to include criteria to ensure that leisure, tourism and recreation uses are developed in the best locations having regard to PPG6 and PPG13 advice;
- (ii) whether the policy needs to be re-worded to recognise that the re-use and adaptation of existing buildings will assist in the diversification of the rural economy.

Conclusions:

8.2 The Council has reviewed this policy and has decided to replace it with 2 policies; one dealing with proposals in the urban area under an amended Policy R1 (PIC/R/3); the other dealing with proposals in the countryside under a new Policy 5A (PIC/R/19). This makes for a clearer, better ordered approach to the topic. It also aids the application of national policy in seeking to concentrate facilities in town, district and local centres, including the use of the sequential approach to location, while reducing the need to travel. Consequential changes to the supporting text reflecting the new Policy R1 are proposed to paragraph 8.21 through PIC/R/4; and Policy R11 (hotel accommodation and conference facilities) is made redundant and is to be deleted (PIC/R/36).

8.3 The re-use and adaptation of rural buildings (0335) is now provided for, subject to a sequential test and transport considerations, under new Policy R5A. I see no need for the policy to explicitly state that this will aid diversification of the rural economy.

RECOMMENDATION

8.4 Modify the Plan as follows:

- (A) delete Policy R1 and replace it with a new policy as set out in Pre-inquiry Change PIC/R/3.
- (B) delete the second sentence of Paragraph 8.21 and add the following at the start of the paragraph:
- “In considering proposals, the Council will need to be satisfied that the sequential approach has been applied and that major leisure and commercial uses such as cinemas and bingo halls are located where possible in the town centre, followed by edge-of-centre sites, or district and local centres. Where this is not possible, such uses should be located on sites which are or will, as part of the development, be made highly accessible to public transport (See Policy T1). In some circumstances ...”** (PIC/R/4)
- (C) delete Policy R11 (PIC/R/36)

8.5 POLICY R2 - CAMS ALDERS SPORTS GROUND

Objection:

0334/5023: Government Office for the South East

Issue:

8.6 Whether a criterion should be added to the policy to ensure that any proposal for the site takes account of the need for new development to be accessible by a range of means of transport, in line with PPG13 (paras 3.11-3.12).

Conclusions:

8.7 This is an existing sports ground located about 1 km from the town centre. It is located close to bus routes and a proposed stop on the South Hampshire Rapid Transport scheme at Redlands Lane. For this type of facility the site is well located in terms of accessibility by means other than the private car. I see no reason for adding a criterion which has obviously been an important consideration in the selection of the site as a centre for the provision of a wider range and improved sports facilities.

RECOMMENDATION

8.8 Make no modification to the Plan in response to this objection.

8.9 POLICY R3 - PROTECTION OF OPEN SPACE**Objections:**

0001/5051: Hampshire County Council
 0297/5007: English Sports Council (South)
 0313/5003: R F Crook
 0381/5065: Fareham Society
 0472/5012: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Policy R3 is amended by PIC/R/10.
 The Proposals Map is amended by PIC/PM/27, PIC/PM/28, PIC/PM/29, PIC/PM/30.

Issues:

- 8.10 (i) Whether the policy should include a reference to the need to protect playing fields from development which may prejudice the use of, or access to, playing fields;
 (ii) whether the existing open space notation should be deleted from parts of education sites shown on the PM that are buildings or not in open space use;
 (iii) whether the existing open space notation to the west of HMS Collingwood should be deleted from the PM;
 (iv) whether Westbury Manor Gardens should be shown on the PM as existing open space;
 (v) whether land at the junction of Alexander Grove and Coombe Farm Avenue should be shown on the PM as existing open space.

Conclusions:

8.11 The Council accepts that the policy would be improved by protecting existing open space from development which would reduce its value as open space (PIC/R/10). I support the change in that it would protect an open space from the loss of part of the site which could damage the integrity of the open space.

8.12 The Council also agrees that the existing open space notations at Brookfield School (PIC/PM/28), Park Gate Primary School (PIC/PM/29), St John the Baptist Primary School (PIC/PM/30) and HMS Collingwood

(PIC/PM/27) should be amended to more accurately reflect those parts of the sites which are used as open space. The Council also accepts that the Westbury Manor Gardens should be shown on the PM as open space (PIC/PM/32). As factual corrections, these changes are supported.

8.13 The site at Alexander Grove is laid out as a small grassed amenity space within a medium density residential estate. The site is held in trust by the Council (see para 6.407 above). There is no overall shortage of open space within this part of the district, indeed, there is a surplus (existing 35.30 ha against a requirement of 17.79 ha). Within this scenario, however, there is a requirement for 5.08 ha of children's playspace against a supply of 1.68 ha. However, this part of south Fareham is not the most deprived. Children's play spaces are located within a few hundred metres to the north and south of Alexander Grove at The Gillies and Cams Alders Sports Ground. Given this situation, and the prospect that the site could be developed for sheltered housing within the terms of the trust, its allocation for open space purposes would be premature pending its future status being resolved once and for all.

RECOMMENDATION

8.14 Modify the Plan as follows:

- (A) amend the Proposals Map to show, under the existing open space notation, the following sites:
- a) HMS Collingwood (PIC/PM/27 - MAP R/1)
 - b) Brookfield School (PIC/PM/28 - MAP R/2)
 - c) Park Gate Primary School (PIC/PM/29 - MAP R/3)
 - d) St John the Baptist Primary School (PIC/PM/30 - MAP R/4)
 - e) Westbury Manor Garden (PIC/PM/32 - MAP R/6)
- (B) amend the wording of Policy R3 to read as follows:
- “Development which would result in the loss of or reduce the recreational value of open space ...” (PIC/R/10)

8.15 PARAGRAPH 8.36 - PROTECTION OF EXISTING OPEN SPACE

Objection:

0001/5050: Hampshire County Council

Pre-Inquiry Changes:

Paragraph 8.36 is amended by PIC/R/11.

Issues:

- 8.16 (I) Whether Policy R3 could be interpreted restrictively when applied to schools;
 (ii) whether the supporting text should be amended to clarify that the enlargement or reorganisation of education premises would be allowed within the principles of PPG17.

Conclusions:

8.17 All playing fields, regardless of ownership, are of special significance both for their recreational and amenity value (PPG17, para 41). It is to be expected therefore that the policy will be applied even-handedly. Nevertheless, it is also to be expected that, on occasions, the educational authority may need to rationalise the use of its sites as rolls and educational needs change over time. The Council proposes a change to the supporting text to provide for the loss of a small area of existing **open space** for educational purposes (PIC/R/11). Provided the integrity an open space/playing field is not seriously harmed this provision could be acceptable. However, the amendment as worded is not clear as to its intention. I can envisage that some proposed expansion/rationalisation

of buildings on an education site could take place without any significant loss to the effectiveness and function of an open space/playing field; others could be more harmful, even though the loss would be small. It would depend on the merits of each case as to whether any reduction could be permitted. I suggest the wording makes this clear. Under the GDPO the English Sports Council would normally be consulted on proposals which would lead to the loss of, or prejudice the use of, a playing field.

RECOMMENDATION

8.18 Modify paragraph 8.36 by adding a new sentence after the first sentence as follows:

“Additional buildings and extensions to existing institutions which would result in the loss of a small area of existing open space at educational establishments (See Policy CF3) will be considered on their merits.”

8.19 POLICY R4 - OPEN SPACE ALLOCATIONS

Objection:

0362/5019: Pelham Homes Ltd

Pre-Inquiry Changes:

Paragraph 8.37 is amended by PIC/R/12.

Policy R4 is amended by PIC/R/13/A

Counter-Objection to PIC/R/12:

0362/5029: Pelham Homes Ltd

Counter-Objection to PIC/R/13/A:

0415/5012: Capitec NHS Property Management & Secretary of State for Health

Issue:

8.20 Whether the policy should describe the variety of forms which open space can take.

Conclusions:

8.21 The Council accepts the policy would be improved by including a reference to the variety of forms which open space can take (the extension to Wicor Sports Ground is recommended for deletion at paragraph 8.41). Changes are proposed to the supporting text (PIC/R/12) and the policy (PIC/R/13/A) to incorporate this point. A **counter objection** (0362) is made to PIC/R/12 on the basis that there is no need to refer to local natural habitats. I do not see that the reference to natural local habitats is objectionable since it is only one of a number of examples which public open space can take. A **counter objection** (0415) is made to PIC/R/13/A because of the reference to the provision of open space at Coldeast Hospital. I deal with this objection below - see paragraph 8.23.

RECOMMENDATION

8.22 Modify the Plan as follows:

(A) amend the second sentence of paragraph 8.37 to read:

“However, the following areas are specifically allocated for a variety of forms of public open space, for example, sports pitches, woodland areas and areas of local natural habitats, because they are either ...” (PIC/R/12)

(B) amend the introductions to criteria (A) to (F) of Policy R4 to read:

- “(A) **Informal open space at the former orchard land....**
- “(B) **Informal open space at Quaveys Copse....**
- “(C) **Playing fields and informal open space at Hunts Pond Road....**
- “(D) **Playing fields and informal open space at Coldeast Hospital site...**
- “(E) **Playing fields and informal open space at Seafield Park... ”**

(PIC/R/13/A amended)

8.23 POLICY R4(D) - OPEN SPACE ALLOCATIONS (COLDEAST HOSPITAL)

Objection:

0415/5008: Capitec NHS Property Management & Secretary of State for Health

Pre-Inquiry Changes:

Policy R4 is amended by PIC/R/13/A.

Issues:

- 8.24 (i) Whether the provision would make up an existing deficiency in the Borough which is contrary to Circ 1/97;
- (ii) whether the allocation would be excessive; whether the site would not better be developed for housing; whether the open space allocation at Coldeast Hospital should be deleted;
- (iii) whether, if a need for additional playing fields can be shown, these could be provided in association with development proposals during or after the plan period.

Conclusions:

- (i) Whether the allocation would make up an existing Borough deficiency

8.25 Under the policy the public open space allocation at Coldeast Hospital is 30.5 ha. The Plan makes no reference to the open space allocation on this site being linked to a planning obligation under Circ 1/97. Under the latter it would be unreasonable to anticipate an obligation unrelated to the scale, needs and relevance of a particular development (Annex B2). The Council confirms that the allocation on the site would seek to meet the wider needs of the district. It is the Council's view that funding to acquire additional land for new open space allocations under the Plan will be available from a variety of sources within the period of the Plan. Only time will tell whether those sources will prove sufficient.

- (ii) Whether the allocation would be excessive

8.26 The Council's Parks and Open Space Strategy (CD/63) identifies a Borough wide shortfall in playing field provision of some 52 ha. Based on the National Playing Field Association's (NPFA) minimum standard for outdoor playing space recommendations and the SPR (Policy R2) the Council are seeking a minimum standard of open space of 2.8 ha/1000 (para 8.45 of the LPR). The Council proposes to provide some 9 ha of playing fields at Coldeast Hospital with the remainder of the allocation (about 21 ha) intended for informal open space.

8.27 Given the scale of under provision within the Borough, the recognition of those parts of the district where the need is greatest (Locks Heath, Warsash, Titchfield and Fareham North/West) and the good accessibility to the site via the A27 I find no good reason to challenge the basis of the allocation. The objector criticises the failure of the Council's study to take account of private playing fields within this part of the district (some 14 ha in the Warsash and Sarisbury wards). However, I note that the NPFA is careful to guard against over-reliance on this type of provision (Appendix 2 of FBC/H/4/5) because it could result in insufficient facilities being available for emerging clubs and casual use. I find no flaw, therefore, in the Council's reluctance to rely on private provision when calculating the open space needs of the Plan area.

8.28 There is no shortfall in provision of informal open space; indeed, there is a surplus. However, given the

nature of the landscape within the objection site with major woodland areas, including those along the valley to the west, tree belts, individual trees, the parkland setting to the mansion and garden as well as the recognition of the open areas of the site as countryside/local gap, I find the allocation as proposed open space both logical and appropriate. The proximity of an extensive area of existing informal open space at Holly Hill is no reason for preventing the allocation of part of the hospital site for the same purpose. The Council's claim that Holly Hill probably serves a Borough or even a wider function is not disputed. The grounds of the hospital, moreover, appear already to be highly valued by local residents as an area of informal open space. In such circumstances and a willingness on the part of the Council to seek to acquire the land, there is no necessity for the Plan to take a minimalist approach to the allocation of open space. In the absence of an overriding need for housing to meet the strategic housing requirement (see paragraphs 3.120, 6.11-6.17 and 6.268 above), I see no objection to the allocation of the site for public open space purposes. I find there are insufficient grounds to delete the open space allocation from the site.

(iii) Whether additional playing fields should be provided in association with development proposals

8.29 It would not be appropriate for any additional playing fields be tied to development proposals for the site if their provision is not related to the needs of the development whether the development takes place during or after the period of the plan (see para 8.25 above).

8.30 A **counter objection** (0415) is made to the reference to informal open space and playing fields at Coldeast Hospital under PIC/R/13/A. I have already commented on the substance of this counter objection above since it, in effect, repeats the original objection.

RECOMMENDATION

8.31 **Make no modification to the Plan in response to this objection.**

8.32 **POLICY R4(E) - OPEN SPACE ALLOCATIONS (SEAFIELD PARK)**

Objection:

0472/5003: Defence Estates Organisation (Lands) South (2)

Issue:

8.33 Whether the public open space allocation at Seafield Park shown on the PM should be reduced.

Conclusions:

8.34 This objection relates to objection 0472/5002 and is directed at Policy DG12. Measured against the Council's standard of 2.8 ha/1000 (see para 8.45 of LPR), Stubbington has a shortfall of playing fields of some 13.4 ha (CD/63). Policy R4 allocates some 10 ha of the site as playing fields and informal open space. The Council proposes that about 5.5 ha of the allocation will be laid out as playing fields with the remainder used as informal open space. Given the shortfall in playing fields in this part of the district and the suitability of the site for informal recreation linked to its countryside/coastal character and location (see also paras 4.100-4.103 above) I do not support the reduction of the allocation for open space purposes.

RECOMMENDATION

8.35 **Make no modification to the Plan in response to this objection.**

8.36 **POLICY R4(F) - OPEN SPACE ALLOCATIONS - (WICOR)**

Objection:

0001/5052: Hampshire County Council

Issue:

8.37 Whether the site should be allocated as an extension to the Wicor Sports ground.

Conclusions:

8.38 The objection site is an arable field (about 6.5 ha) adjoining the Wicor Sports ground. In terms of playing field provision there are shortfalls of some 4.3 ha in Portchester and some 4.6 ha in Fareham East (CD/63). HCC's concerns relate to the prospect of creeping urbanisation associated with the provision of sports buildings. The site is within the Wicor/Cams local gap and Coastal Zone. The immediate locality is sensitive to development pressures as evidenced by objections which seek to develop, for housing purposes, the open land to the north (0468/5003 and 0376/5001) and to the south (0424/5004). There are existing changing and parking facilities adjacent to the eastern boundary of the Wicor Sports ground. The Council claims that if additional facilities are required they could be grouped with the existing facilities to reduce the visual impact. I can see that it would make sense, in management terms, to meet the shortfall by extend the existing grounds. However, I do have some reservations.

8.39 Although the present agricultural use of the objection site would be lost, use as playing fields would retain the openness of the site. The proposed allocation, therefore, could be acceptable under Policies R3 (Tourist, recreation and sporting development in the countryside) and C4 (undeveloped coast) of the SPR. The objection site is among the best and most versatile in terms of agricultural quality (Grades 1 and 2 - see Agricultural Land Classification-Fareham Borough). The FRCA considers the agricultural land in this block should be considered in an integrated way. Although the proposed use would probably be reversible, an integrated approach appears not to have been followed in this case (Appendix 4, paras 6 & 7, FBC/H/4/33).

8.40 At present the main access to the site to the north (Winnham Farm South) (see 0468/5003) is across the objection site (Proof 163/B, para 3.10). If the question of access is not considered at the outset I fear that the allocation could undermine the agricultural use of the site to the north. Although the passage of farm equipment via Cranleigh Road may muddy the road this appears to be less objectionable than the alternative access points via Romsey Drive where parked vehicles could make access to the Winnham Farm South site difficult if not impossible. In an area where the viability of the remaining agricultural land is already tenuous it would be poor planning if the proposed allocation here were to lead to the loss to agriculture of both sites and create greater pressure for inappropriate development within the local gap/CZ. Pending a satisfactory resolution of this aspect I suggest that the allocation be deleted.

RECOMMENDATION

8.41 Modify the Plan by deleting item (F) of Policy R4 (Playing Fields at Wicor Sports Ground Extension - 6.5 hectares)

8.42 PARAGRAPH 8.38 - OPEN SPACE ALLOCATIONS (WHITELEY)

Objections:

0362/5020: Pelham Homes Ltd
0408/5001: Executors of Wise Deceased
0438/5026: Hampshire Wildlife Trust

Pre-Inquiry Changes:

Paragraph 8.38 is amended by PIC/R/14/A, PIC/R/14/B and PIC/R/14/C.

Counter-Objection to PIC/R/14/C:

0362/5030: Pelham Homes Ltd

Issues:

- 8.43 (i) Whether the text, wrongly, suggests that financial contributions in respect of facilities in Winchester District should be sought in respect of development North of Whiteley; whether the funding arrangements should be described as those prepared by the HCC; whether the land at Upper Orchard should be shown outside the urban area boundary;
- (ii) whether the text, correctly reflects the developers' and LPA's intentions for Quaveys Copse.

Conclusions:

8.44 The Council agrees that it is inappropriate for the text to refer to contributions being sought for playing fields in Winchester City Council's area. A pre-inquiry change is proposed to delete the reference (PIC/R/14/B). The funding arrangements proposed for the North of Whiteley will be based on the HCC's Whiteley Technical Paper 1-Funding Infrastructure. A pre-inquiry change is proposed by the Council to clarify that situation (PIC/R/14/A). The Council confirms that showing the former orchard (Upper Orchard) land outside the urban area boundary repeats the designation in the adopted LP; it reflects the planning policies. The funding arrangements for securing the provision of public open space will be a separate matter. There is no fixed approach to the treatment of open space adjoining the urban area, but it is most commonly allocated within the countryside. Thus, I see no good reason for changing the designation on the PM. I support both amendments as clarifying the supporting text of the Plan.

8.45 The objector's concern (0438) that the text should identify the need to balance the open space and nature reserve functions of Quaveys Copse is accepted by the Council. A pre-inquiry change (PIC/R/14/C) reflects this approach. A **counter objection** (0362) is made to the requirement for a legal agreement to secure the future management of the land. While Circ 1/97 prefers to control the use of land by condition, I agree with the Council that land management matters are likely to be too complex to be dealt with satisfactorily by conditions. However, the Circular emphasises that an agreement should be a voluntary exercise, so I suggest the replacement of the word 'required' by 'sought'.

RECOMMENDATION

8.46 Modify paragraph 8.38 of the Plan as follows:

(A) amend the third sentence to read:

“A further area of woodland park is proposed at the former orchard north-west of Yew Tree Drive and the provision of this open space will be in accordance with the funding arrangements set out in the Hampshire County Council document ‘Whiteley Technical Paper 1 Funding Infrastructure’.” (PIC/R/14/A)

(B) delete the last sentence of the paragraph (PIC/R/14/B)

(C) add a new sentence at the end of the paragraph to read:

“To ensure that the nature conservation interest of Quaveys Copse is balanced with the requirement for public access, a legal agreement will be sought to secure the future management of the land and the preparation of a Management Plan.” (incorporating an amendment to PIC/R/14/C)

8.47 PARAGRAPH 8.42 - OPEN SPACE ALLOCATIONS (SEAFIELD PARK)

Objection:

0472/5004: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Paragraph 8.42 is amended by PIC/R/15.

Issues:

8.48 Whether the text should omit the reference to the need for a legal agreement.

Conclusions:

8.49 This is a similar point to that dealt with in the preceding **counter objection** (0362/5030). My response is the same. I have considered this matter at paragraph 4.101 above. I conclude that it is reasonable in the circumstances that a legal agreement be sought. For the same reason as mentioned at para 8.45 above I suggest that the word 'required' be replaced by 'sought'.

RECOMMENDATION

8.50 Modify the Plan by modifying the final sentence of paragraph 8.42 to read as follows:

“A large part of the site is of ecological importance and a legal agreement will be sought to secure the use and management of the land and the preparation of a management plan.” (incorporating an amendment to PIC/R/15)

8.51 POLICY R5 - OPEN SPACE IN RESIDENTIAL DEVELOPMENT**Objections:**

0360/5005: HGP Planning Consultancy Ltd

0362/5021: Pelham Homes Ltd

0402/5012: Mr R Tutton

0445/5014: House Builders Federation

Pre-Inquiry Changes:

Paragraph 8.25 is amended by PIC/R/5/A.

Paragraph 8.26 is amended by PIC/R/6.

Paragraph 8.28 is amended by PIC/R/7.

Paragraph 8.47 is amended by PIC/R/16.

Paragraph 8.48 is amended by PIC/R/17/B.

Issues:

- 8.52 (i) Whether the policy should be amended to allow for flexibility in provision of informal open space in association with smaller specialised housing units;
- (ii) whether the policy needs to allow for flexibility in areas of excess provision; whether the standard of open space provision being sought is excessive;
- (iii) whether the policy should be directed at **substantial** developments only; whether the policy is contrary to the provisions of Circ 1/97.

Conclusions:

8.53 The reference in the policy to 'where appropriate' provides flexibility in the application of the policy (0360 & 0362). The method of calculating open space needs, by type, for additional population and size of dwelling is set out in Table 3. The basis of that assessment has not been challenged. The Council proposes an amendment to paragraph 8.47 to clarify how it is intended to apply the policy (PIC/R/16). This explains that a number of factors will be taken into account, including the discretion not to apply it at all in those situations where housing is to be encouraged as in affordable housing and 'Living over the Shop'. I support the improved clarity

of the text. I see no need for any greater flexibility in the wording of the policy.

8.54 Given this in-built flexibility within the application of the policy (PIC/R/16) and the survey/analysis undertaken as part of the Parks and Open Space Strategy (POSS) (CD/63) there is also scope for the policy to be applied in a flexible manner and reduce or omit to apply the standard, in those areas where there is an excess of provision (0362). The use of the NPFA's standard as a minimum bench mark is one which is cited in national guidance to assist LPAs in formulating open space policies. The SPR also requires its use as a minimum standard (para 345, CD/7). The objector gives no reason why a lower standard should be adopted within the Plan (0402). The standard of 1.8ha/1000 used in the adopted LP (para 9.38) was incomplete in that it did not contain any provision for playing fields. Nor did it identify or seek to remedy existing deficiencies within the district. Existing deficiencies will not be addressed by the Plan adopting a lower minimum standard. Accordingly, I do not support the objection.

8.55 The POSS shows in some detail how the different parts of the district fare when measured against the Council's standard of 2.8ha/1000. I find it unnecessary for that detail to be repeated in the Plan (0402). It is important, however, that developers and the public are aware of the POSS as important supplementary guidance. The amendments proposed to paragraph 8.25 (PIC/R/15/A) confirms the existence and source of the survey material. A proposed amendment to paragraph 8.26 (PIC/R/6) states that progress in making up deficiencies will be updated annually. A change is proposed to paragraph 8.28; it confirms that the POSS identifies a playing field deficiency across the Borough (PIC/R/7). An amendment to paragraph 8.48 confirms that the research for the POSS has been carried out and will be used to ensure commuted payments are properly applied (PIC/R/17/B).

8.56 The reference in PPG3 (para 28) to substantial new housing schemes cannot be intended to exclude a policy with similar objectives dealing with smaller developments (0445). Much of the development up and down the country is on small to medium sites. The cumulative impact of that development on existing open space and facilities can be significant. Apart from complying with Policy R2 of the SPR, I regard it as reasonable that the Plan should seek to take account of the 'less than substantial' scale of development. To do otherwise would risk putting greater pressure on already deficient open space to the disadvantage of existing and new residents alike. The supporting text makes it clear (paras 8.44 & 8.48) that negotiations with developers will be on the basis of the needs of the new residents. I have no reason to believe that any negotiations towards a legal agreement with developers will be other than in accordance with tests of appropriateness set out in Circ 1/97 (para 7). However, it will be up to both the LPA and the developer to ensure (through any agreement) that contributions collected for off-site provision is used for the purpose it is collected and within a reasonable time of it having been levied (0445).

RECOMMENDATION

8.57 Modify the Plan as follows:

(A) amend the first sentence of paragraph 8.25 to read:

“A Parks and Open Spaces Strategy has been prepared which includes a survey of public open space in Fareham ...” (PIC/R/5/A)

(B) add the following sentence to the end of paragraph 8.26:

“The Parks and Open Spaces Strategy sets out existing deficiencies in open space provision and will be updated annually to take account of recent provision.” (PIC/R/6)

(C) amend the introduction to the first sentence of paragraph 8.28 to read:

“The Parks and Open Spaces Strategy identifies a shortfall of sports pitch facilities for the whole Borough ...” (PIC/R/7)

(D) amend paragraph 8.47 to read:

“The open space required as part of new development will generally be based on the information set out in Table 3 although other factors will be taken into account in assessing

the extent to which any or all of these elements of open space will be required. The nature, type, extent, quality, ease of access and location of existing provision of open space in the area will be important considerations, together with other policies in this Plan, particularly those relating to the encouragement of new homes within Fareham town centre, ‘Living over the Shop’ schemes, and affordable housing.” (PIC/R/16)

(E) amend the last sentence of paragraph 8.48 to read:

“The Council has prepared a Parks and Open Spaces Strategy, to be updated annually, to ensure that the commuted payments are used to serve the needs of the residents of the new development.” (PIC/R/17/B)

8.58 PARAGRAPH 8.48 - OPEN SPACE IN RESIDENTIAL DEVELOPMENT

Objection:

0445/5015: House Builders Federation

Issue:

8.59 Whether the paragraph should be deleted because it is contrary to the guidance in Circ 1/97.

Conclusions:

8.60 The same point was made in respect of the previous set of objections (see 8.52 (iii)). I have nothing to add to my comments at paragraph 8.56 above.

