

Introduction:

This statement is made on behalf of Sustainable Land PLC and the Hammond Family who have interests in land east of Newgate Lane and north of Gosport Road, Fareham. It is accompanied by two maps showing 'Constraints and Opportunities' and 'Strategic Gap'.

The potential for sustainable residential development in this area has been promoted through successive stages of Fareham Borough Council's Core Strategy and Development Sites and Policies Plan. The case for residential development east of Newgate Lane has been reinforced by Hampshire Council's confirmation of their preferred route for the re-alignment of Newgate Lane, which will fragment agricultural land holdings, and by further evidence of future housing requirements in the South Hampshire Strategic Housing Market Assessment (SHMA) of January 2014.

The area is free from statutory environmental designations and constraints, but is included in a 'Strategic Gap' between Gosport and Stubbington. This statement therefore addresses the Inspector's Question 2.2: ***'Is the review of Strategic Gap boundaries sufficiently robust? Have the appropriate criteria been used in the assessment. Were proposed road schemes taken into account?'*** There are related statements on Issue 7 (Housing Allocations) and Issue 9 (Infrastructure).

Strategic Gaps

1. Core Strategy Examination

The Inspector's report on the Fareham Core Strategy 20 July 2011 concluded that a number of changes were needed to meet legal and statutory requirements. This included addition of criteria to guide the future review of strategic gap boundaries, because during the Examination it became clear that the Council had no evidence to support the designation of the borough's strategic gaps: they were simply described as having *'always been there'*.

Point 47 of the Inspectors report states *'Concern has been raised by a number of representors that policy CS22's protection of strategic gaps lacks adequate justification*

– particularly in view of the restrictive approach to development outside settlements set out in policy CS14. Nevertheless, given the built-up nature of much of Fareham Borough and noting that some of the Borough's constituent settlements are separated by relatively narrow open gaps, I accept the Council's argument that the broad identification of strategic gaps in the Core Strategy can play a useful role in guiding its intended review of settlement boundaries. Furthermore, and with reference to the Government's localism agenda, it is clear that there is strong local support for preventing coalescence between identified settlements. In principle therefore, the policy is adequately justified – although the detailed boundaries of the gaps themselves remain to be reviewed in the SADM DPD. The Council accepts that policy CS22 could provide clearer guidance for that review, and suggests that criteria be added in line with the PUSH Policy Framework for Gaps13. I endorse this change for soundness reasons.'

Policy CS22 Development in Strategic Gaps was amended to include the criteria shown below in bold:

'Land within a Strategic Gap will be treated as countryside. Development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements. Strategic Gaps have been identified between Fareham/Stubbington and Western Wards/Whiteley (the Meon gap); and Stubbington/Lee on the Solent and Fareham/Gosport.

Their boundaries will be reviewed in accordance with the following criteria:-

- a) The open nature/sense of separation between settlements cannot be retained by other policy designations;***
- b) The land to be included within the gap performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence.***
- c) In defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included having regard to maintaining their physical and visual separation.'***

2. The Strategic Gap Review

The strategic gap is not justified because the evidence presented in *Fareham Borough Gap Review, a review of gap policy designations*, produced by David Hares Landscape Architects for Fareham Borough Council in October 2012 (*'The Review'*) does not meet the criteria set out in Policy CS22, which are considered in turn below.

The Review based its assessment of different parts of the Borough on subdivisions taken from the 1996 *Fareham Landscape Character Assessment*, which is not listed in the Library of Submission Documents for this examination, but can be accessed at this link: http://www.fareham.gov.uk/planning/local_plan/character96.aspx. The subdivisions are outlined in black in Illustration 2 of The Review (in the separate volume of Illustrations and Appendices Part 1) and are referred to below as *'Character Areas'*.

