

AGENDA
PLANNING COMMITTEE

Date: Wednesday, 16 November 2016

Time: 2.30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors J E Butts
B Bayford
T M Cartwright, MBE
P J Davies
K D Evans
M J Ford, JP
R H Price, JP

Deputies: F Birkett
S Cunningham
L Keeble
Mrs K K Trott



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 13)

To confirm as a correct record the minutes of the Planning Committee meeting held on 12 October 2016.

3. Chairman's Announcements

4. Declarations of Interest

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct.

5. Deputations

To receive any deputations of which notice has been lodged.

6. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 14)

To consider a report by the Director of Planning and Development on development control matters, including information regarding new planning appeals and decisions.

ZONE 1 - WESTERN WARDS

- (1) **P/16/0906/FP - 167-169 SEGENSWORTH ROAD, FAREHAM PO15 5EH**
(Pages 16 - 24)

ZONE 2 - FAREHAM

- (2) **P/16/1047/CC - LAND SOUTH TO FAREHAM WASTE TRANSFER STATION, ENTERPRISE PARK, MILITARY ROAD, FAREHAM** (Pages 26 - 33)
- (3) **P/16/1164/FP - 34 LABURNUM ROAD, FAREHAM PO16 0SL** (Pages 34 - 37)

ZONE 3 - EASTERN WARDS

- (4) **P/14/0033/FP - LAND AT WINDMILL GROVE, PORTCHESTER PO16 9HT**
(Pages 39 - 55)
- (5) **P/15/1060/FP - 21 WEST STREET, PORTCHESTER, FAREHAM PO16 9XB**
(Pages 56 - 62)
- (6) **P/16/0905/FP - FORMER CATHOLIC CHURCH OF OUR LADY OF WALSINGHAM, WHITE HART LANE, PORTCHESTER, FAREHAM PO16 9BS** (Pages 63 - 72)
- (7) **P/16/1153/VC - UNITS 1-4 & 18-19 CASTLE TRADING ESTATE, FAREHAM PO16 9SF** (Pages 73 - 79)

(8) P/16/1162/FP - MCA DAEDALUS AERODROME, BROOM WAY, FAREHAM PO13 9YA (Pages 80 - 87)

(9) Planning Appeals (Pages 88 - 91)

7. Tree Preservation Orders

To consider the confirmation of the following Tree Preservation Order(s), which have been made by officers under delegated powers and to which no formal objections have been received.

Fareham Borough Council 169 Segensworth Road, Titchfield Tree Preservation Order No. 727 2016.

Order served on 2 September for which there were no objections.

It is recommended that Fareham tree Preservation Order No. 727 be confirmed as made and served.

P GRIMWOOD
Chief Executive Officer

Civic Offices
www.fareham.gov.uk
8 November 2016

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
Tel:01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 12 October 2016

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors: B Bayford, J E Butts, T M Cartwright, MBE, P J Davies,
K D Evans, M J Ford, JP and R H Price, JP

Also Present: Councillor S Cunningham (item 6 (2))



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 14 September 2016 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

In accordance with the Standing Orders and the Council's Code of Conduct, the following members declared an interest in the applications referred to:-

Name	Application Number/Site	Minute Number
Councillor Cartwright	P/16/0661/D3 Land Off Spitfire Way Daedalus East Fareham	6 (3)
Councillor Ford, JP	-Ditto-	6 (3)
Councillor Butts	-Ditto-	6 (3)

5. DEPUTATIONS

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No
ZONE 1 – 2.30pm				
Mrs B Clapperton	The Fareham Society	DRIFT HOUSE BROOK AVENUE WARSASH SO31 9HN – DEMOLITION OF EXISTING DWELLING & ERECTION OF REPLACEMENT DWELLING	Opposing	6 (1) P/16/0421/FP Pg 12
The Owner of Hambles Edge	Glynis Osborne Stephan Mason Mr & Mrs Cameron	-Ditto_	Opposing	-Ditto-

Mr R Tutton (Agent)		-Ditto-	Supporting	-Ditto-
ZONE 2 – 2.30pm				
ZONE 3 – 2.30pm				
Mr T Hunt		LAND AT WINDMILL GROVE PORTCHESTER PO16 9HT – ERECTION OF 24 RESIDENTIAL DWELLINGS WITH ASSOCIATED WORKS, ACCESS, PARKING, LANDSCAPING AND OPEN SPACE, FOLLOWING DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES (REVISED APPLICATION)	Opposing	6 (2) P/14/0033/FP Pg 26
Mrs S Fielder		THE OSBORNE VIEW 67 HILL HEAD ROAD HILL HEAD FAREHAM PO14 3JP – EXTENSION TO BASEMENT, EXTERNAL BUILDING ALTERATIONS INCLUDING NEW STAIRCASE AND REPLACEMENT CONSERVATORY, REPLACEMENT WINDOWS AND DOORS, AND IMPROVEMENTS TO EXTERNAL LANDSCAPING	Opposing	6 (4) P/16/0966/FP Pg 50

6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/16/0421/FP - DRIFT HOUSE BROOK AVENUE WARSASH SOUTHAMPTON SO31 9HN

The Committee received the deputations referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:- *Update to condition 2 following receipt of amended site plan and landscaping proposals;*

2. The development shall be carried out in accordance with the following approved documents:

- i) Site Survey – drwg No. 303*
- ii) Location Plan – drwg No. 101 Rev A*
- iii) Proposed Site Plan – drwg No. 200 Rev M*
- iv) Proposed Elevations and Floor Plans – drwg No. 301 Rev C*
- v) Garage Elevations & Floor Plans – drwg No. 302*
- vi) Phase 1 Ecology Report – February 2016*
- vii) Phase 2 Survey Report & Update*
- viii) Japanese Knotweed Management Plan – Remediation Report June 2016*
- ix) Planting Plan Sheet 1 : Beds 1-4*
- x) Planting Plan Sheet 2 : Beds 5-9*
- xi) Planting Plan Sheet 3 : Beds 10-11 Rev A*
- xii) Planting Plan Sheet 4 : Beds 12-13 Rev A*
- xiii) Planting Plan Sheet 5 : Beds 14-16 Rev A*
- xv) Landscape Specification & Management Plan*
- xvi) Plant Schedule 6 October 2016*

A Materials schedule has been received which officers consider to be acceptable. Amend Condition 3 as follows;

3. The development shall be undertaken in accordance with the material schedule received 3 October 2016 unless otherwise first agreed in writing with the local planning authority.

REASON: To secure the satisfactory appearance of the development; in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

Amend condition 4 (Boundary treatment) as follows;

4. The development shall be undertaken in accordance with the scheme for boundary treatment detailed on the approved site plan (No. 200 Rev M). The boundary treatment shall be completed before the dwelling is first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times unless otherwise agreed with the local planning authority in writing.

REASON: In the interests of residential amenity; in the interests of the character and appearance of the area.

An amended detailed landscaping scheme has been received after officers raised concerns that the replacement tree planting on site should be native species. The proposal includes for the planting of 26 replacement native trees along the site boundaries and within the centre of the site. The trees include a mixture of Bird Cherry, Whitebeam, Sweet Gum, Hawthorne, Field Maple, Blackthorn and Wild Cherry. The majority of these trees would be planted at

an initial height of 3-3.5m. In addition proposals have been presented for ornamental low level planting immediately to the front and rear of the dwelling, a wildflower meadow at the western end of the site and native hedgerow planting along the southern boundary close to the river and evergreen shrub planting to provide screening on the boundary with Hamble's Edge. The landscaping scheme is considered acceptable and would accord with the recommendations set out within the applicant's ecology report.

Amend Condition 6 as follows;

The approved landscaping scheme shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping; in the interests of nature conservation.

A motion was proposed and seconded to refuse the application on the size, height, bulk of the property and that it is not in keeping with the local area, was voted on and CARRIED.

(Voting: 6 in favour; 3 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposed development is contrary to Policies CS14 and CS17 of the Adopted Fareham Borough Core Strategy 2011 and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

By virtue of the height, width, resultant bulk and proximity of the proposed dwelling to the site boundaries the proposal would fail to respond positively to and be respectful of the key characteristics of the area including its landscape, scale, form and spaciousness. The proposal would therefore be detrimental to the character of the area particularly when viewed from the River Hamble, the opposite side of the river and the public footpath on the eastern side of the river.

(2) P/14/0033/FP - LAND AT WINDMILL GROVE PORTCHESTER PO16 9HT

The Committee received the deputation referred to in Minute 5 above.

At the invitation of the Chairman, Councillor S Cunningham addressed the Committee on this item.

The Committee's attention was drawn to the Update Report which contained the following information:- *The recommendation is amended as follows:*

Subject to the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:

- a) A financial contribution towards the Solent Recreational Mitigation Project (SRMP);*
- b) Submission of a Public Open Space Management Plan (including details of ongoing management, maintenance, coastal erosion and land contamination management measures);*

PERMISSION subject to the following conditions:

1. The development shall begin before the expiry of a period of three years from the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- a) 18-1946-102 – Site location plan*
- b) 16-2037-001 – Planning Layout Rev G*
- c) 16-2037-003 – Storey Heights Rev B*
- d) 16-2037-004 – External Enclosures Layout Rev D*
- e) 16-2037-005 – External Finishes Layout Rev B*
- f) 16-2037-007 – Bin & Cycle Strategy Rev B*
- g) 16-2037-009 – Enclosure Details Rev C*
- h) 16-2037-008 – Hard Surfacing Layout Rev B*
- i) 16-2037- All House Types Rev E*
- j) 16-2037-010 – Site Sections Rev B*
- k) Noise Impact Assessment – 24 Acoustics January 2014*
- l) Arboricultural Impact Assessment and Method Statement – ACD Arboriculture January 2014*
- m) Reptile Letter Report – WYG July 2016*

REASON: To avoid any doubt over what has been permitted.

3. No development shall take place above damp proof course (dpc) level until details of the external materials and hard surfaced external areas to be used in the development have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a high quality design and appearance to the development.

4. No development shall take place, with the exception of demolition of the existing buildings, until a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained together with species, planting sizes, planting distances, density, numbers and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed, has been submitted to and approved by the local planning authority in writing.

REASON: In order to secure the satisfactory appearance of the development.

5. The landscaping scheme, submitted under Condition 4 above, shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

6. No development shall take place above damp proof course (dpc) level until details of external lighting to be installed have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: In order to secure the satisfactory appearance of the development; to protect the living conditions of residents.

7. No development shall take place, with the exception of demolition of the existing buildings, until details of the internal finished floor levels and external finished ground levels have been submitted to and approved by the local planning authority in writing. The details shall show that the finished floor levels of the residential units will be set no lower than 4.6 metres above Ordnance Datum (AOD) and the levels of the internal access roads set no lower than 4.3 mAOD. The development shall be carried out in accordance with those details.

REASON: To ensure appropriate flood risk mitigation to this development.

8. No development shall take place above damp proof course (dpc) level until the following details have been submitted to and approved by the local planning authority in writing:

a) Details of the design and appearance, including materials to be used in the construction, of the screened bin stores to Plots 11, 14, 15 & 18;

b) Details of the design and appearance, including materials to be used in the construction, of the cycle storey shed for all plots.

The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: In order to secure the satisfactory appearance of the development.

9. No development shall take place, with the exception of the demolition of the existing buildings, until details have been submitted to and approved by the local planning authority in writing in relation to boundary treatment to be erected along or close to the western site boundary adjacent to nos. 76, 78, 88 & 90 Wicor Mill Lane in order to protect the privacy of the occupants of those properties following the rise in site levels. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority. The approved boundary treatment shall thereafter be retained at all times unless otherwise agreed in writing by the local planning authority.

REASON: To protect the privacy of the occupants of neighbouring properties.

10. No development shall take place, with the exception of demolition of the existing buildings, until a scheme of sound attenuation measures to be incorporated into the dwellings on Plots 3, 4, 7, 8, 9, 20, 21, 22, 23 & 24 has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: To protect the living conditions of occupants of the new dwellings.

11. No development shall take place, with the exception of demolition of the existing buildings, until a surface water drainage plan has been submitted to and approved by the local planning authority in writing. The surface and waste water drainage plan shall not propose any infiltration of surface water into the ground unless it can be demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure adequate provision is made for the satisfactory disposal of surface waste water; to prevent mobilisation of contaminants which may be present which could cause pollution of groundwater.

12. No development shall take place, with the exception of the existing buildings, until details of those retaining walls the position of which is shown on the approved site plan have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: In order to secure the satisfactory appearance of the development; to ensure the adequate provision of private garden space.

13. No development shall take place, with the exception of demolition of the existing buildings, until:

a) A desk top study and site walkover of the whole site (including the area of proposed public open space), which investigates the former uses of the site and adjacent land and their potential for contamination, with information on the environmental setting including known geology and hydrogeology, has been submitted to and approved in writing by the local planning authority. This report should develop a conceptual model and identify potential contaminant-pathway-receptor linkages.

b) Should the above study reveal a potential for contamination, an intrusive site investigation and assessment of the risks posed to human health, the building fabric and the wider environment including mater resources shall be submitted to and approved by the local planning authority.

c) Where the site investigation and risk assessment reveals a risk to receptors, a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use shall be submitted to and approved by the local planning authority in writing. The scheme shall also include the nomination of a competent person to oversee the implementation of the measures.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that any contamination of the site is properly taken into account before

14. No development shall take place, with the exception of demolition of the existing buildings, until a scheme of biodiversity enhancements has been submitted to and approved by the local planning authority in writing. The scheme shall include details of the incorporation of bat loft/access tiles into the development and the specification of sensitive external lighting. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To enhance biodiversity.

15. No development shall take place, with the exception of demolition of the existing buildings, until a Construction Traffic Management Plan has been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety.

16. No development shall take place, with the exception of demolition of the existing buildings, until a Site Setup Plan has been submitted to and approved in writing by the local planning authority.

The Site Setup Plan should include the following:

- a) Details of how provision is to be made for the parking of operatives vehicles;*
- b) Details of areas to be used on site for the storage of building materials, plant, excavated materials and huts associated with the implementation of the permitted development;*
- c) Details of measures to be taken to prevent spoil and mud from being deposited on the public highway by vehicles leaving the site during the construction work.*

The development shall be carried out in accordance with the approved details and the areas and facilities approved in pursuance to this condition shall be made available before construction works commence on site (other than construction of the site access) and shall thereafter be kept available at all times during the construction period, unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of highway safety and to ensure that the living conditions of the occupiers of nearby residential properties are protected during the construction period.

17. Before any of the dwellings hereby permitted are first occupied, confirmation that the remedial works required and approved pursuant to condition 13 above have been carried out in accordance with the agreed remedial strategy shall be provided in a report by an independent competent person which shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that any contamination of the site has been properly remediated as agreed.

18. Before any of the dwellings hereby permitted are first occupied the parking spaces shown on the approved site plan (16-2037-001 – Planning Layout Rev G) shall, with the exception of those spaces marked with a “V” on that plan, be provided for use by the occupants of their respective plots as identified on that plan and shall each thereafter be retained for use solely by the occupants of those respective plots at all times unless otherwise agreed in writing by the local planning authority.

REASON: To ensure adequate parking provision.