RECOMMENDATION

8.61 Make no modification to the Plan in response to this objection.

8.62 PARAGRAPH 8.49 - OPEN SPACE IN RESIDENTIAL DEVELOPMENT

Objections:

0331/5010: Charles Church Developments Ltd
0445/5016: House Builders Federation

Issue:

8.63 Whether the third sentence should be deleted as being contrary to the guidance in Circ 1/97.

Conclusions:

8.64 The objectors are concerned that the wording is seeking to make up for existing deficiencies in open space provision. Policy R2 of the SPR requires that LPAs should negotiate to seek a higher provision of public open space in areas of identified deficiency. The supporting text of para 8.49 repeats the SPR's objective. In the absence of a rationale to support this approach in either the SPR or the LPR the objective is less likely to be attained. Since the wording has its origins in the SPR and because all the contributions/provision are subject to **negotiation** under the principles and tests of Circ 1/97 I do not recommend its deletion from the text. However, if it is to be retained and attributed weight in any negotiations both the HCC and the Council should provide clear reasons for this approach. The final sentence of the paragraph refers to an agreement being... **‘required’**. Agreement should be entered into voluntarily. Accordingly, I suggest that the text should be amended to **‘sought’**.

RECOMMENDATION**8.65 Modify the Plan by amending the final sentence of paragraph 8.49 to read as follows:**

“The completion of a legal agreement to secure the provision and future maintenance of local open space will be sought before a planning permission is granted.”

8.66 PARAGRAPH 8.50 - OPEN SPACE IN RESIDENTIAL DEVELOPMENT**Objections:**

0360/5006: HGP Planning Consultancy Ltd
0445/5017: House Builders Federation

Issues:

8.67 Whether the text should be amended to encourage the design of schemes which maximise the use of housing land by allowing planting belts to be incorporated into public open schemes; whether the paragraph should be deleted.

Conclusions:

8.68 Given that the function of 15m planting belts is primarily a means of visually integrating new development into the landscape/countryside, I do not support their inclusion in the open space calculation. The NPFA's standard is a minimum standard for outdoor recreation. There is no certainty that the planting belts will function other than as wooded landscape areas, hopefully providing habitats for wildlife, but with restricted access for the public; in effect, landscaped visual amenity areas. In such circumstances I consider it would not be appropriate to count the belts as part of the **outdoor playing space** for the district. While I can understand the objector's concern that housing development on allocated sites should be maximised, it is also a question of balance. It is important to ensure that adequate provision is made to a minimum standard for the outdoor recreational needs of existing and new residents. I regard the clarification provided by this paragraph as helpful. I see no reason for it to be omitted.

RECOMMENDATION**8.69 Make no modification to the Plan in response to these objections.**

8.70 POLICY NEW - RECREATION IN THE COUNTRYSIDE**Objection:**

0007/5015: Sarisbury Building Ltd

Pre-Inquiry and Further Changes:

Paragraph 8.51 is amended by PIC/R/18/B.

A new policy relating to Recreation, Leisure and Tourism in the Countryside is added by PIC/R/19 and amended by FC/R/3

Paragraph 8.52 is amended by PIC/R/18.

Policy R6 is deleted by PIC/R/20

Counter-Objection to PIC/R/18/B:

0891/5006: Countryside Commission

Issue:

8.71 Whether a separate policy is needed against which applications for recreation and leisure can be assessed.

Conclusions:

8.72 The Council agrees that there is a need for a separate policy against which recreation, leisure and tourist proposals can be assessed. Policy R1 is amended by PIC/R/3 to cover proposals in the urban area. A new Policy R5A is proposed to cover proposals in the countryside (PIC/R/19). The policy for noisy sports (R6) is made redundant by the new policy and is proposed for deletion (PIC/R/22). Consequential amendments are proposed (PIC/18/B and PIC/R/20) to the supporting text (paras 8.51 and 8.52) explaining this 2 pronged approach. The Council proposes, through Further Change FC/R/3, an amendment to Criterion (D) of the new Policy R5A to ensure that new buildings will be expected to be small scale and located close to existing. I support the proposed changes in that they embrace national guidance to encourage development in the urban area, safeguard the countryside, reduce the need to travel and adopt the sequential approach to location. The changes also make for a clearer and more logical set of policies.

8.73 A **counter objection** (0891) is made to PIC/R/18/B on the grounds that golf courses should not be located close to the urban areas just to reduce the need to travel; other matters are important in the choice of location such as the quality and character of landscape. I accept that there are a number of factors which would influence the location of a new golf course, but that does not obviate the need to pursue a sequential approach by first considering a location which would reduce the need to travel. While seeking to ensure that new facilities make a positive contribution to the landscape will be an important consideration (Criterion (C) of Policy R5A) it is but one factor in a range of considerations. I see no need for further guidance in the supporting text on the siting of golf courses to that already mentioned in paragraphs 8.53 and 8.54.

RECOMMENDATION

8.74 **Modify the Plan as follows:**

(A) **delete the last sentence of paragraph 8.51 and replace with the following:**

“Where possible, proposals for recreation, leisure and tourist development should be accommodated in the urban area. Where the proposal is more appropriately located in the countryside, for example, a golf course, locations adjacent to the urban area should be considered first in order to reduce the need to travel.” (PIC/R/18/B)

(B) **add a new policy after paragraph 8.51 as set out in Pre-inquiry Change PIC/R/19 BUT amend criterion (D) to read as follows:**

“(D) wherever possible, suitable existing buildings are used and any new buildings or structures which are required are small in scale and located close to any existing buildings;” (FC/R/3)

(C) **replace paragraph 8.52 to read as follows:**

“The reuse and adaptation of existing buildings for tourism, sport and recreation can assist in business diversification in countryside areas. Proposals for the development of informal recreation and leisure facilities involving the reuse of existing buildings in the countryside or limited small-scale buildings will be considered against Policies C3, C4 and C5. Where appropriate, a legal agreement or planning condition will be used to control the use of the site. The Borough Council will also encourage the preparation of site management plans and a legal agreement may also be required to ensure the future management of the site.” (PIC/R/20)

(D) **delete Policy R6 (PIC/R/22)**

8.75 POLICY NEW - NEWLANDS FARM (LEISURE/RECREATIONAL)**Objection:**

0326/5005: Basil Baird (Fareham) Ltd

Issue:

8.76 Whether the PM should identify Newlands Farm as a leisure and recreational complex; whether a new policy is required to confirm the range of facilities for which the Council have resolved to grant planning permission; whether a new policy should state that additional leisure, recreational and tourist facilities on the site may be acceptable.

Conclusions:

8.77 The Council has resolved to grant outline planning permission for the establishment of a leisure and recreation complex at Newlands Farm subject to legal agreements. I see no reason for the Plan to recognise that situation in a new policy or on the PM. The existence of a resolution by the LPA confirms the acceptability of the proposals. Should the latter not materialise it would be sensible for alternative proposals to be judged against the relevant policies of the Plan.

RECOMMENDATION

8.78 Make no modifications to the Plan in response to this objection.

8.79 PARAGRAPH 8.62 - BRIDLEWAYS**Objection:**

0019/5004: Mr D Peel

Issues:

8.80 Whether it would be harmful to the planning of the area if the route of the bridleway approved as part of the CAA Air Traffic Control Centre does not accord with the terms of draft legal agreements.

Conclusions

8.81 The route of the new bridleway links the same points identified in the legal agreement and the planning permission for the Air Traffic Control Centre albeit by a different route to that indicated on the adopted LP. Both the latter (para 9.43) and LPR (para 8.64) confirm that the routes shown on the PM are a general guide only and that they are subject to adjustment as a result of negotiations with landowners and interested parties. I fail to see what harm to the planning of the area has taken place as a result of the bridleway taking a different route to that shown on the earlier plans or, indeed, what relevance that has to Policy R7 given the caveat as to general alignments contained in paragraph 8.64.

RECOMMENDATION

8.82 Make no modification to the Plan in response to this objection.

8.83 POLICY R7(A) - NEW FOOTPATHS (BURRIDGE ROAD)**Objection:**

0438/5028: Hampshire Wildlife Trust

Further Change:

Policy R7(A) is deleted by FC/R/4

Issue:

8.84 Whether Proposed footpath R7(A) should be deleted.

Conclusions:

8.85 The route of this footpath has been carried forward from the adopted LP. However, the objector points out that the land through which the path crosses is of national and international importance for nature conservation (part of the Upper Hamble Estuary and Woods SSSI, the Solent Maritime Special Area of Conservation, the Solent and Southampton Special Protection Area and Ramsar site). The Council, following consultation with English Nature, agrees that the proposal, if implemented, is likely to be detrimental to the integrity of these sensitive areas, contrary to the objectives of Policies C9A and C9B. Accordingly, it is proposed to delete this proposal (FC/R/4). I support the proposed change given the harm which users of the proposed path would be likely to cause to these important areas of nature conservation.

RECOMMENDATION

8.86 Modify the Plan as follows:

- (I) delete item (A) from Policy R7; and
- (II) delete the proposed footpath notation shown on the Proposals Map from the western end of Burr ridge Road to the River Hamble.

(Further Change FC/R/4)

8.87 POLICY R7 (NEW) - BRIDLEWAY

Objection:

0019/5003: Mr D Peel

Issue:

8.88 Whether Policy R7 should include the bridleway between Swanwick Wood to Coal Park Lane.

Conclusions:

8.89 A proposed bridleway between Swanwick Wood and Coal Park Lane is shown on the adopted LP under that plan's policy L6(a)(ii). This, in turn, was carried forward from the Whiteley LP. It has not been carried forward into the LPR. In the LP the line of the bridleway is on that of an existing footpath (Footpath 19). Due to wet ground conditions and its proximity to an SSSI (Oaken Copse), the Council consider it inappropriate to upgrade that section of the footpath to a bridleway standard. The Council, moreover, because it would be prohibitively expensive and would only provide another route to Swanwick Lane, see no requirement for a bridleway. The British Horse Society support that view on the grounds that it would not improve the bridleway network locally (letter 15.5.98). It would seem that there may be scope for improvements to the existing network to be undertaken through formalising a permissive use of part of the system and upgrading parts of Footpaths 19 and 20. As such this could take place under separate legislation. Given the foregoing, I see no need for a safeguarding provision under Policy R7.

RECOMMENDATION

8.90 Make no modification to the Plan in response to this objection.

8.91 PARAGRAPH 8.64 - NEW FOOTPATHS**Objections:**

0019/5005: Mr D Peel
 0439/5009: David Wilson Homes
 0466/5001: Mr R Shore

Pre-Inquiry Changes:

Paragraph 8.64 is amended by PIC/R/24.

Issues:

- 8.92 (i) Whether obstructions to existing footpaths should be removed as part of the LP process;
 (ii) whether guidance should be provided as to how footpaths will be implemented under the policy;
 (iii) whether the reference to improvements of footpaths to bridleways should be deleted.

Conclusions:

8.93 The objector (0019) complains that footpaths in the vicinity of New Road have been obstructed. Complaints about obstructions to the footpath network are not matters for the LP, but should be directed at the responsible authority, usually the County Council. The Council agrees that the means by which Policy R7 proposals will be implemented can better be explained in the supporting text. It proposes a change to that effect (PIC/R/24). It is quite common for bridleways to be used as footpaths. The Council confirms its intention to take account of the views of the different needs and local groups when consulting on draft proposals. I see no need for a change in the supporting text to reflect what is common practice.

RECOMMENDATION**8.94 Modify paragraph 8.64 of the Plan by adding the following text after the first sentence:**

“Footpath improvements will be made as funds become available. Provision of the footpaths listed in Policy R7 may also be made in association with development that is in accordance with the other policies of the Plan.” (PIC/R/24)

8.95 POLICY R8 - FOREST OF BERE**Objections:**

0336/5004: Dean Farm Estates Ltd
 0365/5004: G Moyse & Marchstone Estates
 0370/5006: Association of River Hamble Boatyard & Marine Operators
 0371/5006: Southern Planning Practice
 0438/5029: Hampshire Wildlife Trust

Pre-Inquiry and Further Changes:

Policy R8 is deleted by PIC/R/26.
 Paragraph 8.67 is amended by PIC/R/25 and F/PIC/R/25/A.
 Paragraph 8.68 is deleted by PIC/R/27.
 Paragraph 8.89 is deleted by PIC/R/28.

The Proposals Map is amended by PIC/PM/34.
Map 2 of the Written Statement is amended by FC/R/2.

Counter-Objection to PIC/R/25:

0889/5006: Farming And Rural Conservation Agency

Issues:

- 8.96 (i) Whether Policy R8 should be deleted;
(ii) whether the policy should apply to working boatyards and marinas;
(iii) whether land at and adjoining Dean Farm should be excluded from the area designated as Forest of Bere on the PM;
(iv) whether land south of Whiteley Lane, adjacent to the Borough boundary should be excluded from the Forest of Bere designation;
(v) whether the balance between informal recreation, tourism and the creation and maintenance of landscape and wildlife habitats should be made clearer in the policy.

Conclusions:

8.97 The Council accepts that Policy R8 adds nothing to the plan which is not already covered by Policies C3 (Development in the Countryside), C4 (New Buildings in the Countryside), C5 (Conversion of Existing Buildings in the Countryside) and R5A (Recreation, Leisure & Tourism in the Countryside). A pre-inquiry change (PIC/R/8) proposes the deletion of the policy. The latter is accompanied by a number of consequential amendments, namely: the deletion of paragraph 8.67 and its replacement by a revised text explaining the production of a strategy by the HCC, in partnership with the LAs, to guide the re-establishment of the Forest of Bere; the deletion of the Forest of Bere notation from the PM (PIC/PM/34); and the deletion of paragraphs 8.68 (PIC/R/27) and 8.69 (PIC/R/28). The Council's proposed changes meet the substance of these objections.

8.98 Criticism was made that the deletion of Policy R8 would be inconsistent with the Council's statement (para 1.3 of LPR) that the LPR had been produced on the basis of the 'permitted assumption' that the SPR has been adopted (see my preamble to the report preceding Chapter 1). The text of the revised paragraph provides the background against which the proposed strategy will be developed. Policy G6 of the SPR is a promotional policy. The policy's only requirement is that the boundary of the Forest of Bere be defined in local plans. That boundary will be shown on Map 2 of the Written Statement. The boundary of the forest has changed and that is to be reflected in a Further Change to the plan (FC/R/2). I note that the HCC have not made a counter objection to the proposed deletion of the policy. In the circumstances, I see no inconsistency between the Council's adoption of the 'permitted assumption' and its proposed deletion of Policy R8.

8.99 A **counter objection** (0889) was made to the proposed change to paragraph 8.67 on the grounds that the term 'surplus farmland' could be misunderstood. The Council agrees that the text could be made clearer and proposes a further change under F/PIC/R/25/A. I support the further change as providing clearer guidance on the proposed strategy.

RECOMMENDATION

8.100 Modify the Plan as follows:

- (A) **replace paragraph 8.67 with the text set out in Pre-inquiry Change PIC/R/25 BUT amend the third sentence of the replacement text to read:**
- “The re-creation of the Forest of Bere will result in enhanced informal recreation and tourism resources and provide opportunities for creating job opportunities appropriate to rural areas, including farm diversification, the positive use of farmland for afforestation purposes and the promotion of the timber industry.” (F/PIC/R/25/A)**
- (B) **delete Policy R8 (PIC/R/26)**

- (C) delete Forest of Bere notation from the Proposals Map (PIC/PM/34)
- (D) delete paragraph 8.68 (PIC/R/27)
- (E) delete paragraph 8.69 (PIC/R/28)
- (F) amend Map 2 of the Written Statement to show the latest boundaries of the Forest of Bere (FC/R/2)

8.101 POLICY NEW - LOWER SWANWICK

Objection:

0366/5006: A H Moody & Sons Limited

Issue:

8.102 Whether a new policy should be included concerning improvements to public access to water at Lower Swanwick.

Conclusions:

8.103 The objector does not identify how and where public access to water at Lower Swanwick is deficient; nor is it suggested how the plan should address the alleged deficiencies. Accordingly, I find no basis for amending the Plan.

RECOMMENDATION

8.104 Make no modification to the Plan in response to this objection.

8.105 POLICY NEW - IMPROVED OR NEW BOATING FACILITIES

Objection:

0473/5005: Royal Yachting Association

Issue:

8.106 Whether a new policy should be included covering alterations to existing facilities or the creation of new facilities covering guidance on good practice and design.

Conclusions:

8.107 The objector does not suggest a form of words for a policy to meet its concerns. Nor are any deficiencies in the existing policies identified. Accordingly, I find no basis for suggesting a constructive amendment to the Plan.

RECOMMENDATION

8.108 Make no modification to the Plan in response to this objection.

8.109 POLICY R9 - MOORINGS AND MARINAS

Objections:

0334/5024: Government Office for the South East
 0366/5007: A H Moody & Sons Limited
 0370/5007: Association of River Hamble Boatyard & Marina Operators
 0426/5003: Solar Marine Ltd
 0438/5030: Hampshire Wildlife Trust

Pre-Inquiry and Further Changes:

Paragraph 8.70 is amended by FC/R/7.
 Policy R9 is amended by PIC/R/30, F/PIC/R/30/A-B and FC/R/5
 New Policy R9A is added by FC/R/6.
 The Proposals Map is amended by PIC/PM/35-40.
 Paragraph 8.74 is amended by PIC/R/31/A-B and FC/R/8.
 Paragraph 8.75 is amended by PIC/R/32/B, F/PIC/R/32/C and F/PIC/R/32/D.

Counter-Objections to PIC/R/30:

0392/5008: Southampton Institute
 0381/5074: Fareham Society
 0392/5006: Southampton Institute

Counter-Objection to PIC/R/32/B:

0392/5007: Southampton Institute

Issues:

- 8.110 (i) Whether the policy should be replaced by a criteria based policy;
 (ii) whether the policy should be amended to recognise the continuing demand for moorings on the Hamble;
 (iii) whether the first sentence of the policy should be deleted as overly restrictive because proposals for new marinas are adequately covered;
 (iv) whether Policy R9(D) should be deleted;
 (v) whether the policy should be amended to reflect that there is scope for reorganising some existing moorings.

Conclusions:

(i) Whether the policy should be criteria based

8.111 The Council accepts that the policy, as drafted, is too inflexible. It proposes a replacement policy which is framed in less restrictive terms (PIC/R/30) and additional clarification to the supporting text in paragraph 8.74 (PIC/R/31/A). Proposals for additional moorings will be constrained by the status of Portsmouth Harbour and the River Hamble as important areas in international nature conservancy terms. Equally important are navigation, safety and visual considerations (para 3.12, CD/4 and paras 7.8-7.10, CD/27). Thus underlying the Plan's approach, is the recognition that the introduction of additional moorings, for any purpose, could be harmful to these important areas of waterscape. On the Hamble, in the interest of safeguarding its appearance, a number of Mooring Restriction Areas (MRAs) are proposed. These are 6 in number. They will be defined on the PM (PIC/PM/35-40). A new notation will need to be provided in the Key of the PM. Given the importance of these water frontages to the public at large and their sensitivity, I find that the replacement policy and text strike an acceptable balance between the needs of conservation, navigation, passive leisure and water recreation.

(ii) Whether the policy should recognise continuing demand for moorings in the Hamble

8.112 It follows from the foregoing that while the demand for moorings on the Hamble may be unmet (0366) if interests of nature conservation, navigation, safety and waterscape views are to be protected a restrictive policy towards the establishment of additional moorings is justified.

(iii) Whether the first sentence of the policy should be deleted as overly restrictive

8.113 The Council's amendment meets this objection (0370). The treatment of additional marinas on new sites is now dealt with in the supporting text of the replacement policy (para 8.76). In essence such proposals will be dealt with on their merits against the policies of the Plan. This objector repeats the case for additional moorings on the Hamble (see para 8.112 above) citing PPG17 in support. However, national guidance (PPG20) requires the LPA to balance the needs of the environment with those of water recreation. I have no convincing evidence that the restrictions imposed under the River Hamble LP (CD/4), and restated in the LPR, strike other than an acceptable balance. The Plan's approach does not prevent the investigation of Fareham Creek for additional moorings; this prospect is recognised in the supporting text (para 8.74). Nor do I have evidence to persuade me that the content of the Portsmouth Harbour Plan Review (CD/27) should not be a material consideration and source of data for the LPR policy. As a non-statutory plan the document would be attributed weight similar to supplementary planning guidance.

(iv) Whether Policy 9R(D) should be deleted

8.114 This objection relates to the proposed MRA at Crableck on the Hamble. The clarification contained in the proposed changes to the Policy (PIC/R/30) and the PM (PIC/PM/38) meets this objection (0426).

(v) Whether the policy should reflect that there is scope to reorganise existing moorings

8.115 The Council accepts this point (0438). It proposes a change to the supporting text of paragraph 8.74 (PIC/R/31/B) to the effect that the reorganisation or consolidation of existing moorings may offer the prospect of reducing their impact on SSSIs.

Counter Objections to PIC/R/30

8.116 A **counter objection** (0381) maintains that the amended policy is confusing and conflicts with long standing policies within the River Hamble LP and the Portsmouth Harbour Plan. The Council accept that clarification is required concerning the approach to moorings in the MRAs. It proposes that Criterion (A) be further amended and supplemented by an additional policy (R9A) to deal with development affecting existing moorings within MRAs (FC/R/5 and FC/R/6). The new policy provides for the replacement or relocation of existing moorings only under certain specified circumstances. A consequential and further change to the supporting text (para 8.75) is proposed which encourages the relocation of moorings to locations outside the MRAs (FC/R/1). In my view the new policy provides clearer guidance and a reasonable basis for dealing with existing moorings in the MRAs. For improved clarity, I suggest the heading to the policy should state that it applies to MRAs.

8.117 A **counter objection** (0392) is made to the limit of 3261 moorings in Criterion (B) of the replacement policy. The Council accepts that it is sufficient for the figure to given in the supporting text. The policy will now state that the Harbour Authority's limit should not be exceeded. This amendment provides improved flexibility in the wording, permitting a change to the limit during the period of the Plan should that prove necessary.

8.118 A **counter objection** (0392) is made to Criterion A(iii) of the replacement policy on the grounds that the Warsash Maritime Centre should be made an exception to the restriction, in that they do not have sufficient moorings to meet present needs and are likely to need more in the future. The Council recognise that the needs of the Centre **may** justify a relaxation of the policy, but that will depend on the need, number and location of the proposal(s). The Council acknowledges that the requirements of the Centre warrant a reference in the supporting text to the policy. A further change to paragraph 8.75 is proposed (F/PIC/R/32/C). The Centre seeks an exclusion to be contained within the policy itself. The Council's response is that any exception can be dealt with as a material consideration, depending on the merits and detail of a specific proposal at the time an application is made. I prefer this approach which leaves the generality of the policy intact. Making exceptions within the policy could encourage other, perhaps less deserving, proposals to be treated in a similar way and thus undermine its objectives.

Counter objection to PIC/R/32/B

8.119 The Southampton Institute (0392) makes a further **counter objection** to the amended text of paragraph 8.75. The thrust of the objection is the same as that to the amended policy. The Council's further change (F/PIC/R/32/C) acknowledges that the Warsash Maritime Centre includes facilities within the MRA. The

amendment, rightly in my view, holds back from giving outright support to new mooring applications from the Centre. That leaves the LPA to decide each proposal on its particular merits in terms of need, number and location. However, the Council propose a further change at the end of paragraph 8.70 confirming the importance of the Centre as an educational facility of national and international importance and its location at the mouth of the Hamble (FC/R/7). A further change is also proposed to paragraph 8.74 which points out that moorings associated with all types of use can have harmful effects on the character of the river and coast (FC/R/8). I support the further changes as, on the one hand recognising the standing of the WMC and, on the other, adding clarity to the policy and its objectives.

RECOMMENDATION

8.120 Modify the Plan as follows:

(A) Delete Policy R9 and replace by the following:

“Policy R9: Moorings

New moorings will be permitted provided that:

- (A) they are not located in the following Mooring Restriction Areas:
- (i) Fareham Creek, other than at Upper Quay under Policy R10;
 - (ii) between Warsash Ferry and Hamble Village;
 - (iii) south of Warsash Sailing Club Jetty;
 - (iv) south of Crableck;
 - (v) south of Swanwick Public Hard; and
 - (vi) the Upper Hamble and Curbridge Creek
- (B) the River Hamble Harbour Authority's limit on the total number of moorings is not exceeded; and
- (C) there is no adverse impact on nature conservation and other environmental interests.”

