

OFFICER REPORT FOR COMMITTEE

DATE: 8th August 2024

P/20/0646/OA

HALLAM LAND MANAGEMENT LTD

STUBBINGTON WARD

AGENT: LRM PLANNING LTD

OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT ACCESS) FOR UP TO 1,200 NEW HOMES (C3); 1 NO. 80 BED CARE HOME (C2); A NEW 2 FORM ENTRY PRIMARY SCHOOL (D1); A LOCAL CENTRE TO COMPRISE FLEXIBLE COMMERCIAL FLOORSPACE (A1, A2, A3 AND A5 UP TO 800SQ.M) AND COMMUNITY CENTRE AND HEALTH CARE FACILITY (D1 USE UP TO 700SQ.M); THE FORMATION OF NEW MEANS OF ACCESS ONTO LONGFIELD AVENUE AND PEAK LANE; NEW OPEN SPACE INCLUDING THE LAYING OUT OF A NEW COUNTRY PARK AND SPORTS FACILITIES; DRAINAGE INFRASTRUCTURE; WALKING AND CYCLING INFRASTRUCTURE AND OTHER ASSOCIATED INFRASTRUCTURE WORKS.

LAND SOUTH OF LONGFIELD AVENUE, FAREHAM

Report By

Rachael Hebden – direct dial 01329 824424

1.0 Introduction & Background

- 1.1 The application has been included on the agenda because of the significant public interest. The applicant has recently lodged an appeal as the planning application has not been decided within the agreed period.
- 1.2 Officers have been working collaboratively with the applicant to ensure the proposed development satisfies the policies of the National Planning Policy Framework 2023 (NPPF) and the Fareham Local Plan 2037, however there are financial contributions required to mitigate the impact of the development and some of these contributions have not yet been agreed.
- 1.3 The Council is no longer able to decide this application however it is necessary for Members to confirm the case that this Council will present to the Planning Inspector. This report sets out the relevant planning policies and relevant material planning considerations and invites Members to confirm the decision they would have made if they had been able to determine the planning application. This will then become the Council's case in respect of the forthcoming appeal.

Background

- 1.4 The application was made in June 2020. At that time the application site was not identified for development within the adopted development plan (The Core Strategy (2011) and Development Sites and Policies Plan: Local Plan Part 2, (2015)).
- 1.5 The emerging Local Plan at that time identified the land south of Fareham as a potential “Strategic Growth Area” (SGA) for future development to meet the identified housing need. The SGA along with a set of high-level development principles were set out by the Borough Council in the January 2020 Local Plan Supplement.
- 1.6 In November of 2020 the Council published its Regulation 19 Plan (pursuant to the Town and Country Planning (Local Planning) (England) Regulations 2012) for public consultation which was further revised and re-published in May 2021. Within this May 2021 Regulation 19 Plan was an allocation on the south side of Fareham which includes the application site. This allocation was identified in policy HA55 and effectively carried forward the SGA from January 2020.
- 1.7 The Examination in Public (EiP) hearings into the Local Plan took place in the Spring of 2022 and in the Inspectors Report from the Summer of 2022 she found that the principle of the HA55 allocation “...is sound”.
- 1.8 The allocation was consequentially carried forward into the Fareham Local Plan 2037 which was adopted by the Council in April 2023. The allocation of the Land South of Longfield Avenue under Policy HA55, therefore establishes the principle of developing the land for up to 1,250 dwellings with associated infrastructure.
- 1.9 To support the policy in HA55, the Local Plan Appendix D provides a set of Supporting Masterplanning Principles to guide the future development of the site around matters of quantum, block layout, access, density, character and building height. Appendix D also sets out The Vision for the site:

“To create a new neighbourhood for Fareham which will achieve a high-quality place for all people; a balanced, safe and connected community. It will be a place with an accessible heart, of quality buildings and open spaces that enables all its resident and visitors to meet, congregate, interact, shop, work and play. A place that provides for the day to day needs of residents and encourages a healthy lifestyle.”
- 1.10 Amendments were made to the application in October 2022 and more recently in December 2023 as the applicant sought to demonstrate that the proposal accords with the provisions in policy HA55.

- 1.11 Whilst the applicant and Officers have been engaging collaboratively to progress the application, on 7th November 2022 the Secretary of State (SoS) at the Department for Levelling Up, Housing and Communities (DLUHC) exercised his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by issuing a Direction that prevents the Council from granting a planning permission on this application without his specific authorisation. This Direction was issued to enable the Minister to consider whether they should “call in” the application for their determination. The Direction gives no indication as to the SoS’s view towards the scheme and the Direction remains in place at the time of writing this report.
- 1.12 The Direction does not stop the Council from refusing the application nor does it prevent this Committee from considering the application and forming a view as to the merits of the proposal.

2.0 Site Description

- 2.1 The site lies to the immediate south of Longfield Avenue, Fareham. HMS Collingwood lies to the east. To the south there are open fields with Stubbington beyond, with the Stubbington by-pass (Daedalus Way) situated within these open fields between the site and Stubbington. To the west there are open fields with the Meon Valley beyond.
- 2.2 The application site is 77.2 hectares (190.7 acres) in size. The western boundary lies to the immediate east of Ranvilles Lane. The northern boundary extends around the southern boundary of Oxleys Coppice and runs along Longfield Avenue up to the western boundary of HMS Collingwood. The site’s eastern boundary runs parallel with the western boundary of HMS Collingwood. The site’s southern boundary is irregular in shape with the south-eastern part of the boundary partly running alongside Tanners Lane, then extending northwest up to Peak Lane, then further west to Ranvilles Lane.
- 2.3 The site is in agricultural use currently and is broadly flat with an open landscape. The only noticeable hedgerows are around the perimeter of the site on the northern and eastern edges and along the east side of Peak Lane.

3.0 Description of Proposal

- 3.1 This application is made in outline with all matters reserved except for access. The application is located on land allocated for development in the Fareham Local Plan 2037 under policy HA55, however the site does not include all the land allocated for development. The part of the land allocated for development that is excluded from the site is under different ownership and is expected to come forward for development under a separate application. The allocated

land that is excluded from the application is located to the east of Peak Lane and is one of the areas identified for housing in the indicative framework plan.

- 3.2 The application is for up to 1,200 homes, a new local centre (including up to 800 square metres of flexible commercial floorspace, a community centre, green infrastructure including a country park and sports hub, ecological mitigation, drainage infrastructure, walking and cycling infrastructure and a two-form entry primary school.
- 3.3 The proposed access details includes the main site access from Longfield Avenue and a second access from Peak Lane.
- 3.4 For the main Longfield Avenue access a priority junction is proposed to the south of Middleton Close. The priority junction would be a simple T-junction formed on a raised table and would provide three priority crossing points; east and west of the junction crossing Longfield Avenue and east to west on the road south into the site itself.

Longfield Avenue alterations:

- 3.5 There are other interventions proposed along Longfield Avenue in addition to the priority junction. At the junction of Bishopsfield Road and Longfield Avenue the application proposes a raised table arrangement with pedestrian and cycle priority crossing measures to the east and west and over Bishopsfield Road.
- 3.6 Further interventions are also proposed along Longfield Avenue to the east and west of the site access and Bishopsfield Road to improve the pedestrian and cycle infrastructure and connectivity between the existing southern edge of Fareham and the development site. Further afield, off-site highway improvement works have been identified that would improve infrastructure for cyclists and connectivity to the train station.

Peak Lane Access

- 3.7 The site access from Peak Lane takes the form of a signal-controlled access to the east side of Peak Lane. The alterations require a new right turn lane into the site along Peak Lane for traffic travelling north. The addition of traffic signals will ensure that good quality crossing facilities are provided to enable pedestrian and cyclist movement across Peak Lane.

The development:

- 3.8 The application seeks to provide 1,200 homes across a range of types, tenure and densities. The higher density part of the site will be focussed around the Local Centre where a minimum of 135 flats are to be provided and the density could be more than 60 dwellings per hectare (dph) and a maximum of four storeys in height. Other higher density areas (including further flatted

accommodation) are along the northern edge of the site fronting onto Longfield Avenue (50-60 dph). The scale and density of building reduces to the south and west of the site down to 30-35 dph at two storey scale on the southern and western fringes of the site. This density approach is consistent with the supporting design principles on density and building heights contained in Appendix D of the Fareham Local Plan 2037.

- 3.9 The built form is focused into a series of blocks stemming from the northern edge of the site, broken up by a series of green corridors running both east to west and north to south. Opposite the junction of Bishopsfield Road with Longfield Avenue is the main green corridor through the site. This is the biggest and widest of the green corridors with views extending beyond the site southwards across the strategic gap towards Stubbington.
- 3.10 On the western edge of this main green corridor, adjacent to Longfield Avenue is the proposed Local Centre (LC). The LC will deliver flexible commercial floor space at ground floor level for uses falling within Use Class E (formerly use classes A1 (retail), A2 (Financial & Professional Services), A3 (cafés and restaurants) and A5 (Hot food takeaway)). The LC is also proposed to include a community centre and the application proposes that this could also include a health care facility. Residential accommodation is anticipated above these ground floor commercial units.
- 3.11 Towards the south of the built form, at the end of the main green corridor, is a two-hectare site to provide a new primary school. To the south-east corner of the application site, and east of the school, a 4.3 hectare area of land is earmarked for a sports hub, which will allow for a mixture of sports fields, courts and other associated facilities.
- 3.12 South and west of the school site, between the edge of the built form and the Stubbington Bypass is an area proposed as green infrastructure. This area includes new habitat creation, walking routes, sustainable drainage features and key structural planting. This area of open space will also connect into the existing rights of way network adjacent to the application site.
- 3.13 To the west of Peak Lane there is no development proposed other than the works necessary to create a new bird reserve and ecological enhancement area. All the built form, that is the housing, community and commercial development is to the east of Peak Lane and south of Longfield Avenue.
- 3.14 The land west of Peak Lane extends to 22.84 hectares (approximately 56 acres). It will be laid out to provide a central area of 10 hectares (approximately 24 acres) as a publicly restricted bird reserve. The restriction to members of the public from this area is designed to provide a parcel of land for birds to use

undisturbed. Access by people and dogs is to be limited by fencing, defensive ditches, open water and native hedgerow planting to create natural barriers to this enclosure. To either side of the bird reserve two areas of semi natural greenspace are proposed to be used for informal recreation. Each of these two informal recreation areas, which 'book end' the bird reserve, will be linked by paths to the north and south of the main bird reserve to create a circular walk and to connect into the wider rights of way network. The northern of these routes will be designed to enable the landscape to also function as a buffer to the edge of Oxleys Coppice in the interest of protecting and limiting access into the woodland.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

- H1: Housing Provision
- HA55: Land south of Longfield Avenue
- HP1: New Residential Development
- HP5: Provision of Affordable Housing
- HP7: Adaptable and Accessible Dwellings
- HP8: Older Persons' and Specialist Housing Provision
- HP9: Self and Custom Build Homes
- R1: Retail Hierarchy and Protecting the Vitality and Viability of centres.
- R4: Community and Leisure Facilities
- CC1: Climate Change
- CC2: Managing Flood Risk and Sustainable Drainage Systems
- NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
- NE2: Biodiversity Net Gain
- NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)
- NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- NE5: Solent Wader and Brent Goose Sites
- NE6: Trees, Woodland and Hedgerows
- NE8: Air Quality
- NE9: Green Infrastructure
- NE10: Protection and Provision of Open Space
- TIN1: Sustainable Transport
- TIN2: Highway Safety and Road Network
- TIN4: Infrastructure Delivery
- D1: High Quality Design and Place Making
- D2: Ensuring Good Environmental Conditions
- D4: Water Quality and Resources

Other Documents:

- National Planning Policy Framework (NPPF) 2023
- Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
- Residential Car Parking Standards 2009
- Planning Obligations 2024
- Affordable Housing 2024
- Self and Custom Build Housing 2023

5.0 Relevant Planning History

5.1 The following planning applications are of relevance to this application proposal:

P/14/0222/OA	Outline Application for the Redevelopment of the Site With All Matters Reserved Apart From Access. Development To Provide Up To 1550 Dwellings, A New Health Centre (Up To 1600 Sq Metres GIA), A Primary School (Up To 2500 Sq Metres GIA), A Public House/Restaurant (Up To 550 Sq Metres GIA) Plus the Provision of Green Infrastructure (To Include Public Open Space, Equipped Areas of Play, SuDS, Meadowland, Permissive Footpaths, Cycle Ways, Structural Woodland Planting, Allotments and General Landscaping). Creation of New Primary & Secondary Vehicular Accesses from Longfield Avenue/Bishopsfield Road Junction, Primary Access From Peak Lane And Access Via A Proposed New Bypass Along With New Access To Newlands Farm. The Application is EIA Development, Includes New Rights of Way and Represents a Departure from the Local Plan
Withdrawn	March 2016
P/15/1279/OA	Construction of up to 1,027 Residential Dwellings; A 80 Bed Care Home; New Health Centre; New Primary 2.5 FE Primary School; Public House/ Restaurant and Retail Units; Plus Provision of Green Infrastructure To Include Public Open Space, Equipped Areas Of Play, Sustainable Drainage Systems (SuDS), Tree, Hedge and Shrub Planting, The Creation of Meadows and

Permissive Footpaths and Cycleways Along With
Structural Woodland Planting and Allotment Gardens.
Creation of New Primary and Secondary Vehicular
Accesses from Longfield Avenue, Along With
Associated Improvements to the Existing Longfield
Avenue/ Bishopsfield Road Junction and Carriageway;
Primary Access From Peak Lane, a New Access to
Newlands Farm, and Access to the Development via a
New Stubbington Bypass

Withdrawn

February 2020

6.0 Representations

Representations received after 11th September 2020

6.1 Four hundred and seventy nine objections received which raised the following material considerations:

Principle of development

- The strategic gap should be maintained;
- There is no requirement for homes, industrial premises or a pub in this location
- Will there be implications if the developer does not provide the additional services?
- The development will cause overcrowding of the area;
- Detrimental to PfSH policies;
- If this development goes ahead, then there will be pressure to build on the south side of the bypass;
- The houses should be built on brownfield sites;
- Loss of agricultural land;
- Building should be focussed in Welborne;

Layout/housing mix

- Will any of the homes be affordable for first time buyers and pensioners?;
- More social and affordable housing required;
- Overdevelopment and inappropriate density;
- The proposed retail area will not attract any businesses that aren't already available in Bishopsfield Road;
- Do houses still back onto the firing range at Collingwood?
- There is no need for a sports hub in Stubbington;
- Four storey apartments should be dispersed around the site;
- The layout has not considered crime prevention;
- Four storeys adjacent to Longfield Avenue is unacceptable.

