

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	21 October 2015
Title:	Application for Construction of a bypass for Stubbington, providing a connection from Titchfield Road to Gosport Road together with associated improvements/enabling works to Titchfield Road, and Gosport Road and new/improved junctions at Titchfield Gyratory, Bridge Street, Peel Common Roundabout & Peak Lane, at Titchfield Road/Gosport Road, Stubbington Hampshire. (Application No. P/15/0718/CC) (Site Ref: FAH006)
Reference:	6996
Report From:	Head of Strategic Planning

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1. Executive Summary

- 1.1 The proposal is for the construction of a bypass for the village of Stubbington, providing a connection from Titchfield Road to Gosport Road. The scheme would comprise a new 3.5 kilometre (2.3 mile) long road to the south of Fareham and to the north and east of the village of Stubbington. The proposal also includes on-line improvements to the existing sections of the B334 at Titchfield Road at its northern end (between Titchfield Gyratory and the point at which the new bypass would connect) and Gosport Road at the southern end of the alignment (between Rome Farm Cottages and Peel Common Roundabout).
- 1.2 The development would result in a reduction in traffic congestion on highway routes to and from the Gosport peninsula supporting economic development and regeneration within the sub-region and would contribute to the development of a high quality and sustainable integrated transport system for the Borough. It would not significantly affect the integrity of the Meon Strategic Gap, result in significant impacts on flora and fauna, substantially effect any historic or cultural assets or result in an increased flood risk and would be acceptable in terms of highway safety. The proposal would however result in a significant increase in noise levels at properties 47 in the short-term and two properties in the long-term.

- 1.3 It is considered that the proposal would be in accordance with the Fareham Borough Local Plan Part 1 (2011) & Part 2 (2015) and therefore it is recommended that planning permission is granted for the construction of a bypass for Stubbington, providing a connection from Titchfield Road to Gosport Road together with associated improvements/enabling works to Titchfield Road, and Gosport Road and new/improved junctions at Titchfield Gyratory, Bridge Street, Peel Common Roundabout & Peak Lane, at Titchfield Road/Gosport Road, Stubbington Hampshire (Application No. P/15/0718/CC) (Site Ref: FAH006), subject to the conditions listed in Integral Appendix B.

2. Site and proposal

- 2.1 The proposal is for the construction of a bypass for the village of Stubbington, providing a connection from Titchfield Road to Gosport Road. The scheme would comprise a new 3.5 kilometre (2.3 mile) long road to the south of Fareham and to the north and east of the village of Stubbington. The proposal also includes on-line improvements to the existing sections of Titchfield Road at its northern end (between Titchfield Gyratory and the point at which the new bypass would connect) and Gosport Road at the southern end of the alignment (between Rome Farm Cottages and Peel Common Roundabout).
- 2.2 The town of Gosport is located to the south east of the proposed bypass route and is either accessed via Peel Common roundabout, the B3334 Rowner Road or Broom Way/Cherque Way. The village of Titchfield is located to the west of the northern section of Titchfield Road which will also be improved as part of the scheme. The bypass would connect the B3334 Gosport Road and the B3334 Titchfield Road, providing an alternative to the need to route through the centre of Stubbington Village.
- 2.3 The stated objectives of the scheme are to:
- Remove the transport barriers to growth and encourage investment and regeneration on the peninsula;
 - Reduce journey time delay and peak hour congestion onto and off the Gosport peninsula; and
 - Improve connectivity and provide additional network resilience across the peninsula.
- 2.4 From Peel Common Roundabout the proposed scheme follows an improved B3334 Gosport Road in a westerly direction, passing Solent Enterprise Zone (Daedalus Airfield) to the south to a point just east of Marks Road. The proposed scheme then heads north-wards over predominantly arable farmland, passing to the east of Stubbington Village, Crofton Secondary School and residential properties along Marks Road and to the west of the Peel Common Sewage Works. Adjacent to the south-west corner of HMS Collingwood the scheme routes north-westwards passing to the north of

Newlands Farm and then heads west crossing Peak Lane, Ranvilles Lane and a number of drainage ditches, in particular Crofton Ditch (the tributary to Crofton stream), with the southern edge of Fareham to the north and Stubbington to the south. The scheme joins the B3334 Titchfield Road south of its junction with Bridge Street opposite the 'Titchfield Nursery' glasshouses. Tanners Lane and Stroud Green Lane are located in proximity to the scheme but are not directly impacted.

- 2.5 The northerly section follows the existing Titchfield Road and is generally enclosed by a succession of features including cutting slopes, vegetation and/or properties. The southerly and larger part of the route is comprised primarily of flat, open agricultural land, with sections crossing existing roads, hedgerows lining the field boundaries and small areas of trees, such as Oxleys Coppice Site of Importance for Nature Conservation (SINC) to the north-west of the scheme area and the tree line along the tributary of Crofton stream. The open agricultural landscape is designated as a Strategic Gap between the settlements of Fareham to the north of the site, Stubbington village to the south and south-west, and Gosport to the south-east. Built form along the route comprises occasional farm buildings, some light industrial units at Newlands Farm along with fishing lakes, and nursery grounds.
- 2.6 'On-line' improvement works are to comprise widening to Titchfield Road between the Titchfield Gyratory and the connection with Bypass, in order to provide additional lanes and the widening and realignment of Gosport Road between Peel Common roundabout and the Bypass, to provide additional lanes and improve forward visibility.
- 2.7 The Bypass will be a 7.3 metre wide single carriageway road with two 3.65 metre lanes and a 2.5 metre wide shared use footway/cycleway and verges and has been designed based on a 50mph speed limit being implemented with visibility and horizontal/vertical alignment to match the relevant Design Manual for Roads and Bridges (DMRB) standards. The scheme shall have a bituminous, impervious surface (i.e. standard hot rolled asphalt (HRA)).
- 2.8 Full detail of the alignment and arrangement of the proposed scheme from the north-western end to south-eastern end is shown in Plan and Profile drawing numbers EC/RJ504603/01/151 to 171. There are several locations along the Bypass where the carriageway is widened to accommodate a central pedestrian refuge to facilitate crossing of the road.
- 2.9 The Bypass will lie approximately 0.5 to 1 metre above the existing ground level, as shown on the cross-section drawings numbered EC/RJ504603/01/172 to 175. The majority of the road will be elevated and the entire width of the carriageway draining to the low side and an adjacent 4.5 metre wide swale (broad, shallow, grassed channel). On the opposite side of the road there will be a 2.5 metre wide cut-off ditch to intercept surface water runoff from the adjacent fields and sub-surface flow.

- 2.10 Between Ranvilles Lane and Peak Lane, the bypass alignment requires the construction of a new box culvert to take the road over the ditch. A 1.2 metre high highway boundary fence shall enclose the road on either side together with new planted hedgerows.
- 2.11 There are a number of areas where the cross-section varies from the above, most notably in the vicinity of Ranvilles Lane, Newlands Farm and Marks Road, where there are landscape bunds and noise barriers in the form of bunds topped with acoustic fencing and planting.
- 2.12 The proposed scheme involves the construction of a new roundabout at the junction with Gosport Road and a new all-moves signalised junction where the bypass intersects Peak Lane. A further signalised junction will connect the western end of the Bypass to the B3334 Titchfield Road and has been designed in order to give priority to Bypass traffic and encourage through traffic to use the Bypass instead of routing via Stubbington.
- 2.13 On-line works between the Gyrotory and Bridge Street junction would comprise widening by 7.3 metres on the east side to create a 14.6 metre wide four-lane single carriageway north of Bridge Street. A 2.5 metre wide shared-use path would also be provided. These works will require the construction of a reinforced earth cutting to the east of the existing carriageway as far as Hollam Nursery involving the demolition of Hollam Cottage. South of Bridge Street the carriageway is widened to generally create a 3.0 metre wide lane in each direction and a 2.5 metre centre hatch which will provide for right turning movements.
- 2.14 The new junction with the bypass to the Peel Common roundabout on the Gosport Road is to be improved to current alignment standards and generally widened to 7.3 metres.
- 2.15 The drainage strategy for the scheme aims to attenuate any additional surface water runoff created by the scheme and ensure the water quality in receiving water courses will not be adversely affected.
- 2.16 The new bypass route will not be lit, however existing street lighting will be extended and 'infilled' on Titchfield Road to the point where the bypass diverges and its junction with Gosport Road up to Peel Common roundabout.
- 2.17 Planting will comprise new hedgerows with trees along the boundary fence for the majority of the bypass route supplemented with individual tree planting and clumps of tree and shrub planting. Plans L.RJ504603.01-15 detail the proposed planting for the scheme.
- 2.18 It is anticipated that the construction phase will take approximately 3 years to complete.
- 2.19 The site lies in proximity to a number of both statutory and non-statutory designated nature conservation sites including:

- Solent and Southampton Water SPA and Ramsar (225 metres south-west);
- Portsmouth Harbour SPA and Ramsar (1.5 kilometres east);
- Solent Maritime SAC (4.2 kilometres west);
- Solent and Isle of Wight Lagoons SAC (5.8 kilometres south-east);
- Titchfield Haven NNR and LNR SSSI (225 metres west);
- Portsmouth Harbour SSSI (1.5 kilometres east);
- Lee on the Solent to Itchen Estuary SSSI (1.6 kilometres south-west);
- The Wild Grounds SSSI and LNR (1.2 kilometres south-east); and
- The following SINCs: Lee on Solent Golf Course (adjacent to south-east), Meon Valley Meadows and Woodland and Alver Wood (adjacent to north-east), Bridge Street Meadow (140 metres west), Titchfield Canal (220 metres west), Hollam Hill Farm Meadows (Meon Valley) (260 metres west), Great Posbrook Farm Wader Roost (580 metres west).