2.1 Responses to the Criteria in Core Strategy Policy CS22

a) The open nature/sense of separation between settlements cannot be retained by other policy designations

The Review does not fully examine if the open nature/sense of separation could be retained by other designations. The coast/western wards area was removed because it bordered onto undeveloped coast and *'will not become more vulnerable as it is mostly owned by the County Council and is already safeguarded for its minerals and agricultural land and is in part managed as a nature reserve'*. However, there is no justification for the inclusion of Character Areas 4, 5 and 6. This is countryside; protected by CS14 strictly controlling development outside settlements and CS6 limiting development to within the existing settlement boundaries. It is also included in the Titchfield Abbey Conservation Area so the openness/sense of separation is not at risk. The reason given for its inclusion is that it is *'one of the most sensitive to change'*, but there is no evidence to support this claim.

b) The land to be included within the gap performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence.

The gap, as defined, is not identifying land that performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence.

The coast/western wards area (Character Areas 11, 12 and 29 to 34) was removed because it bordered onto undeveloped coast and therefore was not a gap between settlements. However, this means that the gap now borders farmland so that it cannot be functioning to prevent a risk of coalescence of settlements. Similarly the gap to the north west of Fareham (Character Area 3) is separating the town from countryside, not another settlement.

Area 24 Peel Common is incorrectly identified as part of the Gap, when it is in fact ribbon development. However, the fact that this settlement is not an effective part of the Strategic Gap is taken in the Review to make it a *'target area for enhancement.'* (Appendix 4 Gap Analysis Matrices, page 25).

c) In defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included having regard to maintaining their physical and visual separation.

The Review methodology analyses the function of individual landscape character areas. This piecemeal approach means that the Gap Review does not consider how the Strategic Gap functions overall and consequently does not establish:

- where there is or might be a risk of coalescence; or
- how much land is necessary to maintain physical and visual separation, beyond highlighting that the gap can be as small as 340m.

The Review methodology has been designed explicitly to maintain the existing Strategic Gap boundaries. Section 4.2 of the Fareham Gap Review 2012 states the study *'seeks to assess whether the existing designated gap areas are required to ensure the visual and physical separation of settlements (including the settlement character) in the Borough'*. As a result, alternative boundaries for the gap with the exception of removing the coast/western wards have not been considered by the review, as was the Core Strategy Inspector's clear intention.

2.2 Inclusion of additional criteria

The assessment methodology includes consideration of the green infrastructure value of the gap, which is not one of the CS22 policy criteria. Section 4.2 states *'in addition as a*

secondary consideration, the study also considered the value of other functions such as green infrastructure which might be lost if development occurred on land which is currently designated as gap. As shown by Appendix 3, 'Analysis Protocol', this assessment of green space is in fact not a secondary consideration. Value of green space accounts for 11 of the 20 aspects assessed. This means that the broad rating of the sub-area assessments is skewed by green infrastructure value.

2.3 Inappropriate or irrelevant assessment criteria

The methodology used to assess the prevention of coalescence and visual separation is an inappropriate box ticking exercise, not a robust assessment. The assessment criteria include:

Prevention of coalescence

- Low density of existing buildings
- Significance of distance across gap at narrowest point
- Few past planning applications
- Coherent apparent ownership pattern
- Clearly defined coherent boundary

Visual separation

- Separation of areas of distinctive settlement character
- Density of vegetation screening urban edge
- Sense of separation due to topography and density of vegetation across urban gap

Low density of buildings is a definition of open countryside not a strategic gap. The number of past planning applications is not an assessment of effectiveness in preventing coalescence, nor is coherent apparent ownership pattern. It is not clear how the nature of the boundary prevents coalescence or if the density of the vegetation screening the urban edge, or the significance of the distance across the gap at narrowest point, or the sense of separation due to topography and density of vegetation across the urban gap identified places where a narrower gap would be appropriate. It is also not clear what separation of areas of distinctive settlement character means.

2.4 Failure to take account of land safeguarded for road improvements

The review did not take account of the safeguarded route for improvements to Newgate Lane, which has been in place since at least the Fareham Borough Local Plan Review June 2000, and has been identified as the preferred route by Hampshire County Council which is intending to make a planning application in spring 2015. This will inevitably affect the nature and effectiveness of the strategic gap in this location. It will cut through the existing field structure that is defined by hedgerows and drainage ditches and will make arable cultivation no longer viable. Running alongside to the ribbon development of Peel Common, which already effectively breaks the strategic gap in this location, the creation of this four-lane road will further degrade the gap. As a result it will only function effectively as a strategic gap west of Newgate Lane and the boundary should be altered to reflect this.