(PIC/R/30 as amended by F/PIC/R/30/A-B and FC/R/5)

(B) add the following sentence at the end of paragraph 8.70:

“Warsash Maritime Centre, an educational facility of national and international importance, is located at the mouth of the River Hamble.” (FC/R/7)

(C) add a new Policy R9A to read as follows:

“Policy R9A: Existing Moorings within Mooring Restriction Areas

The replacement or relocation of existing moorings within the Mooring Restriction Areas will not be permitted unless:

- (A) there are no alternative locations outside the Mooring Restriction Areas;
 - (B) it will result in improvements to navigation and the appearance of the River Hamble or Fareham Lake; and
 - (C) there is no adverse impact on nature conservation and other environmental interests.” (FC/R/6)
- (D) (i) amend the first part of the first sentence of paragraph 8.74 to read as follows:
- “The Borough Council considers that the development of additional moorings, whether for recreational, educational or other purposes, could be detrimental to the character of the River Hamble, the Solent coast ...” (PIC/R/31/A as amended by FC/R/8)
- (ii) after the second sentence of paragraph 8.74 add a new sentence as follows:

“The reorganisation or consolidation of existing moorings may be acceptable if it results in a reduction of their impact on intertidal habitats within Sites of Special Scientific Interest.” (PIC/R/31/B)

- (E) (i) amend the fourth sentence of Paragraph 8.75 to read as follows:
- “Similarly, in order to retain the character of the River Hamble, further moorings will be restricted, by keeping the relatively open nature of certain stretches, allowing views across and along the River, as well as providing areas for dingy sailing. The development of moorings ...” (PIC/R/32/B); AND
- (ii) add a new sentence after the foregoing amendment (E) (i) (PIC/R/32/B) to read as follows:
- “The Borough Council and the Harbour Authorities will welcome proposals which result in improvements to navigation and the appearance of the River Hamble and Fareham Lake by relocating piled and buoyed moorings from the Mooring Restriction Areas to more appropriate locations.” (FC/R/1)
- (iii) add a new sentence before the penultimate sentence of paragraph 8.75 to read as follows:
- “The Warsash Maritime Centre includes facilities within the Mooring Restriction Area to the south of the Warsash Sailing Club Jetty and the Council will take into account the requirements of the Centre when considering applications in this area.” (F/PIC/R/32/C)
- (iv) amend the penultimate sentence of paragraph 8.75 to read as follows:
- “The development of moorings in the River Hamble is currently limited to 3,261 moorings by the Harbour Authority for reasons of safety and navigation.” (F/PIC/R/32/D)
- (F) amend the Proposals Map as follows:
- (a) add a Mooring Restriction Area notation to the Key of the map;
- (b) add Mooring Restriction Areas:
- (i) at Fareham Creek (PIC/PM/35-MAP R/8);
 - (ii) between Warsash Ferry and Hamble Village (PIC/PM/36- MAP R/9);
 - (iii) south of Warsash Sailing Club Jetty, River Hamble (PIC/PM/37-MAP R/10);
 - (iv) south of Crableck, River Hamble (PIC/PM/38-MAP R/11);
 - (v) south of Swanwick Public Hard, River Hamble (PIC/PM/39-MAP R/12);
 - (vi) at the Upper Hamble and Curbridge Creek (PIC/PM/40-MAP R13).

8.121 PARAGRAPH 8.75 - MOORINGS AND MARINAS

Objection:

0473/5003: Royal Yachting Association

Pre-Inquiry Changes:

Paragraph 8.75 is amended by PIC/R/32/A.

Issue:

8.122 Whether the second sentence of the paragraph should be amended to cover swinging moorings.

Conclusions:

8.123 The Council proposes a change to the wording of the sentence (PIC/R/32/A) to the effect that planning permission is usually required for laying down moorings. The interpretation of the legal position is not straightforward. It would not be appropriate to attempt a detailed synopsis of the legal position of different types of mooring in the Plan. I therefore support the Council's proposed change to the text which confines itself to generalities.

RECOMMENDATION

8.124 Modify the Plan by replacing the second sentence of paragraph 8.75 with the following:

'However, planning permission is required for the construction of jetties and pontoons, and the driving of piles. Planning permission is usually required for the laying down of moorings.'
(PIC/R/32/A)

PARAGRAPH 8.76 - MOORINGS AND MARINAS**Objection:**

0473/5004: Royal Yachting Association

Pre-Inquiry Changes:

Paragraph 8.76 is amended by PIC/R/33.

Issue:

8.125 Whether the final sentence should be deleted due to the lack of evidence that additional development would be harmful.

Conclusions:

8.126 I agree with the Council's assessment that the sensitivity of coastal locations in terms of landscape and nature conservation is likely to present a major constraint to large new development. The Council's proposed replacement paragraph acknowledges that some small scale development may be acceptable. Proposals for new marinas will be considered on their merits against the policies of the Plan (PIC/R/33). I support the proposed amendment as a considerable improvement over the inflexibility of the original text.

RECOMMENDATION

8.127 Modify the Plan by deleting paragraph 8.76 and replacing it with the text as set out in Pre-inquiry Change PIC/R/33.

8.128 POLICY NEW - SPINNAKER HOTEL - LEISURE ALLOCATION**Objection:**

0261/5004: Inntrepreneur Pub Company Ltd

Issue:

8.129 Whether there should be a new policy to encourage a mixed-use development, including hotel/leisure facilities, residential and open space, on this site.

Conclusions:

8.130 I am presented with no evidence to support the need for a site specific policy for the range of developments sought by this objector. Any proposals can readily be considered against the relevant policies of the LPR. I support the deletion of Policy R11 (Hotel Accommodation & Conference Facilities - see para 8.4 above). Proposals for hotel/leisure uses outside defined urban areas would be considered against new Policy R5A (Recreation, Leisure & Tourism in the Countryside). I have also considered this proposal, including the suggested residential component, as part of objection 0261/5001 in Chapter 2 of this report (see para 2.89 above).

RECOMMENDATION

8.131 Make no modification to the Plan in response to this objection.

8.132 POLICY R11 - HOTEL ACCOMMODATION AND CONFERENCE FACILITIES

Objections:

0326/5006: Basil Baird (Fareham) Ltd
0334/5025: Government Office for the South East

Pre-Inquiry and Further Changes:

Policy R1 is amended by PIC/R/3.
New Policy R5A is added by PIC/R/19 and FC/R/3.
Paragraph 8.80 is amended by PIC/R/35.
Policy R11 is deleted by PIC/R/36.
Paragraph 8.81 is amended by PIC/R/37.

Issues:

- 8.133 (i) Whether the policy, in referring to the provision of hotel and other facilities in the countryside, should make clear that the latter includes strategic and local gaps;
(ii) whether the policy should indicate how applications for development will be considered.

Conclusions:

8.134 Policy R11 is recommended for deletion because it is made redundant following the replaced Policy R1 (Recreation, leisure and tourism development in urban areas) and new Policy R5A (Recreation and allied development in the countryside). The Council proposes, and I support, the amendments to the supporting text of paragraphs 8.80 and 8.81 which explain the distinction in approach to the provision of facilities between the urban area and the countryside (PIC/R/35 and PIC/R/37). However, I see no need to make specific reference to strategic and local gaps forming part of the countryside (0326), since by definition they are - see Glossary under 'Gaps'. Moreover, paragraphs 3.20-3.25 of the Plan provide a detailed explanation of the justification and objectives of the concept of local and strategic gaps.

8.135 The replacement and new policies (R1 and R5A) are criteria based and meet the concerns of this objector (0334).

RECOMMENDATION

8.136 Modify the Plan as follows:

- (A) add the following text after the second sentence of paragraph 8.80:
 “Proposals for new tourist accommodation in the urban area will be judged against Policy R1 and other relevant policies of the Plan.” (PIC/R/R/35)
- (B) replace the second sentence of paragraph 8.81 with the following:
 “Proposals for new tourist accommodation in the countryside will be judged against Policy R5A and other relevant policies of the Plan. The conversion of buildings for self-catering accommodation may also be appropriate where permanent residential use would not be permitted.” (PIC/R/37)

POLICY R12 - CAMPING AND CARAVANNING SITES

Objection:

0337/5004: Parkworld Holidays Ltd

Issues:

- 8.137 Whether applications for new sites and extensions to existing should be considered under the same criteria; whether the policy should recognise the need to improve, enhance and upgrade existing parks.

Conclusions:

8.138 The objector does not identify how the policy is fundamentally flawed. I see no objection or difficulty in proposals for new sites and extensions to existing being considered against the same criteria.

8.139 The objector refers to the advice set out in Annex B to PPG21 (para 8) where LPAs are asked to examine the scope for encouraging holiday caravan site operators to improve or relocate existing facilities. If an operator were to be in a position to propose a package of measures within the scope of the advice it can be assessed against the policy in the normal way. If a proposal were to breach one or more criteria the Council would be free to grant permission as an exception to policy because material considerations favoured that course of action. However, that process would involve a detailed assessment and a balancing of any gains and disadvantages. Consequently, I see no need or advantage in the policy (or a new policy) seeking to anticipate what is likely to be a complicated set of issues.

RECOMMENDATION

8.140 Make no modification to the Plan in response to this objection.

8.141 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0012/5023: Mrs R A Billet 0381/5042: Fareham Society	Paragraph 8.2	Pre-inquiry Change PIC/R/1
0012/5024: Mrs R A Billet	Paragraph 8.17	Pre-inquiry Change PIC/R/2
0438/5025: Hampshire Wildlife Trust	Paragraph 8.32 Paragraph 8.51	Pre-inquiry Changes PIC/R/8 & PIC/R/18/A

Objection/objector	Policy/Para/Map	Change
0326/5004: Basil Baird (Fareham) Ltd	Paragraph 8.33 Policy R4(G) Proposals Map	Pre-inquiry Changes PIC/R/9, PIC/R/13/B & PIC/PM/33
0381/5047: Fareham Society	Paragraph 8.55	Pre-inquiry Change PIC/R/21/A
0117/5004: Solent Protection Society 0297/5010: English Sports Council (South) 0381/5046: Fareham Society	Policy R6 Paragraph 8.55	Pre-inquiry Changes PIC/R/19, PIC/R/22 and PIC/R/21/B
0445/5018: House Builders Federation	Policy R7	Pre-inquiry Change PIC/R/23
0012/5025: Mrs R A Billet	Paragraph 8.67	Pre-inquiry Change PIC/R/25
0473/5002: Royal Yachting Association	Paragraph 8.70	Pre-inquiry Change PIC/R/29
0393/5006: Environment Agency	Paragraph 8.74	Pre-inquiry Change PIC/R/31/C
0381/5049: Fareham Society	Policy R10	Pre-inquiry Change PIC/R/34

CHAPTER 9: EMPLOYMENT

9.0 POLICY E1 - EXISTING EMPLOYMENT AREAS (CATEGORY 'A')

Objections:

0329/5001: J. Sainsbury Developments Ltd
0334/5026: Government Office for the South East

Pre-Inquiry Changes:

Policy E1 is amended by PIC/E/3/B.

Issues:

9.1 Whether the policy is too inflexible in preventing the loss of land allocated for employment to other uses; whether Criterion (B) is too inflexible, in particular, in relation to small sites.

Conclusions:

9.2 The policy is following national guidance in discouraging the development of employment allocated land for other uses (PPG6, para 3.23). The objector's concern (0329) is that the Plan does not provide adequately for different types of retail development. In particular, the lack of an allocation for retail warehousing is identified. The Council proposes a change (PIC/2/20) to the Shopping Chapter (10) of the Plan to allocate a 1.2 ha site in Quay Street for retail warehousing. I have no evidence to suggest that this allocation is less than adequate. I consider therefore that the policy's protection of employment allocated land should remain unchanged.

9.3 The Council's proposed Pre-inquiry change (PIC//E/3/B) to Criterion (B), by adding the words 'where appropriate' meets the concerns of objector 0334.

RECOMMENDATION

9.4 Modify Criterion (B) of Policy E1 CATEGORY 'A' AREAS to read as follows:

“(B) where appropriate, sites or accommodation suitable for starter and small businesses constitute at least 10% of the net developable area;” (PIC/E/3/B)

9.5 POLICY E1 - EXISTING EMPLOYMENT AREAS (CATEGORY 'B')

Objections:

0334/5038: Government Office for the South East
0401/5002: Hitchcock Management Services (Guernsey) Ltd
0867/5001: J.J Gallagher Ltd

Pre-Inquiry and Further Changes:

Policy E1 is amended by PIC/E/3/C and FC/E/1.
Paragraph 9.31 as amended by FC/E/2.

Issues:

9.6 (i) Whether the policy's intention to control the intensification of existing uses is overly restrictive;
(ii) whether it is appropriate to include the site at Funtley Court within Category 'B';
(iii) whether the policy in preventing the redevelopment of sites for non-employment uses is too restrictive.

Conclusions:**(i) Restriction on intensification**

9.7 The Council accepts that a change to the text is required. A pre-inquiry change (PIC/E/3/C) discourages additional development only in those cases where it would result in over-intensive use of the site. The proposed change meets the objection (0334).

(ii) Funtley Court

9.8 The objection site abuts residential development on its southern boundary. Within Category ‘A’ employment areas redevelopment for Class B2 (General Industrial) and B8 (Storage and Distribution) uses would be permitted. Development for these classes of use could give rise to operations which would be detrimental to residential amenities (see Class B1 of the UCO). For this reason I agree with the Council that the site should not be placed in Category ‘A’. However, I support the clarification proposed by the Council under Further Changes FC/E/1 and FC/E/2. The first of these amends the policy and explains that expansion of existing premises within their curtilages, for Class B1 uses, will be acceptable provided they do not harm residential amenities and other specified interests. The second change is to the supporting text (para 9.31); this explains in some detail how proposals resulting in intensification of use will be examined in the context of its affect on residential amenities; encouragement will be given to redevelopment for Class B1 uses where amenities are at risk.

(iii) Redevelopment of sites for non-employment uses

9.9 My response to this objection is the same as that considered at paragraph 9.2 above. The objector provides no evidence that, following the Council’s proposed change under PIC/S/20, there is an inadequacy of land for particular types of retail use. Proposals for retail uses will be considered on their merits against the other policies of the Plan including, in particular, Policy S5 (Out of Centre Shopping).

RECOMMENDATION**9.10 Modify the Plan as follows:**

- (A) (i) amend the first paragraph of Policy E1 - CATEGORY ‘B’ AREAS to read as follows:**

“Within Category ‘B’ employment areas, listed in Appendix 7 and shown on the Proposals Map, the intensification of existing uses will not be permitted if it would result in the over-intensive use of the site. Where appropriate, any permission may be conditioned or a legal agreement required to prevent the future intensification of development on the site.” (PIC/E/3/C)

- (ii) insert, before the first sentence of the final paragraph of Policy E1 - CATEGORY ‘B’ AREAS, the following:**

“Within Category ‘B’ employment areas, the expansion of existing premises within their curtilages or the redevelopment of existing premises will be permitted for either Class B1 (Business) uses or for mixed-use development ...” (Further Change FC/E/1)

- (B) replace paragraph 9.31 with the following text:**

“Some existing employment areas (Category ‘B’) are located within or adjacent to residential areas where existing uses cause disturbance to adjoining areas or have an adverse visual impact on their surroundings. In other cases, the intensification of existing uses could also have an adverse impact. In addition, the introduction of general industrial (Class B2) or storage or distribution (Class B8) uses into other Category ‘B’ areas which do not already contain such uses would be likely to cause disturbance or have an adverse visual impact. However, in order to maintain the supply of employment land and to retain employment opportunities within the urban area, especially near residential areas, the

Borough Council will encourage the redevelopment of existing premises within their curtilages for either Class B1 (Business) uses, such as offices and light industry, or for a mixed-use development including Class B1 (Business) uses together with residential uses and possibly community facilities or leisure (see Policy R1). The development of Class B2 or B8 uses or retail uses within Category 'B' areas is not appropriate.” (Further Change FC/E/2)

9.11 POLICY E1 (NEW) - EXISTING EMPLOYMENT AREAS (WALLINGTON DEPOT)

Objections:

0319/5006: Prima Holdings Ltd

0320/5021: Mr Richard Stubbs

Issue:

9.12 Whether the objection site should be identified as an existing employment area within Category 'A' of Policy E1 and included in Appendix 7.

Conclusions:

9.13 The objection relates to a substantial developed site (some 2.6 ha). Apart from one enterprise (a go-karting use within the main building) the existing uses on the site are unlawful. There are 3 extant permissions relating to the site. The permissions have been granted notwithstanding the allocation of the site within the countryside. The site has had a fraught history with the LPA experiencing considerable difficulty in controlling its legitimate use. With this history, the as yet unimplemented extant planning permissions, as well as the uncertainty which must arise over the future of the site until one of them is implemented, I consider it both unnecessary and inappropriate to allocate the site for employment purposes.

9.14 The site is prominent in the landscape, particularly when viewed from the east. It occupies a position within the countryside/local gap which, if objections to this LP are any indication, is subject to intense development pressure. An allocation of the site under Policy E1 would promote the retention, redevelopment and expansion of Category 'A' sites. The objectors argue that only under Policy E1 will redevelopment of the site be permitted. This concern suggests that a more intense and extensive form of development on the site could be in prospect. Given the countryside allocation as well as the prominence and sensitivity of the site I find the permissiveness inherent in Policy E1 would be inappropriate. It would give the wrong guidance as to what would be likely to be an acceptable form of development on the site. It is better that any future proposals for development should be considered against new Policy E9A. Criterion C(i) would permit new building under certain conditions. This appears to me to be reasonable for a site in the countryside with the benefit of three, not insubstantial, development options. Allocation as a Category 'B' site, following amendments FC/E/1, while not being as permissive as a Category A allocation, would permit expansion within the curtilage of the existing building. This is likely to conflict with objectives for the site (reflected in the 3 extant permissions) which seek to keep significant parts of the site open and landscaped.

9.15 The objectors drew my attention to 2 other employment sites which support their position; they are the Park Gate Business Centre and the CAA Air Traffic Control Centre. The Council accept that in both cases the sites have been incorrectly shown on the PM. The first site, together with land to the east located between the M27 and the railway is to be shown, correctly in my view, within the urban area. Whereas the purple line around the CAA site relates to no notation on the Key to the PM, nor to any reference by way of text or policy within the Written Statement; it is proposed for deletion. Consequently, I support the proposed changes to the PM which remove these anomalies (FC/ST/4 - see para 2.131 above in relation to objection 0389/5001 - and FC/PM/1) but otherwise I do not support the objections.

RECOMMENDATION

9.16 Modify the Plan by amending the Proposals Map to remove the pink line which outlines the Air Traffic Control Centre at Swanwick (FC/PM/1)

BUT otherwise make no modification to the Plan in response to these objections.

9.17 PARAGRAPH 9.31 - EXISTING EMPLOYMENT AREAS

Objection:

0867/5002: J.J. Gallagher Ltd

Issue:

9.18 Whether the supporting text is too inflexible in treating development of retail uses in the Category B employment areas as inappropriate.

Conclusions:

9.19 This point has already been covered in respect of similar and related objections (0329/5001 and 0867/5001) at paragraphs 9.2 and 9.9 above. I see no reason to modify the Plan.

RECOMMENDATION

9.20 Make no modification to the Plan in response to this objection.

9.21 PARAGRAPH 9.32 - EMPLOYMENT ALLOCATIONS

Objection:

0319/5005: Prima Holdings Ltd

Issues:

- 9.22 (i) Whether sufficient land for future employment needs has been identified; whether the Plan has failed to demonstrate how the need has been assessed;
- (ii) whether land lost from employment has been taken into account; and
- (iii) whether the Plan conforms to strategic and national guidance.

Conclusions:

- (i) Whether sufficient land for employment needs has been allocated

9.23 The most recent assessment of employment land availability in the district was undertaken by the Council at 1.4.97. It confirmed a supply of some 67 ha. Based on an average take up rate over the preceding 10 years of 5.9 ha/pa (industrial and office development), this would result in 11.4 years supply. An additional allocation is proposed under Pre-inquiry change PIC/E/5/A of some 5.6 ha at Little Park Farm Road, Park Gate for development in the later period of the Plan. Even without the additional allocation at Park Gate, the allocation exceeds the past take up rate by some 27% for the remaining 9 years. In my view this provides a reasonable tolerance and flexibility. The Council acknowledges that for historical reasons the supply of employment land is a greater in the western part of the district. This has its origins in an over provision by the HCC in the South Hampshire SP (1977) of substantial employment and housing land allocations in the western wards of the Borough under that Plan. However, the take up rate for housing has been greater than that for employment leading to the present geographical allocations. Based on the foregoing supply figure, which emanates from the HCC's Floor Space Figures (para 3 of FBC/E/2) I have no reason to believe that the employment allocations within the Plan will be insufficient. The need has been based on the historical rate of take up over the past

decade. The objector puts forward no evidence as to why this fairly common approach to estimating need is flawed. In the circumstances I see no objection to the Council's approach and their conclusions as to need.

9.24 The Council also makes reference to the allocations within Winchester City Council's district which are provided on land contiguous, or close to, allocations within Fareham. These are located at Segensworth North, Solent Business Park and the former Knowle Hospital. These total some 74 ha. Given the close proximity of these allocations to Fareham I agree with the Council that for practical purposes these allocations will be considered by developers, employers and employees as part of a common employment land pool. In my opinion it would not be unreasonable to view this allocation as supplementing that provided within Fareham.

(ii) Whether land lost from employment uses has been taken into account

9.25 The Council has produced a schedule of Employment Land Supply 1988-1997 (FBC/E/2) which confirms that land lost to employment uses over the period has been taken into account in arriving at a supply figure of 67 ha. Appendix 2 of the evidence shows that some 2.62 ha of employment land have been lost to other uses at 1.6.97. In the context of the total provision (see para 9.23 above), a loss of some 4% is more than off-set by the proposed allocation of some 5.6 ha at Little Park Farm Road. There is also the prospect of windfall employment sites becoming available within the Gosport part of the former Daedalus airfield, close to the Borough boundary (Policy DG13), and at Fareham Station (Policy E4).

(iii) Whether the Plan conforms with national and strategic guidance

9.26 Neither regional guidance (RPG9) nor the SPR require LPs to allocate specific areas of land for employment purposes, but for the reasons already given (see para 9.23 and 9.24 above) I am satisfied that the total allocation is adequate. Policy EC2 of the SPR seeks LPs to provide for the reasonable requirements of existing business and a range of sites for businesses which might be expected to locate in the area.

9.27 A specific criticism is made that the Plan does not allocate sufficient land for open storage. The Plan provides for some 1.9 ha of land for open storage on 2 sites (1.4 ha at Segensworth and 0.5 ha at Wallington), but this has been reduced by some 0.6 ha under PIC/E/13/B (see para 9.79 below). The Council's view is that many open storage uses operate without planning permission and enforcement action has had to be taken against some of the uses; alternative sites have been found by many of the operators, often outside Fareham, because they are not tied to the Borough. The Council reports that, in the past, the Segensworth allocation has been regarded as insecure and poor of access by potential users, but this is likely to change with the completion of the distributor road. Nevertheless, it is the Council's view that the allocation of land for this use is sufficient for the period of the Plan due to, not least, the take up having been minimal in the past. With the land at Wallington already occupied this means the remaining supply will be at Segensworth where 0.4ha is already laid out and 0.8ha is undeveloped. In the absence of firm evidence to the contrary I accept that assessment. However, I see this as a use which the Council will need to keep under review.

RECOMMENDATION

9.28 Make no modification to the Plan in response to this objection

9.29 POLICY E2(B) - EMPLOYMENT ALLOCATIONS (SEGENSWORTH SOUTH)

Objections:

0001/5045: Hampshire County Council
 0127/5001: P. Stanley
 0341/5001: Mrs J. Jenkins
 0452/5001: Antony Bosustow
 0472/5010: Defence Estates Organisation (Lands) South (2)

Pre-Inquiry Changes:

Paragraph 9.35 is amended by PIC/E/6/A.
The Proposals Map is amended by PIC/PM/41.

Counter-Objection to PIC/PM/41:

0887/5001: T.U.V.

Issues:

9.30 Whether the allocation should be extended southwards to include 1.23 ha of land north of the St Margaret's Lane roundabout; whether the land at Farm Road should be removed as an employment allocation because it is a residential area, providing Officer's Married Quarters and AT Corps Wing Building.

Conclusions

9.31 The objection site (0001) is an area of pasture/paddock located to the north of the roundabout. Notwithstanding developments which exist on the western and eastern arms of the roundabout (a petrol filling station and hotel), the impression on the ground is that the area is semi-rural in character. The site makes a positive and attractive, contribution to that character. Given the foregoing and the site's location on this major route, it is not one which should be lightly abandoned to built development.

9.32 Farm Road is situated at the southern end of the proposed employment allocation (0127, 0341, 0452, 0472). It provides access to 5 detached dwellings and a building used for Air Training Corps purposes located on the south side of the road. The site is owned by the MOD who wish to see the existing uses remain undisturbed. Although the retention of the residential properties is likely to create an anomalous relationship with the employment allocation the Council proposes to exclude them from the employment allocation. Changes to the PM and the supporting text of paragraph 9.35 (PIC/PM/41 and PIC/E/6/A) give effect to these amendments. I agree that the retention of the residential use is likely to create an anomaly. However, I support the changes since given the objector's stance (0472) the implementation of this part of the allocation is unlikely to become a reality. The existence of the paddock (to the south) will prevent the Farm Road residential properties becoming wholly enveloped by employment uses. I do not see the reduction in the allocation as being significant given the total provision of employment land under the Plan (see paras 9.23-9.25 above).