2.20 There are no Listed Buildings within or immediately adjacent to the site. However, there are 126 listed buildings within one kilometre of the proposal, the closest of which is Hollam House which is a Grade II Listed Building. Hollam House lies approximately 15 metres to the east of the site boundary. There is Conservation Area adjacent to the northern boundary of the site at Titchfield Abbey. There are a further two Conservation Areas within one kilometre. The Titchfield Conservation Area is situated 200 metres to the west of the site and Catsfield Conservation Area is located 265 metres to the north-east of the site.

2.21 The following Public Rights of Way (PRoW) are in the vicinity of the scheme and shall be bisected by the new road: 69, 70 and 71.

2.22 The proposed alignment of the Bypass does not lie within any areas of land designated as within Flood Risk Zone 2 or 3 (land at risk of flooding from rivers or the sea). The site is located in a Groundwater Vulnerability Zone and the Environment Agency has identified the whole site to be susceptible to ground water flooding and parts of the site to be vulnerable to surface water flooding.

2.23 Due to the scale of the proposal, the application is accompanied by an Environmental Statement (ES) which is considered to comply with the requirements of Parts 1 & 2 of Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations (2011). The ES encompasses a broad range of aspects of the environment that may be affected by the project and has been prepared in accordance with the regulations.

2.24 The application is accompanied by a Technical Note to inform a Habitats Regulations Assessment which has screened the proposal for the likelihood of significant effects of the proposal on Portsmouth Harbour Special Protection Area (SPA) and Ramsar (incorporating Portsmouth Harbour Site of Special Scientific Interest (SSSI)), Solent and Southampton Water SPA and Ramsar (incorporating Titchfield Haven SSSI AND Lee-on-the-Solent to Itchen Estuary SSSI under the Conservation of Habitats and Species Regulations 2010.

3. Development plan

Fareham Borough Local Plan

3.1 The Fareham Borough Local Plan is the appropriate development plan for consideration. The Local Plan is comprised of 3 parts:

- Part 1: The Adopted Core Strategy (2011);
- Part 2: The Development Sites and Policies Plan (2014/15); and
- Part 3: The Welborne Plan (2014).

3.2 The following policies within the Local Plan are relevant to this proposal:

- (a) Part 1: The Adopted Core Strategy (2011);
Policy CS4: Green Infrastructure, Biodiversity and Geological Conservation;
Policy CS5: Transport Strategy and Infrastructure;
Policy CS12: Daedalus Airfield Strategic Development Allocation
Policy CS15: Sustainable Development and Climate Change;
Policy CS16 Natural Resources and Renewable Energy;
Policy CS17: High Quality Design;
Policy CS21: Protection and Provision of Open Space; and
Policy CS22: Development in Strategic Gaps.
- (b) Part 2: The Development Sites and Policies Plan (2014/15);
Policy DSP2: Environmental Impact;
Policy DSP13: Nature Conservation; and
Policy DSP49: Improvements to the Strategic Road Network.

National Planning Policy Framework (NPPF)

3.3 The NPPF is also a material consideration. The following paragraphs are relevant:

- Paragraph 7 (Three dimensions of Sustainable development);
- Paragraphs 11 - 14 (Presumption in favour of sustainable development);
and
- Paragraph 17 (Decision making);
- Paragraph 19 (Supporting sustainable economic growth); and
- Paragraph 134 (Heritage assets).

- 3.4 There are a number of other strategic and local Transport and Economy plans that can be considered as material considerations (see commentary). The relevant policies are set out in integral Appendix C of this report.

4. Consultations

- 4.1 **Fareham Borough Council:** Recommend approval for the development subject to conditions.
- 4.2 **Gosport Borough Council:** The Borough Council welcomes and supports the proposal, stating that it will address current traffic impacts on Stubbington Village and congestion on the Gosport peninsula, supporting the promotion of local employment essential for the economic welfare of the Borough.
- 4.3 **Environmental Health Fareham And Gosport:** No objection to the development subject to conditions relating to noise, Unexploded Ordnance (UXO), materials management and land contamination. Conclude that there is likely to either be no increase in nitrogen oxides (NOx) or Particulate Matter of 10 Microns in diameter or smaller (PM₁₀) levels or a reduction in levels following completion of the works.
- 4.4 **Southern Water:** No objection to the development subject to conditions. The development is within the boundaries of Southern Water's land ownership on the (Peel Common) Wastewater Treatment Works site. Southern Water should be consulted regarding rights to use this land and the feasibility of these works.
- 4.5 **Environment Agency:** No objection to the development subject to a condition for the protection of water voles. The Flood Risk Assessment demonstrates that the proposed road will not increase flood risk to others and therefore we have no objection to the proposals.
- 4.6 **Local Highway Authority:** No objection to the development, subject to condition. A significant amount of transport assessment and modelling work has been undertaken by HCC and SYSTRA in developing the preferred alignment of the Stubbington Bypass scheme. The Transport Assessment demonstrates that the proposed scheme with its identified mitigation measures and the associated other highway schemes (identified in the Transport Strategy) will meet the aim of the wider Transport Strategy.
- 4.7 **Natural England:** No objection to the development. Natural England concurs with the view of the Habitat Regulations Assessment (HRA), which concludes that the proposal is unlikely to result in significant effects on the SPA/Ramsar sites. With regard to the Titchfield Haven SSSI, Natural England is satisfied that the proposed development being carried out in strict accordance with the details as submitted, will not damage or destroy the interest features for which the site has been notified. Regarding soils and land quality, Natural England concludes that the development would not

appear to lead to the loss of over 20 ha of 'Best and Most Versatile' (BMV), agricultural land, as outlined in paragraph 12 of the NPPF. Natural England recommends that Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites is followed.

4.8 **Portsmouth Water:** No objection.

4.9 **Defence Infrastructure Organisation:** No objection.

4.10 **Lead Local Flood Authority:** No objection subject to condition.

5. Representations

5.1 87 representations were received on the planning application with a number supportive of the proposal. The main areas of concern raised in the remaining representations are as follows:

- Impacts on ecology (flora/fauna);
- Visual and landscape impact of the development including effects of lighting;
- Reduction in the size and openness of the Strategic Gap;
- Loss of farmland and greenspace;
- Impacts on residential amenity as a result of noise, dust or vibration;
- Impacts on air quality and health;
- Concerns about congestion and traffic impacts including: displacement of traffic to new areas, encouraging more trips to Gosport and Junction 9 of the M27;
- That the Bypass will lead to further development in the area;
- Flood risk as a result of increased surface water run-off from the scheme, including its impact on the River Alver;
- Impact on local businesses during construction;
- Highway safety concerns;
- Access – to the highway network, including ensuring equal priority access to the local network for residents of Stubbington and from Titchfield onto the A27; and from the highway network into land; and pedestrian access;
- Geotechnical risk from sinkholes;
- Sustainability of the scheme – road should be built in a cutting (alternative design) resurfacing and cycle provision would suffice; and
- Impact on property prices.

5.2 The above issues will be discussed and addressed within the following commentary, except where identified as not being relevant to the decision. In respect to this:

- the availability of alternative designs is not relevant to the consideration of the planning application, the relevant decision to be made is whether the scheme submitted for approval either is or is not acceptable in planning terms;

- the impact of a development on the value of neighbouring property does not constitute a material planning consideration; and
- the decision relates only to the submitted scheme, any future applications for development of surrounding land would be subject to the requirement for separate planning permission.