Ecology/trees

- Impact on wildlife habitats and nature;
- Loss of fields, hedgerows and trees;
- The area needs proper tree planting;
- Impact on nitrate levels;
- Far more rewilding is required to offset nitrate levels;
- Adverse impact on wildlife connectivity;
- The site would be perfect for nitrate mitigation;
- Why is FBC entering an agreement with Hampshire and Isle Of Wight Wildlife Trust to 're-wild' land and yet they allow building on this land?

Highways

- Increased traffic congestion and resulting impact on Gosport;
- Lack of effective public transport in the area;
- Impact on pedestrian and cyclist safety;
- Impact on Stubbington Bypass;
- The main access from Longfield Avenue is unacceptable;
- Existing footpaths across the site should be maintained;
- More connectivity is required to/from schools;
- The new roundabout on Longfield Avenue conflicts with the existing bus stop;
- The traffic data is questionable;
- Traffic calming will be required;
- Impact on highway safety;
- There should be a footbridge across the by-pass;

Environmental

- Increased noise and air pollution;
- Increased flooding due to surface water drainage;
- Noise from aircraft renders the site unsuitable;
- Water supplies are limited;
- Impact on the living conditions of local residents;
- Odour nuisance from the sewerage treatment works;

General comments

- Rethink Fareham High Street and the town centre; build flats and provide more housing;
- Pressure on doctors, hospitals, dentists, schools and the emergency services;
- Insufficient shops and supermarkets nearby;
- Where will secondary age pupils attend?
- Inadequate publicity of the application;
- Impact on social stability;

- Inappropriate location next to HMS Collingwood;
- Good to see a Health Centre, but surgeries are struggling to get GPs;
- Balconies should not be used for storage;
- Impact on property values;
- Impact on the refuse collection and utilities including potable water, electricity and gas supplies;
- Villages need protecting;
- The application lacks information and is disingenuous.

Dame Caroline Dinenage MP:

- Objection to the development;
- The proposal threatens the strategic gap;
- Additional pressure on the overburdened roads;
- Adverse impact on nearby Air Quality.

The Fareham Society:

- Objection to this application proposed in the Strategic Gap;
- The proposal would have an adverse impact on the Gap's function;
- The scale of the development will have a serious impact upon the highway network.

- 6.2 Two comments were received raising no objection and one comment supporting the development provided footpaths and play areas are built.

Representations received after the publicity carried out on 23rd November 2022

- 6.3 196 comments received which raised the following material considerations:

Principle of development

- Loss of green space / strategic gap;
- The land should be protected for wildlife and for residents to walk;
- Housing should be built on brownfield sites or the airport;
- Where is Welborne?
- No development was supposed to be provided in this area after the completion of the by-pass;
- Loss of valuable agricultural land;
- Contribution towards creeping of development between Chichester and Southampton;
- There is no requirement for this much housing;

Design/Layout

- There is an abundance of commercial buildings;

- Adverse impact on the appearance of the area;
- Proximity of houses to the sewage works.

Environmental

- Loss of privacy and access to property;
- The proposal will exacerbate existing problems with wastewater;
- Noise pollution;
- Impact on sewage infrastructure;
- Water run-off will result in water problems;
- Disturbance during the construction process

Highway

- Increased traffic generation and congestion
- Inappropriate access via Longfield Avenue;
- Poor public transport links;
- Can the cycleway be constructed without the development?
- Accident data shows incidents on local roads.

General

- Impact on infrastructure. Including schools, healthcare, dentists and council services;
- The by-pass was supposed to be the last development within the strategic gap;
- Loss of dog walking routes;
- The land is prone to flooding;
- There is no need for more retail units.

Ecology/trees

- Impact on birds and wildlife including Canada geese;
- Who and how will the country park be effectively managed?
- Impact of floodlighting on wildlife;
- Trees along Longfield Avenue should be retained.

Hill Head Residents' Association:

- Hill Head Residents' Association notes the details of the revised application – it identifies several infrastructure sites, which are broadly welcomed;
- There is no reference to secondary school provision;
- Crofton School in Stubbington is close to maximum admission capacity.

The Fareham Society:

- The Society acknowledge the Local Plan Inspector has no in principle objection to the site being allocated for housing;
- The broad concept of higher density housing to the north, decreasing to the south, is supported;
- The central spine linking the school to the local centre has the potential to create an attractive feature;
- The location of the sports hub to the east of Peak Lane is supported;
- Impact on the strategic gap;
- The open space for the sports hub and the playing fields for the school would be beneficial in maintaining the openness of the Gap;
- There should be no tall intrusive fencing to the south or lighting;
- We are pleased to see the land to the west of Peak Lane being kept free of development, provided it is not urbanised with paths, benches and other paraphernalia;
- If phasing is dealt with by condition, the facilities should not lag behind the housing;
- The Society are concerned there will be no onsite health facilities; a contribution for off-site provision is unacceptable;
- Housing should not exceed two storeys in height; Landscaping along Longfield Avenue should incorporate the full width of the existing planting.

Lee Residents Association:

- The development is contrary to CS22;
- The development will have a detrimental impact on the road network;
- The development is contrary to the emerging Local Plan;
- The development will reduce the Strategic Gap;
- Reduction in the quality of life for local residents;
- Impact on air quality.

Councillor Needham:

- There is no local support for this application;
- Residents were promised there would be no housing once the by-pass was constructed;
- The levelling up and Regeneration Bill states that housing targets are to be advisory and not mandatory;
- Welborne should be enough housing for the area;
- The application should be refused to protect the strategic gap.

6.4 Four letters of no objection have been received.

Representations received after publicity carried out on 9 January 2024

6.5 178 Objections received which raised the following material considerations:

Principle for development

- Welborne will provide the additional houses required;
- Impact on the strategic gap;
- Impact on local infrastructure;
- Loss of green space;
- Government bodies such as HMS Defence and Solent Airfield have submitted comments;
- Impact on Stubbington Village;
- Build on brownfield land and use empty council houses;
- Loss of farming land;
- Local Councillors should represent local people and their objections to the proposal;
- There are already multiple houses being built off Oakcroft Lane;
- The Secretary of State has asked for this application to be put on hold, clearing showing no support from local residents, local councillors and our MP;

Design/layout

- The masterplan looks very nice, but this is not representative of what would be built;
- Impact on country walks;
- Inappropriate density;
- Inappropriate house design;
- Will affordable housing be secured?
- The Care Homes is located directly on a roundabout;
- Any development should be of high quality and be beautiful according to NPPF 2023.

Environmental

- The area is prone to flooding;
- Drainage systems will be unable to cope;
- Increased Sewerage into the Solent;
- Impact on supply of water;
- Increased air and noise pollution;

Highways

- Increased traffic generation and congestion;
- There is no plan to improve public transport;
- Personal injury data shows there have been several accidents in the area;

- Longfield Avenue will need a zebra crossing;
- Will the walkway around the land be retained?

General

- Impact on infrastructure including schools, hospitals and emergency services;
- Impact on local house values;
- Loss of public open space used by people for walking;
- The Airport management have indicated significant problems for them;
- There is no need for a junior school;
- Play areas should be fit for purpose;

Ecology/Trees

- Impact on countryside and wildlife;
- Will the wildlife habitat be retained after 5 years;
- The proposed landscaped area to the west of Peak Lane will become a dumping ground;
- How can they provide an ecological corridor surrounded by houses?

Dame Caroline Dinenage DBE MP:

- Formally objects to the application;
- The application threatens the strategic gap between Fareham and Stubbington;
- While acknowledging new housing is required, it should be built on brownfield sites, not green spaces;
- Developing 1200 houses at this site would create excessive pressure on our already overburdened roads; the difficulty of getting in and out of Gosport is infamous;
- Back in 2017 this part of Fareham was flagged as one of 23 nationally with dangerously high air pollution levels;
- The site is poorly served by public transport and would be heavily car dependant, which in turn impacts air quality.

The Fareham Society:

- The Society has one ground of objection in addition to those previously raised. It is opposed to the proposed signal junction on Peak Lane and the priority junction on Longfield Avenue;
- As for the Peak Lane junction, it is preferred that this be deleted entirely and that access be provided using a revised Longfield Avenue/ Peak Lane roundabout. This would prevent disruption to traffic, caused by having three junctions on Peak Lane, the Stubbington by-pass junction, a traffic light junction for the development and the Longfield Avenue/Peak Lane junction.

6.6 One comment received broadly supporting the proposal.

7.0 Consultations

EXTERNAL

Highways (Hampshire County Council)

7.1 No objection to the planning application subject to the following S106 obligations and inclusion of the below conditions.

S106 Obligations

- A Highway Contribution of £5,863,000 towards the delivery of the following:

Sustainable mode improvements

- Rowan Way / Longfield Avenue / Peak Lane Local Cycling and Walking Infrastructure Plan scheme.
- Longfield Avenue / Newgate Lane Infrastructure Delivery Plan (scheme).
- Gudge Heath Lane / A27 Infrastructure Delivery Plan scheme.
- Local Cycling and Walking Infrastructure Plan improvement to The Gillies.
- Local Cycling and Walking Infrastructure Plan improvement scheme between The Gillies and the Station (including the A27 The Avenue/ Station Road Roundabout).
- Local Cycling and Walking Infrastructure Plan improvement scheme between The Gillies and Town Centre.
- Any other sustainable transport improvements linking the site to amenities.

Capacity Improvements

- Gudge Heath Lane / A27 signals.
- Titchfield Gyratory.
- St Margarets Roundabout.
- Segensworth Roundabout.

- Any sustainable mode improvements that mitigate the impact of the development through a reduction in the use of vehicular traffic at the above locations.
 - A School Travel Plan contribution of £24,000
 - Implementation of the site access and improvement works as shown in principle on the following drawings:
- Peak Lane site access and pedestrian/ cycle improvements (drawing number- 22115-MA-XX-DR-C-103 P06).

- Longfield Avenue Site Access and pedestrian/ cycle improvements between Peak Lane and Newgate Lane drawing numbers - 22115-MA-XX-DR-C-104A P07, 22115-MA-XX-DR-C-104B P06 and 22115-MA-XX-DR-C-104C P05.
- St Michael's Grove drawing numbers 22115-MA-DR-C-0105A P03 and 22115-MA-DR-C-0105A P03.
- Ranvilles Lane/ A27 Avenue junction – Drawing to be agreed prior to completion of the S106 Agreement.
 - Provision of two pairs of bus stops (including shelters and RTPI) on Longfield Avenue and one pair of bus stops on Peak Lane.
 - Submit and implement a Full Travel Plan, payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Full Travel Plan.
 - Improvements to the route to Crofton Secondary School as follows:
- If Crofton School is the catchment school, the S106 Agreement will secure that the route between the site and Daedalus Way including Footpath 75, Tanners Lane (Footpath 68), Footpath 70 and the pedestrian refuge on Daedalus Way will be upgraded to facilitate cycles. The process for securing cycle rights and the design of the required improvements under this scenario will need to be secured within any the Section 106 Agreement.
- If Crofton School is not the catchment school the Section 106 agreement will secure that a short section of Footpath 75, between the pedestrian access into the site and the existing Public Right of Way on Tanners Lane (Footpath 68), will have surfacing upgrades to enable pedestrian use year-round.

Conditions

- A Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority in writing before development commences. This should include construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The agreed details shall be fully implemented before the development is commenced.
- Reserved matters submissions shall include appropriate cycle provision segregated from traffic via the internal spine road linking the Longfield Avenue and Peak Lane accesses.
- Land shall be kept clear of obstructions including landscaping to achieve visibility requirements for all users at the raised table junctions

on Longfield Avenue and the side road crossing points along Longfield Avenue and St Michaels Grove.

Hampshire County Council (Ecology)

- 7.2 The Report to inform the Habitats Regulation Assessment (HRA) can be adopted to demonstrate no likely significant effects on the integrity of the designated sites.

The statutory metric submitted demonstrates that the development can achieve significantly more than the 10% biodiversity net gain required.

The updated walkover survey (June 2024) confirms that no additional survey work is required to supplement the information contained in The Environment Statement.

No objection subject to conditions to secure:

- Details of ecological avoidance, mitigation and compensation with each reserved matters application;
- A phased biodiversity gain plan;
- A Site Wide Biodiversity Enhancement Strategy with each reserved matters application;
- Details of the bird reserve including: the design and layout, the areas of wetland creation, areas for farmland bird foraging, boundary treatments, planting, signage and educational interpretation boards, and ongoing management and maintenance arrangements.
- A sensitive lighting strategy with each reserved matters application;
- A Landscape and Ecological Management Plan;
- A Construction Environment Management Plan;
- A drainage strategy for each phase of development.

Lead Local Flood Authority (Hampshire County Council)

- 7.3 No objection subject to conditions.

Children's Services (Hampshire County Council)

- 7.4 No objection subject to early engagement with HCC to discuss the education and early years provision required to mitigate the impact of the development and the applicant entering into a legal agreement to secure a contribution of:

- 2Form Entry primary new school = £8,606,394
- 2FE extension to local secondary school = £9,807,506
- £621,870 for additional Special Educational Needs and Disabilities (SEND places)
- £53,000 towards the production and monitoring of school travel plans (classed as revenue funding)

- It is possible that capital funding should be provided towards additional childcare places, but this is subject to agreement with the developer on how this provision is delivered.

Archaeology (Hampshire County Council)

7.5 No objection subject to conditions to secure:

- A preliminary archaeological survey;
- A programme of archaeological mitigation through excavation and recording of archaeological remains impacted by the development;
- Reporting and (if appropriate) publication of the result of any archaeological mitigation.

Adult Health and Care (Hampshire County Council)

7.6 No comments received

Countryside Access Team (Hampshire County Council)

7.7 Holding objection subject to further information/obligations

Mitigation and compensation for impacts on the Public Right of Way network is required for the proposal to be considered acceptable. The mitigation and compensation would require a contribution of £915,466 and would fund the upgrade of FP48, FP51, FP67, FP68, FP69 and FP75 to public bridleways or cycle paths.

Minerals and Waste (Hampshire County Council)

7.8 No comments to make.

Crime Prevention Officer

7.9 Comments provided relate to the detailed design that will be considered at the reserved matters stage.

Hampshire Fire and Rescue Service

7.10 Access and facilities should be in accordance with Building Regulations approved document B5. Access to the site should be in accordance with the Hampshire Act 1983 Sect 12 which requires district councils to refuse plans unless after consultation with the fire authority they are satisfied that the plans show that there will be adequate means of access for the fire brigade to the building and that the building will not render inadequate means of access for the fire brigade to a neighbouring building.

