

Introduction:

This note is a response to the Council's Actions arising from the Hearing Sessions relating to Issue 2 in document DCD-20: The Existing Settlements (DSP2-DSP6).

It is 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. 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.

There are related statements on Issue 7 (Housing Allocations, DCD-24), Issue 9 (Facilities and Infrastructure, DCD-26) and Issue 10 (Delivery and Monitoring DCD-27).

The Council's Explanation of the methodology in the Fareham Gap Review (DNE05)

Our comments on Issue 2 relate to the methodology of the Fareham Gap Review. Detailed concerns about the review of the Strategic Gap were set out in our Hearing Statement and presented in submissions to the hearings, to which the Council was unable to respond. In DCD-20, the Council reproduces a response from its consultants David Hares Landscape Architecture (DHHLA) as Appendix 1 and states that the Council is satisfied that this response fully justifies the methodology used in the study and the boundaries of the Strategic Gaps defined in the Development Sites and Policies Plan (LP2).

In our view, the response from DHHLA simply re-states their methodology without responding to our concerns and criticisms. The background to the study as described in three pages of the response was understood at the hearings as it was documented in the Study and the Council's evidence. DHHLA say that in addition to the primary purpose of Strategic Gaps, which is to separate settlements, they also considered secondary benefits, which include recreational use and other green infrastructure benefits.

In our view, whilst secondary benefits may be considered in relation to the management of land within a Strategic Gap, they are not to be used as the justification for designating an area of Strategic Gap. There is a close parallel with Green Belts. The superseded guidance of PPG 2 made a clear distinction between the purposes of including land in the Green Belt and the roles that land could play once included. Paragraph 1.7 stated: *'the extent to which the use of land fulfils these objectives is however not itself a material factor in the inclusion of land within a Green Belt, or in its continued protection.'*

Similar considerations apply to a Strategic Gap. Our criticisms of the DHLA Study are partly that it did not apply the explicit criteria of Core Strategy Policy CS, and it included irrelevant and inappropriate criteria in its assessment of land for inclusion in the Strategic Gap. Table 1 in the DHLA response is not new information, but confirms that our concerns were well founded.

Our concerns also included the use of 41 sub areas taken from the Fareham Landscape Character Assessment to analyse Strategic Gap. This approach limited the scope to apply Policy CS22 criteria to consider alternative boundaries. The study also failed to balance the benefits of sustainable development on the edge of settlements against the purposes of the Strategic Gap as set out in Core Strategy Policy CS22 or to consider the scope for mitigating the impacts of development on the role of the Strategic Gap.

The explanation provided by the Council does not address any of the issues raised in our previous submissions to this examination, and so in our view cannot be considered a robust assessment as claimed.

The Fareham Gap Review does not identify, as required by the criteria in Policy CS22:

- if the open nature/sense of separation between settlements could be retained by other policy designations;
- the importance of the role the land included within the gap performs in defining the settlement character of the area and separating settlements at risk of coalescence.
- how much land is necessary to prevent the coalescence of settlements, having regard to maintaining their physical and visual separation.

We would like to specifically highlight the following questions which DHLA's response raises.

1. In explaining the project brief why wasn't the full text from the Core Strategy Inspector's report and Policy CS22 quoted (the missing sections are shown underlined)?

Point 47 of the Inspector's 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 states:

'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.'

The omissions from DHLA's account give a misleading view of the purposes of the study.

2. How can DSP1 Development Sites and Policies Plan's glossary description of strategic gaps as generally synonymous with settlement gaps be reconciled with the criteria in policy CS22?

The DHLA response draws attention to the glossary of the DSP1 Development Sites and Policies Plan which states the primary purpose of strategic gaps are:

'Areas of open land / countryside between existing settlements, with the aim to protect the setting and separate identity of settlements, and to avoid coalescence; retain the existing settlement pattern by maintaining the openness of the land. The term 'strategic gap' is generally synonymous with 'settlement gaps'.'

This definition does not fit with Policy CS22 that sets specific criteria, which make it clear strategic gaps and settlement gaps are not the same and that the boundaries of the strategic gaps will be reviewed.

3. How could the methodology used provide a robust justification of the strategic gap boundaries?

The Core Strategy Inspector's report clearly required adequate justification of the detailed boundaries of the strategic gaps as a matter of soundness. The methodology use in the Fareham Gap Review did not do this. It provided a piecemeal description of the open countryside that exists between the defined urban boundaries (which were also not reviewed) divided into 41 sub areas. These sub areas were assessed for their suitability for inclusion in the gap i.e. the study set out to establish that the existing settlement gap was a strategic gap not to identify how much land was necessary to prevent coalescence as Policy CS22 requires.

The criteria used in the assessment are very poorly related to the criteria in Policy SC22:

- Low density of existing buildings is a definition of countryside not a strategic gap;
- The significance of the distance across the gap at its narrowest point is relevant, but was not used to identify how much of a gap was required to maintain physical

separation.