6. Commentary

Development Plan

- 6.1 The Fareham Borough Local Plan (FLP) sets out Fareham's principal planning strategy, policies and proposals, and guides future development decisions. It is comprised of 3 parts: Part 1: The Adopted Core Strategy (2011) (FLP: Part 1); Part 2: The Development Sites and Policies Plan (2015) (FLP: Part 2); and Part 3: The Welborne Plan (2014) (FLP: Part 3).
- 6.2 The principle of the construction of a bypass for the village of Stubbington is supported by Policy DSP49 (Improvements to the Strategic Road Network) of the adopted FLP: Part 2. This policy safeguards the alignment of the submitted scheme for the development of a Bypass for Stubbington in order to improve and maintain the effectiveness of the Strategic Road Network.
- 6.3 Paragraph 6.18 of the FLP: Part 2 states that the delivery of the bypass is being prioritised in order to help deliver the Solent Local Enterprise Partnership (SLEP) objectives in relation to local economic growth and the need to help facilitate new investment and development in Gosport and Fareham Boroughs.
- 6.4 Strategic objective SO3 of the FLP: Part 1 is to: deliver a sub-regionally important strategic employment site at the Daedalus Airfield and provide a range of other employment opportunities to enable companies to both expand and locate within the Borough, including locally important clusters, whilst maintaining and improving workforce skills and maintaining low levels of unemployment. In addition strategic objective SO5 is to: ensure development provides timely and appropriate transport infrastructure to support the needs of development, and provide public transport and quality pedestrian and cycle links to reduce dependence on the car.
- 6.5 The SLEP: Solent Strategic Economic Plan (2014-20) identifies the objectives and strategic priorities of the SLEP. Table 3 of the Plan states that transformational action is required which will provide a new alternative route to the Gosport peninsula to relieve the extreme congestion of the existing main road link from the motorway, to include the provision of a bypass for Stubbington. Annex 2 to the Plan states that previous Planning for Urban South Hampshire (PUSH) and Transport for South Hampshire and Isle of Wight (TfSHIoW) studies have concluded that the future prospects of the Solent economy are limited by traffic congestion across the region with many roads already at or about to reach their capacity consequently discouraging investment.

- 6.6 Annex 3 of the SLEP Plan states that new and improved routes from the Gosport peninsula will provide the necessary uplift in the existing transport network required to encourage investment into the Solent Enterprise Zone. One of two such components is the provision of a bypass for Stubbington.
- 6.7 Policy CS5: Transport Strategy & Infrastructure of the FLP: Part 1 states that the Fareham Borough Council will work with the Local Highway Authority and transport operators to promote, permit and develop a high quality and sustainable integrated transport system for the Borough. Part 3 states that proposals which provide necessary appropriate transport infrastructure and that are designed and implemented to prioritise and encourage safe and reliable journeys by walking, cycling and public transport are to be permitted.
- 6.8 Policy CS12: Daedalus Airfield Strategic Development Allocation (SDA) of the FLP: Part 1 allocates Daedalus Airfield (adjacent to the south of Gosport Road) as a Strategic Development Area for employment (Solent Enterprise Zone). Paragraph 5.56 states that the key objective for the site is to provide local employment opportunities while ensuring access arrangements do not cause significant adverse impact on the settlement of Stubbington.
- 6.9 Paragraph 8.2 of the PUSH South Hampshire Strategy: A framework to guide sustainable development and change to 2026 (October 2012) states that transport delays impact on individuals and businesses, and could deter some businesses from expanding or locating within South Hampshire, in turn affecting the prospects of economic and employment growth.
- 6.10 The Gosport Borough Local Plan (2011-2029) (GLP) sets out the development strategy for Gosport and statutory policies to guide future development. The Plan is not yet adopted but has completed its examination and modifications stage with the Borough in possession of the Inspectors Report and pending a decision on the adoption of the Plan. Though not technically constituting a material consideration in the determination of this application the Plan sets out a number of key objectives and it is considered that the bypass proposal is relevant to these: Objective 3: To regenerate the Solent Enterprise Zone at Daedalus, and 14: To help facilitate improvements to the Borough's transport infrastructure including public transport proposals, as well as improvements to the highway network and pedestrian and cycling routes.
- 6.11 Policy LP21: Improving Transport Infrastructure of the GLP states that the Borough Council will promote and provide a transport system that supports development within the Borough and enables sustainable economic growth. The supporting text to the policy states that there is a need to improve strategic highway access to address journey time reliability, to support growth within the Borough and to enable proposed local employment sites to compete with other sites within South Hampshire. The text states that it is desirable to provide a bypass to Stubbington Village and improve the western access.

- 6.12 The Solent Transport Joint Committee - Transport Delivery Plan (2012 – 2026) states that there is a need for transport intervention to support sustainable economic growth and that in the absence of transport intervention, transport will act as a constraint on sustainable economic growth.
- 6.13 The Local Transport Plan 3 – Joint Strategy for South Hampshire – Hampshire County Council, Portsmouth City Council, Southampton City Council, TfSHIoW (2011) contains the following policies which the bypass is considered to accord with:
- Policy A: To develop transport improvements that support sustainable economic growth;
 - Policy C: To optimise the capacity of the highway network and improve journey time reliability for all modes;
 - Policy D: To achieve and sustain a high-quality, resilient and well-maintained highway network for all;
 - Policy E: To deliver improvements in air quality;
 - Policy H: To promote active travel modes and develop supporting infrastructure; and
 - Policy N: To safeguard and enable the future delivery of transport improvements within the South Hampshire area.
- 6.14 The proposed scheme is considered to comply with and be supported by the above policies and supporting text as it shall result in a reduction in traffic congestion on highway routes to and from the Gosport peninsula consequently facilitating the support of economic development and regeneration within the sub-region. The scheme is to include provision for pedestrian and cycle links to promote sustainable active travel modes and shall also result in an increase in reliability of public transport in the area.
- 6.15 The principal of the development of the bypass is established by the FLP: Part 2 and as such the proposal is considered to be in accordance with the Development Plan.

Economic Impacts

- 6.16 Information provided with the assessment asserts that the proposal will trigger significant wider economic benefits for the surrounding area, helping to accommodate transport movements from key strategic sites at the Solent Enterprise Zone and the Welborne Strategic Development Area as well as benefits for Gosport peninsula and centres of employment at key business parks. The applicant states that the improvement of a key route between the Solent Enterprise Zone/Gosport peninsula and the strategic network would ensure this area remains an attractive proposition for businesses and will help to safeguard jobs.
- 6.17 The application states that the proposal would have the following economic benefits:

- Increased capacity and improved journey time reliability on a key route to/from the Gosport peninsula and the wider strategic network would improve access to growth sites. It will also have beneficial impacts on other parts of the network due to the re-assignment of traffic to the bypass resulting in a positive impact on the network and its ability to accommodate growth and attract inward investment;
- Businesses (existing / prospective) on the peninsula will benefit from changes in travel conditions on the primary western access route, such as costs of access to customers and costs of access to supplies. This is particularly the case due to improved access to the wider strategic network, including the M27 (Junction 9);
- Businesses will have access to a larger pool of labour; and
- Workers will have access to a wider range of jobs and the improved access provided by the scheme will increase the ability of people living outside the regeneration areas to access jobs within the regeneration areas. Although there is a focus on attracting inward investment that creates jobs which are filled by local people (and hence contributes to reducing out-commuting), there is still likely to be a need for some specialist roles to be filled from further afield and the ability of the area to have access to a larger labour pool will be a more attractive proposition for businesses considering whether to invest in the area.

6.18 Comments made in relation to the planning application raise concerns regarding the impact on local businesses during the construction phase and these are noted. It is acknowledged that the proposal may have potential to cause some negative impacts on local businesses during the construction phase potentially as a result of disruption caused by planned diversions and construction traffic. However it is also possible that the scheme workforce would contribute to the local economy during that period as a result of demand for accommodation, daily sustenance and recreation/leisure spending in the local area.

Noise & Vibration

6.19 Through the adoption of best practice and mitigation measures noise effects during construction are expected to be negligible; though it is acknowledged that there is likely to be periods where there will be an increase both noise and vibration which will impact on residents in closest proximity to the works.

6.20 The majority of properties will experience a negligible change in noise levels as a result of the scheme. In the short-term (upon opening) 47 properties are predicted to experience a significant increase in noise levels as a result of the scheme and in the long-term (at year 15 of operation) this will reduce to two as a result of sensitivity to noise reducing over time.

6.21 A number of properties will also experience a benefit as a result of the scheme due to the redistribution of traffic flows in the area.