2.5 Inclusion of land allocated for development

The proposed gap includes areas of Daedalus (the Solent Enterprise Zone) that are being allocated for development in the Development Sites and Policies Plan and so the Strategic Gap is being applied selectively.

3. Inconsistency of the Strategic Gap with Sustainable Development

The strategic gap review is not consistent with the National Planning Policy Framework (NPPF) core planning principle to *'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'*.

The Strategic Gap Review did not weigh the claimed benefits of the Gap against the benefits of development. As a restrictive policy to contain urban areas it is analogous in many ways to Green Belt and should apply the same criteria as those in Paragraph 85 of the NPPF:

'When defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*

- *not include land which it is unnecessary to keep permanently open;*
- *where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.'*

In particular, the Strategic Gap Review process followed by Fareham Borough Council has not balanced the importance of '*meeting identified requirements for sustainable development*' against the purposes of the Strategic Gap. The weight to be given to housing requirements, in particular, needs to be re-assessed in the light of the findings of the South Hampshire Strategic Housing Market Assessment of January 2014, which indicates a significantly higher housing requirement in South Hampshire overall and in most districts, including Fareham and especially Gosport. Again, this document does not appear to be included in the Library of Submission Documents for this examination but can be accessed at this link: http://www.push.gov.uk/work/planning-and-infrastructure/strategic_housing_market_assessment.htm

3.1 Inadequate Sustainability Assessment

There appears to be no sustainability assessment of the Strategic Gap boundaries, nor any consideration of alternative boundaries (as set out in 2.3 above). The Sustainability Appraisal (Library of Submission Documents, refs. DSA01 to DSA05) appears to consider the Strategic Gap only in terms of the benefits of preventing coalescence:

'without the Development Sites and Policies Plan, there is a risk of coalescence of settlements in areas of high development demand through unmanaged

development' (paragraph 4.1.47).

It quotes the Strategic Objectives of the Core Strategy, including SO11:

'To protect and enhance access to green infrastructure, the countryside, coast and historic environment and protect the separate identity of settlements, including through the designation of strategic gaps.'

However, whilst the principle of having a strategic gap to prevent coalescence was accepted when the Core Strategy was found sound, the Sustainability Appraisal of the Development Sites and Policies Plan should now be testing how the designated Strategic Gap boundaries will contribute to sustainable development, compared with alternative boundaries.

Paragraph 2.5.7 of the Sustainability Assessment states: *'The summary of appraisal findings presented in Chapter 7 has purposely separated the environmental sustainability objectives from socio-economic objectives and no attempt has been made to justify negative environmental effects on the basis of beneficial socio-economic effects.'* This approach is contrary to NPPF Paragraph 8 which states *'the analysis of economic, social and environmental dimensions should not be taken in isolation because they are mutually dependent.'* It is also contrary to the approach to Green Belt boundaries in NPPF Paragraph 85 (quoted above).

3.2 Unjustified assertion that the existing Defined Urban Settlement Boundaries and Strategic Gaps will deliver sustainable development

Paragraph 3.4 of the Development Sites and Policies Plan states: *'The Spatial Strategy for Fareham, set out in the Core Strategy, seeks to direct growth to the most sustainable locations in the Borough. It aims to ensure that facilities and services are available, well integrated and accessible. This will be achieved through the designation of DUSBs (Defined Urban Settlement Boundaries) and Strategic Gaps.'* This statement cannot be justified without conducting an objective review of the Defined Urban Settlement and Strategic Gap Boundaries and a Sustainability Assessment of alternative boundaries.

3.3 Inclusion of highly sustainable locations within the gap

Given the existing and future housing need in the area, the imminent PUSH review and update of the South Hampshire Strategy, Fareham Borough's commitment to an early review of the Core Strategy it is inappropriate to include land within the Strategic Gap that is appropriate for sustainable development, particularly when alternative boundaries have not been considered.