9.33 A **counter objection** (0887) to PIC/PM/41 is made on the grounds that the land has been allocated for employment use for many years and is an essential part of the wider allocation. The Council confirms that MOD land was not allocated for employment use under the adopted LP so it never has been part of the wider allocation. The physical separation of the MOD land from the main body of the allocation by Farm Road means that it need not prejudice development of the land to the north.

RECOMMENDATION

9.34 Modify the Plan as follows:

- (A) **delete the last sentence of paragraph 9.35; (PIC/E/6/A)**
- (B) **amend the employment allocation at Segensworth South on the Proposals Map by removing the properties on Farm Road as shown on Pre-inquiry Change PIC/PM/41.**

9.35 POLICY E2(G) - EMPLOYMENT ALLOCATIONS (SPEEDFIELDS PARK)

Objection:

0446/5001: BG Plc (Property Division)

Issue:

9.36 Whether part of the allocation at Speedfields Park should be restricted to Classes B1, B2 or B8 uses only.

Conclusions:

9.37 As I have already indicated (see paras 9.23 and 9.24 above), based on past take up rates, I consider adequate provision for employment land is made for the period of the Plan. Nevertheless, it is reasonable that the LP seeks to protect the land use allocations from development for other purposes unless or until a surfeit of provision can be shown. That has not been demonstrated in relation to employment land. Accordingly, I do not support this objection in seeking to permit development other than Class B1, B2 and B8 uses. The immediate availability of the objection site does not alter this position.

RECOMMENDATION

9.38 Make no modification to the Plan in response to this objection.

9.39 PARAGRAPH 9.34 - EMPLOYMENT ALLOCATIONS (KITES CROFT)

Objection:

0453/5001: Mr Christian P.R. Fox

Issue:

9.40 Whether the woodland surrounding the employment allocation should be added to the existing managed nature reserve to ensure that the encroachment of buildings is prevented.

Conclusions:

9.41 The Council confirms that the future management of the woodland is covered by a woodland management plan. In any scheme of development I see no difficulty in preventing encroachment of buildings into the woodland areas. I note that a development brief has been prepared to promote development in a parkland setting.

RECOMMENDATION

9.42 Make no modification to the Plan in response to this objection.

9.43 POLICY E4 - FAREHAM STATION RAILWAY YARD

Objections:

0071/5001: English Welsh and Scottish Railway

0305/5001: ARC Southern

0389/5003: Railtrack Plc

Pre-Inquiry and Further Changes:

Paragraph 9.39 is amended by PIC/E/10 and FC/E/6.

Policy E4 is amended by PIC/E/11 and FC/E/4.

Paragraph 9.40 is amended by PIC/E/12 and FC/E/5

The Proposals Map is amended by FC/E/3.

Issues:

9.44 (i) Whether the implications of the policy are biased against rail freight use;

- (ii) whether the site should be used for residential purposes rather than Class B1 (Business) uses in the event that the aggregates depot use ceases or relocates.

Conclusions:

(i) Whether the implications of the policy are biased against rail freight

9.45 The Council accepts that the text of the policy and supporting text (paras 9.39 and 9.40) could make it clearer. It also accepts that the policy should encourage the re-use of the aggregate depot for another rail freight should the aggregate use cease (PIC/E/10 as amended by FC/E/4 and FC/E/5). Other proposed changes (PIC/E/10 and FC/E/6) more accurately reflect the current approach to the site in the Hampshire Minerals LP and improvements to working practices which have been undertaken to lessen the impact of the use on the local environment. I support the proposed changes in that they highlight the need to encourage the use of rail to carry freight in preference to road transport. This reflects national guidance PPG13 (paras 3.7 and 3.8).

(ii) Whether the site should be used for purposes other than employment

9.46 I have already considered at paras 6.293-6.295 above (see related objection 0389/5002) which seeks to utilise this site for residential development in the event that the aggregate depot use is discontinued. I have nothing to add to the principle of that consideration. Nevertheless the Council accepts that the flexibility of the policy would be improved by changes to include explicit references to a mixed-use form of development. This is affected through changes to the policy (PIC/E/11) and paragraph 9.40 and reasoned justification (PIC/E/12) in the event that the site is redeveloped for purposes other than a rail freight use. Again, I support the proposed changes as reflecting national guidance in encouraging, subject to safeguards, a mixed use form of development (PPG4, paras 14-19).

9.47 I also support the Council's further change FC/E/3 to the PM, which corrects a drafting error which resulted in some uses at the south of the allocation being excluded from the Policy E4 allocation.

RECOMMENDATION

9.48 Modify the Plan as follows:

(A) amend the first paragraph of Policy E4: Fareham Railway and Goods Yard to read:

“In the event of the railhead aggregate depot closing or relocating and no suitable alternative rail freight uses come forward, comprehensive development of the area to the east of Fareham Railway Station for Class B1 (Business) uses, or for mixed development, including Class B1 (Business) uses will be permitted, provided that: ...” (PIC/E/11 and FC/E/4);

(B) amend paragraph 9.39 to read as follows:

“The existing Railhead Aggregates Depot, on part of the land to the north and east of the Railway Station, has been known to cause environmental problems (in particular, dust, pollution and noise) to nearby housing areas. Although the South Hampshire Minerals Local Plan states that the County Council will seek ways to ameliorate environmental and traffic problems at the Depot, the deposited Hampshire Minerals and Waste Local Plan (HMWLP), as amended by Proposed Modifications, safeguards the depot for uses associated with rail-borne aggregates (Policy 26). However, the HMWLP states that permission will not be granted for development which would result in increased environmental or traffic problems (Policy 29) and it recognises that the site is not suitable for significant expansion.” (PIC/E/10 as amended by FC/E/6);

(C) amend the first part of paragraph 9.40 to read as follows:

“If the Aggregates Depot were to close or relocate, the Borough Council would encourage its reuse for alternative rail freight uses provided that there would be no increase in noise, dust or traffic. However, if no suitable rail freight use comes forward, Policy E4

encourages the comprehensive development of the Depot for Class B1 (Business) uses or for mixed-use development including Class B1 (Business) uses, together with other uses, such as residential. Additional car parking for the Station will be required. The site also ...” (PIC/E/12 and FC/E/5);

- (D) amend the boundary of the employment allocation on the Proposals Map, under Policy E4 notation, at Fareham Railway Station Yard as set on Plan 1 attached to proof FBC/E/2 (FC/E/3).

9.49 POLICY E5 - OPEN STORAGE USES

Objections:

0001/5005: Hampshire County Council
 0334/5029: Government Office for the South East

Pre-Inquiry Changes:

A new policy and paragraph relating to Segensworth East are added by PIC/E/9
 Policy E5 is amended by PIC/E/13/A-B.
 The Proposals Map is amended by PIC/PM/42.

Issues:

- 9.50 (i) Whether the open storage allocation at Segensworth East is excessive and should be reduced;
- (ii) whether criterion (ii) is too prescriptive.

Conclusions:

9.51 The Council has agreed that the allocation for open storage at Segensworth East should be reduced in favour of a replacement allocation to accommodate small business uses. Proposed change PIC/E/13/A to Policy E5 reflects this by reducing the area of the allocation from 1.8 to 0.8 ha. For the reasons already given (at paragraph 9.27 above) I see no objection to this reduction.

9.52 The Council agrees that Criterion (ii) is too prescriptive and propose to change the text of the policy by removing the specific height limit and replacing it by a requirement to protect the character of the area. The amendment satisfies the objection (0334).

RECOMMENDATION

9.53 Modify Policy E5 of the Plan as follows:

- (a) amend sub-paragraph (A) to read:
 “(A) land at Segensworth (approx. 0.8 hectares); and” (PIC/E/13/A)
- (b) amend proviso (ii) to read:
 “(ii) the stacking heights of materials and the heights of buildings do not adversely affect the character of the area; and“ (PIC/E/13/B).

9.54 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (DEAN FARM)

Objections:

0336/5003: Dean Farm Estates Ltd
 0365/5003: G. Moyse & Marchstone Estates

Issue:

9.55 Whether the objection land should identified for major employment development.

Conclusions:

9.56 The objection land is highly visible from a number of viewpoints. An extension of the employment use in such a prominent location would detract materially from the open character and appearance of the countryside to the north of the M27. The northern part of the objection land is classified Grade 2 agricultural land, the loss of which would be contrary to national guidance (PPG7, para 2.18) unless an overriding need for the proposed development can be shown. No such need has been demonstrated. It would be bad planning to consider this proposal, in a piecemeal fashion, without regard to the implications it might have on housing demand, transport and other services. In my view, the allocation of a large area of land for employment purposes over and above the existing allocation (see paras 9.23 and 9.24 above) should not be promoted independently of any needs identified under the SPR is finally adopted.

RECOMMENDATION

9.57 Make no modification to the Plan in response to these objections.

9.58 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (LITTLE PARK FARM ROAD)

Objections:

0406/5001: Frank Rutman
 0469/5001: Maplecircle Ltd

Pre-Inquiry and Further Changes:

Policy E2 is amended by PIC/E/5/A.
 A new paragraph, 9.37A, is added by PIC/E/7 and FC/E/8.
 The Proposals Map is amended by PIC/PM/42.

Counter-Objection to PIC/E/5/A:

0001/5072: Hampshire County Council

Counter-Objections to PIC/E/7:

0320/5026: Mr Richard Stubbs
 0406/5003: Frank Ruttman
 0469/5002: Maplecircle Ltd

Issue:

9.59 Whether the objection land should be allocated for employment purposes.

Conclusions:

9.60 The objection land (some 6.75 ha) is located between the M27 and the south coast railway line. It comprises paddocks and a number of dwellings. The Inspector, in considering the Winchester District LP, recommended that land to the east of the objection site be developed for employment use, but only in conjunction with the Fareham land. The Winchester LP has been modified to that effect. I agree with the Inspector for the Winchester District LP in his assessment that, as a result of restricted access and its encirclement by road and railway, the site is in danger of becoming a 'no mans land' in planning terms. Subject to the access constraint

being overcome it makes sense to allocate the site for employment purposes. Thus, subject to the submission of details of a suitable access the Council propose to add the site to Policy E2 (PIC/E/5/A) and an additional paragraph (9.37A) by way of supporting text (PIC/E/7).

9.61 A **counter objection** (0001/5007) is made to the proposed allocation due to the potential impact it will have on the surrounding road network. The objector is concerned at the additional load which will be placed on the already congested Junction 9 of the M27 and the Segensworth Roundabout. I am minded to set aside the counter objection for a number of reasons. The site is well placed in a transport corridor, close to Swanwick Station; thus it is capable of making good use of the existing transport infrastructure for all modes of travel including new transport initiatives through cycling and bus links. Thus the site is very well placed to reduce the need to travel to work by car in accordance with PPG13 advice. The allocation would take an area of countryside which, due to its location and physical encirclement, provides a very limited function in that role; it should therefore defer the need to take more open countryside for built development. Further, it is reasonably close to existing shopping and other facilities at Park Gate. I find that the existing and potential benefits outweigh the objector's concerns.

9.62 Three **counter objections** (0320, 0406 and 0469) are raised to the Council's proposed supporting text which requires that no access be permitted from Botley Road. I agree with the Council that, because of the limited frontage between the railway and motorway bridges on Botley Road, this is unlikely to provide an acceptable main access to the site. That is most likely to be from the south where it would involve improvement of Little Park Farm Road, at present a narrow lane, which connects the site to the Segensworth (West) Industrial Estate beneath the railway. According to the Council, this is feasible in engineering terms. It would seem unlikely that access would be permitted directly from the Junction 9 roundabout on the M27. The option remains to use the western route onto Botley Road as an emergency access in the event of a cul-de-sac in excess of 200m being required as part of any layout. I support the Council's proposed amendment to the new paragraph (9.37A) to acknowledge this possibility (FC/E/8).

RECOMMENDATION

9.63 Modify the Plan as follows:

- (A) add to the list of employment allocations under Policy E2 the following:
“(H) Little Park Farm Road, Park Gate.” (PIC/E/5/A)
- (B) add a new paragraph 9.37A following paragraph 9.37 as set out in Pre-inquiry Change PIC/E/7 BUT amend the penultimate sentence to read as follows:
“An emergency access only will be permitted from Botley Road.” (FC/E/8)
- (C) add a new employment allocation at Little Park Farm Road, Park Gate to the Proposals Map as shown on PIC/PM/42.

9.64 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (MILITARY ROAD)

Objection:

0471/5002: T. Hamblen

Issue:

9.65 Whether the objection site should be allocated for employment development under the policy.

Conclusions:

9.66 The objection site is an area (some 1 ha) of paddock located within a wedge of open land between the

built-up area of Wallington and the A27 Spur (Eastern Way). Visually, the land is seen within the same semi-rural landscape as the Pinks Hill site (see paras 9.69-9.70 below). I have considered a related objection (0471/5001 - see paras 3.137-3.138 above). I support the inclusion of the land in the Wallington/Portchester local gap/countryside. This land, together with the Pinks Hill site, is prominent in the landscape and plays a similarly important role in providing an open, semi-rural setting to Wallington. Its development would substantially reduce the open land remaining between the edge of Wallington and the A27 Spur. I am satisfied that sufficient land has been allocated for employment purposes for the period of the Plan (see paras 9.23-9.24 above). In the absence of an overriding need for additional employment land, therefore, I do not support this objection.

RECOMMENDATION

9.67 Make no modification to the Plan in response to this objection.

9.68 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (PINKS HILL)

Objection:

0436/5002: Aldenbridge Ltd

Issue:

9.69 Whether the objection site should be allocated for employment development under the policy.

Conclusions:

9.70 The objection site is an area of paddock (some 5.57 ha) bounded by the A27 Spur (Eastern Way) and Pinks Hill/Military Road. The site occupies an important and prominent position in the landscape on one of the main routes into Fareham. I have already concluded that adequate provision is made for employment land for period of the Plan (see paras 9.23-9.24 above). The site is identified as countryside and forms part of the Wallington/Portchester local gap (see paras 3.137 and 3.138 above). Because of its prominence and open, semi-rural character, I see this site as making an important contribution to the countryside setting of Wallington and the local gap. These would be materially harmed by built development and would undermine the important objectives of the policies which seek their protection.

9.71 I find no convincing evidence of a lack of sites for prestigious office development in the Borough, given the permissions which have been granted at Cams Hall and Kites Croft and sites still available at Solent Business Park. Moreover, in terms of PPG13 (see para 3.5), the location is a poor one, it being too remote from Fareham Town Centre and public transport facilities. Access to the site is likely to require a tortuous approach or require the upgrading of Pinks Hill to the detriment of the character of that route which, in its present condition, is little more than a country lane.

RECOMMENDATION

9.72 Make no modification to the Plan in response to this objection.

9.73 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (ROOKERY AVENUE)

Objection:

0861/5002: Mr & Mrs Luttmann

Issue:

9.74 Whether the land to the south of Rookery Lane should be allocated for employment uses.

Conclusions:

9.75 I have already considered a related objection (0861/5001) based on the non-allocation of the site for housing development (see paras 6.356-6.358 above). A proposal in the consultation draft of the LPR to allocate the site for employment purposes (Class B1 and B2) was deleted following objections. The site is allocated as countryside on the PM. It lies between the new settlement of Whiteley and the M27. I am satisfied that there is already a sufficiency of land allocated for employment purposes for the period of the Plan (see paras 9.23-9.24 above). In the absence of an overriding need for additional land to meet the employment needs of the area I see no justification for supporting the allocation of additional land for employment development.

RECOMMENDATION

9.76 Make no modification to the Plan in response to this objection.

9.77 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (SEGENSWORTH EAST)

Objection:

0001/5004: Hampshire County Council

Pre-Inquiry and Further Changes:

New Policy E3A is added by PIC/E/9 and amended by F/PIC/E/9/B.

New paragraph 9.38A is added by PIC/E/9 and amended by PIC/E/9/A.

The Proposals Map is amended by PIC/PM/43

Policy E5 is amended by PIC/E/13/A.

Counter-Objections to PIC/E/9:

0001/5071: Hampshire County Council

0320/5025: Mr Richard Stubbs

Issue:

9.78 Whether part of the objection site should be allocated for small business development.

Conclusions:

9.79 Some 1.2 ha of land at Segensworth (East) has been granted permission for open storage uses, of which 0.4 ha has been implemented. This would leave 0.8 ha remaining for open storage uses. The Council proposes, and I support their approach (see paras 9.27, 9.50 and 9.52 above), that it would be acceptable to reduce the area allocated for open storage uses. This will enable an additional area (some 0.6 ha) to be provided for small business use specifically to meet the requirement for "seedbed" accommodation in the western part of the Borough. The amendment will aid small businesses in line with national policy and improve the geographical balance.

9.80 A **counter objection** (0001) is made to the shape of the 'seedbed' allocation on the grounds that it will not be able to provide a satisfactory layout. The triangular shaped area to be provided for starter units is that part of the original allocation which does not benefit from the planning permission already granted for open storage use (ref: P/94/1216/CU). While I agree with the objector that the shape of site could make a satisfactory layout difficult, given the goodwill of the landowner (the objector) and the LPA it may be possible to negotiate for a more rectangular shaped site at the detailed application stage. Meanwhile, given the existence of the planning permission I suggest no change to the shape of the site on the PM.

9.81 Another **counter objection** (0320) is made on the basis that other policies of the Plan will bring forward proposals which would further reduce the amount of land available to open storage; other factors will result in the

displacement of open storage uses. Thus there should be no loss of land to meet this need. I have nothing further to add on this point, which was dealt with at paragraph 9.27 above.

RECOMMENDATION

9.82 Modify the Plan as follows:

- (A) add a new paragraph 9.38A following paragraph 9.38 and a new Policy E3A as set out in Pre-inquiry Change PIC/E/9 and as amended by Further Changes F/PIC/E/9/A, F/PIC/E/9/B;
- (B) add a new employment allocation at Segensworth East on the Proposals Map as shown on Pre-inquiry Change PIC/PM/43;

[My Recommendation supporting the reduction of the area of open storage at site (A) under Policy E5 is set out in paragraph 9.53 above].

9.83 POLICY E2 (NEW) - EMPLOYMENT ALLOCATIONS (WICOR FARM)

Objection:

0424/5002: Chantry Holdings Ltd

Issue:

9.84 Whether land at Wicor Farm should be allocated for employment or marine related development.

Conclusions:

9.85 I have considered this site in the context of an objection (0424/5004) to its non-allocation for housing development under Policy H1 (see para 6.384 above). This objection raises similar issues. I consider that the site, by reason of its essentially rural character and appearance and its location within the CZ and local gap/countryside, should not be subjected to built development or increased activities which would harm these characteristics and objectives. I reject the suggestion that the site should be regarded as a 'brownfield' site. It has an appearance similar to many small agricultural holdings. I am satisfied that sufficient land has been allocated for employment purposes for the period of the Plan (see paras 9.23-9.24 above). Should the adopted SPR require additional allocations of housing or employment land in Fareham (see paras 6.11-6.17 above) then the search can be undertaken as part of any review of the LPR. Any proposal for marine related development can be considered on its merits against Policy E10 and paragraph 9.52 as proposed for amendment (see PIC/E/17/A and B and PIC/E/18/A and B).

RECOMMENDATION

9.86 Make no modification to the Plan in response to this objection.

9.87 PARAGRAPH 9.42 - EMPLOYMENT DEVELOPMENT WITHIN THE URBAN AREA

Objection:

0007/5019: Sarisbury Building Ltd

Issue:

9.88 Whether the heading of the section is misleading in suggesting that employment activities only take place

within the urban area.

Conclusions:

9.89 The Council proposes a change to the Plan (PIC/E/16) which deals specifically with employment in the countryside. I indicate below that I support this approach and distinction. Accordingly, an amendment to the heading of this section is not necessary.

RECOMMENDATION

9.90 Make no modification to the Plan in response to this objection.

9.91 POLICY E6 - BUSINESS OR INDUSTRIAL DEVELOPMENT OUTSIDE EXISTING OR PROPOSED EMPLOYMENT AREAS

Objections:

0007/5020: Sarisbury Building Ltd
0360/5007: HGP Planning Consultancy Ltd

Pre-Inquiry Changes:

Policy E6 is amended by PIC/E/14.

Issues:

- 9.92 (i) Whether the policy implies that employment development only takes place in the urban area;
(ii) whether the last paragraph of the policy is too restrictive.

Conclusions:

9.93 The first issue is related to the previous objection (see para 9.89 above). I support the Council's proposed change to the wording of the heading of the policy which makes clear that it applies to development in the urban area only (PIC/E/14).

9.94 Since the majority of the urban area outside of employment and other specific allocations is made up of housing, I find it reasonable that the policy should exclude Class B2 (General Industrial) and B8 (Storage or Distribution). As explained in paragraph 9.44 of the supporting text these classes of use, potentially, could harm residential amenities. It is appropriate therefore that proposals within these classes should be considered on their merits.

RECOMMENDATION

9.95 Modify the Plan by amending the heading of Policy E6 to read:

“Policy E6: Employment Development in the Urban Area” (PIC/E/14)

9.96 NEW POLICY - WORKING FROM HOME

Objection:

0002/5001: Orange Personal Communication Services Ltd

Issue:

9.97 Whether a new policy is required to encourage home-based working.

Conclusions:

9.98 The supporting text (para 9.46) provides helpful advice on when a material change in use is likely to arise from home working. This is unlikely to be made any clearer through a policy. Thus I see no need for a new policy.

RECOMMENDATION

9.99 Make no modification to the Plan in response to this objection.

9.100 POLICY E10 - BOATYARDS**Objections:**

0334/5030: Government Office for the South East

0366/5009: A.H. Moody and Sons Ltd

0370/5009: Association of River Hamble Boatyard and Marina Operators

0424/5005: Chantry Holdings Ltd

Pre-Inquiry and Further Changes:

Policy E10 is amended by PIC/E/17/A-B and FC/E/9.

Paragraph 9.52 is amended by PIC/E/18/A-C and FC/E/11.

The Proposals Map is amended by FC/E/10.

Issues:

- 9.101 (i) Whether the first sentence of the policy is overly restrictive in seeking to prevent development of new boatyards;
- (ii) whether the policy goes beyond national guidance and related policies in the SP and SPR; and whether the policy pays insufficient account of the SSE's views in approving the SP;
- (iii) whether the policy is inconsistent with Eastleigh Borough LP's approach to boatyards;
- (iv) whether the policy, as a whole, is too restrictive and discourages investment;
- (v) whether the policy is inconsistent between different boatyards.

Conclusions:

(i) Whether the first sentence of the policy is too restrictive in preventing new boatyard development

9.102 The Council agrees the point made in the first issue. It proposes to delete the introduction to the Policy (PIC/E/17/A and PIC/E/17/B). An explanation of its intended approach to the establishment of new boatyards (PIC/E/18/B) is to be added to the supporting text (para 9.52). In essence this advises that proposals for new boatyards will be considered on their merits against the relevant policies of the Plan paying due regard to the character of the coast and nature conservation interests. A further change seeks to restrict any new boatyards, by condition, to marine-related uses (FC/E/11). The proposed changes will improve the flexibility of the policy and bring new boatyards into line with existing yards. Notwithstanding that boat building/repair is a traditional source of local employment which the Plan seeks to encourage, a proposal for a new boatyard is likely to be a rare occurrence. In these circumstances I find the approach adopted in the supporting text to be an appropriate response. I see no need for a new policy to deal specifically with this form of development.

(ii) Whether the policy goes beyond national guidance, the SP and SPR

9.103 PPG20 seeks to prevent the loss of traditional, boating related facilities to other uses not requiring a waterside location (para 3.8). I have commented on the criticism that Policy C7 (Coastal Zone) goes further than PPG20 in Chapter 3 in connection with objection 0366/5001 (see para 3.247-3.252 above). In a similar vein, Policy E10 seeks to restrict development at the seven, existing boatyards to marine related development such as

boat building, repair and other ancillary uses [proviso (i)].

9.104 In approving the SP, the SSE considered that "Policy C10 would not prevent LPAs allowing development within a boatyard for another use if, exceptionally, they were satisfied that this was necessary to secure the continued use of the site for boatyard or marina purposes". All of the existing boatyards on the Hamble are shown within the countryside on the PM. Policies C10 and C4 of the SP and SPR, respectively, seek to restrict proposals for redevelopment and changes of use, including boatyards and marinas, to those needing direct access to the water. A similarly restrictive approach is taken in Policy 7 of the First Alteration to the River Hamble LP (CD/4). Thus given the importance of boatyards to the district, I do not find that the policy departs in any material way from the spirit and objectives of either national guidance or the SP, SPR and River Hamble LP policies.

(iii) Whether the policy is consistent with Eastleigh Borough LP's approach

9.105 The objectors argue that, in the interest of consistency, the Fareham LP should follow the Eastleigh LP (policy 111.E), which provides for exceptional non-related marine development within the text of the policy. The Council's response was to propose a change to paragraph 9.52 of the supporting text (PIC/E/18/C). This allows, in exceptional circumstances, for a limited amount of non-marine related floorspace being permitted where it can be demonstrated that it is required to secure the future of a boatyard and its continued viability for marine related purposes. Although the objectors prefer this provision to be in the policy, it is settled law that, in S54A terms, the development plan is not confined to the policies; it also includes the supporting text. In practice, I expect the effect of the 2 approaches will be consistent. In my view the amendment adequately provides the flexibility sought by the SSE in approving the SP (para 5.64 of CD/6).