- 6.22 The new road is to be surfaced with Hot Rolled Asphalt (HRA). Comments have been made regarding the use of low-noise road surfacing as part of the scheme. Road noise is comprised of engine noise and tyre noise, at low traffic speeds engine noise is the main contributor and at high speed tyre noise is. The Design Manual for Roads and Bridges (DMRB) states that where the calculated average speed of a new road would be less than 47 miles per hour, a low-noise surface type would only achieve a very minor reduction in noise levels. As the average traffic speed on the new bypass (and sections of Gosport Road and Titchfield Road) will be less than 47 miles per hour, the potential reduction in noise levels provided by low-noise surfacing would be imperceptible and therefore does not form part of the scheme.
- 6.23 The Environmental Health Officer has raised no objection in respect of the impact of noise and vibration subject to recommended conditions being attached to any planning consent. The impact of noise is expected to be most significant in the currently isolated locations along the planned route as a result of the lower existing background noise levels. Although it is not anticipated, should increases in noise as a result of the proposal exceed 68dB, specific dwellings may be liable for noise insulation and/or compensation under the Noise Insulation Regulations 1975 and Part 1 of the Land Compensation Act 1973. Further information on these can be found in integral Appendix D of this report.

Landscape

- 6.24 The impact of the proposed scheme on landscape is considered to be larger during the construction phase, due to the additional noise and visual intrusion of working machinery, plant and vegetation removal. The change in the overall character and setting of the proposed scheme location will result in a likely negative impact.
- 6.25 The Arboricultural Assessment identifies that a total of 55 individual trees, 24 tree groups and 12 hedgerows will be lost as a result of the scheme. None of these are Category A specimens.
- 6.26 Measures to reduce the construction and operation impact will include the protection of trees to appropriate standards, tidy site management to reduce visual clutter associated with building works, retention of trees, additional tree and shrub planting, landscape bunds, traffic management and the implementation of a site specific Construction Environmental Management Plan (CEMP).
- 6.27 The most notable long-term impacts are predicted to be:
- Impact on the character and setting of the Fareham/Stubbington Gap; and
 - A change in character of the view from properties along the northern edge of Stubbington.

6.28 The site lies within the Meon Strategic Gap. Policy CS22: Development in Strategic Gaps of the FLP: Part 1 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. However, the ES concludes that notwithstanding the construction of the proposed scheme, the Strategic Gap will retain a good degree of openness. Varied planting shall allow views across the highway and as the route would not be lit the openness of the Strategic Gap will not be interrupted by lighting columns and associated glare or spill. The ES concludes that the proposal will not introduce any uncharacteristic elements into the landscape as highways are a feature present in the open coastal plain character area. The proposal is therefore considered not to significantly affect the integrity of the Strategic Gap or the physical and visual separation of settlements. It is therefore considered to be in accordance with Policy CS22 of the FLP: Part 1.

Design

6.29 The applicant asserts that the iterative design process associated with the project sought to identify a corridor that minimised the impact upon known areas of constraint. In respect of this consideration is stated as having been given to:

- Residential and other property boundaries;
- The Peel Common Wastewater Treatment Works;
- The Newlands Farm and fishing lakes complex;
- The need to place a route sensitively in the vicinity of the Crofton Stream tributary and Oxleys coppice;
- The need to minimise the impact on Hollam Nurseries, on the east side of Titchfield Road; and
- The need to provide junctions at either end of the bypass on Gosport Road and Titchfield Road, which can only tie in at certain fixed locations.

6.30 Critical factors which were investigated from a design perspective are stated to have included:

- The design speed of the route and the associated need to reduce the severity of the bends in order to provide a higher design speed (making the route more attractive to traffic);
- The need to provide adequate drainage;
- The need to minimise the diversion of statutory undertaker's plant; and
- The assessment of relative scheme costs for the different options.

6.31 As such the proposal is considered to have been respectful and mindful of key characteristics of the area including heritage assets, landscape, scale, form and spaciousness and is therefore considered to comply with Policy CS17 (High-quality design) of the FLP: Part 1.

Highways

- 6.32 The application is accompanied by a Transport Assessment (TA) which states that traffic flows in the area are high and that several of the local junctions currently experience traffic capacity issues in either or both of the AM and PM peak periods, including in central Stubbington. Future year modelling demonstrates that a significant volume of traffic would be forecast to use the new bypass, with a resultant decrease in traffic flow on a number of local roads.
- 6.33 The TA concludes that the bypass would help to alleviate existing traffic problems in Stubbington as it would provide an alternative route resulting in more reliable journey times for all. A subsequent increase in traffic flow would be forecast on Titchfield Road north of Stubbington, Gosport Road east of Stubbington, Rowner Road, Broom Way, and the A27 west of Titchfield Road.
- 6.34 Following completion of the bypass and associated junction improvement works, all assessed junctions would operate within capacity in both the AM and PM peak periods. Pedestrian and cyclist amenity would be enhanced as a result of the scheme due to the reduction in traffic flows through Stubbington village and the new shared-use footway/cycleway to be provided as part of the scheme. Over the longer term there are expected to be improvements to bus journey times on services that route through Stubbington, due to less traffic passing through the village.
- 6.35 Uncontrolled pedestrian crossings will be provided at all locations where an existing PRow or public highway crosses the route of the Bypass and these crossings will have a central refuge island, dropped kerbs and tactile paving. In addition off road measures have been designed to provide an alternative route for horses in the area of land between the proposed bypass and Newgate Lane, along with a horse crossing with safety coral areas at Ranvilles Lane. These routes and their inclusion have been the result of consultation with The British Horse Society. The new route would maintain appropriate field access at locations along the alignment to ensure that access to private land is not materially affected.
- 6.36 Comments have been received regarding the displacement of traffic congestion to other areas as a result of the scheme and these are noted. However, the bypass scheme forms one component of a wider package of planned access improvements in the Gosport and Fareham area. The implementation of the wider package will help reduce overall congestion rather than simply redistribute it to different locations.
- 6.37 Concerns have also been raised regarding the priority afforded to arms at proposed junctions to ensure that local traffic is not unfairly treated. Modelling work submitted by the applicant indicates that greater volumes of traffic would use the Bypass than the local routes and therefore the bypass has been designed to have priority in order to make it a more attractive route to through traffic and therefore encourage trip transfer away from residential areas and Stubbington Village. The majority of junctions along the route will

be signalised which will mean that local traffic will still be able to route through junctions without excessive delay.

- 6.38 The Highway Authority raises no objection to the proposal and considers that the proposed scheme will meet the aim of the wider Transport Strategy. The proposal is considered to comply with Policy CS5: Transport Strategy and Infrastructure of the FLP: Part 1.

Ecology

- 6.39 During the construction phase effects upon statutory and non-statutory designated sites are predicted to be negligible. Undesignated habitat will be lost to the proposed scheme and this will result in a temporary negative effect at a District scale for the duration of the construction phase, until landscaping is operational on completion. Similarly, temporary negative effects at a site level upon amphibians, badgers, bats, reptiles, invertebrates and Species of Principal Importance species (hedgehog and harvest mouse) and at a local level upon breeding birds and water vole are anticipated as a consequence of the proposed scheme, these are primarily due to habitat loss and fragmentation. These impacts will be compensated for through new landscaping once the proposed scheme is operational and therefore will be temporary effects limited to the duration of construction.
- 6.40 Due to the creation of replacement habitat along the road verge and replacement of more ecologically valuable areas such as the woodland on the Peel Common Waste Water Treatment Works bund it is anticipated that landscape scale connectivity of habitats will increase once the proposed scheme is operational. Therefore, a positive effect at a Local scale is anticipated in respect of this. During the operational phase new landscaping will become functional, compensating for the majority of construction phase effects upon protected species (amphibians, badgers, wintering birds, invertebrates, reptiles and water voles). Impacts on protected species are anticipated to be negligible.
- 6.41 The proposed route will not be lit except for locations where lighting is present on existing roads. As such, lighting will not contribute to the expected fragmentation and loss of habitat associated with the proposal. A detailed landscape strategy has been devised which is expected to result in a positive residual effect in respect of habitats at a local level. The new planting will provide a connected corridor of ecologically valuable habitats such as wet swales which are of benefit to foraging and commuting bats through the landscape. Overall, a positive long term effect at site level will result.
- 6.42 The County Ecologist and Natural England raised no objection in relation to nature conservation impacts, subject to recommended conditions being attached to any planning consent. Both consultees consider that the development is unlikely to result in significant effects on European sites and as such screened the proposal out from further stages of assessment under the Conservation of Habitats and Species Regulations 2010.

- 6.43 The County Ecologist is satisfied on the basis of the information submitted that the development would not be unlikely to be granted a European Protected Species (EPS) license from Natural England. In respect to this it is considered that the operation would be deemed to be for overriding social and economic reasons that are in the public interest and that there is no satisfactory alternative therefore the proposal would not be in conflict with the Conservation of Habitats and Species Regulations 2010.
- 6.44 Adverse impacts have been minimised where possible and provision made for mitigation and it is considered that any negative impacts associated with the proposal are outweighed by the need for, and benefits of, the development. As such the proposal is considered to comply with Policy CS4: Green Infrastructure, Biodiversity and Geological Conservation of the FLP: Part 1 and Policy DSP13: Nature Conservation of the FLP: Part 2.