- The number of planning applications and coherent ownership pattern are irrelevant.
- Clearly defined coherent boundary is relevant, but was only considered in relation to the existing urban boundaries, not to identify other possible coherent boundaries like roads.
- Separation of areas of distinctive settlement character is incomprehensible.
- Density of vegetation screening urban edge and sense of separation due to topography and density of vegetation across gap is relevant but implies the gap could be narrower where there is dense vegetation and varied topography but this option does not appear to have been investigated. Nor was this used to establish where vegetation is so dense it is not possible to see across the Strategic Gap and therefore the sense of openness and separation must be limited.
- Criteria relating to green space value are totally irrelevant, but they make up 12 of the 20 criteria assessed. It is claimed that these are secondary criteria but the analysis protocol in Appendix 3 (below) states that each sub area is given a broad rating based on an assessment of the criteria and there is no indication that the primary criteria were given more weight. The statement '*all judgements are relative rather than empirical*' suggests weighting would not be possible.

Prevention of coalescence	All judgements are relative rather than empirical	Relevant to criteria in Policy CS22?
Low density of existing buildings	Density: poor = many buildings; very high =no buildings	No
Significance of distance across gap at narrowest point	Distance: short distance = high significance large distance low significance	Yes
Few past planning applications	Based on GIS data from Fareham DC; many = poor	No
Coherent apparent ownership pattern	Large number of owners = poor.	No
Clearly defined coherent boundary	Distinctive boundary feature such as road = high	Yes

Visual separation		
Separation of areas of distinctive settlement character	More distinctive settlement character = high	?
Density of vegetation screening urban edge	Refer to edge study	Yes
Sense of separation due to topography and density of vegetation across gap	From field survey based on perception in the field	Yes
Green space value		
Levels of permitted public access	High number of footpaths or common land = high	No
Amount of recreational facilities	High number of recreational facilities such as playing fields = high	No
Intactness / integrity of landscape character	Intact field boundary pattern = high. high number of pony paddocks = low	No
Landscape designation	Subject to local designation = high	No
Scenic beauty/quality	From field survey based on perception in the field	No
Tranquillity	From field survey based on perception in the field and presence of roads.	No
Cultural heritage / Historic association value	Presence of historical or traditional features = high	No
Nature conservation / Earth science value	Designations e.g. SAC very High SSSI high to low= no designation	No
Flood attenuation	Open grassland = high hard standings = low	No
Agricultural productivity	Highly productive = horticultural cropping low = grassland	No
Prominence of area within wider landscape	Based on perception in field survey and topography etc.	No
Overall contribution to suitability for inclusion within gap		
Broad Rating *	A broad rating based on assessment of the above criteria.	

In summary, at most 5 of the 20 assessment criteria used actually relate to the criteria in policy CS22, but these have not been used to define the necessary extent of the gap as required by the policy. This cannot be a robust assessment.

4. Did the review examine if a sense of separation could be retained by other policy designations?

We can see no justification for inclusion of Character Areas 4, 5 and 6 in the strategic gap. This is countryside, protected by CS14 strictly controlling development outside settlements and CS6 limiting development to within the existing settlement boundaries, and covered by 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.

5. How can a Strategic Gap that is intended to prevent coalescence border countryside?

The coast / western wards area was removed because it bordered onto undeveloped coast and therefore was not a gap between settlements. However, this means that the strategic gap now borders farmland so it cannot be functioning to prevent 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.

6. How wide does the gap need to be to prevent coalescence?

The review highlights that the gap is as small as 340m, but provides no assessment of how much land is needed to prevent coalescence.

7. Why wouldn't the safeguarded route for Newgate Lane have an impact on recommendations for the Strategic Gap?

The response from David Hares Landscape Architects states '*Although the Fareham Gap Review did not specifically take into account the Stubbington Bypass and realignment of the southern portion of Newgate Lane we do not think these proposals would alter our recommendations for the boundary of the strategic gap in this part of the Borough. The strategic gap between Fareham and Stubbington is vital to maintain the separate identities of the two settlements and the road improvements would not compromise this.*'

The proposed new road is located between Peel Common and Gosport so it cannot have any impact on the strategic gap between Stubbington and Fareham.

A robust consideration of clearly defined boundaries (identified in the gap study as a distinctive boundary feature such as a road) would have identified that the new road could provide such a boundary, and the opportunity to provide additional vegetation screening.

It would also have identified that the new road will have a significant impact on the countryside 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, further degrading an area that was identified for targeted improvement.

8. Will the Strategic Gap be a policy constraint that could lead to different housing requirements from the 2014 SHMA when the South Hampshire Strategy is reviewed in 2016?

Point 2.6 of the Council's response on Issue 7: Housing Allocations including alternative sites for consideration (DSP40) states '*The SHMA does not consider development constraints or the implications of other policies which may lead to different housing requirements. It also does not address how these issues may influence the appropriate apportionment of housing requirements across the two housing markets, of which, Fareham forms a part*'.

To allow the Strategic Gap, set out in the Development Sites and Policies Plan, to constrain Fareham Borough Council's Duty to Cooperate based on this evidence would be wholly unreasonable. It would prevent sustainable development in the form of an urban extension of Gosport and be contrary to the NPPF.

It is clear from the Council's responses to date that unless something is done PUSH negotiations, which are not subject to any external review, will result in an a housing requirement for Fareham that is restricted to the capacity of Welborne alone.

We conclude, as in our previous submission, that only way that a Strategic Gap could be identified that meets the criteria in policy CS22 and is compatible with national policy is if the boundaries are re-drawn as shown on the map attached to our pre-Hearing Statement.