Hampshire and Isle of Wight Wildlife Trust

7.11 Objection - The development will result in the loss of an important Strategic Gap that represents the last green corridor linking the Alver and Meon Valleys which

will sever the ecological network, threaten wildlife on nearby designated sites and undermine future landscape recovery.

The increase in residents causes the Trust concerns regarding the potential impact of additional recreational pressure on the Solent Special Protection Areas and Titchfield Haven SSSI and Nature Reserve.

Southern Water Services

- 7.12 The submitted parameters plan indicating easements to public foul sewers is satisfactory. No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5m of public or adoptable gravity sewers.

NHS Integrated Care Board (ICB)

- 7.13 The development will create an estimated increase in population of 2,760 people. The majority of the new residents will register with Stubbington Medical Practice or Fareham Health Centre. The current medical centres providing primary care are already operating above capacity and will not be able to absorb the increased number of residents. Stubbington Surgery has little scope to increase capacity, whereas Fareham Health Centre has scope but lacks the funding.
- 7.14 The proposed healthcare facility is not acceptable to the ICB as it is not large enough to provide a stand-alone facility, it is not in a suitable location for existing surgeries to re-locate to and there is no additional funding available for new practices to invest in new premises. The only way to mitigate the impact is to increase the capacity of the existing surgeries, this could be accommodated by Stubbington Surgery relocating or Fareham Health Centre being reconfigured. Developer contributions are sought to contribute towards the cost of mitigating the pressure of the new population on existing healthcare facilities.

Environment Agency

- 7.15 No objection to the proposal. Non-road going mobile machinery with power between 37-60kW should meet the emissions standards in Regulation (EU) 2016/1628 (as amended) and registered for inspection by the appropriate Competent Authority.

British Horse Society

- 7.16 This development provides the opportunity to improve access for horse riders to accessible, off-road paths and green infrastructure. Request a condition requiring a 4.6km country park circular route linked to Ranvilles Lane to be accessible to all users including equestrians.

Ministry of Defence – HMS Collingwood

- 7.17 No objection subject to consideration of the details to be submitted at the reserved matters stage.
- 7.18 Minor discrepancy on the submitted plans with the 'application redline' plan reference 148-AAP-001 rev b indicating a site area of 77.2HA whereas this is stated elsewhere to be 77.69HA. The location plan also includes land edged red and blue (indicating either it is part of the site or in the ownership of the applicant) within MoD's land holding.

Ministry of Defence – Fleetlands Heliport

- 7.19 The site is approximately 2.62km west of Fleetlands Heliport and occupies the statutory height and birdstrike safeguarding zones surrounding the heliport. The MOD wish to be reconsulted when details of the height and scale of the development are available.
- 7.20 All planting and waterbodies should be designed so they do not attract birds that would be hazardous to the heliport. In particular the waterbodies should be designed to hold water only after extreme rainfall. Flat and green roofs should be avoided due to their attractiveness to gulls.

Southern Gas Networks

- 7.21 No comments received.

Public Health England

- 7.22 No comments received.

Portsmouth Water Ltd

- 7.23 No objection. The proposed development lies outside Portsmouth Water's groundwater Source Protection Zones.

Department for Environment and Rural Affairs

- 7.24 No comments received

Ramblers Association

- 7.25 No comments received

Gosport Borough Council (Comments received in October 2020 prior to the site being allocated in the Local Plan. No updated comments have been provided)

- 7.26 Objection based on the following grounds:
- The development is located beyond the settlement boundary and within the Strategic Gap;

- The proposal will have a detrimental impact on the road network;
- The development is contrary to the Regulation 19 version of the Fareham Local Plan 2036;
- The development does not satisfy policy DSP40;
- The development should be considered as part of the Local Plan process and subject to public consultation;
- The traffic generation would negate the highway improvements at Newgate Lane East and the Stubbington bypass;
- The development would have little provision for public transport.

Sport England

7.27 No objection subject to conditions requiring:

- Details regarding the design of the artificial grass pitches
- Details regarding the ground conditions of the land where the pitch would be located;
- Details regarding the maintenance of the playing field

Campaign to Protect Rural England

7.28 No comments received

Natural England

7.29 The following further information is required to determine the impact on designated sites:

- Further details of the management and maintenance strategy for the Green Infrastructure (GI) and bird reserve, as evidence by agreed, costed, 80 year management plan, and details of agreed management organisation.
- Details of the timing and phasing of the GI and bird reserve
- Mitigation to address residual visits to the New Forest designated sites
- Mitigation to address residual visits to the Solent SPA sites

Historic England

7.30 No comments.

Solent Airport Manager

7.31 Increased noise complaints which could result in noise abatement issues. Construction equipment could cause unnecessary risk to aircraft by penetrating the safeguarded Obstacle Limitation Surfaces. Increased wildlife from proposed open water and habitat creation could pose an air safety risk. The development will have an adverse impact on traffic in the area. The development may threaten future growth of the airport.

- 7.32 Further information required regarding street and obstruction lighting. The comments regarding the airport's circuits are inaccurate. There is no scope to change the circuits. Confirmation required that photovoltaic panels will be designed to ensure no effect on the airport. A Wildlife Hazard Design Risk Assessment will be required.

INTERNAL

Open Space

- 7.33 All of the main areas of green space are based around the perimeter. More centrally located green space with natural surveillance would benefit the community.
The provision of allotments, sport and play space together with all-weather pitches is welcomed.
Fencing is required around the outer edge of the ditch that surrounds the bird reserve to prevent it from being compromised by dogs.

Environmental Health - Contaminated Land

- 7.34 No objection subject to conditions requiring:
- An intrusive site investigation and assessment of the risks posed to human health to be submitted;
 - Where the investigation identifies a risk to receptors a strategy of remedial measures and a detailed method statement to be submitted.
- Prior to occupancy:
- All agreed remedial measures to be fully implemented;
 - Any contamination encountered during construction to be investigated with remedial measures approved by the Local Planning Authority and implemented prior to occupation.

Environmental Health – Noise and Pollution

- 7.35 No objection subject to conditions to control construction hours and to prevent bonfires, dust and noise disturbance during the construction phase.

Conservation Planner

- 7.36 The proposed development would not result in any harm to the significance or setting of any identified heritage assets in the vicinity.
- 7.37 The Heritage Assessment recommends that a phased programme of archaeological works is conducted in advance of the development to evaluate and record any archaeological deposits and features surviving on the site.

Refuse and Recycling

- 7.38 Plans will be required to demonstrate that there is sufficient access for the refuse vehicle and to confirm the location of bin stores for properties that are not adjacent to the public highway.

Tree Officer

- 7.39 No objection

Housing Delivery Manager

- 7.40 HP5 of the Fareham Local Plan 2037 requires 40% of affordable housing on greenfield sites, of which:

- At least 10% social rent
- At least 55% affordable rent
- At least 10% of the overall provision on site as affordable home ownership

The mix of homes needs to reflect local need and site characteristics.

- 7.41 The applicant is proposing a policy compliant amount of affordable housing. The percentage of social / affordable rent and shared ownership should reflect HP5 and current need, as should the size mix of homes. The provision of an extra care scheme should be considered, to ensure that the general needs accommodation remaining reflects affordable housing need. Homes should have a range of bedspaces to allow for flexibility in meeting need and be distributed throughout the site to enable informal social interaction with other tenures, whilst being tenure neutral in design and location.

8.0 Planning Considerations

- 8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Approach to Decision Making
- b) Principle of Development;
- c) Fareham and Stubbington Strategic Gap;
- d) Site Accesses;
- e) On-site highway improvements;
- f) Pedestrian and Cycle Provision;
- g) The quantity, layout and type of housing (including extra care)
- h) Ecology and Protected Species;
- i) Effect upon Habitat Sites;
- j) Biodiversity net gain;
- k) Green Infrastructure (East and West of Peak Lane);
- l) The Local Centre;
- m) Sports Facilities;

- n) Education;
- o) Healthcare;
- p) The Historic Environment;
- q) Utilities and Service Infrastructure;
- r) Drainage and Flood Risk;
- s) Other matters
- t) The Planning Balance

a) Approach to Decision Making

- 8.2 Had a non-determination appeal not been lodged and the Council had been able to determine the application, the starting point for determining the application would have been Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that the determination of applications;

“must be in accordance with the plan unless material considerations indicate otherwise”.

- 8.3 In determining planning applications there is a presumption in favour of the policies of the Development Plan unless material considerations indicate otherwise. Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).
- 8.4 Paragraph 7 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes. Paragraph 9 states that planning policies and decisions should play an active role in guiding development towards sustainable solutions and paragraph 10 explains that a presumption in favour of sustainable development exists to ensure that sustainable development is pursued in a positive way.
- 8.5 Paragraph 11 of the NPPF clarifies what is meant by the presumption in favour of sustainable development for decision taking. It states:

‘For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), granting permission unless:*

- i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or*
- ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

8.6 Footnote 7 to paragraph 11 states:

'The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designates as Sites of Special Scientific Interest; land designates as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.'

8.7 Footnote 8 to paragraph 11 states:

'This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years'.

8.8 The NPPF states that local planning authorities should identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement including a buffer. Where a local planning authority cannot do so, and when faced with applications involving the provision of housing, the policies of the local plan which are most important for determining the application are considered out-of-date.

8.9 Following revision to the NPPF in December 2023, paragraph 76 of the NPPF states local planning authorities which have an adopted plan which is less than five years old, and are able to identify a five year supply of specific, deliverable sites at the time that the examination of the plan is concluded, are now no longer required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes. Fareham Borough Council has an adopted plan which is less than five years old and as the adopted plan identified at least a five-year supply

of specific and deliverable sites at the time that its examination was concluded, the above exemption is applicable.

- 8.10 Whilst the Council can demonstrate a five-year housing land supply, the Department for Levelling Up, Housing and Communities (DLUHC) advised this Council in December 2023 that it had achieved a Housing Delivery Test result of 55%. The housing delivery in the preceding three years (2019-2022) was substantially below (less than 75% of) the housing requirement. Footnote 8 to NPPF paragraph 11 is clear that in such circumstances the presumption in favour of sustainable development in paragraph 11 is engaged. Having regard to footnote 8 above, the policies which are most important for determining the application are out-of-date where the Housing Delivery Test indicates that the delivery of housing was below 75% of the Housing requirement over the previous three years.
- 8.11 The following sections of the report assess the application proposal against this Council's adopted local planning policies and consider whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up material considerations in this case.

b) Principle of development

- 8.12 Several representations from members of the public raise concerns about the proposed principle of development. Policy H1 (Housing Provision) plans for the delivery of homes during the Plan period of 2021-2037 and sets out how the Council expects to meet that need by allocating appropriate sites for development within the Borough.
- 8.13 Policy HA55 identifies land to the south of Longfield Avenue as an appropriate site capable of delivering approximately 1,250 dwellings together with the following site-specific infrastructure:
- A 2-form entry Primary School and early-years childcare infrastructure (as identified by the Local Education Authority); and
 - A mixed-use local centre in the region of 1,500sqm to comprise flexible commercial floorspace, with residential above, that meets the day to day needs of the neighbourhood, together with community and health space; and
 - A 4ha sports pitch hub to include changing rooms, community space and essential parking; and
 - An Extra Care Scheme of between 50 – 100 units.
- 8.14 Policy HA55 is accompanied by an Indicative Framework Plan and several Supporting Principles (Appendix D). The Supporting Principles were created

by collaboration between the Council, landowners and land promoter, and form the basis for development proposals at this site.

- 8.15 The land proposed for development within the application is broadly in line with the area of land allocated for development by policy HA55. There is a parcel of land proposed for development by policy HA55 which is excluded from the application as it is not within the control of the applicant. The exclusion of part of the land from the application does not prevent the application from being acceptable in principle, provided appropriate links to the area of land not currently proposed are included and the scheme is designed so as not to restrict or otherwise prejudice the future development of the land.
- 8.16 In terms of development proposed, the application includes all the site-specific infrastructure required by policy HA55. The application also proposes up to 1,200 houses, this is 50 fewer dwellings than the indicative yield in policy HA55 in recognition that the application does not include all the land allocated for development. Officers therefore consider the application acceptable in principle subject to satisfying the more detailed criteria contained within the Supporting Principles and the relevant policies summarised in section 4 of this report.

c) Fareham and Stubbington Strategic Gap

- 8.17 The Fareham/Stubbington Gap comprises a major part of a strategic wedge of open landscape which separates the urban areas of Fareham to the north, Stubbington to the south and Gosport to the east. It excludes the built area of HMS Collingwood (included within an urban area) and the corridor of the Alver Valley to the east.
- 8.18 Some of the site is located within the Strategic Gap, however the parts of the site located within the Strategic Gap are identified within the Indicative Framework Plan (that accompanies policy HA55) and within the Land Use Parameter Plan (submitted with the Local Plan) as comprising open space. All of the areas that are proposed to contain built form, that is the areas of residential development and the school, are located beyond the Strategic Gap.
- 8.19 The Fareham Landscape Assessment identifies the area as a whole as being characterised by low-lying, level or gently undulating landform which physically forms part of the coastal plain but has become isolated from the coast by development at Stubbington.
- 8.20 The landscape has a relatively homogenous character and is dominated by medium to very large sized fields, which are bounded by fences or open banks and ditches with a sparse network of hedgerows, many of which are defunct or in poor condition. As a result, the landscape has an expansive, open character allowing long-distance views over the level farmland.