Air Quality

- 6.45 Through good site practice and the implementation of suitable mitigation measures the residual impacts of the construction phase on air quality would be negligible.
- 6.46 The ES concludes that during operation, the proposed scheme will have a slightly beneficial impact on air quality overall, due largely to the reduction in traffic flows through residential areas in Stubbington and southern Fareham. The scheme would cause both increases and decreases in Nitrogen Dioxide (NO₂) and Particulate Matter up to 10 micrometers in size (PM₁₀) which is attributable to the nature of the scheme which will not generate any additional traffic, but will cause a redistribution of existing traffic on the local road network.
- 6.47 Overall the proposed scheme is not predicted to have an adverse effect on air quality (and results in improvements in air quality in a number of areas) nor result in any new exceedances of the Air Quality Standard (AQS) objectives for NO₂ or PM₁₀.
- 6.48 The Environmental Health Officer has raised no objection in relation to air quality impacts subject to recommended mitigation measures being applied. The proposal is therefore considered to comply with Policy DSP2 (Environmental Impact) of the Fareham Borough Council Local Plan Part 2 - Development Sites & Policies (2015).

Water Environment & Drainage

- 6.49 The drainage strategy for the scheme has been designed in order that the development does not result in an increase in surface water flood risk. The scheme aims to ensure that discharge rates do not exceed the existing situation and that the water quality in receiving water courses will not be adversely affected. Sustainable Drainage Systems (SuDS) have been designed into the proposed scheme. The SuDS will process runoff pollutants, such as oils, fuels or chemicals and will have impermeable layers, which pollutants will not be able to pass through. Surface run-off shall be

channelled by a combination of ditches and swales to detention basins where the flow shall be released into existing watercourses at the current Greenfield rate. In order to comply with Environment Agency requirements sufficient capacity is to be provided to detain a 100 year plus 30% climate change storm and restrict release of this to the current Greenfield run-off rate.

- 6.50 The ES concludes that the proposed scheme is not expected to cause an environmental or ecological risk to the sensitive receiving waters, nearby designated areas or other water courses in the area. There is predicted to be a neutral effect on surface water flood flows and groundwater flood flow as a result of the scheme and a negligible effect on flood flows in the Crofton Stream, River Meon and River Alver catchments.
- 6.51 The proposed alignment of the bypass does not lie within any areas of land designated as within Flood Risk Zone 2 or 3 (land at risk of flooding from rivers or the sea) although it is covered by a Groundwater Vulnerability Zone. The Environment Agency, the Lead Local Flood Authority and the County Ecologist have raised no objection in relation to flood risk, surface water management or impact on the water environment, subject to conditions. As such the proposal is considered to provide for the satisfactory disposal of surface water and is therefore in accordance with Policy DSP2: Environmental Impact of the FLP: Part 2.

Agricultural Land

- 6.52 The construction and operation of the development will require approximately:
- 1 hectare of Grade 2 (high sensitivity) agricultural land;
 - 3.4 hectare of Subgrade 3a (medium sensitivity) agricultural land; and
 - 18.8 hectare of Subgrade 3b (low sensitivity) agricultural land classified.
- 6.53 While the Grade 2 and Subgrade 3a agricultural land fall in the NPPF definition of 'Best and Most Versatile' (BMV) agricultural land (i.e. Agricultural Land Classification Grades 1, 2 and 3a), the amount of land required is of a low magnitude and the significance of the residual effect is therefore considered to be negligible and minor adverse at a national level.
- 6.54 The amount of Subgrade 3b agricultural land required to construct and operate the proposed development is of low magnitude and, because it falls outside of the BMV category, the significance of this land loss is assessed as being negligible at a national level.
- 6.55 The fragmentation of land within agricultural holdings has been assessed within the ES. The conclusions of which are that due to the amount of land required to construct and operate the bypass the proposed development would have a substantial/moderate adverse effect on one agricultural holding, a minor adverse residual effect on two agricultural holdings and a negligible effect on a fourth.

- 6.56 The Local Planning Authority has taken into account the economic and other benefits of the BMV land in accordance with paragraph 112 of the NPPF. The alignment of the proposed route is the result of an iterative design process which has sought to avoid and mitigate impacts associated with the development. It is regrettable that implementation of the scheme will result in the loss of or fragmentation of the agricultural land identified above.

Cultural Heritage & Historic Assets

- 6.57 During construction of the proposed scheme appropriate measures will be implemented to reduce any potential negative impact on any buried remains/surface archaeological deposits. However, there would be likely to be a small negative impact. The mitigation measures include further targeted archaeological works to be agreed with HCC through a Written Scheme of Investigation.
- 6.58 The assessment determined that the setting of a number of designated and non-designated heritage assets would be directly affected by the proposed scheme. The setting of designated and non-designated heritage assets with direct/partial views of the site can be affected by visual, acoustic and artificial lighting intrusion.
- 6.59 Assets affected would include Foxbury Cottages, Foxbury Farmhouse Grade II Listed Building, Carriston Cottage Grade II Listed Building, Hollam House Grade II Listed Building and West Meon Girls School Grade II Listed Building.
- 6.60 The County Archaeologist raised no objection to the proposal. Therefore, subject to conditions, it is considered that there would not be substantial harm to designated and non-designated assets. In accordance with paragraph 134 of the NPPF, where a proposal would lead to a less than substantial harm to the significance of an asset this harm should be weighed against the public benefits of the proposal. In light of this it is considered that though some harm to assets would result from the delivery of the scheme, the benefits of the proposal as outlined above would outweigh this impact. The proposal is therefore considered to be in accordance with paragraph 134 of the NPPF. The proposal is considered to comply with Policy CS5: Transport Strategy and Infrastructure of the FLP: Part 1

Geology, Soils & Land Contamination

- 6.61 Proposed scheme workers and local residents may experience a small negative impact from exposure to contamination and contamination dust.
- 6.62 The issue of geotechnical stability in relation to 'sinkholes' has been raised and this is noted, there are areas of Hampshire where the geology makes the possibility of sinkholes likely, however Stubbington is not an area where this is so. The presence of sinkholes can usually be detected by reference to historical maps, geological maps, specialist publications and local knowledge. The proposed bypass was desk studied and walked over and no features were noted on historic maps or on the ground which merited further investigation.

- 6.63 The Environmental Health officer raised no objection to the proposal subject to conditions regarding contaminated land and un-exploded ordnance. In light of this the proposal is considered to be in accordance with Policy DSP2: Environmental Impact of the FLP: Part 2.

Materials

- 6.64 Primary construction materials for the bypass will include recycled construction material within the capping and lower pavement construction levels including the footway. Existing topsoil will be stripped and carefully stored for reuse. Any surplus topsoil will be removed from the site.
- 6.65 The excavation and construction works associated the proposed scheme will result in waste arisings and the need to dispose of material to landfill. The volume of waste generated can be minimised by adhering to a Waste Management Plan (WMP). The WMP will form part of the CEMP. The ES concludes that the residual effect of waste arisings during the excavation and construction works will be of up to minor negative significance.
- 6.66 By reducing waste during the construction through design and material selection, reducing and re-using waste on-site and maximising the reduction in the use of resources and energy the proposal is considered to comply with Policy CS15: Sustainable Development & Climate Change and Policy CS16: Natural Resources and Renewable Energy of the FLP: Part 1.

7. Summary

- 7.1 It is considered that the proposal would be in accordance with the Fareham Borough Local Plan Part 1 (2011) & Part 2 (2015). The development would result in a reduction in traffic congestion on highway routes to and from the Gosport peninsula supporting economic development and regeneration within the sub-region and would contribute to the development of a high quality and sustainable integrated transport system for the Borough. It would not significantly affect the integrity of the Meon Strategic Gap, result in significant impacts on flora and fauna, substantially affect any historic or cultural assets or result in an increased flood risk and would be acceptable in terms of highway safety. The proposal would however result in a significant increase in noise levels at properties 47 in the short-term and two properties in the long-term.

8. Recommendation

- 8.1 That planning permission in respect of Construction of a bypass for Stubbington, providing a connection from Titchfield Road to Gosport Road together with associated improvements/enabling works to Titchfield Road, and Gosport Road and new/improved junctions at Titchfield Gyratory, Bridge Street, Peel Common Roundabout & Peak Lane, at Titchfield Road/Gosport

Road, Stubbington Hampshire (Application No. P/15/0718/CC) (Site Ref: FAH006) be approved for the above reasons, subject to the conditions listed in integral Appendix B.

Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendix B – Conditions

Integral Appendix C – Development plan policies relevant to the proposal

Integral Appendix D – Relevant Legislation

Integral Appendix E – Location Plan

RefRpt/6996/RS

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	N/A
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	N/A
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	N/A
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	
The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council exercising its powers under Regulation 3 of the Town and County Planning General Regulations 1992.	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

P/15/0718/CC - Construction of a bypass for Stubbington, providing a connection from Titchfield Road to Gosport Road together with associated improvements/enabling works to Titchfield Road, and Gosport Road and new/improved junctions at Titchfield Gyratory, Bridge Street, Peel Common Roundabout & Peak Lane

Elizabeth II Court
Sussex Street
Winchester
SO23 8UD

SCO/2014/0417: Scoping Report -
Stubbington Bypass and Newgate Lane
southern section

Elizabeth II Court
Sussex Street
Winchester
SO23 8UD

CONDITIONS

Time Limits

1. The development hereby permitted shall be begun before the expiration of five years from the date on which this planning permission was granted.

Reason: To comply with Section 91(as amended) of the Town and Country Planning Act 1990.

Plans and Particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

Hours of Working

3. The hours of work shall be limited to 08:00 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on a Saturday with no works on a Sunday or a public holiday and with night works only be permitted following the advance agreement of the Local Planning Authority.

Reason: In the interests of public amenity and to ensure the development is in accordance with Policy DSP2 of the Fareham Borough Council Local Plan Part 2 (2015).

Construction Impacts

4. No development hereby permitted shall commence until a revised Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall:
 - (i) Be amended to include the points listed in paragraph 6.6.13 and any other relevant content of the Environmental Statement;
 - (ii) Set out the measures that will be implemented to avoid and minimise impacts to adjacent habitats, species and designated sites including pollution prevention measures, lighting controls, avoidance of encroachment of machinery and materials;
 - (iii) Contain a Waste Management Plan which shall set out details of how waste can be minimised during the construction through design and material selection, reducing and re-using waste on-site and maximising the reduction in the use of resources;

(iv) Detail the lighting strategy to be used during construction and operation of the development.

The details shall be in accordance with the outline Construction Environmental Management Plan (WSP, June 2015). The development shall be subsequently implemented in accordance with the approved details.

Reason: To protect the amenity of nearby properties, to avoid impacts to features of ecological interest and to ensure the development is in accordance with Policies DSP2 and DSP13 of the Fareham Borough Council Local Plan Part 2 (2015) and Policy CS4, CS15 and CS16 of the Fareham Borough Council Local Plan: Part 1 (2011).

Highways

5. No development hereby permitted shall commence until a Construction Traffic Management Plan (to include details on the daily and total number and size of lorries accessing the site, the turning of delivery vehicles and lorry routing as well as provisions for removing mud from vehicles) and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interests of highway safety.

Noise

6. The acoustic barriers as proposed in Table 6.32 and paragraph 6.7.43 of the Environmental Statement shall be built prior to the operation of the development hereby approved and maintained as described for the duration of the development.

Reason: To reduce disturbance to nearby residents from road traffic noise and to ensure the development is in accordance with Policy DSP2 of the Fareham Borough Council Local Plan Part 2 (2015).

7. Within three months of the development coming into operation, noise monitoring shall be undertaken to compare the effects of the development with the predicted impacts within the Environmental Statement. The scope and duration of the monitoring shall be agreed in writing with the Local Planning Authority prior to implementation and the results of the monitoring shall be submitted to the Local Planning Authority.

Reason: In the interests of public amenity and to ensure the development is in accordance with Policy DSP2 of the Fareham Borough Council Local Plan Part 2 (2015).

Nature Conservation

8. A Habitat Management Plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The Plan shall include:
- (i) Description and evaluation of the features to be managed as detailed on Planting Plans 1-15 (HCC, April 2015);
 - (ii) Ecological trends and constraints on site that may influence management;
 - (iii) Aims and objectives of management;
 - (iv) Appropriate management options for achieving aims and objectives;
 - (v) Prescriptions for management actions;
 - (vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
 - (vii) Personnel responsible for implementation of the plan;
 - (viii) Monitoring and remedial / contingencies measures triggered by monitoring.

The plan shall be implemented as approved.

Reason: To avoid impacts to features of ecological interest and to ensure the development is in accordance with Policy DSP13 of the Fareham Borough Council Local Plan Part 2 (2015) and Policy CS4 of the Fareham Borough Local Plan: Part 1 (2011).

9. Prior to commencement a detailed Reptile Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented. The Strategy shall be in accordance with the measures outlined in section 9.6.65 of the Environmental Statement Volume 1 (WSP, June 2015), Figure 9.5 (WSP, June 2015) and Appendix 9.10 and shall set out full details of mitigation including timings and schedule, methodology, locations of proposed fencing, details of pre-translocation works to the Crofton Ditch receptor area, and its on-going management.

Reason: To avoid harm to reptiles and to ensure the development is in accordance with Policy DSP13 of the Fareham Borough Council Local Plan Part 2 (2015) and Policy CS4 of the Fareham Borough Local Plan: Part 1 (2011).

10. Prior to the commencement of development, a detailed Badger Mitigation Strategy informed by any necessary updating surveys shall be submitted to and approved in writing by the LPA and thereafter implemented. The Strategy shall be in accordance with the measures outlined in section 9.6.106 of the Environmental Statement Volume 1 (WSP, June 2015) and shall set out full details of mitigation including timings and schedule, methodology, locations and specifications of proposed badger tunnels and badger proof fencing.

Reason: to avoid impacts to badgers and to ensure the development is in accordance with Policy DSP13 of the Fareham Borough Council Local Plan Part 2 (2015) and Policy CS4 of the Fareham Borough Local Plan: Part 1 (2011).

11. The measures as detailed in section 9.6.38 of the Environmental Statement Volume 1 (WSP, June 2015) and Appendix 9.5b shall be implemented in full, unless varied by a European Protected Species (EPS) license subsequently issued by Natural England. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: to ensure the favourable conservation status of bats and to ensure the development is in accordance with Policy DSP13 of the Fareham Borough Council Local Plan Part 2 (2015) and Policy CS4 of the Fareham Borough Local Plan: Part 1 (2011).

12. No development shall take place until a Plan detailing the protection and/or mitigation of damage to populations of water vole and its associated habitat during construction works and once the development is complete has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be based on the measures as detailed in sections 9.6.69, 9.6.131, 9.6.132 of the Environmental Statement Volume 1 (WSP, June 2015), Appendix 9.11 and Drawing EC/RJ504603/01/1607 (Water vole mitigation works, HCC, July 2015). The water vole protection plan shall be carried out in accordance with a timetable for implementation as approved and compensation measures permanently maintained and retained in accordance with the approved details.

Reason: To protect the water vole and its habitat within and adjacent to the development site

13. Clearance of any tree/scrub/shrub/hedgerow vegetation or demolition of buildings shall only take place between September and February (inclusive). If this is not possible then pre-clearance site checks shall be undertaken to ensure that no active nests are present. Work shall cease in any areas where occupied nests are identified and an exclusion zone of 5 m shall be maintained around such nests, until such time as those nests become unoccupied of their own accord.

Reason: to avoid impacts to nesting birds and to ensure the development is in accordance with Policy DSP13 of the Fareham Borough Council Local Plan Part 2 (2015) and Policy CS4 of the Fareham Borough Local Plan: Part 1 (2011).

Contaminated Land

14. The development shall be carried out in accordance with the UXO mitigation measures as recommended in the 1st Line Defence Detailed Unexploded Ordnance Threat Assessment Report, ref 1979JB00 24

October 2014 and any recommendations that come out of the shallow intrusive works and Magnetometer Survey.

Reason: To prevent injury and disturbance to both construction workers and flora and fauna during the construction of the development and to ensure that the development shall not be at risk from such devices for the duration of its operation.

15. Prior to the commencement of development, the following items shall be submitted in writing to the Local Planning Authority:

- (i) An Intrusive Site Investigation and risk assessment of the results of soil/ groundwater samples taking into account people, environment, controlled waters, services;
- (ii) Where required, a strategy of Remedial Measures to address the identified risks;
- (iii) Materials Management Plan for reuse of soil/ materials.

Reason: To ensure the remediation of contaminated land encountered during construction of the development and to ensure the development is in accordance with Policy DSP2 of the Fareham Local Plan: Part 2 (2015).

16. Prior to completion of the development:

(i) The agreed scheme of Remedial Measures and Material Management Plan shall be implemented as agreed and verified in writing by an independent competent person, the written confirmation shall be provided to the Local Planning Authority;

(ii) Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the Local Planning Authority. The remediation shall be fully implemented and validated in writing by an independent competent person as agreed with the Local Planning Authority;

Reason: To ensure the remediation of contaminated land encountered during construction of the development and to ensure the development is in accordance with Policy DSP2 of the Fareham Local Plan: Part 2 (2015).