20. *The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the local planning authority. Any unsuspected contamination shall be investigated to assess the risks to human health and the wider environment and a remediation scheme shall be submitted to and approved by the local planning authority in writing. The approved scheme of remedial works shall be fully implemented before any of the dwellings hereby permitted are first occupied. On completion of the remedial works and prior to the occupation of any properties on the development, confirmation that the works have been completed in full and in accordance with the approved scheme shall be submitted to and approved by the local planning authority in writing.*

REASON: To ensure that, if found, any unsuspected contamination of the site is taken into account and properly remediated.

21. *The development shall be carried out in accordance with the recommendations and mitigation measures set out within the approved Reptile Letter Report – WYG July 2016 unless otherwise agreed in writing by the local planning authority.*

REASON: To provide appropriate mitigation measures for reptiles.

22. *No percussive piling or construction works with heavy machinery (i.e. plant resulting in a noise level in excess of 69bdAmax – measured at the sensitive receptors) shall be undertaken during the bird overwintering period (i.e. October to March inclusive)*

REASON: To avoid disturbance of overwintering birds.

23. *No piling or construction of foundation designs using penetrative methods shall be carried out as part of the development hereby permitted unless otherwise agreed in writing by the local planning authority.*

REASON: To prevent mobilisation of containments which may be present which could cause pollution of groundwater.

24. *No work relating to the construction of any of the development hereby permitted (including works of demolition or preparations prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.*

REASON: To protect the living conditions of neighbours.

25. *Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any subsequent Order revoking and re-enacting that Order), no porches extensions to any of the dwellings hereby permitted shall be constructed, and no outbuildings or additional areas of hard standing within the curtilage of the dwelling shall be constructed unless first agreed in writing by the local planning authority following the submission of a planning application.*

REASON: To ensure that any contamination of the site is properly taken into account before any further development is carried out; in the interests of the character and appearance of the area; to ensure the retention of adequate sized private gardens to meet the needs of residents.

26. *The first floor windows to be inserted into the north side elevations of Plots 3, 21 & 23 and south side elevations of Plots 4, 20 & 22 shall be glazed with obscure glass and be of a non-opening design and construction to a height of 1.7 metres above internal finished floor level and shall thereafter be retained in that condition at all times.*

REASON: To protect the privacy of neighbours.

A motion was proposed and seconded to defer the application, in order to obtain further information on how the issue of future coastal erosion will be managed, as well as Members being given information on the wording for the Section 106 Agreement, was voted on and carried.

(Voting: 9 in favour; 0 against)

RESOLVED that the application be DEFERRED.

(3) P/16/0661/D3 - LAND OFF SPITFIRE WAY DAEDALUS EAST FAREHAM

Councillor T M Cartwright declared a non-pecuniary interest in this item as he is the Chairman of the Daedalus Member's Working Group.

Councillor M J Ford, JP declared a non-pecuniary interest in this item as he is a member of the Daedalus Member's Working Group.

Councillor J E Butts declared a non-pecuniary interest in this item as he is also a member of the Daedalus Member's Working Group, and he also hold a private pilot's licence and occasionally files from Daedalus Airfield.

The Committee's attention was drawn to the Update Report which contained the following information:- *The following additional condition is added to the recommendation:*

14) The hangars hereby permitted shall be used only for purposes within Use Classes B1, B2 and B8 and for no other purpose of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to Class B1, B2 or B8 or any statutory instrument revoking and re-enacting that Order with or without modification unless otherwise first agreed in writing with the Local Planning Authority following the submission of a planning application for that purpose. Unless approved otherwise in writing by the Local Planning Authority, at least 51% of the area of each of the hangars hereby approved shall be used for B2 and B8 purposes and these uses shall be engaged in aviation and or aerospace and/or marine purposes.

Reason: To protect the creation of local employment opportunities including the key objectives of the Solent Enterprise Zone in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report and the additional condition in the update report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report and the additional condition in the update report, PLANNING PERMISSION be granted.

**(4) P/16/0966/FP - THE OSBORNE VIEW 67 HILL HEAD ROAD
FAREHAM PO14 3JP**

The Committee received the deputation referred to in Minute 5 above.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the following:-

- (i). An additional condition requiring that the development be carried out in accordance with the flood risk assessment;
- (ii). An additional condition preventing chairs or seating on the roof above the managers accommodation; and
- (iii). The receipt of a satisfactory amended plan reducing the size of the landing access across to the new staircase to prevent the use of the landing for seating and waiting.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the following:-

- (i). An additional condition requiring that the development be carried out in accordance with the flood risk assessment;
- (ii). An additional condition preventing chairs or seating on the roof above the managers accommodation; and
- (iii). The receipt of a satisfactory amended plan reducing the size of the landing access across to the new staircase to prevent the use of the landing for seating and waiting.

PLANNING PERMISSION be granted.

**(5) P/16/0967/AD - THE OSBORNE VIEW 67 HILL HEAD ROAD
FAREHAM PO14 3JP**

Upon being proposed and seconded, the officer recommendation that consent be granted, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 7 in favour; 1 against; 1 abstention)

RESOLVED that, subject to the conditions in the report, CONSENT be granted.

(6) Planning Appeals

The Committee noted the information in the report.

(7) UPDATE REPORT

The Update Report was tabled at the meeting and considered with the relevant agenda item.

(The meeting started at 2.30 pm
and ended at 5.37 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date: 16 November 2016

Report of: Director of Planning and Regulation

Subject: PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

SUMMARY

This report recommends action on various planning applications and miscellaneous items

RECOMMENDATION

The recommendations are detailed individually at the end of the report on each planning application.

AGENDA

(1) Items relating to development in the Western Wards: Sarisbury, Warsash, Park Gate, Titchfield, Titchfield Common and Locks Heath and development in Fareham Town: Fareham South, Fareham North, Fareham North-West, Fareham East and Fareham West will be heard from 2.30pm

(2) Items relating to development in Stubbington, Hill Head, Portchester East and Portchester West will not be heard before 3.00pm

ZONE 1 - WESTERN WARDS

Park Gate
Titchfield
Sarisbury
Locks Heath
Warsash
Titchfield Common

Reference

Item No

P/16/0906/FP
TITCHFIELD

167-169 SEGENSWORTH ROAD FAREHAM PO15 5EH
DEMOLITION OF 2NO. DWELLINGS AND ERECTION OF 5NO.
NEW DWELLINGS WITH CAR PARKING ALONG WITH THE USE
OF REVISED ACCESSES ONTO SEGENSWORTH ROAD AND
HILL CROFT.

1
PERMISSION

Agenda Item 6(1)

P/16/0906/FP

TITCHFIELD

CLASSIC CONSTRUCTION
(SOUTHERN

AGENT: VIVID DESIGN STUDIO
LTD

DEMOLITION OF 2NO. DWELLINGS AND ERECTION OF 5NO. NEW DWELLINGS WITH CAR PARKING ALONG WITH THE USE OF REVISED ACCESSES ONTO SEGENSWORTH ROAD AND HILL CROFT.

167-169 SEGENSWORTH ROAD FAREHAM PO15 5EH

Report By

Peter Kneen - Direct Dial: 01329 824363

Site Description

The application site is located within the existing defined urban area of the Western Wards, and presently comprises two detached bungalows set in large gardens on the southern side of Segensworth Road. The two bungalows are set back approximately 14m from the edge of the highway and the combined width of the site measures 36.5m. The site is located within a mixed residential/commercial area, with a small housing estate to the south of the site. The northern side of Segensworth Road comprises open space and the rear of commercial buildings on Barnes Wallis Road. The rear of the site comprises an access point onto Hill Croft, a cul-de-sac residential estate comprising predominantly two storey dwellings, although the adjoining property to the east of the site is a chalet bungalow.

The two detached bungalows are set within an open site largely laid to grass, with open frontages to Segensworth Road. The site is bounded by mature trees and shrubs, including a large mature oak tree to the northwest part of the site which has been made subject to a Tree Preservation Order. No other trees on the periphery of the site are considered worthy of an Order, but many are to be retained as part of the development proposal. The principle access is gained from the frontage along Segensworth Road although the site benefits from a secondary access onto Hill Croft (rear of 167 Segensworth Road).

Both Segensworth Road and Hill Croft are unclassified roads, although Segensworth Road is served by buses providing a daytime service (Monday to Saturday) linking the site to Fareham, Park Gate and Whiteley. The site is also within 30 minutes walking time to Swanwick Station.

Description of Proposal

This application seeks planning permission for the demolition of the two bungalows, and the construction of five detached dwellings comprising four three-bedroomed detached dwellings and one four-bedroomed detached dwelling. Three of the dwellings would be constructed with access directly onto Segensworth Road (Plots 1 - 3). These dwellings would be constructed as two storeys. The remaining two dwellings (Plots 4 & 5) would be constructed with access from Hill Croft, and both would comprise chalet bungalows, one set fronting Hill Croft and the other set back within the site, accessed via a private drive.

The scheme has been amended since its original submission. Originally the proposal included the erection of four dwellings on the Segensworth Road frontage however one of the properties has been removed from the scheme to better reflect the grain of development along this part of the settlement. Additionally Plot 5 was re-orientated to provide a better relationship with Hill Croft, and ensuring the outlook from this proposed dwelling comprises

the front garden rather than parking spaces.

Each of the proposed dwellings would include private gardens, all measuring 11m ensuring compliance with the Council's Design Guidance. Plots 1 and 2 would have a shared access from Segensworth Road and would be set approximately 11m from the edge of the highway. Plot 3 would have a separate access from Segensworth Road, and the access arrangement has been amended to ensure the works would not have a detrimental impact on the protected oak tree.

Plots 4 and 5 would comprise separate accesses directly from Hill Croft, which would also include a visitors car parking space to reduce the impact of parking on street. Each of the properties would have the required number of parking spaces to accord with the Council's adopted parking standards.

Policies

The following policies apply to this application:

Adopted Fareham Borough Core Strategy
CS6 - The Development Strategy
CS9 - Development in the Western Wards and Whiteley
CS17 - High Quality Design

Adopted Development Sites and Policies
DSP1 - Sustainable Development
DSP2 - Environmental Impact
DSP3 - Impact on Living Conditions
DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

Representations

Six respondents have commented on the proposed development. The key matters of concern raised were:

- Loss of outlook and privacy;
- Increased traffic and parking concerns; and,
- Loss of trees.

Consultations

INTERNAL

Highways: Following the submission of amended plans, no objection subject to conditions.

Arboriculture: No objection subject to compliance with the Eco Urban Ltd report.

Re-cycling Co-ordinator: No objection subject to adequate provision for bin storage and collection provided.

Hampshire Ecology: Initial Comments: Insufficient evidence to meet obligations.

Recommend further surveys.

Further Comments: No objection subject to conditions/informatives

Planning Considerations - Key Issues

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

- Principle of the development;
- Impact on living conditions of neighbouring occupiers;
- Highway safety and car parking;
- Trees and,
- Ecology.

Principle of the development:

The site is located within the defined urban area, where there is a presumption in favour of new development, in principle. The redevelopment of the site would result in a more efficient use of land within the defined urban area, in compliance with addressing the overarching principle of achieving sustainable development.

Impact on Living Conditions of Neighbouring Occupiers:

This planning application proposes the construction of five detached dwellings (net increase of three dwellings) with a mix of property styles including two storey dwellings and chalet bungalows. The proposal has been amended during the application timeframe to address Officer's concerns regarding the density of the development compared with the other properties fronting Segensworth Road. This allowed for improved levels of separation between the proposed dwellings and the neighbouring properties. The proposed dwellings themselves have been carefully sited and orientated to ensure minimal overlooking to the existing neighbouring properties.

The rear of Plot 3 is located over 35m from the rear elevation of No.6 Hill Croft, and there are existing mature trees in between further limiting views. These trees are proposed to be retained (details set out further below). The rear elevation of Plot 1 is only 8m away from the side elevation of No.2 Hill Croft, however the outlook is at an acute angle and would not result in any direct overlooking between the two properties. First floor windows on Plots 4 and 5 towards No.2 Hill Croft are of rooflights serving stairwells, bathrooms and bedrooms, but are subject to conditions requiring them to be high level or obscure glazed.

Within the site, Plots 1 and 5 are separated by 22m, and therefore complies with the Council's Design Guidance and the orientation of windows of Plot 4 have been chosen to prevent direct overlooking to properties on Hill Croft, with first floor windows being over 16m from the rear elevation of 171 Segensworth Road (to the immediate west of the site). It is therefore considered that the proposals accord with the advice in the Council's Adopted Design Guidance. Only one of the respondents raised concern regarding overlooking (No.2 Hill Croft), and it is considered that these matters have been largely addressed by the amendments made to the application. The proposals are therefore considered not to materially harm the living conditions of neighbouring occupiers, whilst maximising the use of this sustainable site.

Highway Safety and Car Parking:

Following the comments from the Council's Highways Officer, amended plans were submitted addressing the concerns regarding access into Segensworth Road. It is considered that the current arrangements address these concerns and the Council's Highways Officer raised no objection to the scheme.

Plots 1 and 2 comprise a shared access arrangement, with Plot 1 having two car parking spaces set in front of the house. Whilst located in front of the house, the front garden area measures 10m in length, with the spaces set 3.5m from the front living room window, enabling a good level of planting in the front garden. Plot 2 provides three parking spaces, two at the side of the property and the third in front, again, set over 2m away from the front living room window. The space between the two properties provides sufficient space for the manoeuvring of cars on site, whilst enabling a good level of landscaping along the road frontage.

Plot 3 is also accessed from Segensworth Road, and provides two car parking spaces at the side of the property. The access has been arranged to ensure it is sufficiently clear of the protected oak tree to provide suitable visibility and ensure the longevity of the tree.

Plots 4 and 5 are accessed from Hill Croft, with Plot 4 set at the end of a 20m long private driveway, with two off-street parking spaces set outside the property, with a turning head to the southwest of the proposed dwelling. The driveway will be landscaped and a visitors parking space provided adjacent to Hill Croft to reduce the likelihood of users of Plots 4 and 5 from parking on-street.

Finally, Plot 5 includes a private driveway providing two off-street parking spaces, adjacent to an existing vehicular access to No.2 Hill Croft (to the east).

Each plot provides suitable bin storage spaces and secure bicycle storage, and accords with the requirements of the Council's adopted standards.

Trees:

A number of third party comments have raised concerns regarding the potential loss of trees on the periphery of the existing site. The large mature oak tree to the northern corner of the site has been protected by a Tree Preservation Order, and the scheme has been amended to ensure works within its root protection zone are minimised. An adjacent Monkey Puzzle Tree is also to be retained and falls within the same Root Protection Zone. Several other trees within the rear garden on Plot 4, have been considered unsuitable for protection. However the trees (comprising a collection of Bay Trees and a Maple Tree) are proposed to be retained during the construction, and would be subject to a landscaping condition.

The only significant tree on the periphery of the site to be removed is a mature Leyland Cypress to the southeast corner of the site on Segensworth Road. Whilst a large specimen the Leyland Cypress was considered to be unremarkable in the Arboricultural Report and was subsequently considered not worthy of protection or retention. Replacement planting is proposed, subject to a landscaping condition.

The Council's Arborist has no objection to the proposal.

Ecology:

Bats were identified on the site following a detailed ecological survey, and appropriate mitigation suggested. These recommendations were seconded in the response from the Council's Ecologist, and a Condition recommended.