For example, including land east of Newgate Lane within the Strategic Gap would prevent sustainable development. This is effectively the only area where Gosport could expand. All the other bordering areas are coast, Sites of Importance to Nature Conservation or urban Fareham, as shown in figure 9.5 of the SA Scoping Report (Library of Submission Documents, refs DSA01) and, probably uniquely for an undeveloped area in Fareham Borough, within walking distance of the bus rapid transit, a bus route served by eight buses an hour, two supermarkets and with the opportunity to provide a cycle link from the bus rapid transit cycle route towards Lee-on-Solent, as shown on the attached 'Constraints and Opportunities' map.

4. Conflict with the Core Strategy and Duty to Cooperate

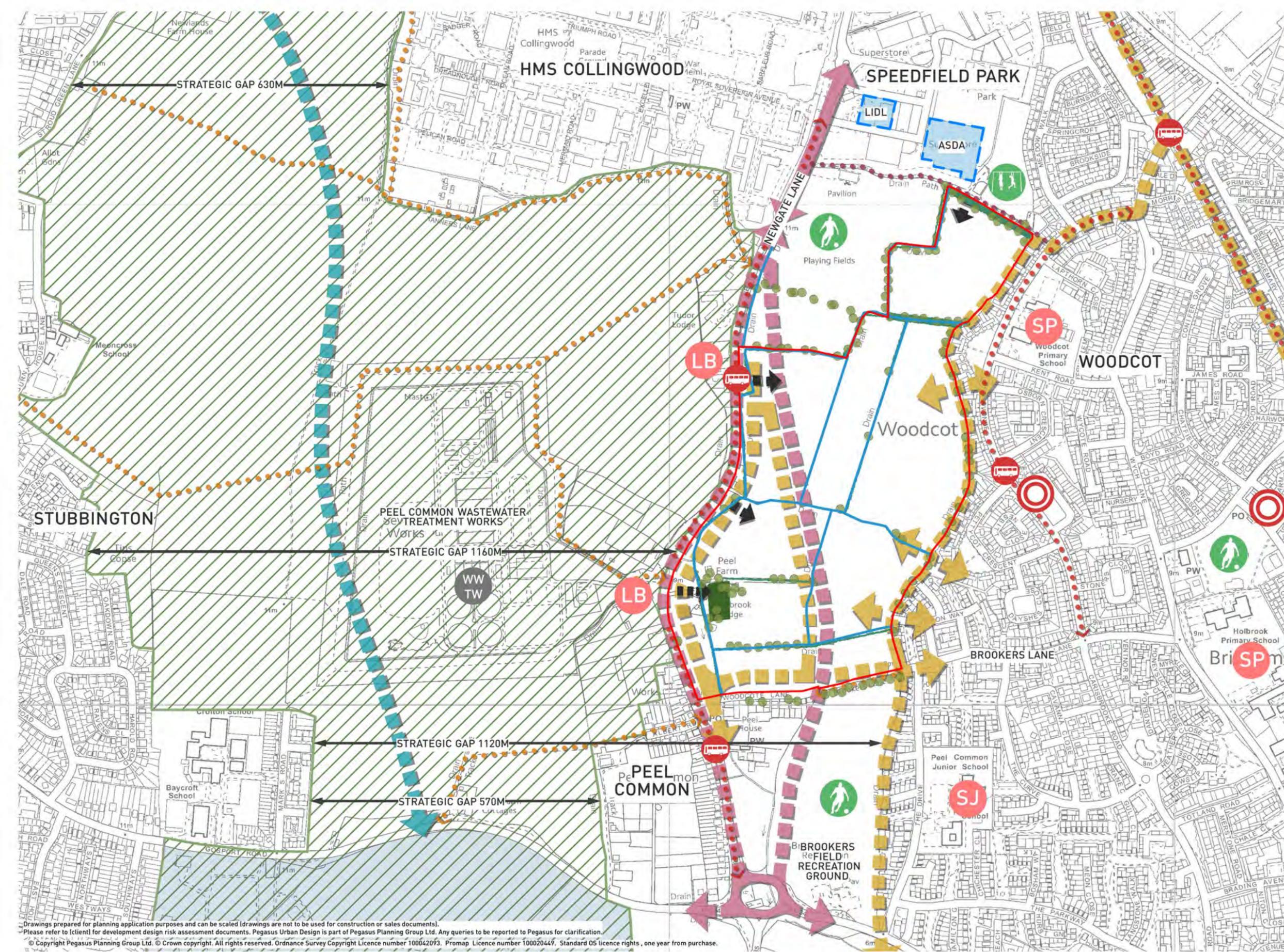
Core Strategy Policy CS14 severely restricting development outside the defined urban areas was justified by a commitment to undertake a review of the settlement boundaries in the Site Allocations and Development Management Development Plan Document (Core Strategy 5.146). The Council has now decided this review is not necessary because *'evidence studies including the SHLAA and Employment Land Review have shown there are sufficient identified sites within existing defined urban settlement boundaries to meet the Borough's development requirements'*. However, since the Council has also decided to postpone consideration of the Duty to Co-operate until the review and update of the South Hampshire Strategy by PUSH, it is not appropriate to set these boundaries in the Site Allocations and Development Management Development Plan Document without reviewing them, or at least identifying scope for future change analogous to 'safeguarded land' in Green Belts.