- 8.21 Views into the area from the immediate surrounding settlements are largely filtered through established vegetation for example along the boundary with Longfield Avenue/Rowan Way to the north.
- 8.22 Long distance visibility towards the area is also identified by The Fareham Landscape Assessment as being low due to the typically low-lying and flat topography of the Borough and the screening effects of boundary vegetation and surrounding built form. There are views of the site from local elevated viewpoints but from these distant locations the site forms an insignificant part of the wider landscape. It can therefore be concluded that the main impact of any development within the site will be experienced predominantly by people in, adjacent to or moving through the Strategic Gap.
- 8.23 Policy DS2 (Development in Strategic Gaps) identifies the space between Fareham and Stubbington as a Strategic Gap and states that development proposals will not be permitted where they significantly affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters.
- 8.24 Policy HA55 states that the built form, its location and arrangement will maximise the open nature of the existing landscape between Fareham and Stubbington with no development to the west of Peak Lane. Several representations received from members of the public raise concerns about the proposed development on the grounds that the site is within a Strategic Gap.
- 8.25 The Indicative Framework Plan (that accompanies HA55) was produced after a detailed evaluation of proposed built form, density, housing mix, and the extent and distribution of open spaces required to effectively transition the development between the built-up area to the north of Longfield Avenue and the open countryside to the south of the site to ensure the Strategic Gap remains physically and visually functional.
- 8.26 The focus of Policy HA55 and the masterplanning principles in Appendix D is on creating an urban form that incorporates links through to the wider countryside, provides breaks in the development pattern and has a varied urban edge whilst not creating a larger development footprint than is necessary. This is achieved in part by the creation of six 'character areas'.
- 8.27 Each 'character area' will have its own unique identifiable character determined by its response to the immediate context, its density, block structure, road layout, parking arrangements and building heights. Appendix D in the Local Plan contains a plan that outlines the quantum and density for each 'character area', with densities designed to relate to the surrounding area.

- 8.28 The proposed density in the north of the site (adjacent to the existing built form north of Longfield Avenue) is 50-60dph, with parcels adjacent to the central green spine at a lower density of 40-45dph, except for the local centre which is proposed to be 60dph and above. Moving southwards the density of the character areas decreases down to 40-45dph, with the lowest density areas in the south proposed to be a density of 30-35dph. The southernmost part of the site will comprise the school and accompanying playing fields together with large areas of open spaces and parkland (green infrastructure).
- 8.29 The proposed placement of the higher density areas in the north of the site with the lower density areas in the south of the site aligns with the densities outlined in Appendix D and will ensure the site provides a transition between the built-up area in the north and the undeveloped Strategic Gap in the south.
- 8.30 The density parameter plan is not submitted for approval at this stage; however, it demonstrates the way in which the proposed quantum of development could be distributed to avoid a larger footprint than is necessary and to help visually assimilate the development into the landscape and minimise the impact of the development on the Strategic Gap. Members of the public have raised concerns about the proposed density, on the basis that it is too high, however the overall density has been designed to ensure the footprint is not larger than necessary.
- 8.31 The masterplanning principles in Appendix D explain that the strategic placement of large areas of green infrastructure in the south of the site is also critical to ensuring the development does not significantly affect the integrity of the Gap between Fareham and Stubbington as the landscaping will reduce and soften the visibility of surrounding built form. Appendix D also explains that the placement of green links throughout the site will play an important role in providing views through the site to open countryside which will emphasise the separation between Fareham and Stubbington.
- 8.32 The application proposes two main north-south green routes through the site with the largest, the central spine positioned south of the junction between Bishopsfield Road and Longfield Avenue. The application also proposes another two green routes that run east-west through the site. The proposed green routes combine to create a connected network of green space that frame the six 'character areas' and provides views through the site. The proposed green routes align with the green routes contained within the spatial strategy in Appendix D and breaks the development up into smaller parcels that will provide a sympathetic transition between the existing built form north of Longfield Avenue and the open countryside to the south.

- 8.33 Overall, the proposed density parameter plan together with the land use and green infrastructure parameter plan demonstrate that with sensitive siting, design and mitigation, the development will not significantly affect the integrity of the Fareham/Stubbington Strategic Gap or the physical and visual separation of Fareham and Stubbington in accordance with Policies HA55, the masterplanning principles in Appendix D and DS2 of the Fareham Local Plan 2037.

d) Site Accesses

- 8.34 The application proposes two access points; one from Longfield Avenue and one from Peak Lane in accordance with Policy HA55. Originally both access points to the site were proposed as roundabouts, however amended plans for junctions were submitted following discussions with the Local Highway Authority and Officers including the Urban Designer.
- 8.35 The access to the site from Longfield Avenue would be located to the south of Middleton Close. The access comprises a T-junction on a raised table with three priority crossing points, east and west of the junction crossing Longfield Avenue and east to west on the road south into the site itself. The priority crossings would take the form of tiger crossings (catering for pedestrians and cyclists). The Transport Assessment is supported by capacity modelling that confirms the priority junction would operate within capacity.
- 8.36 The access to the site from Peak Lane is located approximately 150 metres south of the Longfield Avenue/Peak Lane roundabout. The access from Peak Lane takes the form of a signal-controlled T-junction with pedestrian crossings on all arms. The Highway Authority has confirmed that toucan crossings will be required at the detailed design stage to cater for cyclists using the cycle path on both sides of the junction. A Stage 1 Road Safety Audit of the junction has been undertaken and all issues raised have been addressed. The Transport Assessment Addendum also contains capacity modelling confirming that the signal layout would operate within capacity.
- 8.37 Several objections have been received that raise concerns about the proposed accesses into the site, however the Highway Authority has confirmed that both junctions are acceptable in principle and can be implemented to operate within capacity, subject to further modelling that will be required to inform the detailed design (to include issues such as the precise dimensions of tactile paving required). The proposed accesses to the site would not have an unacceptable impact on highway safety and would be in accordance with policy TIN2.

e) Off-site Highway Improvements

- 8.38 The Transport Assessment that supports the application contains the results of modelling work undertaken to identify works required to mitigate the impact of the proposed development on the local and strategic highway network.

Local Road Improvements

- 8.39 The only local junction identified as requiring any capacity improvements solely because of the proposed development, is the junction between Ranvilles Lane and the A27. The development would result in an increased right turn queue length on the A27 and therefore a scheme to extend the length of the right turn lane on the A27 is proposed. The Highway Authority has reviewed the proposed mitigation for the junction of Ranvilles Lane and the A27 and confirmed that it is acceptable in principle (subject to any amendments required at the detailed design stage).

Strategic Road Improvements

- 8.40 The Local Plan Transport Assessment identified several junctions that are impacted by the overall growth in traffic resulting from the Local Plan allocations which includes this site which is allocated within the Local Plan. The Transport Assessment Addendum submitted with the application summarises traffic flows at key junctions modelled with and without the proposed development. The Highway Authority has reviewed the modelling and confirmed that contributions are required towards improvements to the following junctions to mitigate for the increased traffic that will result from the proposed development:

- Gudge Heath Lane / A27 signals;
- Titchfield Gyratory;
- St Margarets Roundabout; and
- Segensworth Roundabout

- 8.41 Paragraph 57 of the NPPF and Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 states that planning obligations must only be sought (and in the case of regulation 122(2) may only constitute a reason for granting planning permission) where they meet all the following tests:

- 1) necessary to make the development acceptable in planning terms;
- 2) directly related to the development; and
- 3) fairly and reasonably related in scale and kind to the development.

- 8.42 The applicant argues that the strategic road improvements should be funded by the Community Infrastructure Levy and has not committed to providing the contributions sought by the Local Highway Authority. Officers however

consider the contributions to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. The contributions sought towards mitigating the impact of the proposed development on strategic road improvements satisfy the tests set out under the NPPF and the CIL regulations and should be secured within the legal agreement as without these contributions being secured, the development would be unacceptable in planning terms.

Public Transport Facilities

- 8.43 The Highway Authority has advised that two pairs of bus stops will be required on Longfield Avenue together with a second pair on Peak Lane. The location of the bus stops would be agreed as part of the works on the highway under Section 278 of the Highways Act 1980. The bus stops would require shelters and real time passenger information displays.
- 8.44 Members of the public have raised concerns about the lack of public transport available, however the Highway Authority has undertaken discussions with Hampshire County Council's Passenger Transport Group and are satisfied that the existing X5 bus service will remain commercially viable given the anticipated increase in patronage associated with the proposed development.
- 8.45 Members of the public have also raised concerns about the additional traffic that would be generated from the proposed development. A framework travel plan and school travel plan will be required to encourage residents to use sustainable methods of transport. These plans would help minimise the increase in traffic generated from the site. The travel plan details including funding and monitoring arrangements would be secured through a Section 106 legal agreement. The applicant has not disputed these requirements.

f) Pedestrian and Cyclist Provision

On-site Pedestrian and Cyclist Provision

- 8.46 Appendix D sets out The Vision for the development to provide a 10-minute compact, permeable neighbourhood structure of attractive, high-quality connected spaces focused on the movement environment of people from their front door to key destinations and integrated with South Fareham encouraging and prioritising movement between existing and proposed neighbourhoods.
- 8.47 The Indicative Framework Plan that accompanies policy HA55 identifies a network of linked pedestrian and cycle routes within the site to encourage active travel. The network includes: 5 north/south links within the northern half of the site (one parallel to Peak Lane, two along the main green corridors with one designed to link with Bishopsfield Road, one along the eastern boundary and a

fifth between Peak Lane and the western green link); an east/west link parallel to Longfield Avenue; an east/west link through the middle of the built form; an east/west link along the southern edge of the built form; and a series of further links within the green infrastructure in the southern part of the site including connections to Tanners Lane to the immediate south of the site.

- 8.48 The links are designed to establish key routes between the development areas and the strategic open space. The supporting principles that accompany policy HA55 sets out several performance criteria for pedestrian and cycle routes. The performance criteria will be used to assess the proposed routes at the detailed design stage.
- 8.49 The land use parameter plan submitted with the application contains a network of linked pedestrian and cycle routes within the site in a similar location to those in the Indicative Framework Plan, with 5 north/south links in the northern half of the site (2 of which run through the main north/south green corridors and include a link to Bishopsfield Road, one along the eastern boundary and the fourth between Peak Lane and the western green corridor). There is also a proposed link parallel to Peak Lane, however it is partially located on highway land rather than solely contained within the site as shown on the Indicative Framework Plan. The existing pedestrian/cycle route is shared and the application proposes segregated provision so the proposal would result in improved provision along Peak Lane.
- 8.50 The land use parameter plan also contains: an east/west link parallel to Longfield Avenue; an east/west link through the middle of the built form; an east/west link along the southern edge of the built form; and a series of links within the green infrastructure in the southern part of the site including links to Tanners Lane.
- 8.51 The proposed network of pedestrian and cycle links in the land use parameter plan are broadly in accordance with the links in the Indicative Framework Plan. The network of routes contained within the land use parameter plan can be secured by planning condition and by S106 legal agreement to ensure they are delivered, managed and remain publicly accessible.

Off-Site Pedestrian and Cyclist Provision

- 8.52 Policy HA55 states that pedestrian and cycle links will be provided through to the Rapid Transit bus services and a network of linked footpaths to existing Public Rights of Way (PROW) shall be provided to connect to Fareham Town Centre and rail station, other settlement centres, facilities and services and employment hubs. Policy TIN2 also requires the impact on the local and strategic highway network arising from the development itself or the cumulative effects of development on the network to be mitigated through a sequential

approach consisting of measures that would avoid/reduce the need to travel, active travel, public transport and provision of improvements and enhancements to the local network or contributions toward necessary or relevant off-site transport improvement schemes.

- 8.53 Concerns have been raised by members of the public about the potential impact on the safety of pedestrians and cyclists due to the additional traffic generated by the proposed development. The application is supported by a Healthy Streets Assessment that demonstrates a marked improvement in the street environment, based on proposed upgrades to pedestrian and cycle routes. The proposed upgrades to pedestrian and cycle routes are intended to encourage more people to adopt sustainable methods of movement through the site and to make existing routes safer for users. The Highway Authority has confirmed that another Healthy Streets Assessment would be required at the detailed design stage to look for further improvements where possible.
- 8.54 The application proposes several measures that the Local Highway Authority confirm will improve the links to the site for pedestrians and cyclists.
- 8.55 The provision of a shared pedestrian/cycle path with a segregation strip on Peak Lane (parallel to the western boundary of the site) will link the existing shared pedestrian/cycle path on Peak Lane with the segregated pedestrian/cycle path proposed within the site along the site's entire frontage with Longfield Avenue. A pedestrian and cycle path is also proposed from the eastern edge of the site on the northern edge of Longfield Avenue to link with Newgate Lane. Most of this path will be a segregated pedestrian/cycle route with a short section taking the form of a shared section where there is insufficient space for segregated facilities to be provided.
- 8.56 A shared pedestrian/cycle path is also proposed on the north side of Longfield Avenue between Bardon Way and Crossfell Walk to link these routes with the existing pedestrian-cycle route through Fairfield Avenue past Fareham Academy and on to the Town Centre.
- 8.57 Another shared pedestrian/cycle path is also proposed along St Michael's Grove from the proposed pedestrian/cycle path along the north of Longfield Avenue to provide an alternative link with the existing pedestrian/cycle path between Fareham Academy and the Town Centre.
- 8.58 Pedestrian and cyclist routes to the secondary school that will serve the site will also be provided. There is uncertainty regarding which secondary school will serve children in the site, Fareham Academy to the north of the site or Crofton School to the south. Due to the uncertainty at this stage, the Highway Authority has agreed that improvements to pedestrian and cyclist routes to either school

can be secured in the S106 legal agreement to ensure that appropriate facilities are provided in both scenarios.

- 8.59 An informal crossing is also required across Peak Lane to the north of Tanners Lane to provide a crossing facility to link with the Public Right of Way Footpath 70. Hampshire County Countryside Services has also requested that a pedestrian refuge is also provided at this point.
- 8.60 The Local Highway Authority also refer to several interventions identified within the Infrastructure Delivery Plan that supports the Local Plan and Fareham's Local Cycling and Walking Infrastructure Plan (LCWIP) that would improve pedestrian and cyclist routes close to the site and between the site, Fareham Town Centre and the train station.
- 8.61 The applicant argues that the interventions identified within the Infrastructure Delivery Plan that supports the Local Plan and Fareham's Local Cycling and Walking Infrastructure Plan are strategic and should be funded by the Community Infrastructure Levy rather than by separate financial contributions secured within the legal agreement. Officers however consider the financial contributions sought by the Local Highway Authority to be:
- 1) necessary to make the development acceptable in planning terms;
 - 2) directly related to the development; and
 - 3) fairly and reasonably related in scale and kind to the development.
- 8.62 The financial contributions are necessary to ensure the development accords with policies TIN2 and HA55. The financial contributions also satisfy the tests set out in the NPPF and the CIL regulations and should be secured within the S106 legal agreement as without these contributions, the development would not be acceptable in planning terms.