Due to the presence of bats on the site, the Local Planning Authority has a duty to consider protected species as a material consideration when determining planning applications. Due to the need to apply for a Licence from Natural England to remove the properties, it is necessary to demonstrate that the proposal can meet the three derogation tests set out in the Habitat Regulations, including details on mitigation. It is believed in this instance that sufficient information has been provided for the Local Planning Authority to be assured that the three derogation tests have been met.

1 - the 'Purpose' test: This application will provide development within the settlement boundary that would help the Borough meet its forecast housing need and reduce the need to build on greenfield land.

2 - the 'No Satisfactory Alternative' test: In order to meet the 'purpose', as set out in the previous point, it has been demonstrated that the existing buildings will need to be demolished. If retained, the existing building will be likely to fall further into disrepair with the result that the bat roost would be either disturbed, or probably destroyed. Additionally, it is noted that the agreed mitigation and enhancements would have the effect of providing a good deal of additional roosting opportunity on the site which should be supported.

3 - the 'Favourable Conservation Status' test: A comprehensive mitigation strategy has been submitted by the applicant and the detail of this has been integrated into the plans and designs for the application. Consultations with the Hampshire County Council ecology group have confirmed that provided these mitigation proposals are secured by planning conditions, the favourable conservation status of the bat population will be maintained.

The Solent coastline provides feeding grounds for internationally protected populations of overwintering birds and is used extensively for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within the Borough therefore need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution of currently £176.00 per dwelling. The applicant has made this payment and therefore is considered to have satisfactorily addressed the mitigation concerns.

Conclusion:

In summary, it is considered that the proposed construction of four x three-bedroomed and one four-bedroomed detached dwellings accords with the the adopted Design Guidance and Parking Standards SPDs. The levels of separation, siting, design and layout of the proposed properties are considered appropriate for the existing, built-up residential environment, and would not therefore be detrimental to the living conditions of neighbouring occupiers.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

Recommendation

PERMISSION

Conditions

1. The development shall begin within three years from the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- a) Site Location Plan (Drawing: 01);
- b) Topographic Survey (Drawing: 5599/01);
- c) Block Plan (Drawing: 02 Rev A);
- d) Proposed Site Plan (Drawing: 03 Rev A);
- e) Proposed Floor Plans and Elevations (Plot 1) (Drawing: 04 Rev A);
- f) Proposed Floor Plans and Elevations (Plot 2) (Drawing: 05 Rev A);
- g) Proposed Floor Plans and Elevations (Plot 3) (Drawing: 06 Rev A);
- h) Proposed Floor Plans and Elevations (Plot 4) (Drawing: 07 Rev A);
- i) Proposed Floor Plans and Elevations (Plot 5) (Drawing: 08 Rev A);
- j) Proposed Street Scenes (Drawing: 09 Rev A); and,
- k) Proposed Access and Visibility Splays (Drawing: 10).

REASON: To avoid any doubt over what has been permitted.

3. No development shall take place until details of all materials to be used in the construction of the dwellings hereby permitted, including surfacing materials, have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

REASON: To enable the Local Planning Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

5. The development hereby permitted shall not be brought into use unless and until the car parking provision shown on the submitted plans have been provided on site. Once provided the parking provision shall be kept available for that use for the lifetime of the development.

REASON: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways.

6. The development hereby permitted shall not be brought into use unless and until refuse bin storage and secure cycle storage have been provided as shown on the submitted plans.

REASON: To encourage alternative modes of transport to the motor car and to ensure proper provision for refuse disposal.

7. The properties hereby permitted shall not be occupied until the accesses and visibility splays serving the development have been constructed in accordance with the approved plans. The access arrangements shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To maintain adequate visibility splays.

8. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and should demonstrate that no contractors vehicles shall be parked or deliveries shall be undertaken on Hill Croft or Mere Croft. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

REASON: To ensure safe and neighbourly construction.

9. The development hereby permitted shall be undertaken in full accordance with the recommendations of the Arboricultural Implications Assessment and Method Statement (prepared by Barrie Draper dated 3 October 2016).

REASON: In the interests of amenity and of the environment of the development.

10. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particular; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the last dwelling(s) for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standards 3998:2010 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Any replacement tree shall be retained in accordance with paragraphs (a) and (b) above for an additional five years following replanting.

REASON: In the interests of amenity and of the environment of the development.

11. No development shall take place until a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained together with the species, planting sizes, planting distances, density, numbers and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed, has been submitted to and approved by the local planning authority in writing.

REASON: : In order to secure the satisfactory appearance of the development.

12. The landscaping scheme, submitted under Condition 11 above, shall be implemented within the first planting season following the commencement of the development or as

otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any existing trees or trees and plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

13. Prior to the commencement of the development hereby permitted, details of bat roost mitigation providing compensation to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details, and thereafter be retained for the lifetime of the development.

REASON: To ensure provision for and the protection of wildlife.

14. The rooflight windows at first floor level in the east elevation(s) of Plot 4 and Plot 5 shall be glazed with obscure glass and be of a non-opening design and construction to a height of 1.7 metres above internal finished floor level and shall thereafter be retained in that condition at all times.

REASON: To protect the amenities of adjoining residential properties.

15. No building hereby permitted shall be occupied until the surface water and foul drainage works have been completed in accordance with details to be submitted to and approved in writing to the Local Planning Authority.

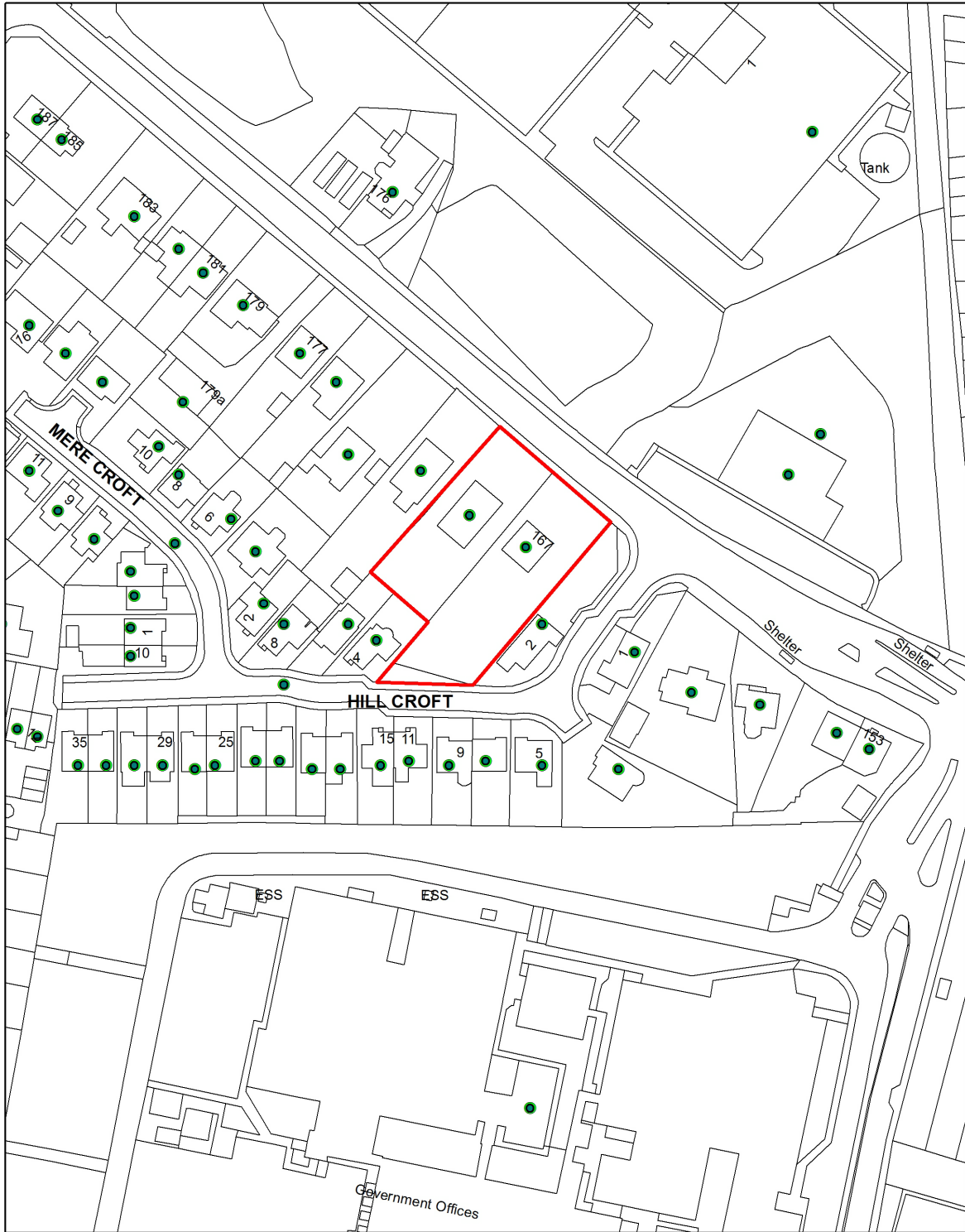
REASON: To ensure that the development is satisfactorily drained.

16. No work relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

REASON: To protect the amenities of the occupiers of nearby residential properties

FAREHAM

BOROUGH COUNCIL



167-169 Segensworth Road



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ZONE 2 - FAREHAM

Fareham North-West
 Fareham West
 Fareham North
 Fareham East
 Fareham South

Reference

Item No

<p>P/16/1047/CC FAREHAM EAST</p>	<p>LAND SOUTH OF FAREHAM WASTE TRANSFER STATION, ENTERPRISE PARK MILITARY ROAD FAREHAM LOGISTICS DEPOT COMPRISING A WORKSHOP/OFFICE BUILDING,HARDSTANDING FOR VEHICLE PARKING, SOFT LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE.</p>	<p>2 OBJECTION</p>
<p>P/16/1164/FP [O] FAREHAM EAST</p>	<p>34 LABURNUM ROAD FAREHAM PO16 0SL TWO STOREY REAR EXTENSION, SINGLE STOREY REAR EXTENSION AND SINGLE STOREY SIDE EXTENSION</p>	<p>3 PERMISSION</p>

Agenda Item 6(2)

P/16/1047/CC

SUEZ RECYLING AND
RECOVERY

FAREHAM EAST

AGENT: SUEZ RECYLING AND
RECOVERY

LOGISTICS DEPOT COMPRISING A WORKSHOP/OFFICE BUILDING, HARDSTANDING FOR VEHICLE PARKING, SOFT LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE.

LAND SOUTH OF FAREHAM WASTE TRANSFER STATION, ENTERPRISE PARK
MILITARY ROAD FAREHAM

Report By

Kim Hayler - direct dial 01329 824815

Introduction

As this proposal relates to waste transfer Hampshire County Council is the local planning authority who will determine the application. As part of the consideration of the application Hampshire County Council are formally seeking the views of Fareham Borough Council.

Site Description

The consultation relates to land adjacent to and south of the existing SITA Waste Transfer Station facility (the company name has since changed to Suez) in Enterprise Business Park, off Pinks Hill and Military Road, Fareham.

The site is currently used for equestrian activity with perimeter tree and hedgerow vegetation. There is a planted bund separating the application site from the existing Waste Transfer Station to the north.

The site slopes from its north western corner to its south eastern corner by some 6 metres.

The southern boundary borders directly onto the old line of Military Road, which, in this location is a private gated track that runs eastwards to the A27.

Fort Wallington industrial estate lies to the west of the site. Both the site and the existing Waste Transfer Station lie outside of the urban settlement boundary.

Description of Proposal

This application seeks planning permission to construct:

a logistics facility, including a workshop and office building with a floor area measuring 35 metres by 25 metres and 10.65 metres in height at the northern part of the site;

an open sided vehicle wash down area measuring 2.8 metres high sited in the north eastern corner of the site;

a driver welfare unit measuring 9.2 metres long, 2.5 metres wide and 2.8 metres high; and

an above ground fuel tank.

The remainder of the site will be laid to hardstanding for vehicle parking and manoeuvring (including parking for up to 40 lorries) and skip storage areas.

The site will be secured on all sides by a 2.1 metre high weld mesh fence finished in green.

A narrow soft landscaping buffer will be retained and reinforced to the eastern and southern boundaries.

Part of the bund and planting on the northern boundary would be removed to provide a walkway through to the existing Waste Transfer Station. Further vegetation will be removed along the western boundary to facilitate the new entrance.

As a consequence of the topography of the site the ground will require significant 'cut and fill' in order to level and prepare the site for development. These works will change the land form and will result in the construction of a retaining wall along the eastern and part of the northern boundaries of the site.

There will be external lighting during operation hours (0430 - 2200 hours) Monday - Sunday, including bank holidays.

The application is supported by a soft landscape scheme including new grassland, hedgerows and specimen tree planting.

Policies

The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS14 - Development Outside Settlements

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP9 - Economic Development Outside of the Defined Urban Settlement

Adopted Hampshire County Minerals and Waste Plan

Policy 5 - Protection of the Countryside

Policy 10 - Protecting Public Health, Safety and Amenity

Policy 13 - High-quality Design of Minerals and Waste Development

Policy 29 - Locations and Sites for Waste Management

Relevant Planning History

The following planning history is relevant:

P/16/1133/CC Demolition of Existing Office Units and Erection of Portakabin Units for a Maximum of Five Years

Decision Awaited (FBC Raised No Objection 24/10/2016)

P/14/1095/CC - Variation of Condition 6 & 7 of Planning Permission P/13/0320/CC (Hours of Working)

APPROVED 02/02/2015

P/13/0763/CC - Erection of a Canopy for the Storage of Wood Chippings - APPROVED 04/10/2013

P/13/0320/CC - Variation of Condition 7 of Planning Permission P/12/0611/CC (To extend the operation hours of the wood chipper) - APPROVED 31/05/2013

P/12/0611/CC - Variation of Condition 3 (Operating Hours) and 4 (Area of Wood Chipping) - APPROVED 23/10/2012

P/00/0952/CC - Portable buildings for mess and toilet - APPROVED - 06/12/2000

P/98/0376/CC - Redevelopment to provide Integrated Waste Recycling and Transfer Facility with Offices and Parking - APPROVED 03/12/1998

P/96/1210/MW - Waste Recycling Centre - Allowed on appeal 11/09/1997

Representations

Publicity has been undertaken by Hampshire County Council. No representations have been received.

Consultations

INTERNAL

Trees - No objection

Environmental Health (Noise): No objection

Environmental Health (Contaminated Land): No objection, subject to conditions.

Highways: As the proposal is to better accommodate congested activities on the existing site, with only a marginal increase in vehicular activity, no highway objection is raised.

Planning Considerations - Key Issues

There are two main issues in this case:

1) The need for the development outside the settlement boundary and whether there is any physical link to the existing adjacent Waste Transfer Station

2) Landscape and visual impacts

THE NEED FOR THE DEVELOPMENT OUTSIDE THE SETTLEMENT BOUNDARY AND WHETHER THERE IS ANY PHYSICAL LINK TO THE EXISTING ADJACENT WASTE TRANSFER STATION

Policy DSP9 of the Local Plan Part 2 states:

'Proposals for new economic development outside of the defined urban settlement boundaries (as identified on the Policies Map), will only be permitted provided that a sequential test has been carried out and no more preferable sites have been identified and, subject to the scale of the proposal, an impact assessment has been carried out and it has demonstrated that there are no significant impacts taking account of relevant national planning policy.