(iv) Whether the policy, as a whole, is too restrictive and discourages investment

9.106 The objective of the policy is to ensure that boatyards are retained for marine-related development. I see no objection therefore to proviso (i) of the policy which embodies that objective. Proviso (ii) is criticised as being too restrictive. I do not agree. Proposals for extensions to existing curtilages should be examined against the relevant policies. It would be unreasonable to expect that boatyards would be permitted under the policy to expand without considering the implications of that on neighbouring uses/landscape.

9.107 The objectors also seek to widen the use of boatyard sites to include recreation/leisure uses, for example, yachtsmen's accommodation. The supporting text to the policy, as amended, already allows for exceptions. I see no difficulty in exceptions to the policy involving proposals for non-marine related development, including accommodation for yachtsmen and restaurants, being dealt with on a case by case basis. I see this as preferable to the suggested form of words put forward by the objectors which, in seeking to build into the wording a series of exceptions, loses the clarity and precision of the LPR wording.

9.108 The objectors further claim that the policy would stifle investment in the event that it leads to the imposition of a marine related condition on new buildings, since it would make an investment more risky. They argue that at no time in the past has the LPA had control over use within the majority of the yards because there are no restrictions on many of the existing buildings except through the UCO. Owners will not replace old buildings in the countryside because they run the risk of imposition of a 'marine related' condition.

9.109 Any difficulty in raising finance for the redevelopment at a boatyard is obviously a consideration for the LPA, but it is but one of a raft of matters to be considered. Notwithstanding the freedom which exists for owners of yards to use their buildings for non-marine related uses they appear not to have taken advantage of that option in any significant way. Despite the vagaries of the national economy over the past 2 decades, no boatyard has closed. This suggests that the viability of the yards, based on their marine-related activities remains sound. In the absence of hard evidence of difficulty, therefore, I am not persuaded that this is a consideration of such weight that any further relaxation in the policy is justified.

(v) Whether the policy is inconsistent between different boatyards

9.110 The objectors also criticised the policy as inconsistent in that it was not to be applied to all boatyards within the district. Upper Quay and Lower Quay being cited as having been excluded from the policy. The

Council agrees that that Lower Quay should have been included within the policy because most of the present uses are marine related. Further changes to the policy and the PM are proposed to remedy the omission (FC/E/9 and FC/E/10). Upper quay, on the other hand, is an existing aggregates wharf. Should this use cease, the Council propose (Policy R10) that the site be used for a range of leisure uses including, public house, restaurant and sailing club with associated moorings. I note, however, that the aggregates use is protected under the HMWLP. The proposal to add Lower Quay to the policy will remove the present anomaly.

RECOMMENDATION

9.111 Modify the Plan as follows:

- (A) amend Policy E10 by deleting the first sentence and the first word of the second so that it reads:
 “Marine-related development will be permitted at the following existing boatyards:”
 (PIC/E/17/A and PIC/E/17/B)
- (B) amend Policy E10 by adding to the list of boatyards as follows:
 “(G) Lower Quay, Fareham.” (FC/E/9)
- (C) amend the Proposals Map at Lower Quay, Fareham by deleting the ‘existing employment area boundary - category B’ notation; replace it with the Policy E10 notation as shown in Plan 1 of FBC/E/5/A; (FC/E/10)
- (D) after the third sentence of paragraph 9.52 add the following:
 “The majority of the boatyards are adjacent or close to statutory sites of national and international nature conservation importance and others are adjacent to non-statutory sites (see Policies C9A-C11). Therefore, particular attention will also need to be paid to the impact of proposals on nature conservation interests and the ecology of the River Hamble and Fareham Lake. Proposals for new boatyards will be considered on their merits against the relevant policies of the Plan and any other material considerations. Particular attention will be paid to the impact of proposals on the character of the area and on nature conservation interests. In order to restrict the future introduction of uses which do not require access to the water, any new boatyards which are permitted will be restricted to marine-related uses through the imposition of an appropriate planning condition. Moorings and marinas are considered in the Recreation, Leisure and Tourism Chapter. In exceptional circumstances, a limited amount of non-marine related development may be permitted where it can be demonstrated to the satisfaction of the Borough Council that the development is required to secure the future of the boatyard and the continued viability of the majority of the boatyard for marine-related purposes.” (PIC/E/18/A-C as amended by FC/E/11).

9.112 POLICY 9.52 - BOATYARDS

Objection:

0438/5032: Hampshire Wildlife Trust

Pre-Inquiry Changes:

Paragraph 9.52 is amended by PIC/E/18/A-C.

Issues:

9.113 Whether the supporting text pays sufficient regard to the national and local nature conservation

designations which apply to much of the land adjacent to boatyards.

Conclusions:

9.114 The Council agrees that the supporting text should emphasise the relationship between boatyards and national and local conservation designations. It proposes an addition to the supporting text (para 9.52) emphasising this aspect in considering proposals for development (PIC/E/18/A).

RECOMMENDATION

9.115 Modify the Plan by adding additional text after the third sentence of paragraph 9.52 as set out in Pre-inquiry change PIC/E/18/A

[FOR EASE OF REFERENCE AND COMPLETENESS THIS MODIFICATION HAS BEEN INCORPORATED IN RECOMMENDATION 9.111 (D) ABOVE]

9.116 POLICY NEW - EMPLOYMENT IN THE COUNTRYSIDE

Objections:

0335/5020: Country Landowners Association
 0381/5050: Fareham Society

Pre-Inquiry Changes:

A new section relating to Employment in the Countryside is added by PIC/E/16.

Issues:

9.117 Whether a new policy is required to encourage the provision of employment opportunities in rural areas;

Conclusions:

9.118 No part of the countryside within the district is far from a settlement area. Accordingly, there are no truly remote rural areas. Nevertheless, the Council agrees that the plan will be improved by including a section dealing with employment in the countryside and this should be cross-referenced to the reuse of existing buildings in the countryside. A change is therefore proposed adding a new section of supporting text and policy (PIC/E/16). I support this addition to the Plan in that it will provide a clearer and better balanced approach to this aspect of employment. This section, confirms that its policy is to direct employment development to existing urban areas and employment allocations. It acknowledges that there are existing buildings in the countryside which may be suitable for employment purposes as well as existing employment uses in the countryside. Proposals for development will be considered against a new criteria based policy. Given the local circumstances of Fareham I consider the proposed change now provides clear guidance on the Plan's approach to employment in the countryside.

RECOMMENDATION

9.119 Modify the Plan by adding a new section comprising 3 paragraphs and a policy dealing with "Employment in the Countryside" as set out in Pre-inquiry Change PIC/E/16.

9.120 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0007/5016: Sarisbury Building Ltd 0335/5019: Country Landowners Association 0366/5008: A H Moody & Sons Ltd 0370/5008: Association of Hamble Boatyard & Marina Operators	Paragraph 9.2	Pre-inquiry Change PIC/E/1/A and PIC/E/1/B
0007/5017: Sarisbury Building Ltd	Paragraph 9.23	Pre-inquiry Change PIC/E/2
0007/5018: Sarisbury Building Ltd	Policy E1	Pre-inquiry Change PIC/E/3/A
0401/5002: Hitchcock Management Services (Guernsey Ltd)	Proposals Map (see also Recommendation at para 2.84 above)	Further Change FC/E/7 (Map E/1/A - Plan 1 of Proof FBC/E/1/B)
0334/5027: Government Office for the South East	Paragraph 9.32 Policy E2 (iv)	Pre-inquiry Changes PIC/E/4 and PIC/E/5/B
0449/5009: English Heritage	Paragraph 9.35	Pre-inquiry Change PIC/E/6/B
0334/5028: Government Office for the South East	Policy E3 (C)	Pre-inquiry Change PIC/E/8
0393/5007: Environment Agency	Policy E9	Pre-inquiry Change PIC/E/15
0348/5001: Geoffrey & Sarah Townley	Proposals Map	Pre-inquiry Change PIC/PM/44

CHAPTER 10: SHOPPING AND TOWN CENTRE STRATEGY

10.0 POLICY (NEW) - TOWN CENTRE BOUNDARY

Objections:

0001/5003: Hampshire County Council
 0329/5002: J Sainsbury Developments Ltd
 0381/5051: Fareham Society
 0416/5002: Somerfield Stores Ltd

Pre-Inquiry Changes:

A new policy is added PIC/S/2.
 The Proposals Map is amended by PIC/PM/45

Issue:

10.1 Whether the Plan fails to conform with Policy S1 of the SPR in that it does not delineate a town centre boundary.

Conclusions:

10.2 The Council accepts this point. It proposes to amend the PM (PIC/PM/45) by defining a town centre boundary. The Council also considers that a new policy is called for. This will highlight the uses which would be permitted within the town centre to support its retail function (PIC/S/2). The proposed change to the PM meets the objections. The new policy will make clearer the range of uses which will be acceptable within the centre.

10.3 One objector makes the point (0416) that the delineation of the town centre will assist in applying the sequential test under Policy S5 (Out-of-Centre Shopping). However, that will not be the case. The approach taken in the Plan for the location of retail uses is more tightly prescribed than the town centre boundary. PPG6 refers to 'town centres' in its sequential approach to preferred locations. The Council intend to use the term 'retail core' as the start to the sequential approach in place of 'town centre' as used in Policy S1 and PPG6. This could lead to some confusion. I comment on it further below at paragraphs 10.41 and 10.43.

RECOMMENDATION

10.4 Modify the Plan as follows:

- (A) amend the Proposals Map by adding the boundary of Fareham Town Centre as shown on Pre-inquiry Change PIC/PM/45;
- (B) add a new Policy S1A as set out in Pre-inquiry Change PIC/S/2.

10.5 POLICY S2 MARKET QUAY

Objections:

0012/5027: Mrs R A Billett
 0303/5001: G A Day Ltd
 0304/5001: D J H Reddy, R F Middleton & others
 0313/5006: R F Crook
 0334/5031: Government Office for the South East
 0381/5052: Fareham Society

0449/5010: English Heritage

Pre-Inquiry and Further Changes:

Paragraph 10.19 is amended by PIC/S/6 and FC/S/1.

Paragraph 10.20 is amended by PIC/S/7.

Policy S2 is amended by PIC/S/9.

Paragraph 10.22 is amended by PIC/S/10/B.

Paragraph 10.25 is amended by PIC/S/11.

A new paragraph 10.25A is added by PIC/S/12 and amended by F/PIC/S/12/A.

Counter-Objection to PIC/S/12:

0001/5073: Hampshire County Council

Counter-Objection to PIC/S/9:

0381/5075: Fareham Society

Issues:

- 10.6
- (i) Whether the inclusion of 15 residential units within the scheme is insufficient;
 - (ii) whether the requirement for the taking of land from 24 West Street, for highway purposes under CPO powers, is necessary;
 - (iii) whether No. 48 West Street is included within the scheme of redevelopment;
 - (iv) whether there is a need for a 22 screen cinema;
 - (v) whether the text of the policy needs to be amended to ensure protection and integration of listed and other buildings within the scheme.

Conclusions:

- (i) Whether the inclusion of 15 residential units is insufficient (0012)

10.7 The Council have produced a revised development brief for the site in which residential accommodation is not included. A proposed change to Policy S2 and supporting text (para 10.20) is put forward to reflect the revised brief (PIC/S/9 and PIC/S/7). A factual change is also proposed by the Council to paragraph 10.19 (FC/S/1) recognising that outline planning permission was granted in 1997 and reserved matters, excluding residential use, were approved in April 1998. The reason given by the Council for the omission is that leisure uses such as a cinema and night club are not considered compatible with residential use.

10.8 I find the omission regrettable. The advantages and objectives of mixed use development, including residential, is widely acknowledged (PPG6, paras 2.13-2.17). Moreover, this initiative is being given added impetus in the national drive to minimise greenfield development. Given the market uncertainties which exist and which could result in changes to preferred schemes I consider it would be short sighted to exclude residential use with such finality. In saying this I have in mind the scope for different design solutions available in a site which is equal in size to the Fareham Shopping Centre; e.g., through separation of incompatible uses. I accept that this location may not be suitable for family accommodation, but well designed accommodation in such a central location could be very attractive to single person or childless couple households. While the revised policy does not positively promote residential use, I am pleased to note that it would be capable of inclusion under criterion (E). Because the centre is notably lacking in activity in the evenings I suggest that the Council should actively seek to promote residential development on the site again if the opportunity presents itself. I suggest an amendment to paragraph 10.25 in preference to its complete deletion as proposed under PIC/S/11.

- (ii) Whether the taking of land from No. 24 West Street is necessary (0303)

10.9 This property abuts the eastern boundary of the Market Quay allocation on its eastern side. The allocation includes the full width of Quay Street. The scale of the PM does not permit me to comment on the degree of detail identified in this objection. The objector's premises are not mentioned in the policy or the supporting text. Any land take would have to be negotiated or justified through CPO procedures. The Council

propose to add to the supporting text (new para 10.25A under PIC/S/12) stating the highway position regarding the site. In essence this is that the situation remains uncertain pending the grant of permission on a detailed scheme. While I welcome this position statement it does nothing to remove the uncertainty for this objector. In the context of the LP, however, I cannot resolve this objector's concerns other than to request the Council to keep the objector informed.

(iii) No. 48 West Street (0304)

10.10 The Council confirm that this property was not included in any CPO to enable the development to proceed; it expects the building to be retained unless agreement is reached with its owners for it to be demolished as part of the comprehensive development of the site. The Council propose a change to the supporting text (para 10.22 under PIC/S/10B) to confirm its position. This is an expectation that the objection building, with others, should remain unless acquired by agreement for redevelopment as part of a comprehensive scheme. I find that this goes as far as is reasonable given that the building is neither listed nor within a CA.

(iv) Whether there is a need for a 22 screen cinema (0313)

10.11 The only reference in the text in this part of the Plan is to a development including leisure use (Class D2). I note that the Council's retail consultant (CD/21, paras 10.46-10.50) supports the inclusion of a leisure based development as an anchor in any scheme of redevelopment. The situation remains fluid given the uncertainties of the market. It would be wrong for me to comment further on a component of the scheme which may or may not become a reality. The existence of cinemas at Eastleigh and Port Solent would be taken into account by a cinema developer before making a commitment to Fareham. Fareham town centre is well served by public transport, thus any leisure development could result in fewer journeys being undertaken by private car. Any associated car parking for a cinema, or any other leisure component, would need to be considered at the detailed application stage. The Council, propose a further change to the text to record its decision to approve details, following outline permission, for a scheme which included an 11 screen cinema (FC/S/1). I would caution the Council against including too much detail in the text of the Plan lest it be rendered out of date by rapidly changing market conditions.

(v) Whether the text needs to safeguard the integration of listed and other buildings within the scheme

10.12 The final paragraph of the replacement policy identifies the listed buildings and other significant buildings in townscape terms. The Council agrees that the policy should give strong support to the retention of the buildings and that they should be incorporated into the development. The amended text reflects that objective and, in my view, meets these objections.

Counter objection to PIC/S/9

10.13 A **counter objection** (0381) is made to the proviso in the policy that requires development to comply with the development brief. This is on the basis that the Council's intentions have changed. I have some sympathy with the objector on this point. It could be difficult for the public to keep itself informed of changes, and the reasons for them, on this key town centre site. In fairness, the supporting text (para 10.21) does warn that the development brief will be subject to change to reflect conditions. I note and support the Council's proposed change to the supporting text (PIC/S/8) confirming its intention to advertise and consult on detailed applications. It would also be helpful if the public could be kept informed of significant changes to the development brief and/or the permitted scheme through the local press and key amenity and residents groups.

Counter objection to PIC/S/12

10.14 A **counter objection** (0001) is made on the grounds that the reference to highway improvements in the amended text should include public transport, cycling and pedestrians. The Council accepts the point and propose a further change (F/PIC/S/12/A) to that effect.

RECOMMENDATION

10.15 Modify the Plan as follows:

- (A) (i) replace the last sentence of paragraph 10.19 with the text set out in Pre-inquiry Change PIC/S/6; and add a further sentence as follows:
- “The Council resolved in April 1998 to grant reserved matters approval pursuant to the outline permission, but excluding the residential element.” (FC/S/1)
- (ii) amend paragraph 10.20 as set out in PIC/S/7;
- (iii) amend paragraph 10.21 as set out in PIC/S/8;
- (B) replace Policy S2 (Market Quay, Fareham) with the text as set out in Pre-inquiry Change PIC/S/9;
- (C) amend paragraph 10.25 to read as follows:
- “In the past the town centre has suffered from population decline. Residential accommodation can help to create a town centre which is lived in and which is lively outside working hours. The scheme approved in April 1998 (see paragraph 10.19 above) excluded any residential element. However if, as a result of changing market conditions or for other reasons, there is a need to look afresh at the uses provided on the site the Council will re-examine the opportunity to introduce a residential element on the site.”
- (D) add a new paragraph after paragraph 10.25 to read as follows:
- “10.25A Access to the development will be from the Hartlands Road/Portland Street and Quay Street. Highway improvements, including provision for public transport, cycling and pedestrians, are likely to be required to Portland Street and Quay Street, and to the Quay Street Roundabout (see Policy T8). The extent and level of the highway improvements will depend upon the details of the scheme and the uses proposed for the site.” (Pre-inquiry Change PIC/S/12 as amended by Further Pre-inquiry Change F/PIC/S/12/A);
- (E) add a new sentence after the second sentence of paragraph 10.22 as set out in Pre-inquiry Change PIC/S/10/B.

10.16 PARAGRAPH 10.20 - MARKET QUAY

Objection:

0416/5001: Somerfield Stores Ltd

Issue:

10.17 Whether the expansion of the site needs to be fully justified in order to be sure that it maintains, complements and improves the range of facilities and services in the long term.

Conclusions:

10.18 In September 1997 the Council granted outline planning permission for a mixed use redevelopment of the site. In April, 1998 the Council resolved to approve details of the mixed use scheme, excluding its residential element, and subject to some further submissions. In effect, therefore, an extant planning permission exists for the site. The uses permitted comprise retail, cinema, restaurants, nightclub, light entertainment venue and family entertainment centre. The scheme of redevelopment is generally in line with the Council's Retail Consultant's recommended range of options for the redevelopment of this key Town Centre site.

RECOMMENDATION

10.19 Make no modification to the Plan in response to this objection.

10.20 PARAGRAPH 10.21 - MARKET QUAY**Objection:**

0172/5003: Natwest Group

Pre-Inquiry Changes:

Paragraph 10.21 is amended by PIC/S/8.

Issue:

10.21 Whether applications or supplementary planning guidance relating to the site should be subject to public consultation.

Conclusions:

10.22 The Council accepts this point. It proposes a change to the text of paragraph 10.21 (PIC/S/8) to confirm its practice of advertising and consulting on detailed planning applications for the site. I consider this should be taken a step further (see paragraph 10.13 above). Given the importance of the site, I suggest that the Council should also undertake to publicise significant changes to the development brief should this be necessitated by market conditions or for other reasons.

RECOMMENDATION**10.23 Modify the Plan by adding an additional sentence at the end of paragraph 10.21 as follows:**

“Any detailed planning application will be advertised in the usual manner and subject to public consultation. Any significant changes to the development brief for the site will be publicised.”

10.24 POLICY S3 - NON-RETAIL USES IN FAREHAM TOWN CENTRE**Objection:**

0172/5004: Natwest Group

Pre-Inquiry Changes:

Paragraph 10.26 is amended by PIC/S/13

Policy S3 is replaced by PIC/S/14.

Issue:

10.25 Whether the policy allows for the reasonable introduction of non-retail uses in the Primary Retail Area.

Conclusions:

10.26 The policy is generally in line with advice set out in PPG6 (paras 2.12 and Annex B, para 6). Moreover, I note that the Council's Retail Study (CD/21, para 7.19), comprising a very detailed survey of the district's shopping facilities, recommended that the Fareham Shopping Centre, in particular, should be retained for Class A1 'in order to maintain its retail critical mass'. The Centre constitutes the major component of the Primary Shopping Area within the town centre in terms of number of units and floor area. The objector provides no evidence to support the view that the Primary Shopping Area lacks diversity or representation in Class A2 and A3 uses. In the absence of such evidence, I do not support this objection.

10.27 Nevertheless, the Council is of the view that, in order to reflect the findings of the Retail Study, the application of the policy could be expressed more clearly in terms of its application to the Primary and Shopping Areas and to other centres (Policy S8). This provides for a limited addition of Class A3 uses to improve the attractiveness of the Fareham Centre and the proposed scheme for Market Quay. This clarification is provided in a replacement Policy S3 (PIC/S/14) and an addition to paragraph 10.26 (PIC/S/13).

10.28 With the exception of the wording used in proviso (A) of the replacement policy I support the proposed changes. I suggest, however, that proviso (A) would be improved if it were couched in PPG6 terms i.e., harming the vitality and viability of the town centre rather than 'adversely affecting the character of the area'.

RECOMMENDATION

10.29 Modify the Plan as follows:

(A) add a new sentence to the end of paragraph 10.26 as follows:

“Class A3 uses are also proposed within the comprehensive redevelopment of the Market Quay site.” (PIC/S/13)

(B) replace Policy S3 with the text as set out in Pre-inquiry Change PIC/S/14 BUT REPLACE PROVISO (A) WITH THE FOLLOWING:

“(A) the use would not extend or consolidate existing non-retail uses so that they would harm the vitality and viability of the area and discourage shoppers from using the centre;”

10.30 POLICY S4 (B) - CHANGE OF USE IN HIGH STREET CONSERVATION AREA

Objection:

0334/5032: Government Office for the South East

Issue:

10.31 Whether proviso (B) of the policy is overly restrictive.

Conclusions:

10.32 This proviso seeks to protect residential use within the CA since it is regarded as important in the contribution it makes to the CA's mixed use character. I find that this is a laudable objective in protecting the character of what is clearly one of the most attractive and, due to its location within the town centre, vulnerable CA's within the district. I see no objection to the Council seeking to protect the remaining residential uses within the CA in the way proposed.

RECOMMENDATION

10.33 Make no modification to the Plan in response to this objection.

10.34 PARAGRAPH 10.29 - SHOPPING OUTSIDE THE TOWN CENTRE (BROADCUT)

Objection:

0329/5003: J Sainsbury Developments Ltd

Issue:

- 10.35 Whether the Broadcut development would be better described as 'edge of centre' rather than 'out of centre' in the text.

Conclusions:

10.36 The Sainsbury's foodstore at Broadcut is more than 500m from the Primary Shopping Area 'as the crow flies' and some 650m by foot. PPG6 suggests easy walking distance to an edge of centre location is between 200-300m of the primary shopping area. Within these guidelines I consider that the development could not reasonably be described as 'edge of centre'. The term 'out of centre' is more appropriate. Nevertheless, the Council considers that the objection justifies a clarification of the definition of the term 'edge of centre' in the Glossary (PIC/A/7/B). I support the amendment in providing greater clarity to the term and its application to shopping policies.

RECOMMENDATION

- 10.37 Modify the Plan by replacing the definition of 'edge of centre' in the Glossary at Appendix 11 as follows:**

“For shopping purposes, location within easy walking distance, i.e., 200-300 metres, of the Primary Shopping Area. Parking is provided which serves the shopping centre as well as the store. For offices/leisure purposes, the edge-of-centre may be more extensive.” (Pre-inquiry Change PIC/A/7/B)

10.38 PARAGRAPH 10.32 - OUT OF CENTRE SHOPPING

Objections:

0360/5008: HGP Planning Consultancy Ltd

0417/5009: British Telecommunications Plc

Pre-Inquiry Changes:

Paragraph 10.32 is amended by PIC/S/15/A-D and F/PIC/S/15/D/1.

Policy S5(D) is amended by PIC/S/16/B and F/PIC/S/16/B/1.

Counter-Objection to PIC/S/16/B:

0171/5002: Petition c/o Mr Bevis (13 Names)

Issues:

- 10.39 Whether the supporting text fully reflects Government guidance; whether proviso (D) should refer only to the protection of employment land in defined employment areas in order to reflect Policy E1.

Conclusions:

10.40 The Council agree that the text could better reflect PPG6 guidance. It proposes a number of amendments to this effect. The second sentence of paragraph 10.32 is amended to include town centre 'buildings' as well as 'sites' (PIC/S/15/A); the third sentence is amended to begin the sequential test with the 'retail core' rather than the 'town centre' (PIC/S/15/B); at the end of the paragraph it is proposed to explain that proposals will be considered in terms of harm to: the plan's strategy, the vitality and viability of the centres, and accessibility by a choice of means of transport (PIC/S/15/C). Guidance set out in paragraph 3.26 of PPG6 is introduced to protect land allocated for other uses from shopping development (PIC/S/15/D); this is carried into proviso (D) of Policy S5 (PIC/S/16/B). With one reservation, I support the proposed changes to the text and policy as bringing this section more into line with national guidance.

- 10.41 My reservation is the possible confusion for users of the Plan in the use of the term 'town centre' and the

application of the sequential approach. Under PPG6 the first preference for selecting sites for new retail development is the town centre (para 1.11). However, under paragraphs 10.18A, 10.32 and Policy S5 the first preference is within the 'retail core' of the town centre. This is confined to the Primary and Secondary Shopping Areas and the Market Quay site. Fareham 'town centre' has a wider definition than 'retail core' on the PM (see PIC/PM/45). While I see no objection to this distinction it does mean that the sequential approach needs to be amended in relation to locating new shopping proposals. It seems that, logically, the sequence should be as follows: retail core; **edge of retail core**; **rest of town centre**; edge of town centre, district and local centre sites. If this interpretation is correct then the description of the sequential approach set out in **paragraph 10.32** and the **Glossary** (as proposed to be changed by FC/A/3 - see paragraph 10.46) will need further amendment.