Public Rights of Way

- 8.63 Paragraph 104 of the NPPF states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks. Hampshire County Council's Countryside Service is responsible for Public Rights of Way (PROW) and has requested contributions towards several PROW both within and beyond the site.
- 8.64 Footpath 67 links Peak Lane to Ranvilles Lane and cuts through part of the green infrastructure proposed in the western half of the site. Countryside Services is seeking an upgrade to this footpath to create a 3-metre-wide bridlepath. Footpath 68 known as Tanners Lane links Newgate Lane East to Peak Lane (and links to Footpath 67). Part of footpath 68 runs parallel to the

southern boundary of the application site. Countryside Services is also seeking an upgrade to this footpath to create a bridlepath. Footpath 69 links Tanners Lane to land south of the site and crosses Daedalus Way.

- 8.65 Footpath 70 links Tanners Lane to Stroud Green Lane and crosses Daedalus Way (Stubbington By-pass). The Highway Authority has requested a contribution towards upgrading the part of Footpath 70 that links Tanners Lane to Daedalus Way if that site falls within the catchment area of Crofton School (to the south of the site) as this path would be the route residents would use to walk or cycle to Crofton School. Hampshire County Council has yet to confirm the catchment area for the school as they are subject to change. However, the S106 legal agreement should be worded to secure an upgrade to Footpath 70 only if the site falls within the catchment area for Crofton School.
- 8.66 Footpath 75 runs north from Tanners Lane up along the eastern boundary of the application site towards Fareham Academy. Countryside Services is seeking an upgrade to Footpath 75.
- 8.67 Footpaths 48 and 51 run from Bridge Street, Titchfield southwards through the Meon Valley. Footpaths 48 and 51 are located approximately 680 metres west of the proposed bird reserve and over 1.5km from the nearest proposed built form within the site. Countryside Services is also seeking an upgrade of both Footpaths 48 and 51 to bridlepaths.
- 8.68 The applicant has committed to upgrading the part of footpath 67 that falls within the site as it will form part of the circular walk within the open space to the west of Peak Lane. The applicant has not committed to funding any of the other upgrades sought by the Countryside Service.
- 8.69 Officers consider that upgrades to Footpaths 67, 68, 70 and 75 satisfy the relevant tests in the NPPF and the CIL Regulations and the requested contributions should be secured through a Section 106 legal agreement. The upgrading of Footpaths 67, 68, 70 and 75 would be in accordance with paragraph 104 of the NPPF which requires development to protect and enhance PROW.
- 8.70 Officers do not consider that the upgrades sought by Countryside Services to Footpaths 48 and 51 (which are located some distance from the site) satisfy all of the Regulation 122 tests that must be met if contributions are to be required before planning permission can be granted. Officers therefore do not believe that contributions are required towards Footpaths 48 and 51.
- 8.71 The total contribution sought by the Countryside Service is £915,466, comprising: £359,800.00 towards improvements to footpaths 67, 68 and 75 and

£555,666.00 towards improvements to footpaths 48 and 51. The cost required to upgrade a section of Footpath 70 has not yet been confirmed. Officers consider a financial contribution of £359,800.00 satisfies the tests set out in the NPPF and the CIL regulations, and should be secured by the S106 legal agreement.

g) The Quantity, Layout and Type of Housing

- 8.72 Policy HA55 requires the quantity, layout and nature of housing and other land uses to be in accordance with the agreed HA55 Masterplan and Supporting Principles. Appendix D sets out The Vision for different sized houses in a variety of tenures to meet everyone's needs.

Quantity

- 8.73 Policy HA55 specifies an indicative yield of 1,250 dwellings. The application proposes up to 1,200 houses because the site does not include all the land that is allocated for development under policy HA55. The provision of 50 fewer houses in lieu of the fact that a portion of land allocated in policy HA55 is excluded from the application is considered an appropriate number.
- 8.74 The application also proposes an 80-bed care home. Care homes fall into use class C2 which is distinct from dwellings which fall into use class C3. The proposed 80-bed care home would therefore be provided in addition to the 1,200 dwellings.

Layout

- 8.75 Appendix D states that the development will be populated by 6 different 'character areas' with each character area having a different design approach that will deliver a visually interesting, cohesive development. Policy HA55 contains an Indicative Framework Plan that confirms the location of the areas of development. The areas of development within the Indicative Framework Plan are mainly dispersed across the northern and central parts of the site with a small section extending further south into the site between the school and the sports hub. The masterplanning principles that support policy HA55 locate the specialist housing within the development parcel to the south of Longfield Avenue and the immediate west of the main green corridor running from Longfield Avenue through the site.
- 8.76 The land use parameter plan submitted with the application contains development parcels that are aligned with those of the Indicative Framework Plan. The proposed care home is located in accordance with the location identified in the supporting masterplan principles.
- 8.77 The detailed layout of the housing within each of the development areas would be considered at the reserved matters stage.

Type

- 8.78 Paragraph 60 of the NPPF requires the needs of groups of people with specific housing requirements to be addressed and states that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.

Housing for Older People

- 8.79 Policy HA55 requires the provision of a 50-100 bed extra care home (use class C3). Extra care is defined within the Local Plan as being a range of self-contained homes which have been designed for people whose disabilities, frailty or health needs make ordinary housing unsuitable but who do not need or want to move to long-term care such as residential or nursing homes. The provision of an extra care home would be secured within the S106 legal agreement, in line with the definition of 'extra care' facilities within the Fareham Local Plan 2037.
- 8.80 The application also proposes an 80-bed care home. Unlike extra-care which comprises self-contained homes, care homes are categorised as being a form residential institution and fall into use class C2. There is a shortage of specialist accommodation for older people within the Borough therefore the proposed provision of a care home and an extra care home is welcomed.

Affordable Housing

- 8.81 Policy HP5 requires greenfield sites that can accommodate 10 or more dwellings to provide 40% of the overall quantum of housing as affordable. At least 10% of the affordable housing is required to be social rent, at least 55% as affordable rent and at least 10% as affordable home ownership. The mix of property sizes and types proposed reflects local need and would be secured within a S106 legal agreement. Details of the property sizes and types together with their location within the site, would be provided within the reserved matters applications. Affordable housing will be required to be dispersed throughout the site and will be provided within each phase of the development. The Council adopted its Affordable Housing Supplementary Planning Document in June 2024 which provides further guidance and advice on the delivery of affordable homes within Fareham.

Adaptable and Accessible Housing

- 8.82 Policy HP7 sets out the proportion of dwellings that must be built to adaptable or accessible standards and requires 15% of all new dwellings to be Category 2 of Building Regulations Part M standard and 2% of market housing and 5% of affordable housing to be Category 3 standard. The application confirms that the number of adaptable and accessible properties required by HP7 will be secured by a planning condition.

Custom and Self-build Housing

- 8.83 Policy HP9 of the Fareham Local Plan 2037 requires that on sites of 40 dwellings or more (gross), 10% of the overall dwellings shall be provided through the provision of plots for sale to address local self or custom build need. The Council adopted a Self & Custom Build Housing supplementary planning document in October 2023 which provides further guidance and advice on the delivery of self and custom build development within Fareham including within large residential and mixed-use developments. The application confirms that each phase of the development will contain land that is to be marketed for up to 120 custom and self-build houses overall. The provision of 120 custom/self-build properties as required by Policy HP9 can be secured by planning condition.

h) Ecology and Protected Species

- 8.84 Policy NE1 (Protection of Nature Conservation, Biodiversity and the Local Ecological Network) of the Fareham Local Plan 2037 states that development will be permitted where protected and priority habitats and species, including breeding and foraging areas, are protected and enhanced.
- 8.85 Sites which are used by Solent Waders and/or Brent Geese are categorised according to their level of importance as: core; primary, secondary or low use supporting areas. Parts of the site are classed as low use sites. Policy NE5 states that:

“Development on Low Use Sites will only be permitted where:

- f) On site mitigation is provided which is agreed by the Council; or*
- g) Where it can be demonstrated that criteria f is not appropriate, off-site enhancement and/or a financial contribution (consistent with the approach taken to mitigating and off-setting adverse effects on the Solent Wader and Brent Geese Network) is provided towards a suitable identified site for Solent Waders and Brent Geese.”*

- 8.86 Policy HA55 states that land to the west of Peak Lane shall be retained, enhanced and managed to provide sufficient Solent Wader & Brent Goose habitat to mitigate the development in accordance with Policy NE5.
- 8.87 The Land Use and Green Infrastructure Parameter Plan identifies all the land to the west of Peak Lane as providing Green Infrastructure in line with Policy HA55. The Habitat and Open Space Creation document submitted with the application provides details regarding the form of the green infrastructure to the west of Peak Lane.

- 8.88 A central ten-hectare area to the west of Peak Lane will form a bird reserve. This area will be designed so that it cannot be readily accessed by members of the public by using features such as open water, thick hedgerows and defensive ditches. Two areas of semi-natural greenspace will be provided to the east and west of the bird reserve. These areas of semi-natural greenspace will provide functional ecological space which can be accessed by residents for leisure purposes such as walking a dog. The areas of semi-natural greenspace will be linked by an informal grassed path to the north of the bird reserve. The informal link will use further natural features to also form a buffer to Oxleys Coppice to the north of the site. To the south of the bird reserve there will be a more formal surfaced link together with woodland planting that would link to the existing public right of way (footpath 67).
- 8.89 The layout of the green infrastructure to the west of Peak Lane has been designed to provide a circular route around the central bird reserve so that residents can benefit from the open space without disturbing the birds to ensure it provides a good quality habitat.
- 8.90 The application is also supported by reptile surveys, riparian mammal surveys, bat reports and a breeding bird report.
- 8.91 The initial reptile survey found evidence of slow worms and common lizards within the site with subsequent surveys only finding evidence of slow worms. The development will retain most of the areas in which reptiles were recorded and those to the west of Peak Lane will be incorporated into the green infrastructure. Any areas of reptile habitat to the east of Peak Lane that will be lost will require a translocation exercise to be undertaken.
- 8.92 The riparian mammal surveys found evidence of water voles within the site. The proposed green infrastructure to the west of Peak Lane will provide appropriate habitat for water voles. There will also be Sustainable Urban Drainage Systems (SUDS) to the east of Peak Lane including swales which will provide features that could be used by water voles. Measures are also proposed to enhance the structure of the existing network of ditches to provide more suitable habitat for water voles.
- 8.93 The breeding bird surveys concluded that the bird assemblage within the site is largely unremarkable in terms of population size and lacks diversity especially considering the large area of arable land surveyed. The proposed development will result in a loss of farmland habitat to the east of Peak Lane however this can be reduced and offset by appropriate mitigation and management of retained areas of habitat. The large area of managed green infrastructure proposed to the west of Peak Lane which will include a bird reserve will increase the suitability of habitat for several species (including species not currently

present within the site) which will offset the loss of habitat from the east of Peak Lane and have an overall positive effect.

- 8.94 The bat surveys undertaken found several species of bat present within the site. The bat assemblages were typical of the habitats available within and adjacent to the site. The surveys confirmed that Oxley's Coppice provides the most important resource in terms of habitat with the arable land within the site rarely used. The planning application contains proposals for a buffer to Oxley's Coppice (which is beyond the site) that would be provided within the wider area of green infrastructure proposed to the west of Peak Lane. There would be some small losses of existing hedgerow within the site due to the need for roads to pass through, however the loss of small sections of hedgerow would not prevent their continued use as commuting corridors by bats, particularly when mitigation such as habitat 'hop overs' are provided. Further enhancements such as waterbodies, wildflower meadows and native tree and hedgerow planting will increase the number and diversity of invertebrates and provide new routes through the site (in addition to the retention of the existing routes).
- 8.95 The Council's Ecologist has reviewed the ecology surveys and reports accompanying the application and confirmed that the proposed development is acceptable subject to conditions requiring the submission of detailed mitigation strategies (informed by updated ecological information) with the reserved matters applications. Officers therefore consider the development to accord with Policies NE1 and NE5 of the Fareham Local Plan 2037.

i) Effect upon Habitat Sites

- 8.96 Policy NE1 of the Fareham Local Plan 2037 sets out the strategic approach to the protection of nature conservation, biodiversity and the local ecological network. Policies NE3 and NE4 specifically relate to recreational disturbance and water quality effects on Habitat Sites respectively.
- 8.97 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.
- 8.98 In light of their importance, areas within The Solent have been specially designated under UK law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).

- 8.99 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. As the applicant has submitted an appeal and the application will be determined by the Planning Inspectorate the Competent Authority in this case will be The Planning Inspectorate.
- 8.100 As explained, there is no obligation for the Local Planning Authority to carry out an Appropriate Assessment as the Competent Authority will be The Planning Inspectorate, however, to ensure that Officers are making an informed recommendation to Members, the main likely significant effects on HS (that would be considered in an Appropriate Assessment) are considered in full in this report.
- 8.101 Officers consider there to be three likely significant effects upon Habitat Sites and these relate to air quality, water quality (nutrients) and recreational disturbance. These likely significant effects are considered in turn below.

Air Quality

- 8.102 In respect of the impact of the development on air quality, the Council's Air Quality Habitat Regulations Assessment (HRA) for the Fareham Local Plan 2037 was undertaken to assess the impact of development proposed in the Local Plan. The assessment avoids the need for relying on the assumption of a 200 metre zone of influence by including dispersion modelling of emissions from all roads with modelled traffic flows within the Fareham study area, whether or not they are located within 200 metres of a designated Habitat Site. Therefore, all potentially relevant designated sites located within 10km of Fareham Borough were included in the assessment. The study concluded no likely significant effect alone or in combination with other plans and projects for all qualifying features of the Portsmouth Harbour SPA and Ramsar and the Solent & Southampton Water SPA and Ramsar.

Water Quality (nutrients)

- 8.103 The second likely significant effect on HS relates to deterioration in the water environment through increased nitrogen entering Habitat Sites in and adjacent The Solent. Natural England has highlighted that there is existing evidence of high levels of nitrogen in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that the increased level of nitrates

entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.

- 8.104 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England has provided a methodology for calculating nutrient budgets and options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advise local planning authorities (or the relevant competent authority) to take a precautionary approach when addressing uncertainty and calculating nutrient budgets. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE's advice, the competent authority would have needed to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it could have granted planning permission.
- 8.105 The existing use of the land for the purposes of the nitrogen budget (which is based on categories of land uses) is a combination of cereal farming and general farming. A nitrogen budget has been calculated in accordance with Natural England's 'National Generic Nutrient Neutrality Methodology' (Nov 2022) ('the NE Advice') and the updated calculator (February 2024). The proposed development would result in a reduction of -500.57kg TN/year. In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice.
- 8.106 Due to the uncertainty of the effect of nitrates from the development on the HS, adopting a precautionary approach, and having regard to the NE advice, had the Council been the determining authority, it would have needed to undertake an Appropriate Assessment to be certain that the proposed development would ensure at least nitrogen neutrality before it could have granted planning permission.
- 8.107 The significant reduction in the farming of the land and the way in which it is managed will result in a significant reduction in the level of nitrates entering The Solent. The development would not have a likely significant effect on the HS as a result of nutrients entering the Habitat Sites.