Proposals for the expansion or intensification of existing employment sites/areas outside of the defined urban settlement boundaries will only be permitted where:

- i. development is essential to the operation of the existing businesses; and
- ii. development can be accommodated within the curtilage of the existing site.

All new development, expansion and intensification outside of the defined urban settlement boundaries should:

- iii. not be of a disproportionate scale to the operational requirements of the employment site;
- iv. not have an unacceptable adverse impact on the strategic and local road network; and,
- v. not have an unacceptable environmental impact.

New buildings should be well designed to respect the character of the area and, where possible, should be grouped with existing buildings.

Proposals should have particular regard to the requirements of Core Strategy Policy CS14: Development outside Settlements and Core Strategy Policy CS6: The Development Strategy. They should avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts or detrimental impact on the character or landscape of the surrounding area.'

The development proposal would represent an expansion/intensification of an existing employment/commercial use outside of the defined urban settlement boundaries.

Policy 27 of the Hampshire Minerals and Waste Plan states that the applicant would be expected to demonstrate the details of any positive benefits of the proposal, including links to the existing facility.

As such, the applicant advises that the facility is required for the following reasons:

The majority of the existing external hard surfacing on the adjacent Waste Transfer Station site is taken up for vehicle circulating, parking of fleet vehicles, site office, staff facilities etc. As a result the facility is operating well below its consented capacity of 300,000 tonnes of waste per year. Currently there is not sufficient space within the building to mechanically treat the waste and in the absence of external storage space, waste is bulked up and sent directly to the landfill without being recycled and treated. This was less of an issue in the past, when the site was only used for the transfer of waste, but it is more a significant issue now that recycling and treatment of waste is also carried out at the site.

In addition to the above, the lack of space increases the risk of conflict between the operational vehicles and the site operatives/visitors.

The proposal would free up space around the main building allowing for the site to carry out baling and external storage of recyclable materials prior to being shipped out. Furthermore it would free up space with the main building increasing the volume of waste that is managed, processed and transported.

The proposed logistics facility would allow for the relocation of the offices, staff welfare facilities and staff car parking from the existing waste transfer station site. It is essential that the offices are either on or next to the main operation as it would be difficult to operate the

site efficiently if they were located elsewhere. To facilitate this the proposal includes a pedestrian link between the two sites.

The existing site currently provides a base for operational fleet vehicles which carry out waste collection services throughout Hampshire. Providing a site for parking adjacent to the existing waste transfer station is therefore the optimal location for the fleet parking and would reduce the number of vehicle movements if the vehicle parking were based elsewhere.

Currently the vehicle fleet repairs and servicing of lorries is carried out in Southampton. This arrangement is not ideal as up to 40 fleet vehicles are required to make a round trip of over 20 miles for maintenance. Having the workshop closer to where the fleet is based would have a number of operational, economic and sustainability benefits.

The applicant advises having all of the waste management operations in a single location is beneficial for the overall management and co-ordination of the waste management operations, would improve efficiency of the operation at the Waste Transfer Station, reduce Heavy Goods Vehicle (HGV) movements and allow for shared facilities.

It is clear that the need to provide the additional facility would be of benefit to the existing Waste Transfer Station and the economic viability of the wider area. Providing a single centre would therefore result in an improvement to the operation and sustainability of this site for the longer term.

LANDSCAPE CHARACTER AND VISUAL IMPACTS

Policy DSP9 of the Local Plan Part 2 states that all new development, expansion and intensification of existing sites/areas outside of the urban settlement boundary should not have an unacceptable environmental impact. Policy CS14 of the Core Strategy states that development should not have a detrimental impact on the character or landscape of the surrounding area.

Policy 13 of the Hampshire Minerals and Waste Plan states that:

'Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

The design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development.'

Policy 10 of the Hampshire Minerals and Waste Plan states development should not have an unacceptable visual impact.

The workshop building would measure 10.65 metres high, 0.4 m higher than the existing Waste Transfer Station building, but smaller in footprint/scale. The proposed landscape boundaries would measure between 5 metres and 7 metres in width; this is significantly less than the 20 metre wide bunds/buffer surrounding the existing waste transfer station.

The site is visible from a number of viewpoints including:

- a) Car park to the north of junction 11;

- b) From the top of Military Road/Standard Way;
- c) Walkers on Allan King's Way (public right of way 505);
- d) Junction of Boarhunt Road with Nine Elms Lane;
- e) Visitors to the Mount and Fort Nelson.

The applicant's Landscape Visual Impact Assessment has concluded that the loss of this grassland site would not give rise to a significant adverse effect. The site would be seen in context with the Waste Transfer Station (to the north) and Fort Wallington (to the west). As a result, apart from some specimen tree planting within the site and minimal soft landscaping to the south and east boundaries, no significant mitigation is proposed.

In the opinion of Officers the application would involve substantial earth works resulting in a change in the land form, the development of a substantial new workshop building, welfare building, vehicle wash down area and extensive hard surfacing. Hedgerows and bunding would be lost to facilitate the access and the walkway to the Waste Transfer Station. Apart from some limited landscaping within the site and to the eastern and southern boundaries, effectively the entire site would be taken up with built form, hard surfacing and associated infrastructure. The parking of up to 40 lorries on the site would further add to the visual impact of the proposals.

The existing site, together with the extensive landscaped bunding and mature vegetation around the boundaries of the Waste Transfer Station, provide a transition between the industrial works and the countryside. This would be substantially eroded by the current proposal which proposes that minimal landscape buffer be provided around a site which is located within the countryside.

Conclusion

In summary, it is considered that whilst the evidence submitted with the application demonstrates the clear benefits of the logistics facility in this location, the substantial visual harm caused by the proposal would outweigh this need.

In order to mitigate the visual impacts of the development, it is considered that a substantial comprehensive landscaping scheme is required around the eastern, western and southern boundaries of the site. As currently proposed the landscaping proposed would not mitigate the visual harm arising.

On this basis officers recommend that an objection is raised to the proposals as currently submitted.

Recommendation

That Hampshire County Council be advised that Fareham Borough Council RAISE OBJECTION to the application as currently proposed. This is because the limited landscaping works proposed will not mitigate against the substantial visual harm caused by the changes to the site levels, the height and size of the proposed office/workshop building, and the extensive hard surfacing and associated parking of lorries and vehicles, on this elevated countryside site.

In the event that Hampshire County Council were minded to grant planning permission, it is recommended that planning conditions are imposed to address the following issues:

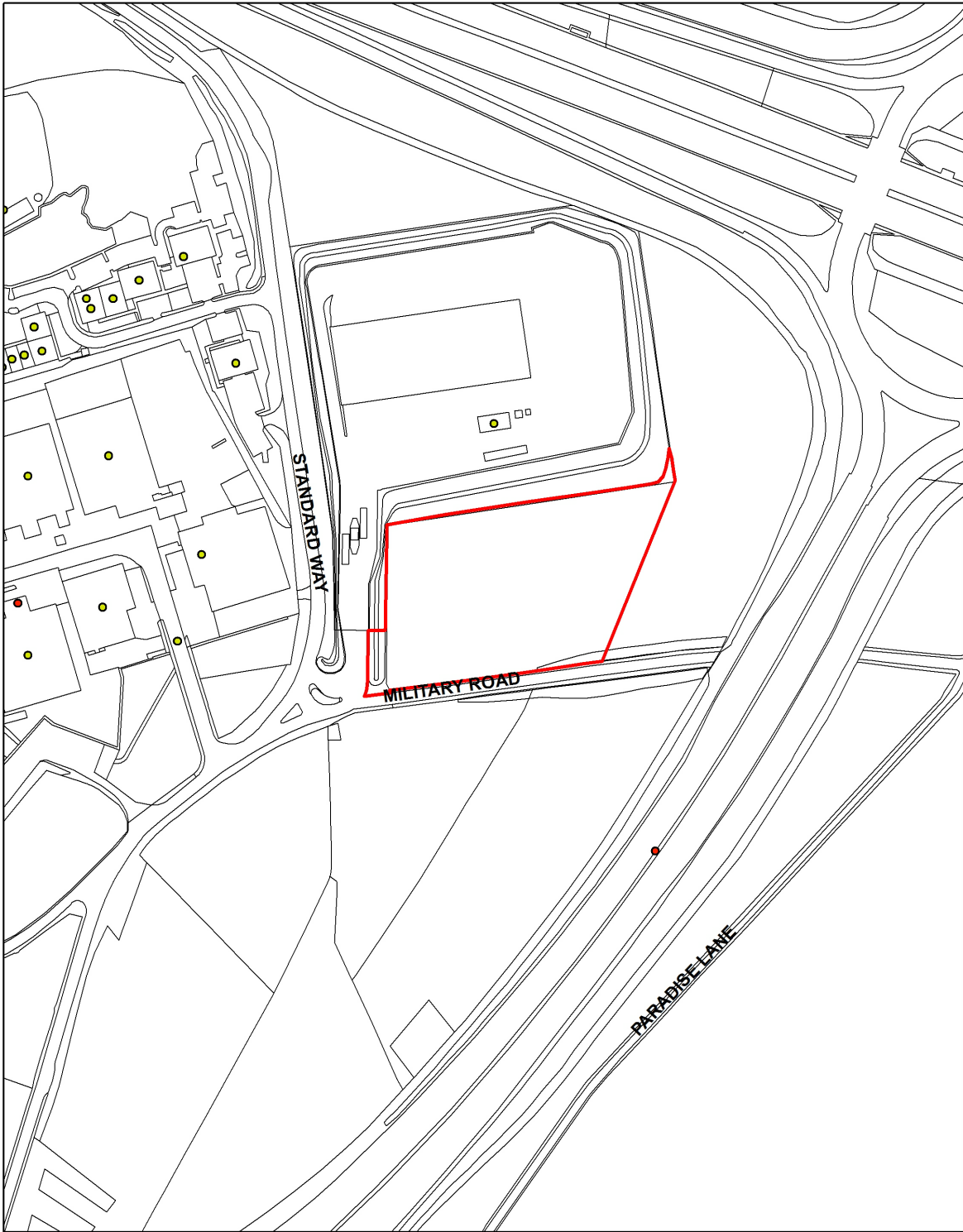
- a) Details of the external materials and hard surfacing to be agreed in order to secure the satisfactory appearance of the development and in the interests of the visual amenities of this countryside location;
- b) Measures to be put in place to seek to limit noise outputs, including operations at the workshop to be carried out within the building in order to protect the living conditions of neighbouring residents;
- c) Noise from any industrial plant (including air handling units or compressor units, dust extraction units) should not exceed ambient noise at the site boundary in order to protect the living conditions of neighbouring residents;
- d) Measures to be put in place relating to vehicle routing in order to protect the living conditions of neighbouring residents and in the interests of highway safety;
- e) Measures to be put in place to deal with potential conflict when vehicles entering the application site cross the path of vehicles emerging from the waste transfer station, in the interests of highway safety;
- f) A desk study investigation and site walkover of the site shall be carried out, which investigates the current and former uses of the site and adjoining land and the potential for contamination. Should the study reveal a potential for contamination, a strategy of remedial measures and detailed method statements should be provided, to ensure that any contamination of the site is properly taken into account;
- g) Provision and implementation of a comprehensive landscaping scheme, including bunding in order to secure the satisfactory appearance of the development and in the interests of the visual amenities of this countryside location.

Background Papers

See Planning History above.

FAREHAM

BOROUGH COUNCIL



Land south of Fareham Waste Transfer Station
Enterprise Park
Scale 1: 2,500



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Agenda Item 6(3)

P/16/1164/FP [O]

FAREHAM EAST

MR & MRS TRIBBECK

AGENT: ROSENTHAL DESIGN
SERVICES LTD

TWO STOREY REAR EXTENSION, SINGLE STOREY REAR EXTENSION AND SINGLE
STOREY SIDE EXTENSION

34 LABURNUM ROAD FAREHAM PO16 0SL

Report By

Emma Marks - Direct dial: 01329 824756

Site Description

This application relates to a semi-detached dwelling on the north-east side of Laburnum Road which is to the south of Salterns Lane.

The site is within the urban area.

Description of Proposal

Permission is sought for three different elements which consist of the following:-

Single storey rear extension measuring 3m in depth, 2m in width with an eaves height of 2.1m and ridge height of 3.4m;

Two storey rear extension measuring 4.6m in depth, 3.5m in width with an eaves height of 5m and a ridge height of 6.4m;

Single storey side extension measuring 4.9m in depth, 855mm in width with and eaves height of 2m and a ridge height of 2.9m.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP3 - Impact on living conditions

Relevant Planning History

The following planning history is relevant:

P/16/0921/PH

**SINGLE STOREY REAR EXTENSION MEASURING 4.6 METRES
BEYOND REAR WALL OF ORIGINAL DWELLING, MAXIMUM
HEIGHT OF 2.5 METRES AND WITH EAVES AT A HEIGHT OF 4
METRES**

WITHDRAWN

05/09/2016

Representations

One letter of representation has been received objecting on the following grounds:-

- There are a number of inaccuracies and the plans are misleading
- Will there be adequate space to excavate the footings?
- Will the applicant be serving a Party Wall Act Notice?
- No information about the guttering
- Potential damage to the shared drain
- Overshadowing and loss of light
- Dominant and overbearing
- The extension would contravene the 45 degree code rule
- No information on how the first floor will be supported
- The extension will be approximately 73% length of the original house and approximately 70% of the original footprint of the original house
- Unneighbourly form of development
- If mindful to approve, consideration should be given on restricting the hours of work including deliveries of materials

Planning Considerations - Key Issues

The property currently has a single storey rear extension which is set off the boundary with the adjoining neighbour by 2 metres. This application proposes an 'L' shape extension which at ground floor will extend the full width of the property and project 855mm beyond the side wall of the dwelling and have a maximum depth of 4.9 metres.

The extension will also include a first floor element which will be set off the party boundary by 2 metres, extending out from the rear of the property by 4.9 metres.

The adjoining neighbour has raised concerns relating to loss of light to their property. The adjoining neighbour to the south has an existing single storey rear extension which is set off the boundary by just over 2 metres. There is a ground floor window which serves a lounge facing down the rear garden adjacent to the boundary and a secondary ground floor kitchen window facing towards the application site. A first floor bedroom window is situated above the ground floor lounge window, again adjacent to the party boundary. Furthermore the existing boundary consists of a 1.8 metre high wall and vegetation. Officers have given consideration to the windows within the adjoining neighbouring property. In light of the fact that the ground floor extension would measure just 3 metres deep on the boundary and the first floor element is set off the party boundary, officers are of the opinion the extensions would not result in material harm to the living conditions of the occupiers of the neighbouring property. Furthermore the extensions are to the north of the neighbouring property.

There will be limited views of the extension from the road and public path to the rear of the site however the design of the extension is sympathetic to the host dwelling and would not have an adverse impact on the character of the area or street scene.

The neighbour has also raised issues which are not material planning considerations and

therefore cannot be taken into account whilst determining this application. For example comments relating to the footings, Part Wall Act notification, guttering, damage to a shared drain and the construction details of the first floor extension.