10.42 A **counter objection** (0171) is made to PIC/S/16/B on the grounds that proviso (D) should include the word "normally" in seeking to prevent sites allocated for "other uses" being lost to retail development. At paragraph 1.21 of the Plan the reason for not using "normally" in policies is explained. I firmly back that approach. Accordingly, I do not support the counter objection. The Council, nevertheless, consider that proviso (D) could reflect PPG6 more closely and propose changes to the policy and its supporting text (F/PIC/S/16/B/1 and FC/PIC/S/15/D/1). I support the proposed changes in that they provide a clearer explanation of the intended application of the policy.

RECOMMENDATION

10.43 Modify the Plan as follows:

- (A) **amend the second sentence of paragraph 10.32 and the subsequent text to read:**

“This approach should demonstrate that all town centre sites or buildings are thoroughly investigated for their suitability for retail development before less central sites are considered for key town centre uses. First preference for retail development should be in the retail core of the town centre, followed by sites on the edge-of-the retail core, the rest of the town centre, edge-of-centre sites, district and local centres and only then out-of-centre sites accessible by a choice of means of transport. When considering proposals for out-of-centre development, particular attention will be paid to the following key issues: harm to the development plan strategy, the likely impact on the vitality and viability of existing town centres, accessibility by a choice of means of transport, and the likely impact on overall travel patterns and car use (see PPG6). The use of land allocated or designated for other uses is unlikely to be acceptable especially where it would limit the range and quality of sites for such uses. This applies particularly to existing and proposed housing areas (Policies H1 and H4), employment areas (Policies E1 - E4) and open space (Policies R3 and R4).”

(Pre-inquiry Changes PIC/S/15/A, PIC/S/15/B (amended), PIC/S/15/C and PIC/S/15/D as amended by F/PIC/S/15/D/1)

- (B) **[amend proviso (D) of Policy S5: Out-of-Centre Shopping (PIC/S/16/B as amended by F/PIC/S/16/B/1) - SEE PROVISIO (D) AT PARAGRAPH 10.47 (I) BELOW]**

10.44 POLICY S5 - OUT OF CENTRE SHOPPING

Objections:

0334/5033: Government Office for the South East
 0360/5009: HGP Planning Consultancy Ltd
 0417/5008: British Telecommunication Plc

Pre-Inquiry and Further Changes:

Policy S5 is amended by PIC/S/16/A-C, F/PIC/S/16/B/1, F/PIC/S/16/C/1 and FC/S/2.

Issues:

- 10.45 Whether the policy should be amended to ensure that the sequential test and other criteria set out in PPG6 is applied to out-of-centre shopping proposals.

Conclusions:

10.46 The Council accepts the policy could better reflect the advice set out in PPG6. It proposes that the introduction to the policy and the first proviso reflects the sequential approach to new shopping proposals outside the retail core of the town centre and the district or local centres (PIC/S/16/A). Subsequently, the Council gave further consideration to the wording of the policy and proposes further amendments (FC/S/2). It is proposed that the terms 'retail core' and 'sequential approach' be added to the plan's Glossary (FC/A/2 and FC/A/3). With the same reservation already mentioned at paragraph 10.41 above, I support the raft of changes to the policy and the Glossary as providing clearer guidance in the application of the Policy. For convenience and ease of reference I put forward the whole of the Policy as proposed for amendment in my recommendation.

RECOMMENDATION

10.47 Modify the Plan:

(I) Replace Policy S5 with the following:

“Outside the retail core of the town centre, that is, the Primary and Secondary Shopping Areas and the Market Quay site, proposals for new shopping development (Class A1) will be permitted, provided that:

- (A) the sequential test has been applied and no suitable sites or buildings are available in the retail core of the town centre, then edge of the retail core, rest of the town centre, edge of town centre, or in the district or local centres;**
- (B) the scheme would not encroach upon the countryside, coast or a Strategic Gap;**
- (C) the site is located where good access, particularly by public transport, can be provided;**
- (D) the development would not result in the loss of land designated for other uses, particularly for residential, employment or open space purposes; and**
- (E) the scale and the design of the buildings and the standard of landscaping are appropriate to their surroundings.**

Where appropriate, conditions may be attached to a permission or a legal agreement sought to restrict the range of goods sold and to control the number and size of units”.

(PIC/S/16/A as amended by FC/S/2 (amended), PIC/S/16/B as amended by F/PIC/S/16/B/1 and PIC/S/16/C amended by F/PIC/S/16/C/1)

(II) add 2 further definitions to the Glossary (Appendix 11) of the Plan as follows:

“Retail Core - A term used for retailing purposes, in particular in relation to the use of the sequential approach, to define the retail core of Fareham town centre. It consists of the Primary and Secondary Shopping Areas and the Market Quay site.” (FC/A/2)

“Sequential Approach - A term applied to the selection of suitable sites or buildings for development where town centre options are thoroughly assessed before other sites are considered. For new retail development preference should be for sites within the retail core of the town centre, followed by edge-of-retail core sites, the rest of the town centre, edge- of-town centre sites, district and local centres and only then out-of-centre sites. For other uses, in particular recreation, leisure and tourism, the sequential approach applies more generally where preference is given to town centre sites followed by district and local

centres and only then out-of-centre sites.” (FC/A/3 amended)

10.48 PARAGRAPH 10.33 - RETAIL WAREHOUSES

Objections:

0329/5004: J Sainsbury Developments Ltd

0867/5004: J.J. Gallagher Ltd

Pre-Inquiry Changes:

Paragraph 10.33 is amended by PIC/S/17/A.

Issue:

10.49 Whether the plan makes adequate provision for the future needs of retail warehousing.

Conclusions:

10.50 In 1996, the Council's Retail Survey (CD/21) concluded (para 9.21) that there was an adequate supply of retail warehousing existing within the district. Additional land for retail warehouses is available at Speedfields Park. Nevertheless, in order to meet any further demand for this type of retailing over the period of the plan, and subject to suitable access arrangements, the Council proposes to allocate a 1.2 ha site in Quay Street for retail warehouse purposes. This is put forward as an amendment to paragraph 10.33 (PIC/S/17/A). [A new policy and further supporting text for the Quay Street allocation is proposed in response to objection 0867/5005-see paragraph 10.81 below]. The site of the new allocation is on the edge of the retail core within the town centre. In terms of any sequential test this site is clearly preferable to Broadcut, some 500m to the north of the retail core. In the absence of evidence showing that the Plan's provision would be inadequate I do not support these objections.

10.51 For completeness and ease of reference I also incorporate in my recommendation below the change to paragraph 10.33 proposed under PIC/S/17/B in response to objection 0329/5006 - see paragraph 10.57 below.

RECOMMENDATION

10.52 Modify the Plan by amending the first 2 sentences of paragraph 10.33 to read as follows:

“The Retail Study concluded that there was an adequate supply of bulky goods retail warehouses in the Borough at that time. However, in order to meet future demands for retail warehousing emerging over the plan period, land at Quay Street, Fareham is allocated for retail warehousing (see Policy S6A). In order to retain the existing provision of large retail warehouses and to avoid out-of-centre uses damaging the vitality and viability of centres, Policy S6 is necessary.” (PIC/S/17/A and PIC/S/17/B)

10.53 POLICY S6 - RETAIL WAREHOUSES

Objections:

0113/5001: Young and Butt

0329/5006: J Sainsbury Developments Ltd

0360/5010: HGP Planning Consultancy Ltd

0867/5003: J.J. Gallagher Ltd

Pre-Inquiry Changes:

Policy S5 is amended by PIC/S/16/C and F/PIC/S/16/C/1.

Paragraph 10.33 is amended by PIC/S/17/B.

Policy S6 is amended by PIC/S/18.

Paragraph 10.34 is amended by PIC/S/19/A.

Counter-Objection to PIC/S/16/C:

0416/5003: Somerfield Stores Ltd

Issues:

- 10.54 (i) Whether the policy meets the objective of providing for shops selling bulk goods unsuited to a town centre location; whether the restriction on the sub-division of existing retail warehouses is excessive and fails to anticipate market trends;
- (ii) whether the policy would be used to avoid harmful competition with town centres and prevent the construction of further large retail warehouses; and whether it would be more appropriate to control the kinds of goods sold by means of conditions.

Conclusions:

- (i) Whether the policy provides for shops selling bulky goods unsuited to town centres

10.55 Additional land for retail warehousing exists at Speedfields Park. A further allocation of some 1.2 ha is proposed at Quay Street (PIC/S/20). One can only speculate about the possible effects of the shopping allocation (some 15,000 sq. m) at Whiteley, which may provide additional competition in this type of retailing (see para 10.23 CD/21). Given this increase in supply, I have no evidence to suggest that the plan's provision for retail warehousing would be inadequate for the period of the Plan.

10.56 The objective in preventing the sub-division of large retail warehouses into smaller units is to prevent their use for comparison shopping which would harm and therefore undermine the vitality and viability of the established centres. This strategy is a legitimate one and is supported at the national level (see para 3.2, PPG6). The Council state that few of the existing units within the district are below 1500 sq. m in size. Nevertheless, the Council has decided that a reduction in the limit to 930 sq. m (10,000 sq. ft) would be appropriate. The reduction goes some way to meet the objectors concerns that 1,400 sq. m is unnecessarily large and strikes an acceptable balance between the 2 positions.

- (ii) Whether the policy would be used to avoid harmful competition with town centres

10.57 The Council accept that the supporting text would be improved by using the terminology of PPG6. It proposes changes to paragraph 10.33 to underline the need for Policy S6 to prevent damage, through sub-division, to the vitality and viability of established centres (PIC/S/17/B). Changes to paragraph 10.34 explain that the purpose of the policy is to encourage smaller units to locate in existing centres while avoiding the creation of a demand to replace large retail warehouses lost to sub-division (PIC/S/19/B). The Council accepts that there is need to refer to the use which can be made of conditions in controlling the goods sold in retail warehouses. A change to the wording of the policy gives effect to this point (PIC/S/16/C).

Counter objection to PIC/S/16/C

10.58 A **counter objection** (0416) is made to this change on the grounds that legal agreements as well as conditions can be appropriate in controlling the goods sold in retail warehouses. The Council accepts the point and propose to include a reference to legal agreements (F/PIC/S/16/1). I support the changes to the supporting text and policy as providing a clearer explanation of its objectives and providing for a wider range in the size of units in this category of retailing.

RECOMMENDATION

10.59 Modify the Plan as follows:

- (A) **amend the threshold figures in Policy S6 to read:**

“The sub-division of existing retail warehouse units to units of less than 930 square metres (10,000 square feet) gross floor area ...” (PIC/S/18)

(B) add a new paragraph at the end of Policy S5 as set out in Recommendation paragraph 10.47 (I) above (PIC/S/16/C as amended by F/PIC/S/16/C/1)

(C) amend the final sentence of paragraph 10.33 to read as set out in Recommendation at paragraph 10.52 above (PIC/S/17/B)

(D) replace the first 2 sentences of paragraph 10.34 as follows:

“The sub-division of existing retail warehouses into smaller units more appropriately located in town, district and local centres could lead to demand for the construction of further large retail warehouses. It would also encourage the movement of town centre uses to out-of-centre locations. In addition, the sale of high value comparison goods could threaten the continuing role of existing centres.” (PIC/S/19/A)

10.60 POLICY NEW - SHOPPING DEVELOPMENT (OLD SOUTHAMPTON ROAD, PARK GATE)

Objection:

0171/5001: Petition c/o Mr Bevis (13 Names)

Issue:

10.61 Whether properties to the north of the retail park along Old Southampton Road should be allocated for commercial purposes.

Conclusions:

10.62 The objection properties comprise detached and semi-detached dwellings fronting the Old Southampton Road; the latter provides access to a retail park to the south and commercial development to the east on the opposite side of the road. At peak hours commuter traffic causes congestion on the road and activities associated with the commercial uses cause nuisance. The Council do not disagree with the objectors in their assessment of the problems. A difference remains between the parties as to the solution.

10.63 The retail park and the commercial uses opposite the objection premises are not recognised as specific commercial allocations on the PM. The objectors seek a commercial allocation of the objection site. It seems that the only acceptable use to the objectors is for retailing purposes. The conclusions of the Retail Study (CD/21, para 9.21) is that retail warehousing is already adequately provided for in the district (see para 10.55 above). Nevertheless the Council have already allocated an additional 1.2 ha of land for this purpose at Quay Street, Fareham adjoining the retail core. The latter on the sequential test is a far better location than the objection site. In the circumstances I see no justification for allocating the site as proposed by the objectors, quite apart from the anomaly that would be created in terms of the PM.

10.64 An alternative suggestion from the Council to overcome the objectors' concerns is that, despite a potential loss of housing contrary to Policy H4, commercial development in the form of business use (Class B1) be allocated to the objection properties. However, this was rejected by the objectors because it would give insufficient value to bring about redevelopment. In these circumstances I do not see the local plan as being the appropriate vehicle for dealing with these objections. In order to ameliorate the conditions complained of, the Council suggests action under other legislation, namely, traffic management measures to deal with traffic, licensing controls and environmental health to deal with late night revelry and noise nuisance. No doubt the objectors will seek to pursue this set of options. I have no reason to question the Council's view that the conditions in the Wallington case, cited by the objectors, were different in that they could not be improved by traffic or other environmental improvements.

RECOMMENDATION**10.65 Make no modification to the Plan in response to this objection.**

10.66 POLICY NEW - SHOPPING DEVELOPMENT (SOUTHAMPTON ROAD, PARK GATE)**Objection:**

0391/5001: Mr M E & Mrs J Swain & others

Issue:

10.67 Whether the objection site should be allocated for out-of-centre shopping or other specialist commercial uses such as a motor dealership.

Conclusions:

10.68 The objection site comprises the plots of 5 detached dwellings adjoining the western arms of the Segensworth Roundabout on the A27. The findings of the Council's Retail Study are outlined in paragraphs 10.10 -10.11 of the Plan. There is no evidence that any additional retail floorspace is required over that already provided for in the Plan. Proposals would be considered under Policy S5 of the Plan, applying the sequential test. However, I see no justification for an additional allocation here remote from any established retail centre.

10.69 I would expect proposals for other commercial uses to be considered on their merits against the policies of the Plan. I see no good reason to allocate the site for wider commercial use. Given the problems which can be created by the juxtaposition of residential and commercial uses (see objection 0171/5001 above) I would expect such proposals to be given very careful consideration by the LPA.

RECOMMENDATION**10.70 Make no modification to the Plan in response to this objection.**

10.71 POLICY NEW - RETAIL WAREHOUSE DEVELOPMENT (BROADCUT, FAREHAM)**Objection:**

0329/5005: J Sainsbury Developments Ltd

Issues:

10.72 Whether land at Broadcut, Fareham should be allocated for retail warehouse uses under the Plan.

Conclusions:

10.73 The Council's 1996 Retail Study (CD/21, para 9.21) concluded that there was an adequate supply of retail warehouses in the district. Nevertheless the Council has allocated a further 1.2 ha site on Quay Street, within the town centre and adjoining the retail core, for this category of retailing. Broadcut is more than 500m (see also para 10.36 above) from the retail core of the town centre. In applying the sequential test, therefore, the Quay Street allocation is a far superior site in locational terms to that at Broadcut. A town centre location is also preferable in terms of supporting linked trips, making better use of the town centre's car parking and safeguarding land allocated for employment purposes (at Broadcut). I have no evidence (see also para 10.55 above) that any further allocation for large retail uses is justified.

RECOMMENDATION

10.74 Make no modification to the Plan in response to this objection.

10.75 POLICY NEW - RETAIL WAREHOUSE DEVELOPMENT (QUAY STREET, FAREHAM)**Objection:**

0867/5005: J.J. Gallagher Ltd

Pre-Inquiry Changes:

New Policy S6A is added by PIC/S/20 and amended by F/PIC/S/20/B.

New paragraph 10.34A is added by PIC/S/20 and amended by F/PIC/S/20/A.

The Proposals Map is amended by PIC/PM/46.

Counter-Objection to PIC/S/20:

0416/5004: Somerfield Stores Ltd

Issue:

10.76 Whether land at Quay Street, Fareham should be allocated for retail warehousing.

Conclusions:

10.77 The Council accept that, notwithstanding the conclusions of its Retail Study (CD/21, para 9.21), it would be prudent to allocate additional land for retail warehousing in the event that demand for this use emerges during the period of the Plan. Accordingly, the Council proposes, subject to satisfactory access arrangements, to allocate the objection site, a former foundry (1.2 ha) located within the town centre, for retail warehousing. A new policy and supporting text is put forward under PIC/S/20 with a consequential change to the PM under PIC/PM/46.

10.78 The objection site is well located for this type of use in that it is adjoining the retail core and within the town centre. It will be accessible by a choice of means of transport. It will enable linked shopping trips to be carried out. The site is allocated for Category B employment purposes under the Plan; its allocation for retail warehousing means it would be lost to employment. However, the proposed allocation of additional employment at Little Park Farm, Park Gate (some 5.6 ha) would more than compensate for the loss of the Quay Street site. Moreover, the Park Gate site is also well located for it to be reached by a choice of means of transport. I anticipate, therefore, that the Quay Street allocation would give strength and support to the town centre in line with PPG6 guidance.

Counter objection

10.79 A **counter objection** is made on the grounds that there is no evidence of need for the allocation. If the allocation, nevertheless, proceeds measures should be take to ensure that the nature and type of retailing does not change over time.

10.80 The Council accepts there is no quantitative need for additional land for retail warehousing. However, it records demand from one retailer for additional provision. I am persuaded by the argument that the allocation could help in providing variety and depth to retail offer in the town centre. Furthermore, the allocation would provide the Council with some flexibility in meeting unforeseen demand, should it arise, in a location which will complement the town centre activities. A change to the text of new paragraph 10.34A is proposed in recognition of that prospect (F/PIC/S/20/A). The Council, however, accept that the policy should confirm that conditions will be attached to any planning permission, or a legal agreement sought, to regulate the type of goods sold from the site (F/PIC/S/20/B). Overall, therefore, I support the proposed changes.

RECOMMENDATION**10.81 Modify the Plan as follows:**

(I) add a new paragraph 10.34A to follow 10.34 to read:

“10.34A Land to the east of Quay Street, Fareham, which is currently used as a foundry, is allocated for retail warehousing to meet any future demands for such uses which may arise during the plan period. The use of the site for retail warehousing will improve the variety and depth of retail offer in the town centre. Appropriate pedestrian links to the Market Quay site and West Street should be incorporated into the scheme. The design of the building will need to be of high standard in recognition of its prominent position adjacent to the A27 and its location within the town centre. Access will be from Quay Street and improvements may be required to the surrounding road network.”
(PIC/S/20 as amended by F/PIC/S/20/A)

(II) add a new policy to follow new paragraph 10.34A as follows:

“Policy S6A: Quay Street, Fareham

Development of 1.2 hectares of land for retail warehousing will be permitted at Quay Street, Fareham, provided that:

- (A) it is of a high standard of design which complements the town centre;
- (B) appropriate provision is made for pedestrian links to the Market Quay site/West Street;
- (C) highway improvements, where appropriate, are made to Quay Street and the Quay Street Roundabout; and
- (D) it would not adversely affect the character of the area or have unacceptable environmental, amenity or traffic implications.

Appropriate conditions will be attached to any permission or a legal agreement sought to restrict the range of goods sold and to control the number and size of units.” (PIC/S/20 as amended by F/PIC/S/20/B);

(III) add a new retail warehouse notation and allocation to the Proposals Map at Quay Street, Fareham. (PIC/PM/46)

10.82 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0407/5029: Gosport and Fareham Friends of the Earth	Paragraph 10.16	Pre-inquiry Change PIC/S/2
0381/5053: Fareham Society	Paragraph 10.22	Pre-inquiry Change PIC/S/10/A
0113/5002: Young and Butt	Paragraph 10.34	Pre-inquiry Change PIC/S/19/B
0334/5034: Government Office for the South East	Paragraph 10.50 and Policy S11	Pre-inquiry Changes PIC/S/21 & PIC/S/22

CHAPTER 11: TRANSPORT

11.0 POLICY (NEW) - CYCLE, MOTOR BIKE, MOPED PARKING

Objection:

0407/5002: Gosport & Fareham Friends of the Earth

Issue:

11.1 Whether the Plan should include proposals for covered parking for cycles, motor bikes and mopeds at Council premises, main shopping areas and car parks.

Conclusions:

11.2 The importance of cycling in providing an alternative, pollution free means of transport to the car, for short journeys, is recognised in the Plan's transport strategy (para 11.21). The SEHTS (para 11.23) also recognises cycling as an important means of transportation for work shopping and as a recreational activity. If cycling is to be encouraged as an alternative method of transport I agree with this objector that the strategy could be strengthened if the provision of cycle parking facilities were made explicit in the policy and text. I suggest, therefore, that paragraph 11.23 and proviso (C) of Policy T5 be amended to highlight the needs of cyclists for secure parking at their journey's end. The needs of motorcyclists and moped riders tend to be met on-street and within car parks, however, the adequacy of its provision needs to be kept under review. I consider that the provision of **covered** parking, as a general rule, would be unreasonable and unduly onerous.

RECOMMENDATION

11.3 Modify the Plan as follows:

(I) add a new sentence at the end of paragraph 11.23 as follows:

“The needs of cyclists for convenient and secure cycle parking facilities at public buildings, shopping centres, transport interchanges and places of work will be considered as part new development and as opportunities arise.”

(II) amend proviso (C) of Policy T5 to read as follows:

“it makes appropriate provision for highway safety, access, internal layout, parking (including cycle parking), landscaping and environmental measures; and”

11.4 POLICY (NEW) - MEASURES TO REDUCE CAR USE

Objection:

0407/5003: Gosport & Fareham Friends of the Earth

Issue:

11.5 Whether the plan should include measures to reduce the use of the motor car, the introduction of public transport lanes on main roads and the enforcement of the Road Traffic Reduction Act.

Conclusions:

11.6 The Plan recognises the need to reduce the reliance on the private car (para 11.3 objectives (a)-(e)) through the control of **land use** under the planning acts. The use of public transport lanes and other measures for dealing with traffic on the Borough's roads will be developed through the integrated transport strategies (Policy T1 of the SPR), in this case, the South East Hampshire Transportation Strategy (SEHTS). In my view such

detailed highway control matters are best dealt with outside of the Plan itself.

RECOMMENDATION

11.7 Make no modification to the Plan in response to this objection.

11.8 PARAGRAPH 11.16 - PARK AND RIDE

Objections:

0172/5005: Natwest Group

0407/5013: Gosport & Fareham Friends of the Earth

Issues:

11.9 Whether 'park and ride' schemes should be the subject of public consultation; whether 'park and ride' schemes should be introduced where possible, for example, Portchester Castle.

Conclusions:

11.10 The HCC has confirmed its intention to consult the public on any 'park and ride' proposals as they evolve through the SEHTS. Given that undertaking and the wide public interest in such proposals I see no need for the text to explicitly confirm that position. The HCC confirms that no 'park and ride' sites have yet been identified. The Plan allows for schemes to be considered under Policy T2 and developed through the SEHTS. No change to the Plan is called for.

RECOMMENDATION

11.11 Make no modification to the Plan in response to these objections.

11.12 POLICY T2 - PUBLIC TRANSPORT

Objection:

0407/5033: Gosport & Fareham Friends of the Earth

Further Change:

A New Paragraph, 11.11A, is added by FC/T/2.

Issue:

11.13 Whether the policy should include specific proposals for public transport schemes, e.g., bus priority measures and routes for bus lanes.

Conclusions:

11.14 I agree with the HCC that such proposals are too detailed for the LPR and that they are more appropriately dealt with through the SEHTS. Nevertheless the HCC proposes a further change, through a new paragraph (11.11A) explaining the objectives of the strategy in reducing accidents, increasing cycling, walking and reducing peak hour growth in car traffic and reducing emissions (FC/T/2). The change improves the understanding of the background and objectives of the Plan's transport strategy.

RECOMMENDATION

11.15 Modify the Plan by adding a new paragraph 11.11A to follow 11.11 to read:

'The SEHTS document 'Making the Change' includes targets for reducing road accidents, increasing the use of cycling, walking and public transport, restricting the peak hour growth of car traffic and reducing emissions. These targets will be refined in the light of the Road Traffic Reduction Act and the Integrated Transport Strategy White Paper to be published shortly.'
(Further Change FC/T/2)

11.16 POLICY (NEW) - PARK AND RIDE**Objection:**

0385/5006: Ian Hammond

Issue:

11.17 Whether the viability of the SHRT can be assured without a new policy to require ample 'park and ride' facilities, particularly at Junctions 9, 10 and 11 on the M27.

Conclusions:

11.18 No sites for 'park and ride' have yet been identified (see para 11.10 above). I agree with the HCC that the size, number and location of 'park and ride' facilities are best dealt with in the context of the SEHTS and Policy T2. I am not satisfied that the objector's concerns would be advanced by a new policy which would lack clarity and precision.