Recreational Disturbance

- 8.108 The third likely significant effects on Habitat Sites concerns disturbance through increased recreational use by visitors to the sites. This is divided between

recreational pressures on The Solent's designated sites and the New Forest's designated sites within the New Forest National Park.

Solent Special Protection Area (SPA)

- 8.109 The development is within 5.6km of The Solent SPAs and is therefore considered to potentially contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area.
- 8.110 Policy NE3 of the Fareham Local Plan 2037 explains that planning permission for proposals resulting in a net increase in residential units will be permitted where a financial contribution is made towards the Solent Recreation Mitigation Strategy (SRMS) or the 'in combination' effects of recreation on the Special Protection Areas are avoided or satisfactorily mitigated through a developer-provided package of measures for the lifetime of the development.
- 8.111 The SRMS also states that *'Developer contributions will be required for every net additional dwelling within 5.6km of the Solent SPA unless the developer can demonstrate that it will provide alternative 'bespoke mitigation' which will fully mitigate the recreational impact of the development.'*
- 8.112 The Appropriate Assessment is undertaken by the Competent Authority; however, it is common practice for applicants to provide a 'shadow' Appropriate Assessment, that the Competent Authority can adopt. Natural England has been consulted on this application and the shadow Appropriate Assessment originally submitted with the application. Natural England has advised that the significant amount of on-site green infrastructure is sufficient to mitigate the impacts of the development 'alone' on the Solent SPA, but there are still likely to be residual trips 'in combination' with other sites. Natural England has therefore suggested that full financial contributions should also be sought (in line with the SRMS) in addition to provision of the on-site green infrastructure.
- 8.113 The impact of the proposed development at this site on The Solent Special Protection Areas was considered during the Examination in Public of the Local Plan. Natural England and the Council agreed a statement of common ground in relation to policy HA55 in which Natural England indicated that a bespoke Green Infrastructure strategy for the development that suitably addresses both SPA supporting habitat and recreational disturbance may be achieved within the red line boundary.
- 8.114 The Planning Inspector considering the Local Plan concluded in relation to policy HA55 that: *"Publicly accessible and managed green infrastructure on the site will act as mitigation to counteract the likely significant effects of*

recreational disturbance on the New Forest and Solent Special Protection Areas in line with Policy NE3.”

- 8.115 The application proposes 45 hectares of Green Infrastructure (excluding the sports hub and allotments) which will include a 2.5km circular walk around the open spaces with various opportunities to provide exercise for dogs off lead which is a fundamental requirement to ensure that residents use the green infrastructure provided within the site rather than drive to the Habitat Sites on the coast. There are several additional features included within the design of the Green Infrastructure that will enable it to mitigate the impact of increased recreational disturbance on the Solent SPA such as the provision of open waterbodies with viewing areas and paths that lead away from the urban area. These features are in accordance with the guidance produced by Natural England relating to the design of Suitable Alternative Natural Greenspace (SANG).
- 8.116 Natural England’s guidance relating to the provision of SANG requires the provision of 8 hectares of green infrastructure per 1,000 people. The application proposes a total of 16.56 hectares per 1,000 people. The 10 hectare bird reserve will not be publicly accessible and therefore won’t be available to recreational purposes (although it will enhance residents’ enjoyment of the public spaces provided adjacent to it). The total amount of Green Infrastructure available for recreational purposes is therefore 35.72 hectares which equates to 12.94 hectares per 1,000 people. The application therefore provides significantly more than the 8 hectares per 1,000 people that is typically sought under Natural England’s guidance.
- 8.117 The planning application proposes high quality Green Infrastructure designed to mitigate the impact of increased recreational disturbance on the Habitat Sites. The amount of green infrastructure significantly exceeds that sought under Natural England’s guidance relating to the provision of SANG. The Local Planning Authority is therefore satisfied that the green infrastructure proposed would satisfactorily mitigate the impact of increased recreational disturbance on the Habitat Sites in accordance with Policies NE3 and HA55 of the Fareham Local Plan 2037 and the adopted Solent Recreation Mitigation Strategy.

New Forest Habitat Sites

- 8.118 The planning application site lies within a 13.8km radius (as ‘the crow flies’) ‘Zone of Influence’ of the New Forest Special Protection Area (SPA), New Forest Special Area of Conservation (SAC) and the New Forest Ramsar site. Research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest’s designated sites will result in a marked increase in use of the sites and exacerbate recreational impacts. It was

found that most visitors to the New Forest designated sites on short visits/day trips from home, originated from within a 13.8km radius of the sites referred to as the 'Zone of Influence' (ZOI).

- 8.119 Footprint Ecology subsequently produced a report relating to the 13.8km Zone of Influence in May 2021. The report recommended that Fareham is excluded from the Zone of Influence due to the geography of the coastline which means that the actual distance to the New Forest from Fareham significantly exceeds the 'as the crow flies' distance of 13.8km. Natural England considered the report by Footprint Ecology and recommended that the 13.8km Zone of Influence includes the western wards of Fareham as visitor numbers to the New Forest from the Western Wards were similar to those in Eastleigh and sites within Eastleigh are required to provide mitigation to address the impact of new development on the New Forest.
- 8.120 The Council produced an Interim Mitigation Solution to address the likely significant effect of development in Fareham within the Zone of Influence. The Interim Mitigation Solution was approved by the Council's Executive on 7th December 2021. The Interim Mitigation Solution was prepared in consultation with Natural England and states: *"Where on-site recreation mitigation is not provided, a financial contribution will be sought towards the provision of new green spaces or the enhancement of existing green spaces."* and *"This money would be collected on developments that were unable to provide on-site mitigation"*.
- 8.121 The shadow Appropriate Assessment provided by the applicant sets out in detail how the Green Infrastructure will be designed to be of a high quality to appeal to residents. The shadow Appropriate Assessment also explains that the site will significantly over-provide Green Infrastructure against the required SANG standards. The Local Planning Authority is therefore satisfied that the green infrastructure proposed would satisfactorily mitigate the impact of increased recreational disturbance on the Habitat Sites in accordance with Policies NE3 and HA55 of the Fareham Local Plan 2037 and the Interim Mitigation Solution.

Conclusion Regarding Recreational Disturbance

- 8.122 The impact of the proposed development at this site on both the New Forest and The Solent Special Protection Areas was considered during the Examination in Public of the Fareham Local Plan 2037. Natural England and the Council agreed a statement of common ground in relation to policy HA55 in which Natural England indicated that a bespoke Green Infrastructure strategy for the development that suitably addresses both SPA supporting habitat and recreational disturbance may be achieved within the red line boundary.

- 8.123 The Planning Inspector considering the Local Plan concluded in relation to policy HA55: *“Publicly accessible and managed green infrastructure on the site will act as mitigation to counteract the likely significant effects of recreational disturbance on the New Forest and Solent Special Protection Areas in line with Policy NE3.”*
- 8.124 The Council agrees with the conclusions of the shadow Appropriate Assessment that provision of on-site high quality open space will fully mitigate the impacts of the development upon the Habitats Sites both alone and in contribution with other plans and projects. This is consistent with the Footprint Ecology research, the SRMS and the Council’s Interim Mitigation Solution. The Council therefore considers that the financial contributions sought by Natural England towards the SRMS and the Council’s Interim Solution are not required in addition to the proposed on-site Green Infrastructure.
- 8.125 The Council is entitled to place considerable weight on the opinion of Natural England as the expert national agency with responsibility for oversight of nature conservation, and ought to do so unless there is good reason not to. In this case however, Officers are of the view that there are good and cogent reasons to depart from Natural England’s advice, as set out above.
- 8.126 The Local Planning Authority must be satisfied to a high degree before it can conclude that there will be no adverse effect on the integrity of the Habitats Sites; it must be sure beyond reasonable scientific doubt that there will be no such adverse effect and when considering any mitigation or other measures these must be certain in their effect.
- 8.127 Officers have reviewed the information provided and the assessment undertaken and is satisfied beyond reasonable scientific doubt that, provided the mitigation measures contained within the applicant’s shadow Appropriate Assessment and the delivery of infrastructure is secured and adhered to, the potential impacts of the proposed development both alone and in combination with other proposals would not be significant. The mitigation measures and delivery of infrastructure would be secured by S106 legal agreement and planning conditions should the application be allowed at Appeal.
- 8.128 Officers therefore conclude that the development accords with the Habitat Regulations and complies with Policies NE1, NE3 and NE4 of the Fareham Local Plan 2037.

j) Biodiversity Net Gain

- 8.129 Policy NE2 of the Local Plan requires a biodiversity net gain of 10% to be secured following completion of the development. A biodiversity net gain assessment has been carried out to assess the pre and post development

biodiversity value of the site. The Council's Ecologist has reviewed the assessment and agrees that a biodiversity net gain of 30% could be achieved. The biodiversity net gain would be secured through planning conditions.

- 8.130 Members of the public have raised concerns about the impact of the proposed development on wildlife in general and more specifically on biodiversity, however the anticipated net gain of 30% far exceeds the policy requirement and will be a significant benefit of the scheme.

k) Green Infrastructure

- 8.131 The planning application proposes a total of 45.72 hectares of green space to the east and west of Peak Lane (excluding the sports hub and allotments). The land to the west of Peak Lane is 22.84 hectares. All of the green infrastructure will be accessible to the public with the exception of a 10 hectare parcel to the west of Peak Lane which will be reserved for birds.
- 8.132 Appendix D states that a landscape led approach to the planning and laying out of spaces that permeate through and around the development, connecting existing communities with the wider countryside is key to the success of the development.

Green Infrastructure to the East of Peak Lane

- 8.133 Policy HA55 requires publicly accessible and managed Green Infrastructure to be provided throughout the site incorporating existing and new ecological features which retain and link existing Public Rights of Way to create high quality, attractive and functional parkland and natural greenspace and sports facilities providing opportunities for health, recreation, play, learning, movement and wildlife.
- 8.134 Appendix D identifies two categories of strategic open space: natural open space designed for habitat creation and informal recreation; and parkland and green corridors designed for recreation, play, movement and wildlife corridors. Appendix D confirms that the parkland and green corridors which would provide the more formal open space would be provided within the envelope of the built form and the natural more informal open space would be provided to the south of the built form envelope and to the west of Peak Lane. Appendix D confirms that green links or 'fingers' radiating through the development are one of the key design principles.
- 8.135 The Indicative Framework Plan identifies four green links in the form of north-south green corridors through the site. The first in between Peak Lane and the westernmost development parcel, the second separating the western and centrally positioned development parcel, the third and largest (referred to in HA55 as the community spine or linear park and in the application as the Linear

Parkland) in between the central and eastern development parcel, and the fourth in between the eastern development parcel and the eastern boundary of the site.

- 8.136 The Indicative Framework Plan identifies the remainder of the land to the south of the development parcels as Green Infrastructure associated with the school and a sports hub with the land beyond the school and sports hub comprising natural open space designed for habitat creation and informal recreation.
- 8.137 The land use and green infrastructure parameter plan submitted with the application also proposes four key north/south green corridors, including the large linear park, in the same locations as the Indicative Framework Plan. The green infrastructure associated with the school, the sports hub and the remainder of the Green Infrastructure (referred to in the application as Newlands Meadow) are also in the same locations as shown on the Indicative Framework Plan.
- 8.138 Policy HA55 requires the sports hub to be 4 hectares in size. The land use and green infrastructure parameter plan exceeds the requirements of policy HA55 and proposes a sports hub of 4.3 hectares in size.
- 8.139 The Indicative Framework Plan identifies areas of habitat along the southern boundary of the site, parallel to Tanners Lane. The land use and green infrastructure parameter plan confirms that the existing trees and hedgerows along the southern boundary of the site parallel to Tanners Lane will be retained to provide habitat.
- 8.140 The application describes the range of different spaces that would be provided within the areas identified as being Green Infrastructure, however the landscaping details are not for consideration as part of this application and would be considered at the reserved matters stage.

Green Infrastructure to the West of Peak Lane

- 8.141 The land to the west of Peak Lane would comprise Green Infrastructure in accordance with policy HA55. The land to the west of Peak Lane will contain a bird reserve as described in more detail earlier in this report within the Ecology and Protected Species section.
- 8.142 The allocation of land uses including the Green Infrastructure is set out in the land use parameter plan and the location of the Bird Reserve is contained within the Open Space and Habitat Creation document that supports the application. The detailed design and layout of the Green Infrastructure would be confirmed at the reserved matters stage.

8.143 It is not currently known whether the open space will be offered to the Council for adoption or retained and managed by a private management company (or a combination of both options). It is therefore recommended that the S106 legal agreement is drafted to ensure any land that is offered to the Council is accompanied by a commuted sum to cover the maintenance costs for a period of 30 years. The S106 legal agreement will need to agree at what stages of the development the areas of open space are provided. The S106 legal agreement will also need to ensure measures are put in place to manage and maintain any areas that the Council does not wish to take on (such as areas including water features).

I) The Local Centre

8.144 Appendix D explains that central to The Vision is the idea of, “*A legible heart which provides a mix of uses within a high-quality public realm, easily reached on foot or by bicycle. A heart where people can meet, talk, sit, and interact, can engage in community activities and use shops and services for their day-to-day needs.*” The heart would be linked to the new school and sports hub by a community spine or green linear park.

8.145 Policy HA55 requires the provision of a mixed-use local centre with approximately 1,500 square metres of flexible commercial floorspace, with residential floorspace above to meet the day to day needs of the neighbourhood. Policy HA55 also requires the provision of community and health space and the supporting principles state that the local centre could accommodate approximately 135 apartments.

8.146 The Indicative Framework Plan contained within policy HA55 locates the local centre at the north of the community spine to create an accessible and legible heart to the development. The Framework Plan contains a north/south off-road pedestrian and cycle link running through the central green spine and an east-west pedestrian and cycle link, both of which will link the local centre to the wider site.

8.147 The land use parameter plan submitted with the application allocates land for the local centre at the north of the community spine in line with the Indicative Framework Plan. The land use parameter plan confirms that the local centre will contain approximately 135 apartments, up to 800 square metres of retail space, an 80 bed care home, and a community facility in line with Policy HA55 and the Indicative Framework Plan. Objections from members of the public query the proposed location of a care home next to a junction. The location of the care home is designed to ensure residents are close to amenities and the exact location would be determined at the reserved matters stage.