The extension has been designed in accordance with the Councils adopted Design Guidance and officers consider the proposal accords with Policy CS17 of the adopted Fareham Borough Core Strategy and Policy DSP3 of the adopted Fareham Local Plan Part 2: Development Sites and Policies and is therefore considered acceptable.

Recommendation

PERMISSION subject to conditions:-

1. The development shall begin within three years of the date of the decision notice.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

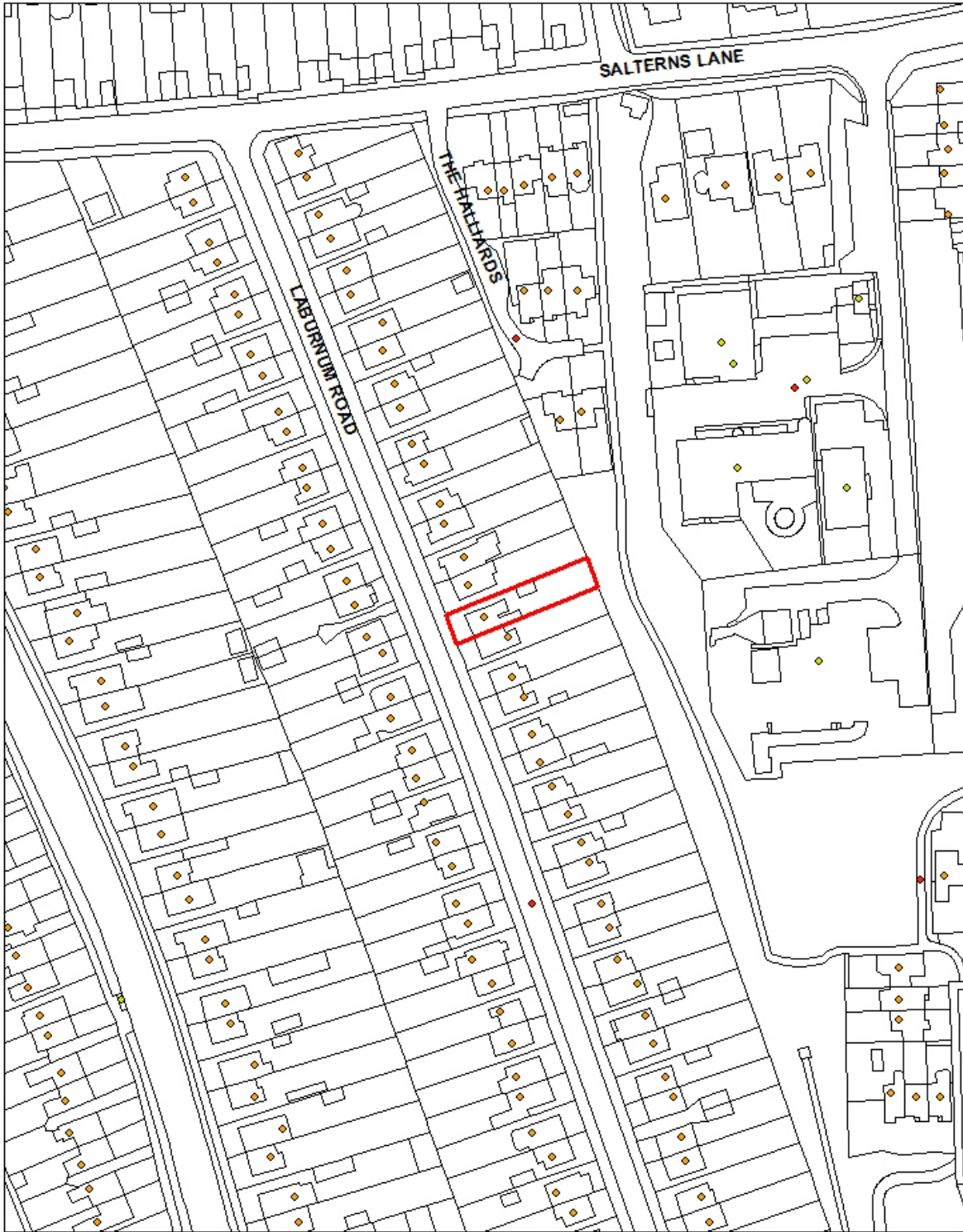
2.The development shall be carried out in accordance with the following approved documents:

- a) Proposed GF Plan - Drawing number PG NO:02
- b) Proposed FF Plan - Drawing number PG NO:04
- c) Proposed Elevations - Drawing number PG NO:06

REASON: To avoid any doubt over what has been permitted.

FAREHAM

BOROUGH COUNCIL



34 Laburnum Road
Scale 1: 1,250



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Agenda Annex

ZONE 3 - EASTERN WARDS

Portchester West
Hill Head
Stubbington
Portchester East

Reference		Item No
P/14/0033/FP PORTCHESTER EAST	LAND AT WINDMILL GROVE PORTCHESTER PO16 9HT ERECTION OF 24 RESIDENTIAL DWELLINGS WITH ASSOCIATED WORKS, ACCESS, PARKING, LANDSCAPING AND OPEN SPACE, FOLLOWING DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES (REVISED APPLICATION)	4 PERMISSION
P/15/1060/FP PORTCHESTER EAST	21 WEST STREET PORTCHESTER FAREHAM PO16 9XB FIVE X 2-BED APARTMENTS & FOUR X 1-BED APARTMENTS CREATED BY CONSTRUCTING AN ADDITIONAL FLOOR TO THE FRONT OF THE PROPERTY & TWO ADDITIONAL STOREYS TO THE REAR PART OF THE PROPERTY.	5 REFUSE
P/16/0905/FP PORTCHESTER EAST	FORMER CATHOLIC CHURCH OF OUR LADY OF WALSINGHAM WHITE HART LANE PORTCHESTER FAREHAM PO16 9BS REDEVELOPMENT BY THE ERECTION OF EIGHT HOUSES (FOUR WITH TWO BEDROOMS AND FOUR WITH THREE BEDROOMS) FOLLOWING DEMOLITION OF THE CHURCH AND SITE CLEARANCE.	6 PERMISSION
P/16/1153/VC PORTCHESTER EAST	UNITS 1-4 & 18-19 CASTLE TRADING ESTATE FAREHAM PO16 9SF VARIATION OF CONDITION 5 OF PLANNING PERMISSION P/15/1093/FP (DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF LIDL FOOD STORE WITH ONE HUNDRED CAR PARKING SPACES) TO PROVIDE FOR AN EXTENDED PERIOD FOR THE DELIVERY OF OFF SITE HIGHWAY WORKS.	7 PERMISSION
P/16/1162/FP STUBBINGTON	MCA DAEDALUS AERODROME BROOM WAY FAREHAM PO13 9YA 25 METRE HIGH RADAR TOWER, RADAR EQUIPMENT CABIN WITHIN A SECURE FENCED COMPOUND AND ASSOCIATED DEVELOPMENT	8 PERMISSION

Agenda Item 6(4)

P/14/0033/FP

PORTCHESTER EAST

CROSS STONE URBAN
REGENERATION

AGENT: SIMON COOPER
ASSOCIATES LIMITED

ERECTION OF 24 RESIDENTIAL DWELLINGS WITH ASSOCIATED WORKS, ACCESS, PARKING, LANDSCAPING AND OPEN SPACE, FOLLOWING DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES (REVISED APPLICATION)

LAND AT WINDMILL GROVE PORTCHESTER PO16 9HT

Report By

Richard Wright - direct dial 01329 824758

Introduction

This application was considered by Members of the Planning Committee at the meeting on 12th October this year.

The item was deferred so that further information could be obtained on how the issue of future coastal erosion would be managed. Further explanation of this issue is included in the below report under the heading "Public Open Space".

When deferring the application Members also requested that the proposed wording in respect of the legal agreement under section 106 of the Town & Country Planning Act 1990 be provided. The wording of the agreement is currently being finalised and details will be provided by way of an update to this report prior to the committee meeting taking place.

Site Description

The application site comprises a parcel of land approximately 0.8 hectares in size located on the southern side of Windmill Grove close to its western end junction with Wicor Mill Lane.

Two large disused industrial buildings dominate the site covering a large majority of its northern section. The buildings on the site have been used for a succession of industrial and warehouse distribution uses throughout their lifetime. The buildings are set back from the roadside of Windmill Grove with a large concrete hardsurfaced frontage. The concrete apron surrounds the two buildings extending within around 32 metres from the site's southern boundary. The southern edge of the concrete apron marks the extent of the urban settlement boundary. Between the concrete hard surface and the wire mesh fence delineating the southern boundary is an area of rough and overgrown grassland falling outside of the defined urban settlement area.

Beyond the southern boundary is an unmade footpath which links the Council owned land to the west (south of Cadour Drive) and the east (Harbour View Open Space), and beyond that the foreshore of Portsmouth Harbour. The harbour is part of a national and international designated site for nature conservation - the Portsmouth Harbour Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI).

Description of Proposal

Permission is sought for the demolition of the existing buildings and the construction of twenty-four dwellings (comprising six 2-bed bungalows, one 3-bed bungalow and seventeen 3-bed houses).

The proposed housing comprises a mixture of single storey scale dwellings to the northern part of the site and two storey houses within the site's middle section. An access road would be constructed into the site's northern edge from Windmill Grove providing vehicular and pedestrian access to the houses. Each dwelling would be provided with space to park two vehicles with a mixture of on-plot and off-plot allocated spaces proposed.

The land on which the houses would be constructed is proposed to be raised by approximately 1.2 - 1.6 metres. Sectional drawings have been provided showing the extent of the raising of the land starting in the northern part of the site where the new access road from Windmill Grove would be ramped and falling away again through the rear gardens of the southernmost properties.

The southern end of the site would be left as publicly accessible open space forming an area spanning the width of the site by approximately 25 metres from the rear gardens of the new houses to the existing route of the coastal footpath.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Development Sites and Policies

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

P/12/0460/OA CHANGE OF USE FROM INDUSTRIAL B2 USE TO C3 RESIDENTIAL USE, DEMOLITION OF EXISTING WORKSHOPS AND ERECTION OF 3 ONE-BED FLATS, 9 TWO-BED FLATS & 20 THREE-BED HOUSES WITH 51 PARKING SPACES.

WITHDRAWN

12/09/2012

Representations

This application was originally publicised and comments from third parties invited back in January 2014. Another consultation period was undertaken in 2015 following revisions to the proposed scheme. A number of representations were received in response raising various planning issues.

Because of the significant length of time taken in discussing further revisions to the proposal with the landowner it was not until March 2016 that another consultation exercise was carried out. At that point all persons who had previously commented on the application were invited to do so once again as well as letters being sent to all other addresses previously notified of the original proposal. A final re-consultation period was undertaken in September 2016.

In total, nineteen residents have commented on the application during these consultation periods with some residents commenting more than once. Many of the representations contain a mixture of positive and negative comments.

Positive comments have included:

- The derelict buildings are an eyesore and redevelopment is welcomed
- Revised scheme is far better than that proposed previously
- Good quality open space, landscaping, cycle and bin storage provision
- Will help the Council deliver its housing need

Negative comments have included:

- Concern over surface water drainage and excess run-off after heavy rainfall
- Concern over erosion of coastal footpath and need to protect the land with a sea wall
- Rather than raise the level of the land the developer should contribute to sea defences
- Houses on the raised land would appear out of character
- Concern over residents of new houses using open space as private land
- Impact of open space on Portsmouth Harbour nature conservation designations
- Assurances sought over on-site parking space being sufficient
- Site is not large enough for the size of the proposal
- Land is contaminated and not suitable for residential development or as open space
- Traffic congestion
- Consideration needs to be given to the active blast area from the MOD at Bedenham
- Additional pressure on local schools and doctors' surgeries
- Overlooking and loss of privacy

Consultations

The following summarises the consultation advice received in relation to the most recent revised proposals in March 2016 unless otherwise stated:

INTERNAL

Highways:

- Where a shared surface is to be provided this should be a 6m wide single surface incorporating a utility corridor.

Refuse & Recycling:

- The waste arrangements are acceptable from a collection point of view, although some of the plots appear to have a long way to pull their bins from their rear gardens. This will encourage bins to be left out all the time, leading to complaints of reduced visual amenity. An alternative solution of purpose-built bin stores constructed in the front gardens could be considered.

Ecology:

- Further information requested in respect to protected species (bats and reptiles) have now been satisfactorily provided.
- A contribution towards the Solent Recreational Mitigation Strategy (SRMS) is required and will address concerns over the 'in combination' contribution to increases in Solent-wide recreational pressure from development.
- Concerns over potential impacts that may be more specific to this development that are not captured by the SMRS mechanism. The anticipated reduction in pressure on use of the coastal footpath may not be quite so marked.
- Biodiversity enhancements in the form of a bat loft / bat access tiles, sensitive lighting and planting to enhance foraging.

Trees:

- No objection.

Contaminated Land:

- No objection subject to a condition that takes account of the need for a desk study investigation, intrusive site investigation and strategy of remedial measures along with implementation and validation of those measures / unexpected contamination.

Open Spaces Manager:

- No objection.

Environmental Health:

- March 2015 comments: No adverse comments in respect of this application providing the applicants carry out the recommendations specified by the noise consultants, 24 Acoustics, in their report dated 8th January 2014, relating to acoustic fencing, double glazing and acoustic trickle vents to the properties affected by noise from Portchester Engineering and the Pumping Station.

EXTERNAL

Natural England:

- No objection with conditions [no percussive piling or works with heavy machinery to be undertaken during the bird overwintering period - Oct to March inclusive]

Eastern Solent Coastal Partnership (ESCP):

- The flood mitigation proposed for the site includes raising site levels above the predicted extreme flood level for the year 2115 and demonstrates that access to the site will be

possible during an extreme flood event.

- At present there is no formal sea wall at this location and the coastal boundary is formed by a low ad-hoc natural bank with rubble on the foreshore. We understand that the ownership of the parcel of land across which a footpath runs on the seaward side of the boundary fence to this site is unclear and does not form part of the application site. There is a risk, however, that with future coastal erosion that the coast will roll back to the development boundary and could become a liability for the property owners. It is recommended that consideration is given as to how this might be managed in future to ensure that owners of the land are aware of their responsibilities.

- The River Hamble to Portchester Coastal Flood and Erosion Risk Management Strategy covers this section of Fareham Borough's coastline and recommends how to take forward potential schemes in the Fareham area. This has identified a need for a flood and coastal erosion risk management scheme for the local area to this site including Cadour Drive, Harbour View and Alton Grove in Portchester.

- This site could offer an opportunity to reduce future flood risk to both the proposed development and existing community by contributing to a community wide scheme to reduce flood and erosion risks. The wider scheme for this area is likely to include the construction of a sea wall revetment option with raised embankments or landscaping providing defence height. Any contributions could be financial or a possible commitment to work 'in-kind' by constructing part of the defence across the development site.

Environment Agency (EA):

- No objections to the proposed amendments; previous responses remain valid.
- Suggested conditions [finished floor levels/road levels; land contamination; no infiltration of surface water drainage into the ground; no piling or foundation designs using penetrative methods].

Southern Water:

- No objection.

Ministry of Defence (MoD):

- No objection.