RECOMMENDATION**11.19 Make no modification to the Plan in response to this objection.**

11.20 POLICY T3 - SOUTH HAMPSHIRE RAPID TRANSIT**Objections:**

0313/5005: Mr R.F Crook

0407/5024: Gosport & Fareham Friends of the Earth

Issues:

11.21 Whether the Plan lacks clarity if it fails to identify residential areas which may suffer through use for over-spill parking; and whether a full passenger interchange linked with the SHRT should be identified under the Plan.

Conclusions:

11.22 I do not agree with the objector that the Plan should identify residential areas close to stops on the SHRT which may suffer car parking pressure. Such matters at this stage would be speculative. However, I am not surprised that residents should be apprehensive lest streets close to proposed stops could come under pressure for on-street parking. The joint councils' response is that the scheme is based on walking and cycling to the stops or using feeder buses apart, that is, from the Fareham stop. This will not necessarily prevent parking pressure arising. However, should that pressure arise, it will need to be considered in the context of detailed planning of the line, its links with other means of transport and the management of traffic and vehicle parking in the vicinity of the proposed stops along its length.

11.23 The joint councils' confirm that interchange opportunities will be investigated at Fareham Railway

Station. The Councils will be aware of any limitations in providing full interchange facilities at Fareham Station between buses, trains and the SHRT. I do not see how the Plan can provide any further specific land use impetus for the introduction of interchange facilities at this stage.

RECOMMENDATION

11.24 Make no modification to the Plan in response to these objections.

11.25 POLICY T3 - SOUTH HAMPSHIRE RAPID TRANSIT (KNOWLE)

Objections:

0365/5005: G. Moyse & Marchstone Estates

Issue:

11.26 Whether the Plan should identify a station at Knowle to serve any new development which may be built there.

Conclusions:

11.27 I note that a consultant's study concluded that it would be technically feasible to build a halt at Knowle on the existing heavy railway line. However, the anticipated residential development (some 500 dwellings) was dismissed by the train operators as being too small to justify an additional halt. The permitted development at Knowle lies outside the Plan area. Furthermore, currently there is no proposal to extend the SHRT to serve Knowle. In these circumstances there is no way these objections can be met. This does not rule out any review of the line and the parts the district it serves at some time in the future.

RECOMMENDATION

11.28 Make no modification to the Plan in response to this objection.

11.29 PARAGRAPH 11.21 - PEDESTRIAN SAFETY

Objections:

0313/5004: Mr R.F Crook.

0323/5001: Mr J.A. Lee

Issues:

11.30 Whether the Plan should include provisions for pedestrian safety, e.g. light controlled crossings for pedestrians from South Fareham, across the Western Way, to the town centre; whether the Plan should include proposals for footpaths along Segensworth Road and Mill Lane.

Conclusions:

11.31 I agree with the HCC that proposals for pedestrian safety are too detailed for inclusion in the Plan. HCC confirms that improved facilities for pedestrian and cyclists in the town centre will be considered as part of the SEHTS. Nevertheless HCC confirms that, in response to objection 0313, new pedestrian crossing facilities at Western Way and Hartlands Road/West Street will be provided as part of the Market Quay development. In response to objection 0323, HCC states that, while there are no proposals to provide pedestrian facilities to Titchfield Village along the suggested route, an alternative pedestrian route will be provided between Segensworth Road and the A27 as part of the scheme for the remaining sections of the Segensworth Industrial Estate Road, under Policy T8(B).

RECOMMENDATION**11.32 Make no modification to the Plan in response to these objections.**

11.33 PARAGRAPH 11.23 - CYCLING**Objections:**

0300/5021: Warsash Residents' Association

0342/5001: Mrs D.M. Newton

Issues:

11.34 Whether the plan needs to address the rising conflict between cyclists and walkers.

Conclusions:

11.35 The use of pedestrian routes and footways by cyclists is frequently a response to the absence of dedicated cycle paths or safe cycle routes on roads. The problem is widespread and difficult to resolve. However, the HCC and the Council confirm that, where there are marked safety problems for pedestrians, they will give favourable consideration, subject to consultation with the interested user groups, to the conversion of footways and footpaths for safe shared use between pedestrian and cyclists. Where warranted the Councils will consider special engineering and signing measures to achieve better separation. Apart from such measures the problem is, of course, one of enforcement. I see the resolution of the conflict as one which is best tackled through the operation of the SEHTS and the Cycling Strategy, rather than the LP.

RECOMMENDATION**11.36 Make no modification to the Plan in response to these objections.**

PARAGRAPH 11.24 - MAP 4 (CYCLEWAYS)**Objections:**

0080/5041: Portchester Society

0438/5034: Hampshire Wildlife Trust

Pre-Inquiry Changes:

Map 4 is amended by PIC/PM/47

Issues:

11.37 Whether the footpaths skirting Cams Hall estate should be included on Map 4: Cycleways; and whether the cycleways shown on Map 4 would impact on SSSI, SPA and SAC nature reserves.

Conclusions:

11.38 The Council confirms that the footpaths skirting Cams Hall estate are not public footpaths. With no public right of way over the routes they do not lend themselves for use as cycleways. The Council proposes to up-date Map 4 to reflect the latest version of the Cycling Strategy (PIC/PM/47). It is only sensible to use the most up-to-date version of the Council's proposed cycling network under its Cycling Strategy. Insofar as the network may impact on the designated nature reserves I see no difficulty in the Council taking the sensitivity of these areas into account at the detailed planning stage where the routes pass through or skirt designated nature

conservation areas.

RECOMMENDATION

11.39 Modify the Plan by replacing ‘Map 4: Cycleways’ by that shown on PIC/PM/47, so far as it shows proposals within Fareham.

11.40 POLICY (NEW) - GREENWAY (WHITELEY/PARK GATE)

Objection:

0407/5038: Gosport & Fareham Friends of the Earth

Issue:

11.41 Whether the Plan should show a greenway linking Whiteley with Park Gate via a bridge over the A27 and railway.

Conclusions:

11.42 I agree with the Council that it would not be sensible to include proposals which have no prospect of being provided on grounds of cost or, indeed, which may not have been studied as to their feasibility. I accept, however, that the route proposed by the Council, which utilises existing roads is not a particularly ‘cyclist friendly’ route where it uses Botley Road (A3051), which is narrow and quite heavily trafficked. The Councils may agree that this problem needs to be considered outside the LP process if pedestrians and cyclists are to be encouraged to use this route.

RECOMMENDATION

11.43 Make no modification to the Plan in response to this objection.

11.44 PARAGRAPH 11.28 - ROAD NETWORK

Objections:

0320/5022: Mr Richard Stubbs

0334/5035: Government Office for the South East

Pre-Inquiry Change:

Paragraph 11.28(a.i) is amended by PIC/T/6.

Issues:

11.45 Whether the Plan should recognise the Hampshire Lorry Route as defined by the County Council; whether sub-paragraph (a)(i) misdescribes the M27 as a trunk road.

Conclusions:

11.46 In describing the Strategic Guidance to the LPR, paragraph 11.5(d) acknowledges that the HCC's transportation policies include ‘Lorries in Hampshire’. This includes a policy for the control of heavy commercial vehicles, including the routes they should follow. I see no necessity for the Plan to repeat that strategic guidance, which is a detailed traffic management measure. The Council accepts that the description of the M27 in sub-paragraph (a)(i) is incorrect. A change is proposed deleting the reference to ‘trunk road’ (PIC/T/6).

RECOMMENDATION

11.47 Modify paragraph 11.28 (a)(i) of the Plan by deleting the words “(the only trunk road in the Borough)” (PIC/T/6)

11.48 POLICY (NEW) - IMPROVING EXISTING ROAD SURFACES**Objection:**

0337/5005: Parkworld Holidays Ltd

Issue:

11.49 Whether a new policy is required to ensure that all roads leading to tourist destinations, including existing holiday parks, are adequately surfaced.

Conclusions:

11.50 The responsibilities for, and the standard of maintenance of, unadopted roads are not matters for the Local Plan.

RECOMMENDATION

11.51 Make no modification to the Plan in response to this objection.

11.52 POLICY T5 - TRANSPORT AND DEVELOPMENT**Objections:**

0417/5010: British Telecommunications Plc

0445/5019: House Builders Federation

Pre-Inquiry Changes:

Paragraph 11.33 is amended by PIC/T/9 and F/PIC/T/9/A.

Issues:

11.53 Whether the policy would be contrary to national guidance (PPG13, para 1.8); whether the supporting text (para 11.33) implies that contributions to highway works and/or commuted payments in association with development will be sought as a matter of course.

Conclusions:

11.54 The guiding principles of PPG13 are to reduce the growth in length and number of motorised journeys, reduce the reliance on the private car and encourage alternative means of travel which have less environmental impact. Locating major generators of travel demand in existing centres is but one of a raft of objectives. I find nothing in the Policy and its objectives which is contrary to national guidance. The Council proposes amendments to the supporting text of paragraph 11.33 under PIC/T/9 and F/PIC/T/9/A (see response to objection 0001/5018 below). I am satisfied that the text did not imply that contributions would be sought as a matter of course. However, the text as proposed for amendment makes that quite clear, although I suggest below (see para 11.58) a further amendment to the text of PIC/T/9.

RECOMMENDATION

11.55 Make no modification to the Plan in response to these objections.

11.56 POLICY (NEW) - TRANSPORT CONTRIBUTIONS**Objection:**

0001/5018: Hampshire County Council

Pre-Inquiry Changes:

Paragraph 11.33 is amended by PIC/T/9 and F/PIC/T/9/A.

Counter-Objection to PIC/T/9:

0445/5034: House Builders Federation

Issue:

11.57 Whether a policy is needed covering the requirement for contributions towards transport improvements which are made necessary by development.

Conclusions:

11.58 Policy IM1, as proposed for amendment, will provide for contributions being sought for infrastructure made necessary by a development. Thus, there is no need for a new policy dealing specifically with transport infrastructure. Nevertheless the Council accept that a cross reference with Policy IM1 and some additional clarification of the text would improve the understanding of this part of the Plan (PIC/T/9). Apart from one exception, I agree with the proposed change. In order that the text more accurately reflects the advice in Circ 1/97, I suggest that the phrase 'will be required' be replaced by 'will be sought'.

Counter objection

11.59 A **counter objection** (0445) is made to PIC/T/9 on the grounds that contributions to transport improvements should be the subject of a separate policy and not hidden in the text. For the reason already given above I see no need for a specific policy covering this aspect. The Council, however, propose a further change (F/PIC/T/9/A) to the text of paragraph 11.33. This provides an earlier reference to Policy IM1 in the text in connection with negotiations for improvements to infrastructure needed to enable a development to go ahead. I support the added clarification provided in the further change to the text.

RECOMMENDATION**11.60 Modify the Plan by replacing the first 2 sentences of paragraph 11.33 to read:**

“In accordance with Policy IM1, developers will be expected to negotiate with the County Council as local highway authority for the provision of off-site transport related improvements which are necessary to enable a proposed development to go ahead. Where appropriate, legal agreements, currently under Section 278 of the Highways Act 1980, will be sought to secure contributions to fund improvements and the dedication of any necessary land within the developer's control. In accordance with Policy IM1 and Government guidance, currently Circular 1/97, the contributions will be fairly and reasonably related in scale and type to the proposed development. Contributions may be sought towards the improvement of local public transport facilities or services, highways, traffic management, cycleways, footways, footpaths, public car parking or other provisions forming part of South East Hampshire Transport Strategy. In appropriate ...” (PIC/T/9 as amended by F/PIC/T/9/A)

11.61 PARAGRAPH 11.37 - PARKING STANDARDS**Objection:**

0001/5019: Hampshire County Council

Pre-Inquiry and Further Changes:

Paragraph 11.37 is amended by PIC/T/10 and FC/T/1.

The status of Appendix 8 is amended by F/PIC/IN/1/A

Issues:

11.62 Whether the parking standards should be included in the Plan before the current revision has been completed; and whether the final sentence of para 11.37 should be deleted.

Conclusions:

11.63 As a result of changes to paragraph 1.17 of the Plan (see F/PIC/IN/1/A, para 1.11 above) it is confirmed that the Appendices in which the parking standards appear are not formally part of the Plan. Nevertheless, the Council propose to add some further text (PIC/T/10 as amended by F/PIC/T/1) to clarify the status of the parking standards. This explains that the standards are being revised in the light of PPG6 and PPG13. Accordingly, the Council undertakes to apply the standards flexibly pending the completion of HCC's review, whereupon the replacement standards will be published as Supplementary Planning Guidance. I can understand the HCC's concern that the current standards may soon be replaced and could, therefore, be misleading. On the other hand to omit them altogether would leave a void in an important area of development control. I find the Council's response to be reasonable in the circumstances. In the interest of all users of the Plan it is hoped that the replacement parking standards are speedily put in place.

RECOMMENDATION**11.64 Modify paragraph 11.37 of the Plan to read as follows:**

“The Council's adopted car parking standards are set out in Appendix 8. The Borough Council recognises the need for the current standards to be applied flexibly for the types of development mentioned above. The parking standards are currently being reviewed by the County Council in accordance with PPGs 6 and 13. The findings and recommendations of the review will be subject to consultation. When the revised parking standards have been finalised they will be published by the County Council as Supplementary Planning Guidance and subject to revision from time to time. Following their approval, the revised standards will supersede the current standards in Appendix 8.” (PIC/T/10 as amended by FC/T/1)

11.65 APPENDIX 8 (PARKING STANDARDS)**Objections:**

0001/5020: Hampshire County Council

0320/5023: Mr Richard Stubbs

0334/5036: Government Office for the South East

0360/5011: HGP Planning Consultancy Ltd

0445/5023: House Builders Federation

Pre-Inquiry Change:

Paragraph A8.1 is amended by PIC/A/5.

The status of Appendix 8 is amended by F/PIC/IN/1/A

Issues:

- 11.66 (i) Whether Appendix 8 should be included until the parking standards have been revised;
 (ii) whether the review of parking standards should be subject to public examination;
 (iii) whether the standards set out in Appendix 8 adequately reflect or explain the HCC and the Council's parking policy in the context of PPG1 and PPG13;
 (iv) whether Appendix 8 should be deleted as parking standards are SPG and should be published separately from the LP.

Conclusions:

11.67 These issues have already been addressed in dealing with the preceding objection (0001/5019). Provided their provisional status is acknowledged I see no harm in the current standards being retained. The supporting text as proposed for amendment confirms that the review of the standards will be subject to public consultation (see FC/T/1). It is confirmed that the review of standards is being undertaken with the latest national guidance (PPGs 6 and 13) in mind. The status of Appendix 8 is confirmed as SPG. I support the Council's proposed amendment to the introduction to Appendix 8 (PIC/A/5 as amended by FC/A/1) which emphasises the provisional status of the parking standards. The amendment complements the changes to paragraph 11.37 of the Plan under PIC/T/10.

RECOMMENDATION

11.68 Modify the Plan by replacing the fourth sentence of paragraph A8.1 (Appendix 8) to read as follows:

“The standards in this appendix are currently being reviewed by the County Council. The current standards will then be superseded by the revised standards when they have been finalised and published by the County Council as Supplementary Planning Guidance.” (PIC/A/5 as amended by FC/A/1)

11.69 POLICY T6 - HIGHWAY ACCESS**Objection:**

0001/5021: Hampshire County Council

Pre-Inquiry Change:

Policy T6 is amended by PIC/T/12/C and F/PIC/T/12/C/1.

Counter-Objection to PIC/T/12/C:

0891/5010: Countryside Commission

Issue:

11.70 Whether the policy should contain a new criterion requiring development proposals to be assessed on their environmental impact.

Conclusions:

11.71 The Council accepts this point. It proposes to add a new proviso to the policy to cover the environmental implications of a development (PIC/T/12/C).

Counter objection

11.72 A **counter objection** (0891) is made to PIC/T/12/C on the grounds that it should be expanded to require development to be sympathetic in design and materials to the character of the area. The Council accepts that further expansion of the proviso is justified. A further change is proposed to accommodate the point

(F/PIC/T/12/C/1). I support the changes as providing an extra but important proviso to the consideration of development involving changes to the highway network.

RECOMMENDATION

11.73 Modify the Plan by adding a further proviso to Policy T6 to read as follows:

"(C) it does not have adverse environmental implications, including impact on the character of the area." (PIC/T/12/C as amended by F/PIC/T/12/C/1)

11.74 PARAGRAPH 11.43 - THE STRATEGIC ROAD NETWORK

Objection

0170/5004: Mr D R Thorne

Issue:

11.75 Whether the last sentence of the paragraph should be framed more positively in terms of the improvements to Junction 9 (M27) and the Segensworth roundabout.

Conclusions

11.76 It would not be appropriate to state that improvements to these junctions **will** be carried out before the investigations and feasibility studies have been completed. HCC propose a change to the text explaining that measures to deal with the problems of congestion at both junctions are being investigated (PIC/T/13/B). At Segensworth, measures embracing all travel modes are being explored covering short, medium and long term solutions. The proposed change helps to clarify the intentions of the Highway Authority at these key junctions in the road network.

RECOMMENDATION

11.77 Modify the Plan by replacing the last sentence of paragraph 11.43 with the following:

“Further improvements are being investigated at Junction 9 of the M27 and the Segensworth roundabout. At Segensworth a series of short, medium and long term measures are being investigated which embrace all travel modes.” (PIC/T/13/B)

11.78 POLICY T7(A) - STRATEGIC ROAD NETWORK (NEWGATE LANE)

Objections:

0298/5015: Laing Homes Limited,

Issues:

11.79 Whether a commitment to the relief and improvement of Newgate Lane should form part of the Plan.

Conclusions:

11.80 This scheme of improvement was included in Policy T7 of the SP, as a modification, by the SSE (paras 7.15-7.17, CD/6). It is also included in Policy T14 of the SPR. HCC states that the detail of the scheme may change in the context of the SEHTS. The HCC acknowledges that there is no guarantee that work will commence on the scheme within the period of the Plan. Nevertheless, given its evolution and the HCC's recent reappraisal confirming its commitment to the proposal, it is appropriate for the Plan to continue to safeguard the scheme while it remains a commitment in the SPR (para 5.31 of PPG12) and pending the investigation of its

detailed alignment under the SEHTS.

11.81 The objector questions the reference in Appendix 10 to the scheme being subject to developers' contributions. In HCC's view there could be scope in seeking contributions through development, for example, at Cherque Farm (Gosport Borough) and Daedalus. There is no evidence of a need for substantial housing development on the land to the east of Newgate Lane to fund the road scheme (see related objection 0298/5014 under H1, para 6.330-6.332 above). Thus, if there is no prospect of developer's contributions being sought **within Fareham** then it should not be mentioned in the Appendix. HCC accepts that full funding of the scheme may require a bid on central government funds through the Transport Policies and Programme process. I note that Appendix 10 [T7(A)] states that planning permission already exists for the scheme. If this is so, I suggest that the supporting text (para 11.44) be amended to reflect this.

RECOMMENDATION

11.82 Subject to confirming the accuracy of the statement in Appendix 10, T7 (A) - see paragraph 11.81 above and 11.110 below, make no modification to the Plan in response to this objection.

11.83 POLICY T7(B) - STRATEGIC ROAD NETWORK (GOSPORT/FAREHAM LINK ROAD)

Objection:

0407/5047: Gosport & Fareham Friends of the Earth

Issue:

11.84 Whether the Plan should include the proposed Gosport/Fareham link.

Conclusions:

11.85 The origins of this proposal are the same as that considered above (see para 11.80) in connection with the Newgate Lane improvement. For the same reasons I find that the continued safeguarding in justified under this policy.

RECOMMENDATION

11.86 Make no modification to the Plan in response to this objection.

11.87 POLICY T7(E) - STRATEGIC ROAD NETWORK (SEGENSWORTH ROUNDABOUT)

Objection:

0260/5001: A. Hall

Issue:

11.88 Whether a flyover from the A27 to the A27 Spur leading to the M27 should be identified under the policy; whether the Segensworth Industrial Estate Distributor should be implemented [Policy T8(B)].

Conclusions:

11.89 An amendment to paragraph 11.43 is proposed under PIC/T/13/B. This confirms that improvements to Junction 9 of the M27 and its approaches are being investigated. Until those investigations have been completed it would be premature to refer to specific measures to deal with traffic using this part of the network. The Segensworth Industrial Distributor is currently under construction. Control of speed limits is not a matter for the LP.

RECOMMENDATION**11.90 Make no modification to the Plan in response to this objection.**

11.91 POLICY T7 - STRATEGIC ROAD NETWORK (JUNCTION 10, M27)**Objection:**

0365/5006: G. Moyse & Marchstone Estates

Issue:

11.92 Whether an improvement to Junction 10 of the M27 should be included in the Plan to serve new development at Knowle and Dean Farm.

Conclusions:

11.93 In the HCC's view, no improvements are required at Junction 10 to deal with the proposed development at Knowle Hospital. That view is not contested. No commitment to carry out development at Dean Farm forms part of this Plan. Proposals to upgrade the motorway network are the responsibility of the Department of the Environment, Transport and the Regions. There is no sound basis for supporting the objector's suggestion.

RECOMMENDATION**11.94 Make no modification to the Plan in response to this objection.**

11.95 POLICY T7 - STRATEGIC ROAD NETWORK (WHITELEY)**Objection:**

0385/5004: Ian Hammond

Issue:

11.96 Whether the Plan should make provision for access to Whiteley in addition to the M27/A27 junctions to overcome congestion in the interest of pedestrian and horse-riders safety.

Conclusions:

11.97 Alternative, partly constructed, vehicular accesses to serve Whiteley are proposed via Rookery Avenue and Yew Tree Avenue. Their completion is currently dependent on completion of the Whiteley Way Distributor under Policy T9. The latter is being delayed due to land acquisition problems outside Fareham boundaries, in Winchester's district. I consider this matter in more detail in connection with objection 0362/5022 below. Meanwhile pedestrian links to Botley Road from Whiteley exist via 2 public footpaths connecting to Yew Tree Drive. A joint pedestrian/cycle route is nearing completion joining Botley Road at Rookery Avenue via Yew Tree Drive.

11.98 As I have already mentioned in connection with cycle links between Whiteley and Park Gate (see para 11.42 above) I am not impressed with the safety or the environment for pedestrians and cyclists using Botley Road. This would apply equally to horse-riders. It will tend to discourage walking and cycling for short journeys. However, given the constraints of the local network, not least the barriers presented by the M27 and the railway, I accept the problems will not easily be overcome. Apart from urging the highway authority and the Council to keep the needs of non-vehicular traffic under review I can see no change to the Plan which, in practical terms, will meet this objector's concerns.

RECOMMENDATION**11.99 Make no modification to the Plan in response to this objection.**

11.100 PARAGRAPH 11.46 - STRATEGIC ROAD NETWORK (SEGENSWORTH)**Objections:**

0260/5002: A. Hall

0362/5023: Pelham Homes Limited

Pre-Inquiry Change:

Appendix 10 is amended by PIC/A/6.

Issues:

- 11.101 (i) Whether the problems at Segensworth could be solved by a new road from the M27 slip road (and proposed service area), through Segensworth North, to Barnes Wallis Road;
- (ii) whether there are anomalies between the text of paragraph 11.43, Policy T7 and Appendix 10 in relation to proposals for Segensworth roundabout (A27), Junction 9 (M27).

Conclusions:

11.102 HCC confirm that the Department of Transport have already considered a scheme utilising the slip road and indicated it would be opposed (0260). Improvements at Junction 9 of the M27 and Segensworth roundabout are being investigated as confirmed in the supporting text of paragraph 11.43 as proposed for amendment (PIC/T/13/B). The matter cannot reasonably be taken further than is already described in the text. The changes proposed to the text under PIC/T/13/B and to the policy under PIC/T/14 improve the explanation and clarity of the HCC's intentions for dealing with these junctions. In response to this objection (0362), the Highway Authority propose another change (PIC/A/6) to remove the reference to Junction 9 (M27) in Appendix 10 (Policy T7). This removes the ambiguities between text, policy and Appendix 10.

RECOMMENDATION**11.103 Modify the Plan by amending Appendix 10: Implementation Schedule - Policy 7 (E) as set out in Pre-inquiry Change PIC/A/6.**

11.104 PARAGRAPH 11.47 - STUBBINGTON BYPASS**Objection:**

0407/5040: Gosport & Fareham Friends of the Earth

Issue:

11.105 Whether the reference to the investigation of a Stubbington Bypass should be removed from the Plan.

Conclusions:

11.106 There is no safeguarded scheme for this route. If the future of the route is being considered in the context of the SEHTS, I see no objection to that situation being mentioned in the text.

RECOMMENDATION

11.107 Make no modification to the Plan in response to this objection.

11.108 PARAGRAPH 11.43 - STRATEGIC ROAD NETWORK**Objection:**

0001/5023: Hampshire County Council

Pre-Inquiry Change:

Paragraph 11.43 is amended by PIC/T/13/A.

Issue:

11.109 Whether the text needs to clarify the status of the schemes in Policy T7, in particular, identifying those schemes which have planning permission.

Conclusions

11.110 The Council agrees that a change to the text would clarify the status of the schemes. I support the improved clarity contained in the amendment, which explains that schemes with planning permission cannot be the subject of LP objections (PIC/T/13/A). The Council explains that no planning permission exists for the section of the Newgate Lane improvement (T7(A) south of Speedfields Park. It seems that permission exists for part of the route only. If this is so, it conflicts with the information contained in Appendix 10 (T7). The 2 parts of the plan should be amended to remove the anomaly (see also para 11.81 above).