- 8.148 The parameter plans submitted with the application also confirm that the north-south and east-west key active movement routes linking the local centre to the wider site will be provided in accordance with those shown on the Indicative Framework Plan.
- 8.149 The supporting principles that accompany policy HA55 contain a number of specifications relating to the design of the local centre including, buildings being between two and four storeys in height and the centre will be physically and visually linked to the central green spine, Longfield Avenue crossings and the proposed new school. There are also several more detailed design specifications that will be relevant to the design of buildings within the local centre, which would be considered at the reserved matters stage.
- 8.150 The building height parameter plan that is submitted with the application confirms that buildings in the local centre will be up to four storeys in height. The density parameter plan submitted with the application also proposes a minimum density of 60 dwellings per hectare in the local centre to enable the provision of 135 apartments. The building height and density parameter plans are in line with Policy HA55's supporting principles.
- 8.151 The location of the local centre and the provision of land uses could be secured by planning conditions to ensure the proportion of land uses (to include the community space) is secured in accordance with Policy HA55. The density and height of individual buildings in the local centre would be confirmed within the urban design codes which could also be secured by planning condition.

m) Sports Facilities

- 8.152 Policy HA55 requires the provision of a 4-hectare sports hub to include changing rooms, community space and essential parking. The Indicative Framework Plan that accompanies policy HA55 allocates land for the sports hub within the southeast of the site with lit and built elements such as the pavilion/changing rooms within the northern part of the plot and the open spaces provided within the southern part of the plot. The distribution of the built form and lit areas within the north of the plot is designed to ensure the sports hub provides a transition between the built form within the north of the site and the more open, undeveloped character of the Strategic Gap to the south. The sports hub is also positioned at the end of the main north-south green link through the site so that it is easily accessible by walking and cycling.
- 8.153 The Statement of Common Ground (SOCG) agreed between the Council and the applicant Hallam in preparation for the Local Plan was made with the knowledge that the provision of a sports hub was intended to meet the outdoor sports requirements associated with the proposed development in addition to the existing need for new sports facilities identified by the Borough Council's

Playing Pitch Strategy. Consequently, the size and make-up of the sports Hub (which would include a 3G pitch, tennis courts and pavilion) is greater than what would be required if it was to serve only future residents of the development (as per the Planning Obligations Supplementary Planning Document.)

- 8.154 The SOCG agreed between the Council and the applicant in relation to policy HA55 as part of the Local Plan recognised that the outdoor sports requirements of Policy HA55 go beyond what the Planning Obligations Supplementary Planning Document requires for a site this size (land, infrastructure provision and a maintenance contribution) and for this reason confirms that, *“...the delivery of the Sports Hub will be funded jointly and proportionately by the parties.”*
- 8.155 The land use parameter plan submitted with the application positions the sports hub within the southeast corner in accordance with the Indicative Framework Plan. The application confirms that 4.3 hectares of land is proposed for the sports hub within the land use parameter plan, however the Infrastructure Delivery Plan submitted with the application makes no allowance for any infrastructure provision or financial contributions for the sports hub.
- 8.156 The outdoor sports provision required by policy HA55 goes beyond what would normally be required to serve the residents of the site in accordance with the Planning Obligations Supplementary Planning Document. The Local Planning Authority can only require obligations (that is, infrastructure or contributions) that are necessary to make the development acceptable in planning terms; directly related to the development and fairly and reasonably related in scale to the development. Therefore, Officers acknowledge that it would be unreasonable to seek all the infrastructure and maintenance costs required (for the development to satisfy policy HA55) from the applicant, however the provision of land without any infrastructure or maintenance contributions would not be in accordance with policy HA55 or the obligations SPD and is therefore not acceptable.
- 8.157 Officers acknowledge that further conversations are required with the applicant to agree what a ‘proportionate’ cost is in this context. If the applicant and Officers agree to a proportionate provision (land, delivery and maintenance) this would be included in the Statement of Common Ground to inform the Appeal. Alternatively, if the applicant and Officers do not reach an agreement the matter would remain unresolved before the appeal. Either way, it will fall to the Planning Inspector to conclude.
- 8.158 The provision of land, delivery of sports facilities and maintenance contribution associated with the required outdoor sports provision would be secured within the S106 legal agreement.

n) Education

- 8.159 Policy HA55 requires the provision of a 2-form entry Primary School and early-years childcare infrastructure (as identified by the Local Education Authority (LEA)) within the site. The Indicative Framework Plan positions the primary school at the southern end of the community spine. Appendix D explains that the location of the school in this position will ensure that the school acts as a focus point at the end of this key central space while providing a visual marker for the southern edge of the development. Policy HA55 does not specify the location of the Early Years Infrastructure.
- 8.160 The location of the school building within the northeastern part of the parcel of land allocated for the school will ensure that it relates well to the public realm with the open space to the south of the school providing a transition between the urban area to the north and the undeveloped, green infrastructure to the south. The placement of the school at the point where the community spine meets other areas of strategic green infrastructure is designed to ensure that the school is linked to the active transport corridors which will be essential to encouraging pupils and parents to make their journeys by sustainable methods.
- 8.161 The land use parameter plan provided with the application allocates an area of 2.2 hectares for the provision of a primary school at the southern end of the built form and community spine in line with policy HA55's supporting principles which require the school to be provided to the south of the site and linked to the wider open space. The land use parameter plan also confirms the location of key pedestrian and cycle routes linking the school to the community spine, and other active transport corridors.
- 8.162 The site lies within the catchment of Crofton Anne Dale Infant and Junior Schools and Crofton Secondary School, both of which the LEA state are full. The proposed development of 1,200 dwellings will generate 360 primary and 252 secondary pupils. The pupil yield from the development equates to almost 2 forms of entry of additional places / 60 pupils per year. Places are also required for children with special educational needs.
- 8.163 Hampshire County Council as the Local Education Authority confirms that the provision of a new two form of entry primary school, a two form of entry extension to the local secondary school, places for pupils with Special Educational Needs and Disabilities and the production and monitoring of school travel plans, requires a contribution of £19,088,770.
- 8.164 The Local Education Authority has also confirmed that the development will generate a demand for 160 early years childcare places. Early years provision

would be provided in a separate location from the school to avoid traffic congestion.

- 8.165 A school travel plan is also required to encourage active travel and to maintain high highway safety standards from the outset. Annual monitoring of the school travel plan would be required to ensure engagement with all new families.
- 8.166 The contribution towards education provision would be secured within a Section 106 legal agreement. Details regarding the specification of early years provision and the new primary school to be provided within the site, together with the timing of their provision would also be secured by legal agreement. The design of the primary school and early years provision would be confirmed at the detailed design stage (when the reserved matters applications are submitted). Details regarding increasing the capacity of the secondary school would also be secured within the legal agreement.
- 8.167 The applicant has stated in their appeal statement of case that, "*The appellant is aware that there is available capacity at secondary schools in close proximity to the appeal site and consequently it may not be necessary to increase capacity at the secondary school that is referred to (Crofton School)*" (contrary to the advice of the LEA). It continues to state that "*The LEA has also substantially increased the number of childcare spaces that it wishes to see provided without there being any change to the proposed development.*" The appellant has indicated that they intend to provide evidence at the appeal to challenge the LEA's requirements in terms of the requested early years and secondary school provision however no evidence has been provided at this stage.
- 8.168 The Local Education Authority use a formula to calculate the anticipated child yield from the development (based on the number and size of houses proposed) and this informs the level of contribution required. Officers understand that the formula used to calculate the contribution would be contained within the S106 legal agreement rather than a fixed figure. The use of a formula allows the contribution required to be calculated when the reserved matters applications are submitted, and the sizes of the houses are confirmed. This ensures that the contribution sought meets the tests for planning obligations.
- 8.169 The Local Education Authority has confirmed that the Early Years Provision sought has increased since the previous consultee response due to the increased demand arising as a consequence of to the government funded places that are now available.
- 8.170 Officers consider that the LEA's request for on-site provision and financial contributions for off-site improvements satisfies the tests set out in Paragraph

57 of the NPPF and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. If the applicant submits information during the appeal that Officers consider demonstrates that the contributions sought by the LEA towards Early Years and Secondary School provision do not satisfy the tests set out in the NPPF and CIL Regulations, Officers will re-assess the contributions sought in discussion with the LEA.

o) Healthcare

- 8.171 Concerns regarding the impact of the proposed development on the existing General Practitioner (GP) practices and the difficulty residents already have accessing primary healthcare services are issues that are raised in many of the representations submitted in relation to this planning application.
- 8.172 Policy HA55 requires the provision of a mixed-use local centre with community and health space. The provision of health space (together with other community facilities) within the local centre was designed to ensure that residents have access to facilities, to enable linked trips to be made by residents using other local facilities in the local centre and to help provide a degree of self-containment that would foster a sense of community within the development.
- 8.173 As part of the consultation process for the Fareham Local Plan 2037 the Council consulted with a range of healthcare providers including the Fareham and Gosport Clinical Commissioning Group (CCG). The CCG raised concerns at the Regulation 18 stage of the Local Plan preparation regarding the impact of proposed housing on certain GP practices within the Borough including Fareham Health Centre.
- 8.174 The land south of Longfield Avenue was not included in the Local Plan at the Regulation 18 stage therefore the CCG did not comment directly on the impact that the proposed houses in this area would have on existing health services. The CCG were consulted again at the Regulation 19 stage of the Local Plan preparation when this site was allocated for housing, however they did not have the capacity to comment again due to their need to prioritise resources on dealing with Covid.
- 8.175 The planning application is supported by an Infrastructure Delivery Plan that confirms that provision for community infrastructure including health care provision within the local centre as required by policy HA55. The Infrastructure Delivery Plan also confirms that if required, a financial contribution could be provided in lieu of on-site premises.
- 8.176 The Integrated Care Board (the statutory NHS body that arranges the provision of health services and hereafter referred to as the ICB) replaced the NHS

Clinical Commissioning Groups (CCGs) and was consulted regarding the application. The ICB has confirmed that the site falls within the catchment of two GP practices, Stubbington Medical Practice and Fareham Health Centre, both of which are operating above capacity (Stubbington Health Centre is operating at 167% patient infrastructure capacity and Fareham Health Centre is operating at 188% patient infrastructure capacity).

8.177 The ICB has advised that it is not feasible for either the Stubbington Medical Practice or Fareham Health Centre to re-locate or provide a satellite branch within the site. The ICB has also advised that delivering a new practice within the site is not an option as the NHS procurement system provides a limited number of long terms contracts for GP Practices and there are currently no more available.

8.178 The ICB has therefore requested a financial contribution of £691,076 towards increasing the capacity at either Stubbington Medical Practice or Fareham Health Centre. There are advantages to having health premises provided within the site, it would be more convenient for residents of the development, it would increase footfall to the local centre, and it would contribute to the sense of community. However, the ICB has explained why it is not possible in this instance.

8.179 Policy TIN4 of the Fareham Local Plan 2037 states that:

Developments (excluding householder applications) will be required to provide and contribute towards the delivery of new or improved infrastructure, or other mitigation to mitigate the impacts of the development. Planning permission will be granted where:

- *The new or improved infrastructure will be delivered at a rate, scale and pace taking account of phasing on larger schemes or*
- *The new or improved infrastructure will be provided on-site as an integral part of the development, unless the nature of the provision is better provided off-site through the process of developer contributions.*

8.180 The ICB has explained that the only way to mitigate the impact of the proposed development on primary healthcare in this area is by increasing the physical capacity of the existing GP practices and that without the contribution the existing GP practices may not be able to register new patients which would result in patients trying to register with practices that are further away (and may also already be operating at capacity).

8.181 The ICB has also explained that the proposed development would have a knock-on impact on emergency services as patients who are unable to access

primary care through their GP will often seek care from the Emergency Department, which has an impact on those who actually need emergency care (as opposed to those seeking emergency care because they cannot access primary care from their GP).

- 8.182 Officers consider that the ICB has demonstrated that there is no existing capacity at the GP practices contracted to service residents at this site and that the failure to provide additional capacity would have an unacceptable adverse impact on the ability of residents to access primary healthcare services. Officers therefore consider the contribution to be necessary to make the development acceptable in planning terms. The contribution therefore satisfies the first 'test' in the CIL Regulations and paragraph 57 of the NPPF.
- 8.183 The contribution sought is required to mitigate the impact of an increased number of patients from the development seeking access to existing GP services. The contribution is therefore directly related to the development and satisfies the second 'test'.
- 8.184 The ICB was asked to demonstrate that the contribution they seek satisfies the third 'test' of being *'Fairly and reasonably related in scale and kind to the development'*. The ICB provided a methodology explaining the way in which the requested contribution was calculated based on the size of the proposed development. The methodology uses the average occupancy rates from the proposed development to calculate the population increase which confirms that the GP patient lists for both Stubbington Medical Practice and Fareham Health Centre would increase even further beyond their capacity.
- 8.185 The requirement for services to operate beyond their existing capacity informs the amount of additional space required. The extra space required (per person) is multiplied by a premises cost (based on a Public Sector Non-Residential Building Index) to give the total amount of money required to mitigate the development. The ICB has provided a list of appeals in which their methodology has been accepted by Planning Inspectors to be compliant with the relevant tests.
- 8.186 Officers are concerned that the money requested is based on a formula for extending an existing building which may not be possible as Stubbington Medical Centre is surrounded by mature trees and Fareham Health Centre is located within a larger building which may also not be suitable for extending. Officers appreciate that capacity could potentially be increased at the existing surgeries by reconfiguring the existing layouts, however this has not been demonstrated and the associated costs are not known at this stage. Officers therefore consider that the methodology used by the ICB to calculate the contribution required towards increasing capacity at the existing medical

practices is not 'fairly and reasonably related in scale and kind to the development' and therefore does not satisfy the third 'test'.

8.187 The financial contribution sought by the ICB would be in accordance with policy TIN4 of the Fareham Local Plan 2037 which allows for off-site contributions to be provided in lieu of on-site provision. However, Officers consider that the request by the ICB for a financial contribution of £691,076 does not satisfy all of the statutory tests set out in Regulation 122 of the CIL Regulations and the policy tests set out by Paragraph 57 of the NPPF.