Hampshire Constabulary:

- Comments made on lack of natural surveillance to rear of plots 10 - 19, footpath access from Wicor Mill Lane and need for appropriate level of lighting.

Planning Considerations - Key Issues

a) Principle of development

This site comprises previously developed land within the defined urban settlement boundary, with the exception of the rough grassland at its southern end. Support for the redevelopment and reuse of brownfield sites within the urban area for housing development is given through Policies CS2 & CS6 of the adopted Fareham Borough Core Strategy. The majority of the proposed development, including all of the proposed dwellings, falls within that part of the site which lies within the urban area and enjoys the support of those local plan policies.

The rear gardens of plots 10 - 19 would however encroach marginally outside of that boundary with the proposed public open space beyond it. Policy DSP6 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies sets out circumstances in which the use of land outside of the defined urban settlement boundary as residential garden would be permitted, namely where;

- i) It is in keeping with the character, scale and appearance of the surrounding area; and
- ii) It will not detract from the existing landscape;
- iii) It respects views into and out of the site.

Officers consider the proposal meets these three tests. The removal of the two large industrial buildings would enhance the appearance of the surrounding area and the spread of these rear gardens beyond the urban boundary would be a limited incursion into the open space in the southern part of the site. The majority of this rough grassland would remain open and undeveloped and the overall appearance of the landscape would not be harmed. Permitted development rights to construct outbuildings in these rear gardens could be removed by condition. This would enable the local planning authority to retain control over any such structures and prevent development which it feels would be harmful to the character and appearance of the area in the future. Views into the site would be enhanced and views from the site towards the harbour improved.

There are no in principle objections to the redevelopment of this site for housing purposes as proposed. Many of the responses received to the public consultation have expressed a wish to see the existing unsightly buildings demolished. There have also been numerous incidences of vandalism and anti-social behaviour at the site in recent years often requiring the involvement of the emergency services and the Council's Environmental Health team. The redevelopment of the site is therefore generally welcomed by most parties.

b) Design, scale and layout

The proposed twenty-four dwellings would be laid out in a J-shape configuration making good use of the available space on the site to provide the private garden space, parking and landscaped frontages. The overall density of the proposed development would be approximately 38 dwellings per hectare (dph) not including the area of public open space at the southern end of the site. This is considered to be an efficient use of the land available and a density of development in keeping with that of the surrounding area of Windmill Grove, Kilwich Way, Cadour Drive and other nearby streets which is typically found to be between 31 - 35 dph.

The layout has been carefully considered to ensure properties have good quality private landscaped frontages and allocated or on-plot parking spaces conveniently located. Bin storage and collection points have been revised to take account of the comments provided by Officers.

Rear garden areas to plots in the northern half of the site are considered acceptable. Some plots have gardens less than 11 metres in length; however where this is proposed this is compensated by the fact that the plots are wide and therefore provide sufficient private amenity space is provided for future residents.

Rear gardens to plots 10 - 19 in the southern half of the site back on to the proposed area of public open space. These gardens are all 8 metres long which is below the 11 metre garden length normally sought through this Council's adopted Design Guidance SPD.

Notwithstanding, these gardens lie adjacent to an area of open space and would benefit from views across the nearby harbour with a southerly aspect. Officers consider that this arrangement strikes an acceptable balance between providing useable private garden space and limiting the extent of the development further southwards outside of the defined urban boundary.

The application proposes to raise the site by between 1.2 - 1.6 metres on which the dwellings would be constructed. The implications of the raised site levels for mitigating flood risk are discussed later in this report. Officers do not consider that raising the level of the site would have a harmful visual impact on the surrounding area. The applicant's revised proposal includes housing with single storey height roof eaves in the northern section of the site (plots 1 - 4 & 22 - 24) where it would be most visible from Windmill Grove.

Towards the middle of the site the height of housing increases to two storey scale. This arrangement would ensure that the northern part of the site, which is arguably most sensitive to an increase in a rise in site level, would not appear at odds with the scale of development along Windmill Grove. The two storey houses would not be excessively tall so as to appear out of keeping with the general pattern of housing development in the surrounding area.

c) Parking provision

The proposal provides two allocated parking spaces per dwelling either on plot or, in the majority of other cases, conveniently located nearby. This is sufficient space to meet the required standards set out in the Council's adopted Residential Car & Cycle Parking Standards SPD.

In addition to these allocated spaces two visitor parking bays are proposed at the end of the J-shaped cul-de-sac. However, following discussions with Officers, the applicant has proposed using a 'shared surface' throughout the development with a width of 6 metres for use by vehicles, cycles and pedestrians. This allows for sections of the street to be used for on-street parking by several additional vehicles without any obstruction to the movement of traffic through the development. The designated visitor parking bays and on-street spaces should be sufficient to cater for the demand generated by visitors to the new houses.

d) Public open space

The land at the southern most part of the site is to be turned to an area of public open space. It is not intended for this area to be adopted by Fareham Borough Council and will instead be retained in private ownership. Details of the body responsible for the ongoing management of the public open space and its maintenance will be the subject of a section 106 legal agreement between the applicant and the Council. The section 106 agreement will also require access by members of the public to be maintained in perpetuity. It is suggested in the Officer recommendation below that, were Members minded to grant planning permission, details of how the public open space would be landscaped could be secured through the imposition of a condition requiring a landscaping scheme covering not only this area but the rest of the site also. Similarly, the suggested condition relating to site investigations and remedial measures to address suspected land contamination would apply to this area of public open space.

The public open space would abut the site's southern boundary close to, but not immediately adjacent, the harbour foreshore. The issue of coastal erosion has been identified through the consultation response received from the Eastern Solent Coastal

Partnership (ESCP), the combined coastal management service for Fareham, Gosport, Havant and Portsmouth councils. Their comments explain that, "At present there is no formal sea wall at this location and the coastal boundary is formed by a low ad-hoc natural bank with rubble on the foreshore. We understand that the ownership of the parcel of land across which a footpath runs on the seaward side of the boundary fence to this site is unclear and does not form part of the application site. There is a risk, however, that with future coastal erosion that the coast will roll back to the development boundary and could become a liability for the property owners. It is recommended that consideration is given as to how this might be managed in future to ensure that owners of the land are aware of their responsibilities".

At the Planning Committee meeting on 12th October this year Members expressed some concern that the proposal did not include any measures to tackle the erosion risk highlighted above. Officers have discussed in further detail the extent of the erosion risk in this particular area with colleagues from the ESCP. The available data indicates that average erosion rates in the harbour are around 100mm per year. Data more specific to the area around the application site suggests that over the past ten years the erosion that has occurred has varied from nothing in some parts to 2.5 metres of erosion in others.

The shore to the immediate south of the southern red edge of the application site has visibly eroded during the near three year period in which this planning application has been considered to date. Whilst it is not possible to estimate with any certainty the erosion rate in the future and how quickly the coastline will recede so that it abuts the application site and begins to erode the proposed public open space, the distance between the shoreline and the nearest proposed houses is considered significant enough to mean that there is no immediate risk to those properties. The distance from the southern boundary of the application site to the rear boundaries of Plots 10 - 19 is shown on the submitted site layout plan to be between 24 - 26 metres, the houses themselves being between 32 - 34 metres into the site.

Notwithstanding, the applicant has agreed to a financial contribution of £25,000 towards coastal management measures to be secured through the section 106 agreement. In addition the section 106 agreement would also require details of how the footpath through the public open space would periodically be re-routed further inland to maintain the link through the site by members of the public from east to west. The precise wording of this legal agreement will be provided to Members by way of an update to this report prior to the committee meeting taking place.

e) Flood risk

Policy CS15 of the adopted Fareham Borough Core Strategy seeks to avoid unacceptable levels of flood risk in new development. Expert advice has been sought on the proposed development from the Environment Agency and the ESCP on the issue of flood risk.

The Environment Agency have commented several times on this application following various revisions. Most recently Officers from the agency have confirmed that the advice previously given on flood risk still stands and their position has not changed. In 2012 the agency's commented on the earlier application (ref P/12/0460/OA) by saying that:

"Although the site is currently located in Flood Zone 2, when the effects of climate change and sea level rise are considered the whole of the site will move into Flood Zone 3 by the year 2055. Without any form of mitigation the development would therefore be at a high

probability of flooding over its lifetime (100 years).

"To mitigate the future increase in risk the FRA [flood risk assessment provided by the applicant] proposes that all residential finished floor levels [FFL's] be set no lower than 4.6m AOD [above Ordnance Datum], this would provide a freeboard of 300mm above the 1 in 200 year, 2115 tide level (4.3mAOD). The proposed FFL's will also be above the 2115, 1 in 1000 year tide level (4.5mAOD) which is considered necessary to demonstrate the availability of safe refuge. Providing internal road access at 4.3mAOD is likely to allow for the movement of people within the site under the design flood conditions".

In line with that advice and the submitted FRA, which was further revised in 2014, finished floor levels to all the proposed dwellings are now proposed at 4.6mAOD as required and the road consistently above 4.3mAOD adjacent the houses. The agency have stated no objection to the proposal subject to a condition requiring those finished floor and internal road levels be achieved along with a number of other conditions relating to avoiding groundwater contamination.

The consultation response from the ESCP agrees with this assessment by stating "The flood mitigation proposed for the site includes raising site levels above the predicted extreme flood level for the year 2115 and demonstrates that access to the site will be possible during an extreme flood event."

The applicant's proposed approach to addressing flood risk at the site is therefore considered to be satisfactory. Notwithstanding, this approach has been objected to by a number of local residents concerned over the implications.

Some residents worry that raising the site level will place surrounding land at greater risk of flooding in the future. However because the risk of flooding in this area is from the sea (tidal) as opposed to rivers (fluvial) there would be no effect. Officers have asked the Environment Agency to comment on this particular concern and they have responded to explain that "raised site levels should not increase the risk of tidal flooding in the nearby area. Land raising in the tidal flood plain is not an issue, we do not normally require compensation in coastal locations as the volume of flood plain displaced by the development will be transferred to the sea".

Several homeowners have queried how surface water run-off from the site might affect their properties. Whilst details of surface water drainage have not been provided by the applicant these would be secured through a planning condition. Doing so would ensure that the proposal complies with Policy DSP2 of the adopted Fareham Borough Local Plan Part 2 which expects development to provide for the satisfactory disposal of surface and waste water.

Many of the objections received have expressed a wish to see the applicant fund the construction of a sea defence wall instead of raising the levels of the site. Doing so could potentially assist in addressing the flood and erosion risk along this area of coast the benefits of which would extend to existing houses in the neighbourhood as well as those on the application site should necessary funding also be secured for a wider scheme. The comments received from the ESCP stress that because of the wider benefit this would be a preferable approach:

"This site could offer an opportunity to reduce flood risk in the future to both the proposed development and existing community by contributing to a community wide scheme to

reduce flood and erosion risks. The wider scheme for this area is likely to include the construction of a sea wall revetment option with raised embankments or landscaping providing defence height. Any contributions could be financial or a possible commitment to work 'in-kind' by constructing part of the defence across the development site."

Despite the fact that the applicant has proposed a satisfactory means of addressing flood risk on the application site, given the strength of feeling about this issue Officers have discussed with colleagues from the ESCP the practical implications of adopting the more strategic approach of building a sea defence wall instead of raising the land levels.

This alternative approach would require the developer to construct a sea defence wall directly southwards of the application site. The cost of constructing such a wall is unknown.

However, this in itself would not provide any real means of flood defence in the long term since flood waters would simply outflank it, although it would provide erosion risk protection.

In addition there would need to be sea defences constructed along the coast to the west and east of this location.

The ESCP have undertaken detailed feasibility work with regards constructing and improving sea defences along the whole of the stretch of coastline from Alton Grove (to the east of the application site) to Cador Drive (to the west where the existing sea wall is in need of ongoing maintenance). This is because to address flood risk in the longer term the entire frontage would need to be protected to avoid outflanking of individual sections of defences given that flood risk is predicted to increase over time as sea levels rise. They estimate the cost of the works identified in the feasibility study would be in the region of £3million and because of the limited risk at present to properties in this area it would not receive grant funding from central government. This would entail contributions from other funding sources of around £2.5 million. Whilst not all of this stretch of coast would need to be defended by a sea wall in order to mitigate the flood risk on the application site a significant portion would still need to be constructed incurring substantial expense. With that in mind, even if the applicant was so minded, there would not be sufficient surplus funds from the site's redevelopment to facilitate the construction of sea defences instead of raising the land on the application site.

Notwithstanding the work done by Officers and the ESCP in exploring alternative flood risk mitigation, the applicant's proposal remains to raise the level of the site. The Council is therefore obliged to determine this current application as submitted and in that respect the flood risk mitigation offered is considered acceptable and to accord with Policy CS15 of the adopted Core Strategy. It would not be reasonable for the Council to withhold granting planning permission to try and impose a preference for an alternative scheme on the site. Neither would it be possible to require the applicant to make a financial contribution towards a scheme of flood defences given that a suitable solution to mitigate flood risk is already proposed. Paragraph 004 of the government's Planning Practice Guidance section on planning obligations advises that "Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms".

f) Ecology

The applicant has provided updated ecology surveys specifically in regards to bats and reptiles which are considered satisfactory to demonstrate that there would be no harm to protected species or their habitat in this regard. There would be no damage or destruction of biodiversity interests within the Portsmouth Harbour SSSI

The applicant has agreed to a planning obligation secured through a section 106 agreement requiring a financial contribution towards the Solent Recreation Mitigation Strategy (SRMS) in order to offset the 'in combination' effects of the dwellings creating increased recreational pressure on the Portsmouth Harbour SPA (a European designated site). The location of the development is also likely to create specific pressure, as opposed to 'in combination' effects, on the SPA by virtue of the link provided by the public open space from the new houses to the foreshore. This carries with it the risk that dog-walkers and other recreational visitors to the shore would disturb over-wintering birds that are known to use this area in significant numbers. Notwithstanding, the proposed southern boundary fence as referred to in paragraph d) above would act as a means of preventing direct access on to the foreshore from the public open space whilst the rerouted footpath would direct visitors inland instead of onto the beach. On that basis it is unlikely there would be a significant effect on any European designated site.

g) Affordable housing provision

Following a court of appeal decision in May this year (West Berks DC/Reading DC v SoS CLG), the government reissued advice regarding the so called 'vacant building credit' (Planning Practice Guidance, para 021 on Planning Obligations). The advice is an important material planning consideration to be taken into account. It states that:

"National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace."

In this instance the gross floorspace of the proposed housing is 2,099 square metres, this is less than the existing buildings already on the site which have a combined floorspace of 3,457 square metres. Taking into account the above advice from government on the vacant building credit, the development would not be liable for any affordable housing contribution either in the form of on-site units or an off-site financial contribution since there would be no overall increase in floorspace.

Conclusion

The existing buildings on the site are unsightly and are known to be the subject of ongoing complaints of vandalism and anti-social behaviour. The area of the site to be developed lies in the main within the urban area where the principle of redevelopment of so called brownfield land for housing purposes is supported by local and national planning policy. The incursion of the rear gardens of some plots beyond the urban boundary would not harm the character or appearance of the countryside or coastline.

Officers consider the proposed design, layout and arrangements for car parking, bin and cycle storage to be acceptable. There is a satisfactory proposal to mitigate the risk of flooding to the development and the proposal has been assessed in light of the information provided on ecology matters to the satisfaction of Officers.