Landscaping

17. The development shall be carried out in accordance with the Arboricultural Impact Assessment & Tree Protection Plan and Arboricultural Method Statement (dated 12th March 2015) and submitted with the application.

Reason: To protect existing trees which are to be retained during construction and to ensure the development is in accordance with Policy CS4 of the Fareham Local Plan: Part 1 (2011).

18. Prior to the commencement of development a Landscape Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Plan shall specify the phasing and timescales for carrying out of landscaping works, and provision for future maintenance. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

Reason: In the interests of visual amenity and landscape character of the area and to ensure the development is in accordance with Policy CS22 of the Fareham Local Plan: Part 1 (2011).

Water Environment

19. Prior to the commencement of development detailed design information of drainage structures to be constructed as part of the development shall be submitted to the Local Planning Authority for approval in writing. The details shall be implemented as approved for the duration of the development.

Reason: To ensure the development does not result in an increase in flood risk and to ensure the development is in accordance with Policy DSP2 of the Fareham Local Plan: Part 2 (2015).

20. Prior to completion of the development, information regarding the management of Sustainable Drainage Systems (SuDS) for the duration of the development shall be submitted to the Local Planning Authority for approval in writing. The details should at minimum:

- Specify the responsibilities of each party for the implementation of the SuDS Scheme;
- Specify a timetable for implementation;
- Provide a management and maintenance plan for the lifetime of the development.

The details shall be implemented as approved for the duration of the development.

Reason: To ensure that the SuDS function as designed for the duration of the development and to ensure that the development is in accordance with Policy DSP2 of the FLP: Part 2.

Archaeology

21. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

22. No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

23. Following completion of archaeological fieldwork a report shall be produced and submitted to the Local Planning Authority in accordance with a programme to be approved by the Local Planning Authority. The programme shall include where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

24. No development shall commence until a scheme for the retention and protection of the historic wall to Hollam House during construction and operation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the wall is retained and protected during construction of the development.

Rights of Way

25. No builders or contractors vehicles, machinery, equipment, materials or anything associated with the works should be left on or near Public Rights of Way so as to obstruct, hinder or present a hazard to walkers.

Reason: To prevent conflict with existing Public Rights of Way in the vicinity of the development and to ensure the development is in accordance with Policy.

Advisory

1. In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and

Country Planning (Development Management Procedure) (England) Order 2015.

2. There must be no surface alterations to a public right of way, nor any works be carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980.
3. Hampshire County Council, as Highway Authority, is not obliged to provide a surface suitable for the passage of vehicles. It only has a duty to maintain a PROW to a standard commensurate with its expected normal public use.
4. If there is likely to be an effect on the PROW in terms of dust, noise or other obstruction during the period of the works, we suggest that a Health and Safety Risk Assessment be carried out, and that if there is deemed to be a risk to users of the network, the applicant should contact this office directly to discuss the Temporary Closure of the effected Footpath/s for the duration of the works.

Development plan policies relevant to the proposal

The Fareham Borough Local Plan - Part 1: The Adopted Core Strategy (2011)

Policy CS4 Green Infrastructure, Biodiversity and Geological Conservation

Habitats important to the biodiversity of the Borough, including Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, areas of woodland, the coast and trees will be protected in accordance with the following hierarchy of nature conservation designations:

- (i) International - Special Protection Areas (SPA), Special Areas of Conservation (SAC) and RAMSAR;
- (ii) National - Sites of Special Scientific Interest (SSSI) and National Nature Reserves;
- (iii) Local - Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above;
- (iv) Sites of Nature Conservation Value.

Where possible, particularly within the identified Biodiversity Opportunity Areas, sites will be enhanced to contribute to the objectives and targets set out in UK, Regional, County and Local Biodiversity Action Plans. Green Infrastructure networks, which buffer and link established sites, whilst also enabling species to disperse and adapt to climate change will be maintained and enhanced.

Networks of accessible multi-functional Green Infrastructure will be planned around existing green spaces in urban, urban fringe and rural areas and will be appropriate to the extent and distribution of the existing and proposed population.

Development Proposals will be permitted where Green Infrastructure provision in accordance with the Green Infrastructure Strategy has been integrated within the development where this is appropriate. Development proposals will provide for appropriate access to greenspace for informal recreation to avoid adverse impacts from recreation and other impacts on European³¹ and Ramsar sites and on nationally and locally important sites.

Green Infrastructure will be created and safeguarded through: Investing in appropriate management, enhancement and restoration, and the creation of new resources including parks, woodland and trees, and wildlife habitats; Not permitting development that compromises its integrity and therefore that of the overall green infrastructure framework.

In order to prevent adverse effects upon sensitive European sites in and around the Borough, the Council will work with other local authorities (including the Partnership for Urban South Hampshire) to develop and implement a strategic approach to protecting European sites from recreational pressure and development. This will include a suite of mitigation measures, with adequate provision of alternative recreational space for access management measures within and around the European sites and mitigation for impacts on air quality due

to road traffic, supported by developer contributions where appropriate. Development likely to have an individual or cumulative adverse impact will not be permitted unless the necessary mitigation measures have been secured. The Council will, through its Annual Monitoring Report, Local Air Quality Management and ongoing visitor surveys and related activities, scrutinise the effectiveness of the joint strategic approach to avoidance and mitigation of effects on European sites. It will adjust the rate, scale and/or distribution of housing or employment development across the Borough to respond to the findings of new evidence where appropriate, including the Solent Disturbance and Mitigation Project in order to preserve the integrity of European sites. Sites of geological importance will be protected and enhanced.

Policy CS5 – Transport Strategy and Infrastructure

The Council will, where necessary, work with the Local Highways Authority, Highways Agency and transport operators to promote, permit, develop and/or safeguard a high quality and sustainable integrated transport system for the Borough”.

Policy CS12 - Daedalus Airfield Strategic Development Allocation

The Daedalus Airfield is allocated for strategic employment development. Development will be permitted where:

- it is demonstrated that it does not adversely affect the existing or future potential general aviation operation of the airfield;
- it does not unacceptably diminish the integrity and function of the strategic gap between Stubbington/ Lee-on-the-Solent and Fareham/ Gosport;
- it does not adversely affect the integrity of the landscape character of the countryside;
- it can demonstrate that there will be no adverse impacts on European designated sites;
- primary access is from Broom Way (Hangars East) and Gosport Road (Hangars West);
- it does not have an adverse impact on air quality;
- prior consideration is given to the potential extraction of mineral deposits;
- it incorporates the site's heritage where feasible;
- both archaeological and contamination assessments and evaluations are carried out prior to the commencement of development;
- it delivers, or facilitates the delivery of high quality development including:
 - a. employment development that retains and strengthens the marine and aviation employment clusters, particularly those that require direct access to an operational airfield;
 - b. between 10,000 sq.m and 33,000 sq.m of net additional general, or light industrial or warehousing (associated with aerospace or marine) employment floorspace with only ancillary office accommodation, to contribute towards the overall provision set out in Policy CS1;
 - c. the creation of local employment opportunities that take advantage of and develop local skills, including during construction;

- d. open space accessible to residents particularly those of Stubbington and Hill Head;
- e. landscaping and green infrastructure including allotments together with linkages to the existing footpath network and the Alver Valley;
- f. environmental and biodiversity protection and enhancement;
- g. minimising increases in traffic levels and congestion, through sustainable transport arrangements;
- h. a reorganisation and consolidation of existing and new floorspace, including the phased removal of some existing built structures to create an efficient arrangement of buildings and associated activities sympathetic to the landscape and strategic gap, whilst having regard to the specific space and operational requirements of aviation related employment uses;
- i. appropriate utility service provision (water, waste water, energy and communications).

CS15 Sustainable Development and Climate Change

The Borough Council will promote and secure sustainable development by directing development to locations with sustainable transport options, access to local services, where there is a minimum negative impact on the environment or opportunities for environmental enhancement. Development must not prejudice the development of a larger site.

This will be achieved by:

- Ensuring that the scale and density of the proposal makes an efficient use of land. With a minimum of 60dph within areas with high multi-modal transport accessibility and good access to a range of social, environmental and economic infrastructure, taking account of the character of the location.
- Seeking to achieve the following timescale and levels for the Code for Sustainable Homes and the equivalent for non residential development unless it can be demonstrated to be unviable:

All residential development achieves at least the following level of the Code for Sustainable Homes		All multi-residential and non-residential developments with a floor space of over 500 m ² must achieve at least the following BREEAM standards
Until the end of 2011	3	BREEAM 'very good'
from 2012	4	BREEAM 'excellent'
from 2016	6	BREEAM 'excellent'

- Ensuring that there is sufficient capacity available, or will be made available, in existing infrastructure to meet the needs of the new development including adequate land and funding for waste management.
- Avoiding unacceptable levels of flood risk and proactively managing surface water through the promotion of sustainable drainage techniques.