RECOMMENDATION**11.111 Modify the Plan as follows:**

(A) add a new sentence after the first sentence in paragraph 11.43 as follows:

'The schemes in Policy T7 which already have planning permission may not be the subject of local plan objections in keeping with PPG12 (paragraph 5.32).' (PIC/T/13/A)

(B) amend the text of paragraph 11.44 and Appendix 10 (T7) to accurately reflect which parts of Policy T7(A) have been granted planning permission.

11.112 POLICY T7 - STRATEGIC ROAD NETWORK**Objection:**

0001/5022: Hampshire County Council

Pre-Inquiry Change:

Policy T7 is amended by PIC/T/14.

Issue:

11.113 Whether the policy should differentiate between defined and adopted safeguardings and those not yet defined.

Conclusions:

11.114 The Council agrees this distinction should be made in the policy. It proposes a change to differentiate

between the adopted and unadopted schemes (PIC/T/14). Because it is not possible to safeguard schemes which have not been defined I prefer the Council's form of words to that of the objector. The change to the policy will require a consequential amendment to the reference letters appearing in the "Description/Location" column against Policy (T7) in Appendix 10.

RECOMMENDATION

11.115 Modify the Plan as follows:

- (A) replace Policy T7 with the text as set out in Pre-Inquiry Change PIC/T/14;
- (B) amend the reference letters in the 'Description/Location' column of Appendix 10 to reflect those set out in Policy T7 as amended by PIC/T/14.

11.116 PARAGRAPH 11.46 - STRATEGIC ROAD NETWORK (SEGENSWORTH)

Objection:

0001/5025: Hampshire County Council

Issue:

11.117 Whether the last sentence of the paragraph should be deleted because the new link from the M27 has no status.

Conclusions:

11.118 The HCC, as Highway Authority, do not support any mention of a new link from the M27 because it has no status. The Council wishes to retain a reference to the link because it considers the link deserving of further study. I see no advantage in retaining a statement which could conceivably give rise to blight. The absence of a reference in the Plan does not rule out further study. In the absence of some support from the DETR (see also para 11.102 above) such an option would appear so be so speculative and long term that a reference to it is not justified.

RECOMMENDATION

11.119 Modify the Plan by deleting the final sentence of paragraph 11.46.

11.120 POLICY T8(A) - DISTRIBUTOR ROAD NETWORK (WESTERN DISTRIBUTOR)

Objections:

0298/5019: Laing Homes Limited,
 0407/5019: Gosport & Fareham Friends of the Earth

Issues:

11.121 Whether the need for the Western Distributor Road (WDR) and its completion should be subject to a fundamental re-evaluation; whether the scheme and its safeguarding should be deleted from the Plan.

Conclusions:

11.122 I have already considered the linkage of the completion of the WDR with the development of Peters Road for housing purposes (see paras 6.137-6.143). While the traffic case, on its own, is not sufficient to justify

the road, its near complete state and the environmental benefits warrant its completion. Planning permission has already been granted for the route (see PIC/T/19). Given that Stages 1-3 of the route will be substantially completed (about 75%) when the Warsash Road-Greenaway Lane section is built, the continued inclusion of the route makes good sense for the forward planning of this part of the district. The HCC confirms that sufficient contributions are already in hand to complete the WDR. Thus the objector's suggestion (0298) that investment should be directed to other parts of the network would be of dubious legality. I see no grounds for a fundamental re-appraisal of the need for the route. Nor do I find that its deletion from the plan would be justified.

RECOMMENDATION

11.123 Make no modification to the Plan in response to these objections.

11.124 POLICY T8(E) - DISTRIBUTOR ROAD NETWORK (KNOWLE)

Objection:

0336/5005: Dean Farm Estates Limited

Issue:

11.125 Whether the PM should be amended to show that alternative alignments are available to overcome land ownership problems on the permitted route.

Conclusions:

11.126 Outline planning permission has been granted for the road link between the Knowle Hospital site development (within Winchester City District) and the A32. The HCC is not aware that the developers are experiencing difficulty in implementing the road. In the circumstances it would be wrong to show any other alignment on the PM. Should implementation difficulties arise, then the developers will no doubt bring this to the attention of the 3 Councils.

RECOMMENDATION

11.127 Make no modification to the Plan in response to this objection.

11.128 POLICY T8 - DISTRIBUTOR ROAD NETWORK (SOUTHERN DISTRIBUTOR)

Objection:

0013/5001: Mr J.F. Fay

Issue:

11.129 Whether the Southern Distributor Road should be included within the Policy.

Conclusions:

11.130 This scheme has been abandoned by the Highway Authority (HCC). There is no reason therefore to include it within the Plan. Moreover, in these circumstances its continued retention could lead to unnecessary blight.

RECOMMENDATION

11.131 Make no modification to the Plan in response to this objection.

11.132 POLICY T8 - DISTRIBUTOR ROAD NETWORK

Objection:

0300/5022: Warsash Residents' Association

Issue:

11.133 Whether measures such as traffic calming should be included in the policy in order to counteract the continued growth in car use south of the A27.

Conclusions:

11.134 Such detailed traffic management measures, which are normally subject to their own statutory procedures, are not appropriate for inclusion in the LP.

RECOMMENDATION

11.135 Make no modification to the Plan in response to this objection.

11.136 PARAGRAPH 11.55 - DISTRIBUTOR ROAD NETWORK (SEGENSWORTH INDUSTRIAL ESTATE ROAD)

Objections:

0170/5005: Mr D.R. Thorne
0449/5011: English Heritage

Pre-Inquiry Change:

Paragraph 11.55 is amended by PIC/T/20.

Issues:

11.137 Whether the reference to 'The possible need' for traffic management measures in Segensworth Road to deter HGVs should be phrased more positively; whether the plan should include specific proposals to prevent noise and visual pollution from the road on the adjacent Titchfield Abbey CA.

Conclusions:

11.138 Although mentioned in a general way within the text, the details of traffic management measures, are subject to their own statutory procedures. Such detailed matters are best dealt with outside the LPR process. So far as effect on the CA is concerned I note that planning permission for the route has already been granted. The HCC states that the objector's concerns were taken into account in the detailed design, including landscaping.

RECOMMENDATION

11.139 Make no modification to the Plan in response to these objections.

PARAGRAPH 11.58 - DISTRIBUTOR ROAD NETWORK (KNOWLE)

Objection:

0336/5006: Dean Farm Estates Limited

Issue:

- 11.140 Whether the text should be amended to indicate that alternative alignments are available should there be ownership restraints on the alignment for which planning permission has been granted.

Conclusions:

- 11.141 This objection complements 0336/5005 considered above (see para 11.126). For the same reason I see no grounds for amending the text.

RECOMMENDATION

- 11.142 Make no modification to the Plan in response to this objection.**

11.143 POLICY T9 - ACCESS TO BOTLEY ROAD**Objection:**

0362/5022: Pelham Homes Limited

Further Change:

Policy T8 is amended by FC/T/4.

Issue:

- 11.144 Whether the policy should be deleted because of the doubt surrounding the provision of the local distributor and Whiteley Way; and whether the policy duplicates objectives already covered by Policy T6 and is therefore superfluous.

Conclusions:

11.145 Due to the uncertainty in completion of the DDR (Whiteley Way), the objector considers the condition explicit in Policy T8 should be set aside. When the proposed connection between the Whiteley Development Area and Botley Road (A3051) was last considered on appeal and dismissed (1995), the Inspector anticipated that the DDR would be in place by 1999.

11.146 The objective of Policy T8 is the protection of the amenities of residents through which the A3051 passes (Swanwick, BurrIDGE, and Curbridge). I have no doubt that that objective remains sound. It is the objector's view that an increase in traffic on Botley Road of some 8.5% (forecast for 1996) would be acceptable given the capacity of the road. In my view the concerns expressed by the Inspector, in 1995, remain valid. The combination of factors which gave rise to his concern have not changed; namely: a large number of access points onto the road; a carriage way width varying between 5.2m and 7.3m, which incorporates a number of bends with an unlit section north of BurrIDGE; the accident record also remains a legitimate concern (see Appendix 5, FBC/T/4/B).

11.147 Notwithstanding the uncertainty surrounding the provision of the DDR, I am not persuaded that unrestricted access onto Botley Road is presently justified. I note that the HCC is to consider the introduction of a package of traffic management measures aimed at improving safety and environmental conditions on the A3051 (see para 4.2 Appendix 5, FBC/T/4/A). There is already a 40mph speed limit through BurrIDGE. But unless the speed restriction is lowered further, improvement from traffic management measures at BurrIDGE are likely to be marginal.

11.148 I was presented with no hard evidence that the sale of houses in Whiteley is being prejudiced by present access arrangements. Moreover, the provision of a range of community facilities, including the school and district centre currently under construction, will reduce the need to travel beyond the development area for a

proportion of daily trips. Unrestricted access onto Botley Road will only benefit the private motorist and will discourage a modal shift. However, I consider that public transport links need to be improved and encouraged. Thus I strongly support the early provision of a bus only access onto Botley Road from Yew Tree Drive and/or Rookery Avenue (FC/T/4). I assume emergency vehicle access would be included in this provision. I have no doubt that any technical difficulties to enforcement can be overcome.

11.149 HCC is reviewing a range of measures to deal with the delay to the opening of the DDR. Until that review is complete I consider it prudent to retain Policy T9 as amended (FC/T/9). Should the review suggest that the embargo on unrestricted access be lifted then I am satisfied that that would constitute a material consideration in the weight to be accorded to the restriction contained in the policy. The specific objectives of Policy T9 and its evolution are sufficient for it to be retained and preferred to the generalities of Policy T6.

RECOMMENDATION

11.150 Modify Policy T8 of the Plan to read as follows:

- “(A) Road connections from Whiteley to Botley Road for general traffic will not be permitted until Whiteley Way is complete between Junction 9 on the M27 and the A3051 north of Curbridge.
- (B) Bus only access from Botley Road to Yew Tree Drive and/or Rookery Avenue will be permitted provided that it can be demonstrated to be safe and that satisfactory arrangements can be made to exclude other vehicular traffic.” (FC/T/4)

11.151 POLICY T8(C) - DISTRIBUTOR ROAD NETWORK (PARK GATE SHORT BYPASS)

Objections:

0001/5028: Hampshire County Council
 0322/5009: Michael J Peagram
 0389/5006: Railtrack Plc
 0404/5002: Paul Lovejoy
 0411/5001: Mr & Mrs A.J. Dunning
 0427/5001: Denis J. Duggan
 0428/5001: Mr G.A. Miles & Miss E. McGann
 0429/5001: Mr & Mrs Sturgeon

Issues:

- 11.152 (i) Whether the bypass should be deleted from the policy and the PM because the road has been abandoned by the HCC and is not included in the TPP; whether it is likely in these circumstances to be implemented within the period of the Plan;
- (ii) whether the western section should be deleted because it will not relieve traffic in Park Gate and whether safeguarding continues to blight properties, particularly on the western side of Botley Road.

Conclusions:

11.153 In 1996 the HCC, as the Highway Authority (HA), resolved to abandon the safeguarding of this route. However, in 1998, the HA resolved to carry out a joint examination with the Borough Council of the arguments for the continuing requirement for the bypass (W/0001/177, letter dated 22.6.98). The examination was to look at a number of options, including consideration of closing a section of Botley Road to facilitate the expansion of the Park Gate Shopping Centre and the establishment of a Park and Ride car park adjacent to the LRT (Stage 3) Station at Swanwick. Reassessment of the western section was to include the prospect of using the line of the safeguarded road for future LRT expansion. This was to be examined in the context of the Locks

Heath/Warsash Traffic Study (Feb 1998).

11.154 The objectives of national (PPG13), SP (SEHTS) and LP policies seek to reduce reliance on the private car while improving and increasing the use of public transport, cycling and pedestrian travel. The joint appraisal will examine both sections of the safeguarded route. It will assess whether the route can be utilised to provide a better integrated transport system in this part of the district in line with the foregoing objectives. It would be neither sensible nor good planning to remove the safeguarding before these studies have been completed. Nevertheless, it is not acceptable that land should continue to be safeguarded longer than necessary. Thus, it is hoped that the Councils' assessment exercise will be carried out expeditiously. Furthermore, as soon as the assessment has been completed I would urge the Councils to publish their findings promptly and confirm either, the abandonment of the safeguarding or, the basis on which continued safeguarding is required, together with the necessary justification.

RECOMMENDATION

11.155 Make no modification to the Plan in response to these objections.

11.156 PARAGRAPH 11.56 - DISTRIBUTOR ROAD NETWORK (PARK GATE SHORT BYPASS)

Objection:

0001/5031: Hampshire County Council

Pre-Inquiry Change:

Paragraph 11.56 is amended by PIC/T/21/A and PIC/T/21/B.

Issues:

11.157 Whether the text should acknowledge that the Park Gate Short Bypass has been abandoned by the HA.

Conclusions:

11.158 This objection is related to the preceding objections (see paras 11.153 & 11.154). The Council agrees that the HA's decision to abandon this scheme should be set out in the text. It proposes an amendment to that effect under PIC/T/21/A. A consequential amendment is also introduced (PIC/T/21/B) explaining the Councils' examination of the route to provide a better integrated transport system in this part of the district. I support both amendments as providing the background to the continued safeguarding of the route.

RECOMMENDATION

11.159 Modify the Plan:

(A) **by replacing the third and fourth sentences of paragraphs 11.56 with the following text:**

“The bypass was originally proposed to provide additional capacity on the A27 corridor. It is no longer national or local policy to attempt to cater fully for demands to travel by car, particularly at peak periods. As a result of the review (March 1996) of major road schemes, the County Council has abandoned the scheme.” (PIC/T/21/A)

(B) **add the following text after the fifth sentence of paragraph 11.56:**

“The results of the transportation study of the Locks Heath area and the impact of the construction of the Whiteley Distributor Road should be considered before deletion of

the road proposal is confirmed. The safeguarded route provides potential links from the SHRT to the employment area at Segensworth and the residential area to the south and west.” (PIC/T/21/B)

11.160 PARAGRAPH 11.60 - ACCESS TO WHITELEY

Objection:

0001/5034: Hampshire County Council

Further Change:

Paragraph 11.60 is amended by FC/T/3.

Issue:

11.161 Whether the text should refer to the acquisition of land outside the Plan area.

Conclusions:

11.162 The Council agree that the reference to the acquisition of land outside the Plan area should be deleted. A change to that effect is proposed under Further Change FC/T/3. The final sentence, as proposed for amendment, explains that an alternative route to serve Whiteley is planned and that it lies within the adjoining district of Winchester. I consider the amendment provides useful background information for the public in understanding an important aspect in the development of Whiteley.

RECOMMENDATION

11.163 Modify the last sentence of paragraph 11.60 to read as follows:

“The County Council is progressing the implementation of the Distributor Road, known as the Whiteley Way, which lies outside the plan area in Winchester City District.” (FC/T/3)

11.164 POLICY T10(B.I) - REAR SERVICE ROADS (CRESCENT ROAD)

Objections:

0289/5001: Matthew Housden
 0314/5001: Mrs Pamela Newton
 0386/5001: G.S. Cresswell
 0418/5001: Howard Draper
 0419/5001: R.J. Reddy
 0422/5001: Muriel Davis
 0430/5001: Crescent Road & Gardens Neighbourhood Watch

Issues:

- 11.165 (i) Whether the proposal is unnecessary because the properties in West Street which the service road will serve, apart from 4, already have rear access;
 (ii) whether the proposal would increase traffic, congestion, noise and disturbance, speeding and vandalism.

Conclusions:

- (i) Whether the proposal is unnecessary because a service road already exists

11.166 Crescent Road provides access to both residential and business premises. It is used for on-street

parking by both residents and shoppers; it is also used for service deliveries, including HGVs. HGVs block the road because drivers seek to get as close as possible to their delivery points to cut down delivery time. The action of HGVs is the source of much of the residents' concerns.

11.167 The proposed extension to Crescent Road is included in the adopted LP [Policy T6(B)]. As part of the SHRT, which will be routed along West Street, an additional lay-by is proposed on its south side outside Nos. 160 and 188 West Street. The Council accepts, however, that all servicing for this length of the southern side of West Street would not be practicable from West Street because of the need to keep the tracks of the SHRT tracks free of obstruction. In highway planning terms therefore I can see the desirability of improving rear servicing for properties which cannot be serviced from West Street. To that extent I consider the proposed extension is justified.

(ii) Whether the proposal would increase traffic, congestion, noise and disturbance

11.168 The proposal would extend Crescent Road to the rear of Nos. of 150-166, West Street. The Council's witness was unable to say whether this would result in a significant increase in the use of the road by HGVs. Congestion is an inevitable feature of town centre living. Nevertheless, it seems that much of the residents' concern stems from inadequate enforcement of existing traffic regulations. The latter prohibits parking at all times on the north side of Crescent Road while limiting waiting to 2 hours on the south side. It seems to me that any improvement in the situation now or with the proposal in place lies in effective traffic management.

11.169 It is obviously most unsatisfactory for vehicles to be allowed to enter the cul-de-sac if they are unable to pass or reverse easily and safely. The provision of a turning area could help in the longer term, but immediate improvement can only be achieved through effective traffic enforcement including, perhaps, parking controls on the south side particularly at recognised pinch points. If it is true that Crescent Road is the only public highway with free parking close to the Town Centre, this would be an obvious contributor to increased traffic movement, congestion and parking. It is hoped that the Council will be able to persuade those responsible for enforcement/traffic management to bring about improvements to the existing situation. Improving enforcement, however, is not capable of resolution through the local plan process.

RECOMMENDATION

11.170 Make no modification to the Plan in response to these objections.

11.171 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0001/5010: Hampshire County Council	Paragraph 11.5	Pre-inquiry Change PIC/T/1
0001/5011: Hampshire County Council	Paragraph 11.6	Pre-inquiry Change PIC/T/2
0001/5012: Hampshire County Council	Paragraph 11.7	Pre-inquiry Change PIC/T/3
0001/5013: Hampshire County Council	Policy T1	Pre-inquiry Change PIC/T/4
0001/5014: Hampshire County Council	Paragraph 11.18	Pre-inquiry Change PIC/T/5/B

Objection/objector	Policy/Para/Map	Change
0001/5015: Hampshire County Council 0334/5039: Government Office for the South East 0407/5041: Gosport & Fareham Friends of the Earth	Paragraph 11.30	Pre-inquiry Change PIC/T/7
0001/5016: Hampshire County Council	Policy T5 (C)	Pre-inquiry Change PIC/T/8 (BUT SEE ALSO PARAS 11.2 & 11.3 ABOVE)
0001/5017: Hampshire County Council	Paragraph 11.33	Pre-inquiry Change PIC/T/9
0001/5036: Hampshire County Council	Proposals Map	Pre-inquiry Change PIC/PM/48
0001/5024: Hampshire County Council	Paragraph 11.44	Pre-inquiry Change PIC/T/15
0001/5026: Hampshire County Council	Paragraph 11.52	Pre-inquiry Change PIC/T/17
0001/5027: Hampshire County Council	Policy T8	Pre-inquiry Change PIC/T/18
0001/5037: Hampshire County Council	Proposals Map	Pre-inquiry Change PIC/PM/49
0001/5029: Hampshire County Council	Paragraph 11.53	Pre-inquiry Change PIC/T/19
0001/5030: Hampshire County Council	Paragraph 11.55	Pre-inquiry Change PIC/T/20
0001/5032: Hampshire County Council	Paragraph 11.58	Pre-inquiry Change PIC/T/22
0001/5033: Hampshire County Council	Paragraph 11.59	Pre-inquiry Change PIC/T/23
0001/5053: Hampshire County Council	Paragraph 11.63	Pre-inquiry Change PIC/T/24
0001/5035: Hampshire County Council	Paragraph 11.64	Pre-inquiry Change PIC/T/25

CHAPTER 12: IMPLEMENTATION AND MONITORING

12.0 POLICY IM1 - DEVELOPERS CONTRIBUTIONS

Objections:

0362/5024: Pelham Homes Limited

0445/5021: House Builders Federation

Pre-Inquiry Changes:

Paragraph 12.8 is amended by PIC/IM/1.

Policy IM1 is amended by PIC/IM/2 and F/PIC/IM/2/A.

Paragraph 12.9 is amended by PIC/IM/3.

Counter-Objection to PIC/IM/2:

0334/5043: Government Office for the South East

Issues:

12.1 Whether the policy accurately reflects Government guidance with regard to developer's contributions; and whether the text is misleading in implying that contributions will always be necessary.

Conclusions:

12.2 In response to these 2 objections the Council proposes a change (PIC/IM/3) to the text of paragraph 12.9 (0362) to include a summary of the tests laid down in Circ 1/97 (para B2, Annex B2). Similarly, the Council agrees (0445) that the text and the heading of the policy (0445) could better reflect national guidance. It proposes changes to the heading of the policy and the text is expanded to explain that, 'where appropriate' developers contributions will be 'required' to make contributions to improvements to infrastructure made necessary by the development (PIC/IM/2).

12.3 A **counter objection** (0334) is made to the changes made under PIC/IM/2 on the grounds that planning obligations should be 'sought' through negotiation rather than being a requirement. The Council accepts the point and proposes a further change (F/PIC/IM/2/A) to meet the objection. I support all of the changes as better reflecting Circ 1/97 and making clearer the objectives and operation of the policy.

RECOMMENDATION

12.4 Modify the Plan as follows:

(A) amend Policy IM1 to read:

“Policy IM1: Infrastructure Requirements

Development will be permitted provided that arrangements have been made for the provision of infrastructure, services, facilities and amenities which are made necessary by that development.

Where appropriate, financial contributions will be sought towards the improvement of existing infrastructure, services, facilities and amenities, the need for which is made necessary by the development.” (PIC/IM/2 as amended by F/PIC/IM/2/A)

(B) add the following sentence at the end of paragraph 12.9:

“Circular 1/97 provides guidance on the use of planning obligations and sets out the following tests which they must meet in order to be acceptable; they must be necessary,

relevant to planning, directly related to the development, fairly and reasonably-related in scale and kind to the proposed development, and reasonable in all other respects.” (PIC/IM/3)

12.5 PARAGRAPH 12.13 - WATER SUPPLY AND WASTE WATER TREATMENT

Objection:

0393/5008: Environment Agency

Pre-Inquiry Changes:

Paragraph 12.14 is amended by PIC/IM/4.

Issue:

12.6 Whether an explanation should be included in the text to confirm that water taken from one river catchment area, for supply purposes, should be returned to the same catchment area.

Conclusions:

12.7 The Council agree that this technical explanation should be included, but consider it more appropriate to paragraph 12.14. I agree (see para 12.12 below for recommendation).

RECOMMENDATION

12.8 Make no modification to the Plan in response to this objection.

12.9 PARAGRAPH 12.14 - WATER SUPPLY AND WASTE WATER TREATMENT

Objection:

0393/5009: Environment Agency

Pre-Inquiry Changes:

Paragraph 12.14 is amended by PIC/IM/4.

Issue:

12.10 Whether an explanation should be included in the text that water taken from one river catchment area for supply should be returned to the same catchment area.

Conclusions:

12.11 See paragraph 12.7 above.

RECOMMENDATION

12.12 Modify the Plan by adding a further sentence at the end of paragraph 12.14 to read as follows:

“Water taken from one river catchment for supply should be returned to the same catchment to ensure that the aquifers/rivers are recharged. This is especially important in the River Itchen Catchment Area.” (PIC/IM/4)

12.13 The objections listed in the table below are supported, and are met by the Proposed Change listed. I am satisfied with the Council's response to the objections and I make no further comment on them:-

Objection/objector	Policy/Para/Map	Change
0445/5020: House Builders Federation	Paragraph 12.8	Pre-inquiry Change PIC/IM/1
0393/5010: Environment Agency	Paragraph 12.16	Pre-inquiry Change PIC/IM/5
0334/5037: Government Office for the South East	Paragraph 12.21	Pre-inquiry Change PIC/IM6

APPENDICES - GENERAL

Objection No	Objector	Issue	Appendix	Location in report
0438/5035	Hampshire Wildlife Trust	SINC Criteria	Appendix 2	Ch 3, para 3.340
0001/5046	Hampshire County Council	Housing land supply	Appendix 5	Ch 6, para 6.553 PM/Area 23
0381/5014	Fareham Society	Residential Development G'lines	Appendix 6	Ch 4, para 4.51
0445/5022	House Builders Federation	Residential Development G'lines	Appendix 6	Ch 4, para 4.51
0001/5020	Hampshire County Council	Parking standards	Appendix 8	Ch 11, para 11.65
0360/5011	HGP Planning Consultancy	Parking standards	Appendix 8	Ch 11, para 11.65
0445/5023	House Builders Federation	Parking standards	Appendix 8	Ch 11, para 11.65
0300/5009	Warsash Residents' Association	Glossary	Appendix 11	Ch 1, para 1.22
0012/5001	Mrs R A Billet	Glossary	Appendix 11	Ch 1, para 1.22
0449/5012	English Heritage	Glossary	Appendix 11	Ch 1, para 1.22
0891/5012	Countryside Commission	ASLQ/ASLC	Appendix 6	Ch 3, para 3.190
0320/5023	Mr R Stubbs	Parking standards	Appendix 8	Ch 11, para 11.65
0334/5036	Government Office for South East	Parking standards	Appendix 8	Ch 11, para 11.65