The proposal is considered acceptable having regard to Policies CS2, CS4, CS5, CS6, CS11, CS15 & CS17 of the adopted Fareham Borough Core Strategy and Policies DSP2, DSP3, DSP13 & DSP15 of the adopted Fareham Borough Local Plan Part 2.

Recommendation

Subject to the applicant / owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:

- a) A financial contribution towards the Solent Recreational Mitigation Project (SRMP);
- b) A financial contribution of £25,000 towards coastal management measures;
- b) Submission of a Public Open Space Management Plan (precise wording to be provided in an update to this report);

PERMISSION subject to the following conditions:

1. The development shall begin before the expiry of a period of three years from the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- a) 18-1946-102 - Site location plan
- b) 16-2037-001 - Planning Layout Rev G
- c) 16-2037-003 - Storey Heights Rev B
- d) 16-2037-004 - External Enclosures Layout Rev D
- e) 16-2037-005 - External Finishes Layout Rev B
- f) 16-2037-007 - Bin & Cycle Strategy Rev B
- g) 16-2037-009 - Enclosure Details Rev C
- h) 16-2037-008 - Hard Surfacing Layout Rev B
- i) 16-2037 - All House Types Rev E
- j) 16-2037-010 - Site Sections Rev B
- k) Noise Impact Assessment - 24 Acoustics January 2014
- l) Arboricultural Impact Assessment and Method Statement - ACD Arboriculture January 2014
- m) Reptile Letter Report - WYG July 2016

REASON: To avoid any doubt over what has been permitted.

3. No development shall take place above damp proof course (dpc) level until details of the external materials and hard surfaced external areas to be used in the development have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a high quality design and appearance to the development.

4. No development shall take place, with the exception of demolition of the existing buildings, until a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained together with the species, planting sizes, planting distances, density, numbers and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed, has been submitted to and approved by the local planning authority in writing.

REASON: In order to secure the satisfactory appearance of the development.

5. The landscaping scheme, submitted under Condition 4 above, shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

6. No development shall take place above damp proof course (dpc) level until details of external lighting to be installed have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: In order to secure the satisfactory appearance of the development; to protect the living conditions of residents.

7. No development shall take place, with the exception of demolition of the existing buildings, until details of the internal finished floor levels and external finished ground levels have been submitted to and approved by the local planning authority in writing. The details shall show that the finished floor levels of the residential units will be set no lower than 4.6 metres above Ordnance Datum (AOD) and the levels of the internal access roads set no lower than 4.3 mAOD. The development shall be carried out in accordance with those details.

REASON: To ensure appropriate flood risk mitigation to this development.

8. No development shall take place above damp proof course (dpc) level until the following details have been submitted to and approved by the local planning authority in writing:

- a) Details of the design and appearance, including materials to be used in the construction, of the screened bin stores to Plots 11, 14, 15 & 18;
- b) Details of the design and appearance, including materials to be used in the construction, of the cycle store shed for all plots.

The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: In order to secure the satisfactory appearance of the development.

9. No development shall take place, with the exception of demolition of the existing buildings, until details have been submitted to and approved by the local planning authority in writing in relation to boundary treatment to be erected along or close to the western site boundary adjacent to nos. 76, 78 88 & 90 Wicor Mill Lane in order to protect the privacy of the occupants of those properties following the rise in site levels. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority. The approved boundary treatment shall thereafter be retained at all times unless otherwise agreed in writing by the local planning authority.

REASON: To protect the privacy of the occupants of neighbouring properties.

10. No development shall take place, with the exception of demolition of the existing buildings, until a scheme of sound attenuation measures to be incorporated into the dwellings on Plots 3, 4, 7, 8, 9, 20, 21, 22, 23 & 24 has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those details unless otherwise agreed in writing by the local planning authority.

REASON: To protect the living conditions of occupants of the new dwellings.

11. No development shall take place, with the exception of demolition of the existing buildings, until a surface and waste water drainage plan has been submitted to and approved by the local planning authority in writing. The surface and waste water drainage plan shall not propose any infiltration of surface water into the ground unless it can be demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure adequate provision is made for the satisfactory disposal of surface and waste water; to prevent mobilisation of contaminants which may be present which could cause pollution of groundwater.

12. No development shall take place, with the exception of demolition of the existing buildings, until details of those retaining walls the position of which is shown on the approved site plan have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: In order to secure the satisfactory appearance of the development; to ensure the adequate provision of private garden space.

13. No development shall take place, with the exception of demolition of the existing buildings, until:

a) A desk top study and site walkover of the whole site (including the area of the proposed public open space), which investigates the former uses of the site and adjacent land and their potential for contamination, with information on the environmental setting including known geology and hydrogeology, has been submitted to and approved in writing by the local planning authority. This report should develop a conceptual model and identify potential contaminant-pathway-receptor linkages.

b) Should the above study reveal a potential for contamination, an intrusive site investigation and assessment of the risks posed to human health, the building fabric and the wider environment including water resources shall be submitted to and approved by the local planning authority.

c) Where the site investigation and risk assessment reveals a risk to receptors, a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use shall be submitted to and approved by the local planning authority in writing. The scheme shall also include the nomination of a competent person to oversee the implementation of the measures.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that any contamination of the site is properly taken into account.

14. No development shall take place, with the exception of demolition of the existing buildings, until a scheme of biodiversity enhancements has been submitted to and approved by the local planning authority in writing. The scheme shall include details of the incorporation of bat loft/access tiles into the development and the specification of sensitive external lighting. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To enhance biodiversity.

15. No development shall take place, with the exception of demolition of the existing buildings, until a Construction Traffic Management Plan has been submitted to and

approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety.

16. No development shall take place, with the exception of demolition of the existing buildings, until a Site Setup Plan has been submitted to and approved in writing by the local planning authority. The Site Setup Plan should include the following:

- a) Details of how provision is to be made for the parking of operatives vehicles;
- b) Details of areas to be used on site for the storage of building materials, plant, excavated materials and huts associated with the implementation of the permitted development;
- c) Details of measures to be taken to prevent spoil and mud from being deposited on the public highway by vehicles leaving the site during the construction works.

The development shall be carried out in accordance with the approved details and the areas and facilities approved in pursuance to this condition shall be made available before construction works commence on site (other than construction of the site access) and shall thereafter be kept available at all times during the construction period, unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of highway safety and to ensure that the living conditions of the occupiers of nearby residential properties are protected during the construction period.

17. Before any of the dwellings hereby permitted are first occupied, confirmation that the remedial works required and approved pursuant to condition 13 above have been carried out in accordance with the agreed remedial strategy shall be provided in a report by an independent competent person which shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that any contamination of the site has been properly remediated as agreed.

18. Before any of the dwellings hereby permitted are first occupied the parking spaces shown on the approved site plan (16-2037-001 - Planning Layout Rev G) shall, with the exception of those spaces marked with a 'V' on that plan, be provided for use by the occupants of their respective plots as identified on that plan and shall each thereafter be retained for use solely by the occupants of those respective plots at all times unless otherwise agreed in writing by the local planning authority.

REASON: To ensure adequate parking provision.

19. Before any of the dwellings hereby permitted are first occupied the visitor parking spaces marked with a 'V' on the approved site plan (16-2037-001 - Planning Layout Rev G) shall be made available for use and retained thereafter at all times.

REASON: To ensure adequate parking provision.

20. The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the local planning authority. Any unsuspected contamination shall be investigated to assess the risks to human health and the wider environment and a remediation scheme shall be submitted to and approved by the local planning authority in writing. The approved scheme of remedial works shall be fully implemented before any of the dwellings hereby permitted are first occupied. On completion of the remedial works and prior to the occupation of any properties on the development, confirmation that the works have been completed in full and in accordance with the approved scheme shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that, if found, any unsuspected contamination of the site is taken into

account and properly remediated.

21. The development shall be carried out in accordance with the recommendations and mitigation measures set out within the approved Reptile Letter Report - WYG July 2016 unless otherwise agreed in writing by the local planning authority.

REASON: To provide appropriate mitigation measures for reptiles.

22. No percussive piling or construction works with heavy machinery (i.e. plant resulting in a noise level in excess of 69bdAmax - measured at the sensitive receptors) shall be undertaken during the bird overwintering period (i.e. October to March inclusive).

REASON: To avoid disturbance of overwintering birds.

23. No piling or construction of foundation designs using penetrative methods shall be carried out as part of the development hereby permitted unless otherwise agreed in writing by the local planning authority.

REASON: To prevent mobilisation of contaminants which may be present which could cause pollution of groundwater.

24. No work relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

REASON: To protect the living conditions of neighbours.

25. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any subsequent Order revoking and re-enacting that Order), no porches extensions to any of the dwellings hereby permitted shall be constructed, no enlargements of or additions to the roofs of the dwellings shall be constructed, and no outbuildings or additional areas of hard standing within the curtilage of the dwelling shall be constructed unless first agreed in writing by the local planning authority following the submission of a planning application.

REASON: To ensure that any contamination of the site is properly taken into account before any further development is carried out; in the interests of the character and appearance of the area; to ensure the retention of adequate sized private gardens to meet the needs of residents.

26. The first floor windows to be inserted into the north side elevations of Plots 3, 21 & 23 and south side elevations of Plots 4, 20 & 22 shall be glazed with obscure glass and be of a non-opening design and construction to a height of 1.7 metres above internal finished floor level and shall thereafter be retained in that condition at all times.

REASON: To protect the privacy of neighbours.

Notes for Information

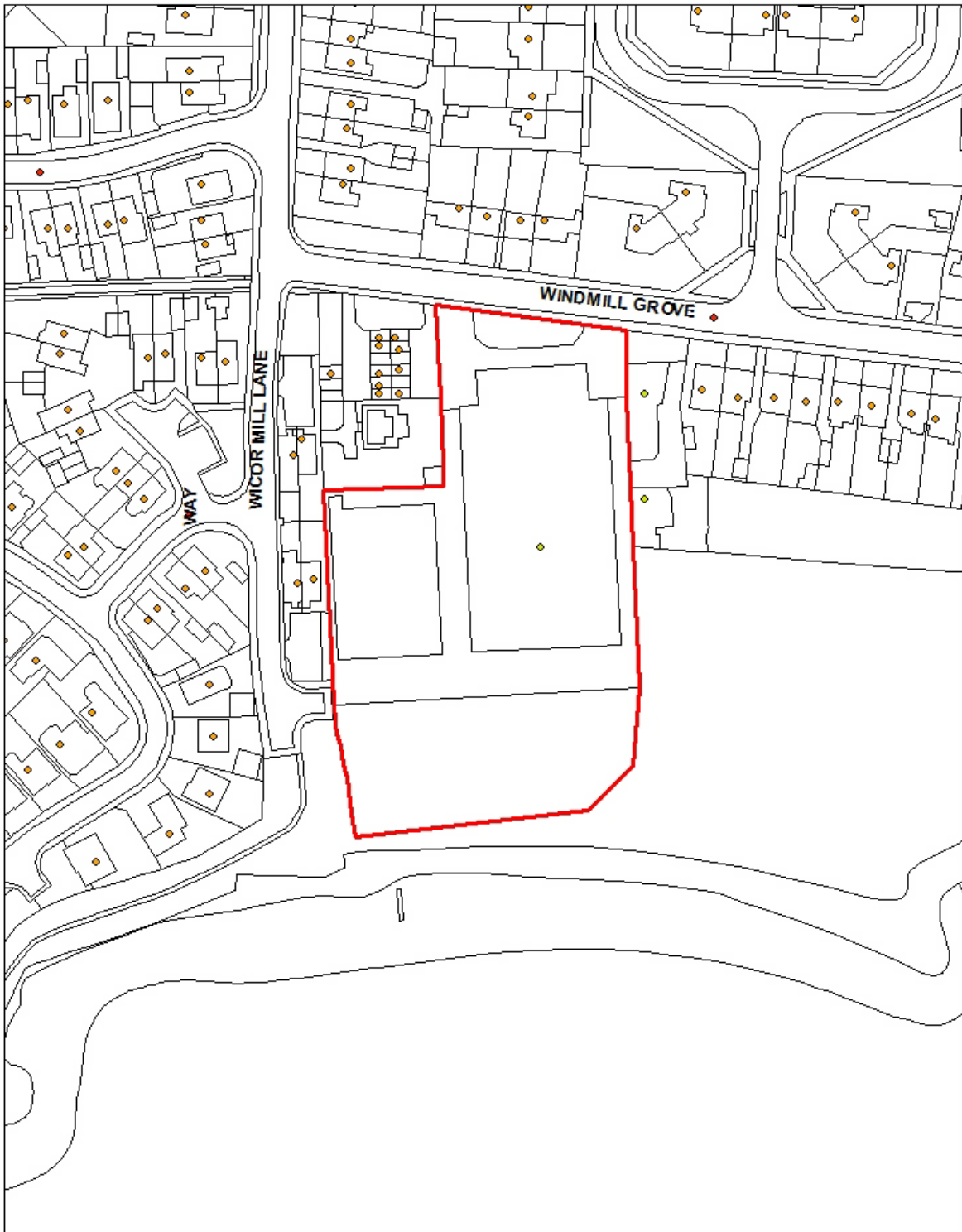
The applicant is advised to contact Southern Water concerning making a formal application to connect to the public sewerage system.

Background Papers

P/14/0033/FP

FAREHAM

BOROUGH COUNCIL



LANDAT WINDMILL GROVE
Scale 1:1,250



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Agenda Item 6(5)

P/15/1060/FP

CROWNPLEX LIMITED

PORTCHESTER EAST

AGENT: HOLMAN READING
PARTNERSHIP LLP

FIVE X 2-BED APARTMENTS & FOUR X 1-BED APARTMENTS CREATED BY
CONSTRUCTING AN ADDITIONAL FLOOR TO THE FRONT OF THE PROPERTY &
TWO ADDITIONAL STOREYS TO THE REAR PART OF THE PROPERTY.

21 WEST STREET PORTCHESTER FAREHAM PO16 9XB

Report By

Peter Kneen - Direct Dial 01329 824363

Site Description

The application site is located within the existing defined urban area of Portchester, and within the defined Portchester District Centre. The site lies on the northern side of the pedestrian precinct and presently forms part of a ribbon of existing 1960s commercial and residential development set over two floors, with shops at ground floor and flats above. To the immediate north of the site lies a private car park (owed by the West Street Management Company for which the applicant is a shareholder) with the A27 wrapping around the northern perimeter of the District Centre.

The existing flats are accessed via a communal staircase located to the north western end of the terrace, with each of the flats accessed via individual external doors from a communal flat roof to the rear of the block.

The application site comprises an existing two storey property extending back beyond the line of the other properties into the car park, comprising the existing Superdrug and Sue Ryder Charity Shop units at ground floor level, two flats front West Street Precinct at first floor and a separate first floor area to the rear of the unit used for storage and staff areas for the ground floor shops. Above the flats is an existing mansard roof, with the rear part comprising a flat roof, with a single lift shaft block to the northwest corner of the building.

Description of Proposal

This application seeks planning permission for the construction of nine flats at second and third floor levels, with the third floor proposed to be set within the roofspace. The flats would be accessed via the communal stairwell to the northwest corner of the block, and a new internal staircase and floating passageway within the area of 21 West Street.