CS16 Natural Resources and Renewable Energy

New development will be expected to safeguard the use of natural resources by:

- Demonstrating the latest best practice for energy efficiency, passive solar design and water conservation in the construction and use of the buildings;
- Taking measures to reduce carbon emissions, pollution and waste during the construction and operation of new developments through orientation, layout, design and material selection;
- Reducing, reusing and recycling waste on-site;
- Preventing the loss of the best and most versatile agricultural land (Grades 1, 2 or 3a of the Natural England Agricultural Land Classifications System);
- Protecting mineral resources from permanent development, without first allowing for extraction, which would lead to the sterilisation of the deposit.

Development (1 dwelling or more and 500m² or more of non-residential floorspace) will be encouraged to contribute to the Fareham target of 12MW of renewable energy by 2020. Major developments (250 dwellings or more or 5,000 sq.m or more of non-residential floorspace) should aim to maximise on-site renewable energy production and resource efficiency. In such cases, the extent of contribution should be demonstrated, taking account of viability. The generation of energy from renewable or low carbon sources will be permitted unless there are judged to be unacceptable social, environmental or economic impacts.

Policy CS17 - High Quality Design

All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to:

- respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials,
- provide continuity of built form, a sense of enclosure with active frontages to the street and safety of the public realm,
- ensure permeable movement patterns and connections to local services, community facilities, jobs and shops,
- create a sense of identity and distinctiveness and one that is legible,
- enable and/or encourage a mix of uses and diversity in an area,
- ensure that the public realm has pedestrian priority⁷⁷, is safe, secure, functional and accessible, and is constructed of quality materials and well maintained,
- enable buildings to provide flexible accommodation, which can be adapted to suit all members of a community throughout their lifetime,
- provide green infrastructure, including landscaping, open spaces, greenways and trees within the public realm, and
- provide appropriate parking for intended uses taking account of the accessibility and context of a development and tackling climate change.

In addition new housing will be required to:

- secure adequate internal and external space, dwelling mix, privacy, and sunlight and daylight to meet the requirements of future occupiers.

Demonstration of adherence to the principles must be set out within design and access statements, and/or where relevant, design codes, briefs, frameworks or masterplans and to include a contextual analysis. Where relevant, a report by a licensed assessor which sets out compliance with the BREEAM and/or Code for Sustainable Homes level operating at the time of any application for planning permission.

New housing should seek to achieve the Lifetime Home standard from 2013. Prior to 2013, the Council will encourage developers to meet the lifetime home standard having regard to the viability of the proposal.

Policy CS21 Protection and Provision of Open Space

The Borough Council will safeguard and enhance existing open spaces and establish networks of Green Infrastructure to add value to their wildlife and recreational functions. Development which would result in the loss of or reduce the recreational value of open space, including public and private playing fields, allotments and informal open space will not be permitted, unless it is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size.

Proposals for new residential development will be permitted provided that, where existing provision is insufficient to provide for the additional population, public open space is provided as follows:

- Parks and Amenity Open Space 1.5 ha / 1,000 population
- Outdoor Sport – 1.2 ha / 1,000 population
- Children's Play Equipment – 14 pieces of equipment per 1,000 1-12 year olds
- Youth Facilities – 1 youth facility/MUGA per settlement area.

In addition to these types of open spaces, where existing provision is insufficient to provide for the additional population, the Borough Council will seek the provision of accessible greenspace which meets the standards set out in the South East Green Infrastructure Framework including Accessible Natural Green Space standards.

Policy CS22 Development in Strategic Gaps

Land within a Strategic Gap will be treated as countryside. Development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements.

Strategic Gaps have been identified between Fareham/Stubbington and Western Wards/Whiteley (the Meon gap); and Stubbington/Lee on the Solent and Fareham/Gosport.

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

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

b) The land to be included within the gap performs an important role in defining the

settlement character of the area and separating settlements at risk of coalescence;

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

The Fareham Borough Local Plan - Part 2: Development Sites and Policies (2015)

Policy DSP2: Environmental Impact

Development proposals should not, individually, or cumulatively, have a significant adverse impact, either on neighbouring development, adjoining land, or the wider environment, by reason of noise, heat, liquids, vibration, light or air pollution (including dust, smoke, fumes or odour).

Development should provide for the satisfactory disposal of surface and waste water, and should not be detrimental to the management and protection of water resources.

Policy DSP13: Nature Conservation

Development may be permitted where it can be demonstrated that;

- i. designated sites and sites of nature conservation value are protected and where appropriate enhanced;
- ii. protected and priority species populations and their associated habitats, breeding areas, foraging areas are protected and, where appropriate, enhanced;
- iii. where appropriate, opportunities to provide a net gain in biodiversity have been explored and biodiversity enhancements incorporated; and
- iv. The proposal would not prejudice or result in the fragmentation of the biodiversity network.

Proposals resulting in detrimental impacts to the above shall only be granted where the planning authority is satisfied that (this section of the policy should not be applied to impacts on SPA designated sites which are subject to stricter protection tests as set out in The Conservation of Species and Habitats Regulations (as amended) 2010);

- i. Impacts are outweighed by the need for, and benefits of, the development; and
- ii. Adverse impacts can be minimised and provision is made for mitigation and, where necessary, compensation for those impacts is provided.

Enhancements that contribute to local habitat restoration and creation initiatives as set out in the Hampshire Biodiversity Action Plan (or other similar relevant document) will be supported.

Policy DSP49: Improvements to the Strategic Road Network

The alignments shown on the Policies Map are safeguarded for the following proposals, which will improve and maintain the effectiveness of the Strategic Road Network:

- a. B3385 Newgate Lane, Palmerston Drive – Tanners Lane ;
- b. B3334 Gosport Road– B3334 Titchfield Road (Stubbington Bypass)

The parcels of land shown on the Policies Map, are safeguarded for the following proposals, which will improve and maintain the effectiveness of the junctions on the Strategic Road Network:

- i. Segensworth Roundabout;
- ii. A27/West Street/Station roundabout and Gudge Heath Lane Junction; and
- iii. Delme Roundabout and A27 approaches.

National Planning Policy Framework (NPPF)

Paragraph 7: There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 12: This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making.

Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

Paragraph 13: The National Planning Policy Framework constitutes guidance⁸ for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

approving development proposals that accord with the development plan without delay; and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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; or

specific policies in this Framework indicate development should be restricted.

Paragraph 17: Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 19: The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 134: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Relevant legislation

The Noise Insulation Regulations 1975 (amended 1988)

The Noise Insulation Regulations (NIR) apply to buildings affected by the construction and use of new, or altered, highways. Buildings which are eligible under the regulations are dwellings or other buildings used for residential purposes, not being more than 300 metres from the nearest point of the carriageway.

Under the provisions contained in the NIR, the appropriate highway authority is under a duty to carry out, or make a grant in respect of the cost of carrying out, insulation works on an eligible building, where the following three conditions are satisfied:

- (i) the combined maximum traffic noise level, i.e. the relevant noise level, from the new or altered highway together with other traffic in the vicinity must not be less than the specified noise level (68 dB(A) L10 (18 hour));
- (ii) the relevant noise level is at least 1.0 dB(A) more than the prevailing noise level, i.e. the total traffic noise level existing before the works to construct or improve the highway were begun;
- (iii) the contribution to the increase in the relevant noise level from the new or altered highway must be at least 1.0 dB(A).

Where one or more of these conditions is not met, therefore, there is no duty to carry out, or make a grant in respect of, insulation works. For eligible properties, the insulation package includes secondary glazing, supplementary ventilation, Venetian blinds and double or insulated doors. Only windows to habitable rooms (e.g. living rooms and bedrooms) would be eligible.

The Land Compensation Act 1973 (Part 1)

provides for an eligible owner of a residential property with a statutory right to claim compensation for the depreciation in value of their property due to 'physical factors' (noise, vibration, smell, fumes, smoke, artificial lighting or discharge onto the property of any solid or liquid substance) caused by the use of a new road, even though no land has been taken. The first date when a claim may be submitted to Hampshire County Council, as Highway Authority is 12 months after the new road is first open to the public.

In certain circumstances, a claim may also be made for a reduction in value of a property caused by the Execution (construction) of a new road i.e. if there is some physical interference with some right to which an owner is entitled.

Further information about the right to claim for compensation where no land is taken can be found in Booklet 4 (see Section 3) entitled 'Compensation to residential owners and occupiers' prepared by the Department for Communities and Local Government – Web Link:

<https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-4-compensation-to-residential-owners-and-occupiers>