8.188 The applicant has agreed to the principle of a financial contribution towards off-site health provision in lieu of on-site provision. However, they have queried the amount of contribution sought by the ICB. It is understood that the applicant has commissioned work to critique the ICB's request, however no evidence has been submitted to the Local Planning Authority. Officers will continue to liaise with the ICB regarding the contribution sought and the project it will be used to contribute towards. Officers will also continue to work with the applicant regarding the amount of contribution required. If Officers and the applicant agree on an amount this would be contained within a Statement of Common Ground submitted with the appeal.

p) The Historic Environment

8.189 Paragraph 201 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. Policy HE1 of the Local Plan requires all development to conserve and enhance the historic environment and heritage assets.

8.190 The site does not contain any heritage assets. The site also does not contain any recorded archaeological remains. Archaeological investigations undertaken along the route of the Stubbington by-pass (to the south of the site) indicate that the site has the potential to contain Bronze Age, later Iron Age and Roman remains. The planning application therefore proposes a programme of archaeological evaluation comprising a geophysical survey followed by a process of trenching. The results of the initial surveys would dictate whether any archaeological mitigation works were required. It is recommended that a condition is used to secure the proposed programme of archaeological evaluation together with any mitigation work and the recording of the results.

q) Utilities and Service Infrastructure

Drinkable Water Supply

8.191 The drinking water supply for the site will come from Portsmouth Water. Portsmouth Water has confirmed that they have no objection to the proposed development.

8.192 Policy D4 of the Fareham Local Plan 2037 states that development proposals must not be detrimental to the management and protection of river, coastal and groundwater. The site is not within a Source Protection Zone, therefore standard conditions relating to the prevention of pollution could be imposed.

Wastewater Disposal

8.193 The site lies within the catchment of the Southern Water Peel Common Sewage Treatment Works. Southern Water has confirmed that they can have the capacity to facilitate foul sewerage disposal from the proposed development. Detailed design issues relating to the foul water infrastructure would be considered at the reserved matters stage.

8.194 To minimise the impact on the water environment and adapt to climate change Policy D4 requires all new dwellings to achieve as a minimum the Optional Technical Housing standard for water efficiency of no more than 110 litres per person per day. The water efficiency standard required by policy D4 could be secured by planning condition.

r) Drainage and Flood Risk

Flood Risk

8.195 The site falls within the Environment Agency's designated Flood Zone 1, which means there is a low probability of flooding (less than 0.1% annual probability). The application is supported by a Flood Risk Assessment and Drainage Strategy that sits within the Environmental Statement. The Flood Risk Assessment and Drainage Strategy identifies the land as having a low probability of flooding from overland flow, ground water and sewer flooding.

8.196 The Flood Risk Assessment and Drainage Strategy identifies a strip of land adjacent to the onsite watercourse (to the West of Peak Lane) as having a medium risk of flooding due to the low-lying topography within the site. The Flood Risk Assessment recommends that the topography is altered at the detailed design stage to aid run off and prevent water from being stored at naturally low-lying areas of land. The strip of land with a medium risk of flooding does not lie within or close to any of the areas identified for built form therefore the slightly higher risk of flooding in this area does not prevent the development from according with the requirements of the NPPF for development to be located in areas of low flood risk.

Drainage

- 8.197 The Flood Risk Assessment and Drainage Strategy confirms that a Sustainable Urban Drainage System (SUDS) taking the form of attenuation basins will be used as the primary storm water management system with additional surface water runoff discharged to the existing watercourse and ditch network. Objections have been received which raise concerns about the impact of the proposed development on surface water drainage, however the information submitted with the application confirms that the proposed design solution will result in surface water drainage rates that are no greater than existing rates. Hampshire County Council in their capacity as the Lead Local Flood Authority has reviewed the application and confirmed that they have no objection to the proposal subject to planning conditions to secure the detailed design.

s) Other matters

- 8.198 ***Issues raised by Third Parties:*** Several detailed issues have been raised by members in relation to the proposed development. For example, traffic calming is requested on local roads. Officers acknowledge the importance of the detailed issues raised however the application is in outline with only the access points provided in detail, therefore many of the detailed issues raised are not for consideration at this stage.
- 8.199 Concerns have been raised about the impact of the proposed development on existing residents in general and more specifically in terms of increased traffic generation and pollution (noise, atmospheric and waterborne) and the impact on existing infrastructure such as schools, health services and utilities. Officers have considered all of these issues within this report and concluded that the impacts can be effectively managed by appropriately worded planning conditions.
- 8.200 The manager of the Solent Airport raised concerns regarding the principle of the proposed development. Officers accept that in an ideal world an airport approach would avoid having development under the flight path, however in this case the site is allocated for development within the Local Plan. Furthermore, it is not uncommon for airports to have runway approach paths over residential areas. The impact of development on the airport will be appropriately managed to ensure that the two uses can co-exist.
- 8.201 The manager of the airport also raises concerns about the proposed development potentially resulting in increased complaints of noise from the airport. The allocation of the site for housing in the Fareham Local Plan 2037 was based on evidence studies which took factors such as the proximity to the airport into consideration. The allocated site was therefore designed to allow for a buffer between the proposed development and the airport that would be large enough to ensure that noise from the airport would not be at a level that

would render the site inappropriate for development or prevent the airport from continuing to operate and potentially expand in accordance with the Council's Vision for Daedalus. The Environmental Statement that accompanies the application includes noise assessment surveys which conclude that noise from air traffic would have a negligible impact on residents of the proposed development. No specific noise related concerns were raised by the Council's Environmental Health Officers in their consultation response.

- 8.202 The manager of the airport also raises concerns about the impact that the proposed development would have on the area in terms of the additional traffic that would be generated. The Fareham Local Plan 2037 is supported by a Strategic Transport Assessment to ensure that the scale of development allocated would be compatible with the surrounding infrastructure in terms of traffic generation. The application is also supported by a site-specific Transport Assessment that models the impact of traffic generated by the proposed development and proposes mitigation measures where required. In addition, policy HA55 in the Local Plan requires the development to be compact and walkable with low trafficked neighbourhoods that prioritise pedestrian movement to encourage more sustainable transport and minimise residents' reliance on the car. The development will therefore generate additional traffic, but not of a level that cannot be mitigated and not at a level would have a severe impact on the road network and therefore the operation of the airport. The Highway Authority also acknowledge, subject to improvements, that sufficient highway capacity would be created to ensure no highway safety concerns.
- 8.203 The manager of the airport also raises concerns about the impact that construction equipment such as cranes could have on the safety of passing aircraft due to the potential of the cranes to penetrate the safeguarded Obstacle Limitation Surface. The construction process for the proposed development would need to be carefully managed to ensure that it did not pose a threat to the safety of aircraft (amongst other issues), and this would be ensured by the Local Planning Authority requiring the submission of a Construction Management Plan prior to the commencement of development. Such details would be secured by planning condition. Officers would also ensure that the Airport Manager is given the opportunity to formally review the Construction Management Plan to ensure that it adequately deals with issues such as safety in relation to passing aircraft and any concerns raised would be considered before the document is approved.
- 8.204 The manager of the airport expressed concerns about the potential for lighting within the site to have an adverse impact on passing aircraft. The application is an outline application with all matters reserved except for access therefore the lighting details are not known at this stage. However, a planning condition could be used to require the submission of a lighting strategy for approval by

the Local Planning Authority. As with the Construction Management Plan the Airport Manager would be given the opportunity to formally review the lighting strategy as a consultee to confirm that the proposed lighting was appropriately designed to ensure it was compatible with the site's proximity to the airport.

- 8.205 The manager of the airport also explained the potential threat that photovoltaic panels could have on passing aircraft due to glint and glare. A suitably drafted planning condition would also be used to prevent the erection of photovoltaic panels posing a threat to aircraft. This would ensure that photovoltaic panels were only erected after they had been assessed to ensure that they were designed to be compatible with the airport.
- 8.206 The manager of the airport also raised concerns regarding the risk to aircraft posed by wildlife due to the increased habitat provision within the site. A planning condition could be used to require the submission of a Wildlife Hazard Design Risk Assessment and a Wildlife Hazard Management Plan. Both documents would be reviewed by the Council's Ecologist to ensure that they were robust and would not increase the risk to passing aircraft. Officers would ensure that the Airport Manager was consulted regarding the measures contained within the plans.
- 8.207 **General Air Quality:** Policy NE8 of the Fareham Local Plan 2037 requires major development to minimise emissions and contribute to the improvement of local air quality through the delivery and/or enhancement of Green Infrastructure. The land use parameter plan confirms that large areas of green infrastructure incorporating key pedestrian and cycle routes will be provided along the main green corridors to provide attractive routes that will encourage residents to use sustainable methods of transport. The increased use of sustainable methods of transport within and through the site will reduce the number of car journeys and therefore minimise emissions in line with policy NE8.
- 8.208 The application is supported by an Air Quality Assessment that assesses the construction and operational impacts of the proposed development in terms of Air Quality. The proposed development would increase dust and particulate matter during the construction phase, however good site practices and the implementation of suitable dust suppression measures could effectively mitigate any impacts by the implementation of a management plan. This would be secured by planning condition.
- 8.209 Road dispersion modelling confirms that the site is suitable for residential development in terms of air quality. The dispersion modelling also confirms that the traffic generated by the proposed development would result in an increase

in pollutant concentrations at existing receptor locations, however the predicted concentrations are at a level where the impact is considered to be negligible.

t) The Planning Balance

8.210 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

8.211 As set out earlier in this report Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.

8.212 The application seeks planning permission for the development of a site allocated for housing under policy HA55 of the adopted Fareham Local Plan 2037. The proposal is also considered to meet the aims and objectives of Housing Allocation Policy HA55. The proposal accords with the Indicative Framework Plan in Policy HA55 and respects the integrity of the Strategic Gap. The proposal also respects the physical and visual separation of Fareham and Stubbington as protected by policy DS2. The site accesses also accord with Policy HA55 and would not have an unacceptable impact on highway safety in accordance with policy TIN2.

8.213 The development will provide up to 1,200 houses including 40% affordable housing in accordance with HP5 which will significantly contribute towards the supply of housing within the Borough. Specialist housing for older people will be secured in accordance with policies HA55 and HP8 and 10% of the overall number of dwellings will be provided as plots to address local need for self or custom build in accordance with policy HP9. 20% of the housing will also be built to adaptable or accessible standards (15% at category 2 of Building Regulations and 5% to category 3).

8.214 The development will include a mixed-use local centre comprising approximately 800sqm of flexible commercial floorspace and a community centre (up to 700sqm) in accordance with policy HA55. The provision of on-site health premises is not compatible with the NHS's business model or practical for existing GP surgeries therefore a financial contribution to mitigate the impact on existing health premises will be secured.

- 8.215 The development will also provide a two form of entry Primary School and early years childcare on site, together with a financial contribution to increase the capacity of existing secondary schools.
- 8.216 The proposed development would generate additional traffic however the incorporation of a high-quality network of pedestrian and cycle links and the addition of improvements to Public Rights of Ways and pedestrian and cycle links to the train station and town centre will encourage residents to use sustainable methods of transport. The provision of additional bus stops on Longfield Avenue and Peak Lane will also encourage patronage of the X5 bus service which will help minimise traffic generation from this site. The provision of contributions towards improvements to local and strategic road junctions will improve their capacity and ensure the residual cumulative impact on the road network is not severe in accordance with policy TIN2.
- 8.217 The application contains 45.72 hectares of Green Infrastructure comprising natural open space designed for habitat creation and informal recreation; together with parkland and green corridors designed for recreation, play, movement and wildlife in accordance with policies HA55, NE2 and NE3. The development also includes a 10 hectare parcel to the west of Peak Lane which will be reserved for birds in accordance with policies HA55 and NE5. Officers are also satisfied that the development both alone and in combination with other proposals would not have a likely significant effect on Habitats Sites in accordance with the Habitat Regulations and Policies NE1, NE3 and NE4 of the Local Plan.
- 8.218 The green infrastructure also has the potential to achieve a biodiversity net gain of 30% which is significantly above the 10% required by policy NE2. The Green Infrastructure also includes land allocated for several sports pitches.
- 8.219 The site does not contain any heritage assets and a planning condition could ensure that appropriate measures are taken to investigate the site for archaeological remains in accordance with policy HE1.
- 8.220 The site does not fall within an area at high risk of flooding and the land allocated for development is identified as having a low probability of flooding from overland flow, ground water and sewer flooding. Portsmouth Water who will supply the drinking water for the site have raised no objection to the development and Southern Water has confirmed that they have the capacity to facilitate the foul sewerage disposal. The impact of the proposed development on air quality is negligible and therefore considered to be acceptable in line with policy NE8.

8.221 In light of the assessment undertaken in this report and taking into account all other material planning considerations, had the council been able to determine this application, Officers would have recommended that outline planning permission should have been granted.

8.222 As Officers consider that the proposal, subject to the completion of a satisfactory section 106 legal agreement, accords with the Council's up to date Local Plan, the tilted balance does not need to be considered. However, if Members were minded to disagree with the Officer recommendation that the scheme, taken together with the planning obligations accords with the development plan as a whole, then they will need to consider the tilted balance in paragraph 11(d) of the NPPF as a material consideration.

9.0 Recommendation

9.1 Members confirm that had they been able to determine the planning application they would have resolved to GRANT OUTLINE PLANNING PERMISSION, subject to conditions and the completion of a planning obligation with the applicant pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:

- To secure the delivery of 40% of the permitted dwellings as affordable housing;
- To secure the delivery of an extra care facility;
- To secure the delivery housing built to adaptable or accessible standards (15% at category 2 of Building Regulations and 5% to category 3);
- To secure the delivery of serviced plots for 10% of the housing to be either self or custom build;
- To secure the delivery of sustainable mode improvements;
- To secure the delivery of mitigation and safety schemes to off-site local and strategic highway;
- To secure the delivery, management and maintenance of publicly accessible open space to include;
- To secure the delivery, management and maintenance of 10 hectares of publicly inaccessible open space (the bird reserve);
- To secure the delivery of a community facility;
- To secure the delivery of the local centre;
- To secure the provision of a financial contribution towards off-site healthcare provision;
- To secure the delivery of sports pitches;
- To secure the delivery of early years provision;
- To secure the delivery of a primary school on site;

- To secure the provision of a financial contribution towards the production and monitoring of a school travel plan;
- To secure the provision of a financial contribution towards places for pupils with special educational needs and disabilities;
- To secure the provision of a financial contribution to increase off-site secondary school capacity;
- To secure an employment and skills training plan;
- To secure the provision of a financial contribution towards upgrading and maintaining Public Rights of Way;
- To secure the provision of a monitoring fee in line with the obligations

10.0 Notes for Information

[P/20/0646/OA]

11.0 Background Papers

- 11.1 Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.