5. Conclusion

It appears that policy CS22 is being used to create a Green Belt around Stubbington, Titchfield and part of Fareham. Paragraph 1.3 of the Fareham Borough Gap Review states '*Gap designations are intended to increase the level of restraint on development over and above the level of restraint which is imposed by normal countryside policies. Although similar to green belt policies there are certain differences, principally that they do not have the national status of green belt designations*'. This interpretation is borne out in the gap boundaries proposed in the Development Sites and Policies Plan, and failure to review the settlement boundaries, but it is not compatible with the wording of Policy CS22.

To be consistent with the criteria of Core Strategy Policy CS22 and policy requirements of the National Planning Policy Framework, the Strategic Gap boundary should be re-drawn to be no more extensive than the areas shown on the attached 'Strategic Gap' map.

2991 Words

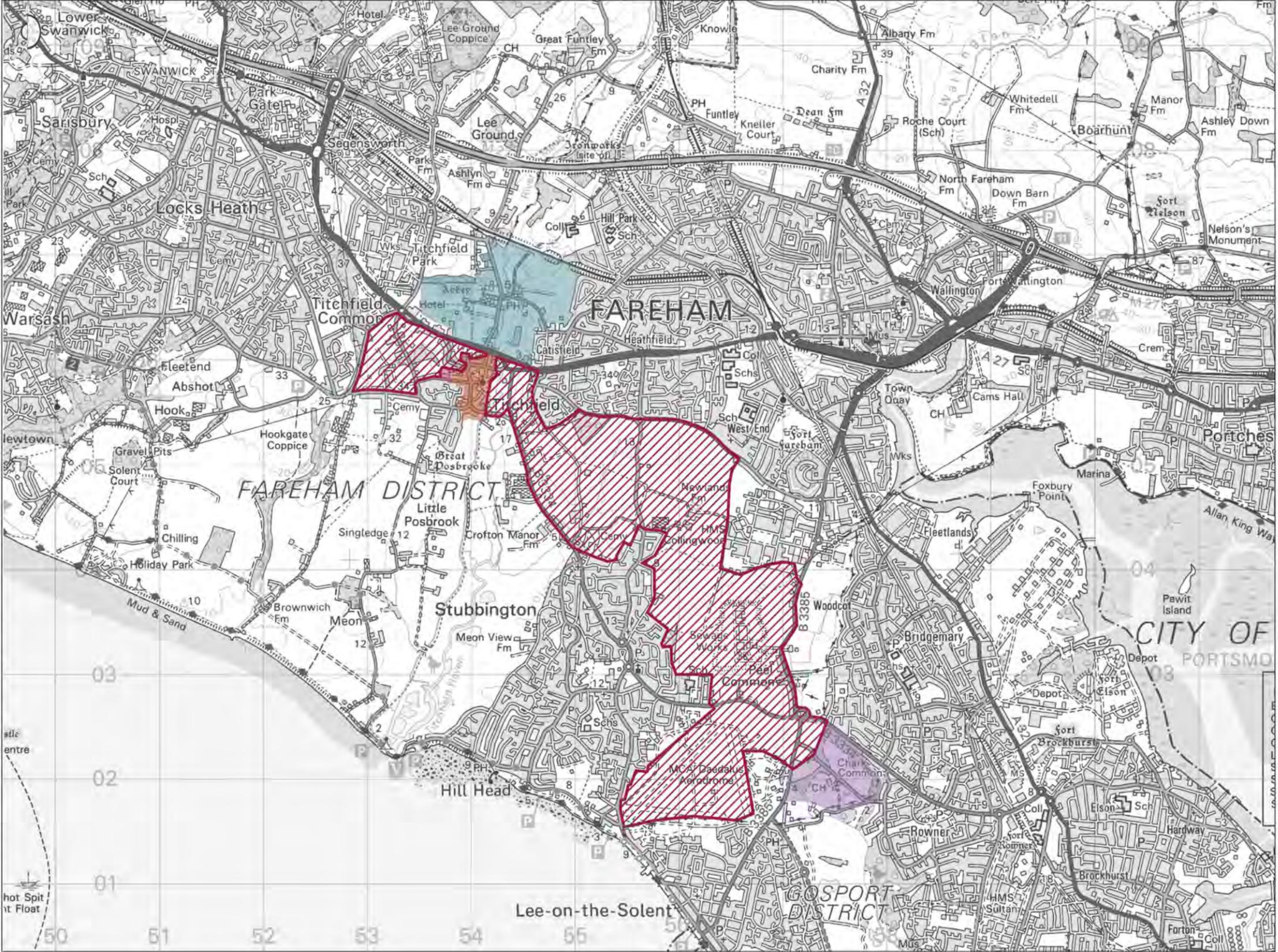


- KEY**
-  SITE BOUNDARY (36.41 HA)
 -  EXISTING LOCAL CENTRE
 -  EXISTING PRIMARY SCHOOL
 -  EXISTING JUNIOR SCHOOL
 -  PEEL COMMON WASTE WATER TREATMENT WORKS
 -  EXISTING SPORTS PITCHES
 -  EXISTING EQUIPPED PLAY AREA
 -  EXISTING BUS ROUTE/STOP
 -  EXISTING CYCLE/FOOTPATH
 -  EXISTING FOOTPATH
 -  INDICATIVE POSITION OF EXISTING TREES & HEDGEROWS (SUBJECT TO TREE SURVEY)
 -  EXISTING DRAINAGE DITCHES
 -  MCA DAEDALUS AERODROME
 -  DESIGNATED STRATEGIC GAP
 -  PROPOSED VEHICULAR ACCESS (SUBJECT TO HIGHWAYS ADVICE)
 -  OPPORTUNITY TO PROVIDE ATTRACTIVE PEDESTRIAN/CYCLE LINKS ACROSS SITE
 -  COMMITTED NEWGATE LANE HIGHWAY IMPROVEMENTS (NORTHERN SECTION)
 -  POTENTIAL NEWGATE LANE HIGHWAY IMPROVEMENTS (SOUTHERN SECTION)
 -  STUBBINGTON BYPASS (OPTION B)
 -  LISTED BUILDING
 -  TRADITIONAL ORCHARD (PRIORITY HABITAT)
- NOTE**
 CONTENT OF PLAN SUBJECT TO FULL INVESTIGATIONS INTO SITE ISSUES CONSTRAINTS

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NEWGATE LANE, FAREHAM, HAMPSHIRE - CONSTRAINTS AND OPPORTUNITIES

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- KEY**
-  STRATEGIC GAP
 -  SINC
 -  CONSERVATION AREA (TITCHFIELD ABBEY)
 -  CONSERVATION AREA (TITCHFIELD)

NEWGATE LANE, FAREHAM, HAMPSHIRE - STRATEGIC GAP