A separate, secure internal bin storage area is to be provided at ground floor level in the northwest corner of the existing storage area of the Superdrug store room. No specific provision for car parking has been provided to support the proposal, although the applicant has rights to allow future occupiers to make use of the existing private car park that wraps around the site.

The scheme has been subject to a number of significant alterations since its original submission, including the re-design of the whole scheme to better compliment an extant planning permission for sixteen flats permitted in 2007 across the whole of the frontage of the West Street Precinct. The current proposal allows for the integration of the proposed development with the extant scheme, and indicative drawings have been provided to demonstrate the integration of the two schemes.

Policies

The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2 - Housing Provision

CS3 - Vitality and Viability of Centres

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington & Hill Head and Titchfield

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

Adopted Local Plan Part 2: Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on Living Conditions

DSP4 - Prejudice to Adjacent Land

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP34 - Development in District Centres, Local Centres and Local Parades

DSP36 - Portchester District Centre

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

Residential Car Parking Standards 2009

Relevant Planning History

The following planning history is relevant:

P/07/0042/FP Erection of Second Floor comprising sixteen flats over existing ground floor shops and first floor flats

APPROVED 03/04/2007 Application implemented by construction of bin store and stairwells

Representations

Seven residents have objected to the proposed development. The key matters of concern raised were:

- Overlooking/overbearing;
- Loss of privacy;
- Car parking;
- Visually unattractive;
- No lift to be provided;
- Dominate the character of the surrounding area.

One letter of support has been received from the applicant to the 2007 planning permission highlighting their intention to implement both proposals concurrently.

Consultations

INTERNAL

Highways: Initial comments - additional car parking could be achieved in the West Street car park through the rationalisation of the existing parking layout. However, until the requisite number of parking spaces are available, a holding objection is raised.

Further comments - Following further discussions with Planning Strategy and Hampshire County Council, whilst it is acknowledged that there could be capacity in the car park, and further rationalisation of the parking spaces could be achieved, given the limited control of the applicant over the car parking, the objection would be maintained.

Recycling Co-ordinator: Initial comments - external bin storage promotes fly-tipping, which is already a problem in the area. Lockable secure bin storage would be required.

Further comments - Following submission of amended plans showing an internal bin store, the objection was removed.

Planning Considerations - Key Issues

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

- Principle of the development;
- Visual appearance of development;
- Car parking;
- Affordable Housing;
- Living conditions of neighbouring occupiers;
- Ecology.

Principle of the development:

The site is located within the defined urban area of the Portchester, and is therefore considered to be a highly sustainable location for the provision of additional residential accommodation. The site is immediately adjacent to local services and facilities together with regular bus services along the A27 and through Portchester, and within easy walking distance of Portchester Railway Station, linking Portchester to Portsmouth and London to the east and Fareham and Southampton to the west. Further residential development in the District Centre is therefore considered acceptable, subject to the consideration of other material considerations.

Visual Appearance of the Development:

Planning permission was granted in 2007 for the provision of 16 flats at second floor level above all the existing flats fronting West Street. This planning permission remains extant having been partially implemented with the provision of the bin store and second staircase within the car park area. Two of the 16 flats are sited on the two front flats of this current proposal, and those flats would be subsumed into this proposal. The design and appearance of the current proposal has evolved during the application timeframe, and the current scheme now largely reflects that of the extant scheme, through the provision of a mansard roof, incorporating the top floor flats.

It is acknowledged that the rear section of the proposed development, being four storeys

high will be visually prominent in the surrounding area. The design of the scheme has been amended to give the appearance of the top (third floor) being wholly situated within the roof space. However, the height of the building would be seen in isolation of other developments, and would appear out of keeping with the largely two and three storey developments in the District Centre.

Whilst longer distance views of the proposal would be obstructed by vegetation further to the east and west of the site, it is considered the scale and height of the proposal in this part of West Street should be limited to those properties fronting the main street, with any further development on the rear part of the properties limited to only two or three storeys.

The scheme is further exacerbated by the isolation of the proposal. Whilst the scheme accords with the design parameters of the extant 2007 planning permission, and would enable the extant scheme to be essentially 'tagged' on at the sides, in isolation, the development would appear out-of-keeping and incongruous with the more traditional two and three storey developments in and around the District Centre. This matter is further exacerbated by the lack of any control over the ability to bring forward the further implementation of the extant scheme.

The design and appearance of the proposal seeks to reflect the architecture in the precinct and mirrors the styling along the southern elevation (shop frontage) of West Street. The mansard style roof ensures the ridgeline is kept low, whilst also efficiently maximising the use of the available space. The loss of the flat roof would ensure an overall improvement to the existing appearance.

The proposed flats would not enjoy any specific private amenity space, although the two fronting West Street would include small balconies overlooking the street scene. The existing residents also do not benefit from private amenity space, which is not an uncommon situation within an established urban setting. Residents would have access to the communal first floor roof space, and Portchester as a whole has good access to public open spaces and other areas of public amenity. Additionally, in practice, the absence of resident's amenity space, which whilst preferable, is not considered to be a compelling grounds to refuse an application in such a central location where there is a wide range of facilities.

A new internal bin store would be provided at ground floor level within the existing underutilised store room for Superdrug, and would provide sufficient capacity to accommodate the waste and recycling bins for the 9no. flats.

Car Parking:

The application site is located within the designated urban area, in close proximity to local services and facilities, including shops, schools and community facilities, including a health centre. The District Centre is well served by public transport, with regular bus services along the A27 and through Portchester, and the site is within close walking distance to Portchester Train Station. Government advice highlights the importance of providing new residential development in the most sustainable locations, where the provision of non-car modes of transport should be promoted.

The site benefits from direct access to a privately owned car park, although the spaces are available to residents, shop owners and staff and their customers. In light of this 'shared use' arrangement availability varies, and no spaces are reserved specifically for residents.

There is a highway objection from the Council's Transport Planner to the lack of specific allocated car parking for the proposed development. Notwithstanding, it is acknowledged that rationalisation of the parking areas could generate sufficient additional spaces in the car park to accommodate nine additional spaces, however the ability to do this is beyond the control of the applicant. The car park is owned by a management company for which the owners of the shops and flats on the northern side of West Street are all shareholders. Furthermore it is likely that demand for the car park by the residents of the flats is likely to be at times when there is no or limited demand from shop owners and their customers.

In light of the foregoing it is considered the existing capacity of the car park is appropriate for a development of this size.

Affordable Housing:

The application proposes the provision of nine additional flats, which would as such generate the need for affordable housing based on the policy provisions of the Adopted Core Strategy, Policy CS18. However, a Court of Appeal decision (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016]) raised the national policy threshold for the provision of affordable housing on developments from five or more units (as stated in Policy CS18) to ten units or more. The raising of the threshold sought to reverse the significant decline in number of small-scale developments coming forward since the 2008 recession. The decline was attributed to the increased burden on developers to make financial contributions or provide affordable housing on small sites making many smaller developments financially unviable.

The Court of Appeal judgement therefore supersedes the Adopted Policy of the Core Strategy and therefore there is no affordable housing requirement for this development proposal.

Living conditions of neighbouring occupiers:

This planning application proposes the construction of part second floor and part third floor apartments comprising a mix of one and two bedroom flats. The scheme would see additional residential development built on the rear part of the existing shops. No third party comments have been received from the existing occupiers of the flats or the shops, with the six letters of objection being received from the occupiers of the properties to the north of the A27 in The Leaway.

The three flats at the northern part of the site would be situated approximately 60m from the rear elevation of the nearest property along The Leaway, and almost 41m from the bottom of the rear garden, adjacent to the boundary with the A27. Given the level of separation, and the existing boundary vegetation along the A27, it is considered that the proposals, whilst clearly visible to the occupiers of The Leaway, would be of a sufficient distance away not to result in a material loss of privacy. The level of separation accords with the principles of the adopted Design Guidance SPD.

Ecology:

The Solent coastline provides feeding grounds for internationally protected populations of overwintering birds and is used extensively for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within the Borough

therefore need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution of currently £176.00 per dwelling. The applicant has made this payment and therefore is considered to have satisfactorily addressed the mitigation concerns.

Conclusion

In summary, it is considered that the proposed construction of additional residential accommodation would contribute towards the viability and vitality of the District Centre, whilst also providing much needed additional small accommodation. However, the provision of two additional storeys at the rear part of the site, which if permitted could be brought forward in isolation (there is no guarantee of the extant permission being implemented) would result in an incongruous form of development which would appear out of keeping in scale, height and massing to the prevailing two and three storey developments in the rest of the District Centre.

It is acknowledged that the site is situated in a sustainable location, where access to public transport is good and the existing capacity of the car park is appropriate for a development of this size. It is also acknowledged that the development would not have a significant impact on the living conditions of neighbouring occupiers (levels of separation according to the Design Guide Standards) and that the design and appearance of the building has been amended to accord with the design principles of the extant scheme. However in isolation, the development would not be capable of being supported in this case due to the increased height of the development at the rear part of the site.

Based on the above it is considered the proposal fails to accord with the relevant policies of the development plan and therefore the application is recommended for refusal.

Recommendation

REFUSE:

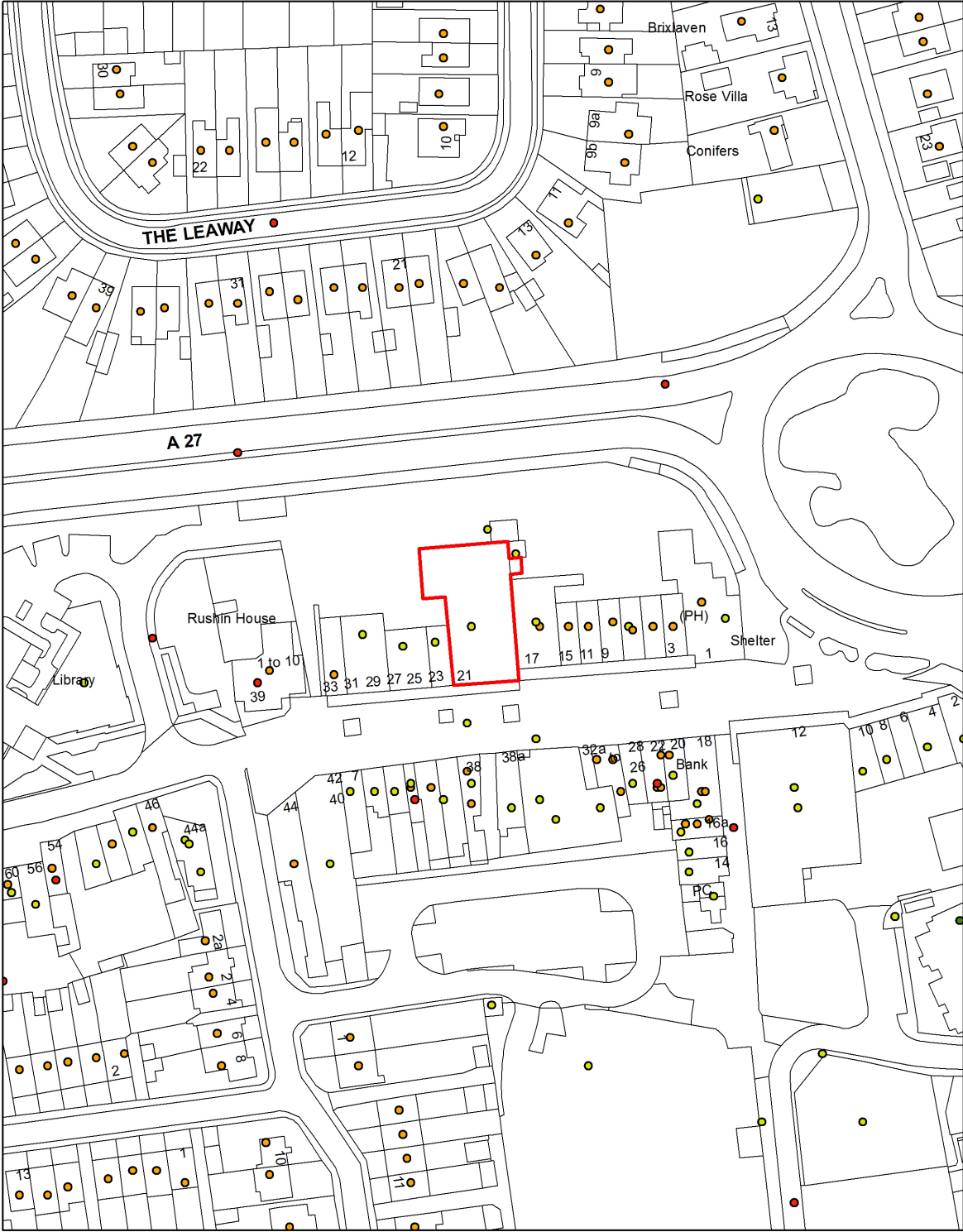
The development, by reason of the overall height, scale, siting and massing of the scheme at the rear of the site, would result in an incongruous development that would be out of keeping with the character and appearance of the area. The development fails therefore to accord with Policy CS17 of the Adopted Fareham Borough Core Strategy, and Policy DSP4 of the Adopted Fareham Borough Local Plan Part 2: Development Site and Policies.

Background Papers

See Planning History above.

FAREHAM

BOROUGH COUNCIL



21 West Street
Scale 1: 1,250



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Agenda Item 6(6)

P/16/0905/FP

R C PROPERTIES LTD

PORTCHESTER EAST

AGENT: ROBERT TUTTON
TOWN PLANNING
CONSULTANTS LTD

REDEVELOPMENT BY THE ERECTION OF EIGHT HOUSES (FOUR WITH TWO BEDROOMS AND FOUR WITH THREE BEDROOMS) FOLLOWING DEMOLITION OF THE CHURCH AND SITE CLEARANCE.

FORMER CATHOLIC CHURCH OF OUR LADY OF WALSINGHAM WHITE HART LANE
PORTCHESTER FAREHAM PO16 9BS

Report By

Richard Wright - 01329 824758

Site Description

This application relates to the site of the former Catholic Church of Our Lady of Walsingham located on the southern side of White Hart Lane close to its eastern end where it meets Castle Street.

The site is identified within the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies (Policy DSP40) as a Housing Allocation. It measures approximately 0.17 hectares in area. Access into the site is via an existing vehicular entrance in its northern boundary from White Hart Lane itself. The site is bounded on its eastern side by Cobham Hall, on its southern side by the rear gardens of houses in York Gardens and to the west by a public footpath beyond which lies houses in Windsor Road and fronting White Hart Lane. Mature overgrown hedgerows enclose the site around the majority of its perimeter.

The church in the south-western corner of the site has been vacant for a number of years and now stands partially demolished. The surrounding car park and grounds have been used informally over the past 12-18 months and without planning permission for storage purposes in conjunction with a local building business.

The site abuts the Portchester Castle Street Conservation Area along its eastern boundary with Cobham Hall.

Description of Proposal

Permission is sought for eight houses on the site following the demolition of the church building and clearance of the site. Four of the houses would have two bedrooms with the other four being three bedroom dwellings.

Six of the houses would front White Hart Lane with a vehicular and pedestrian access point formed between plots 2 and 3 leading to the rear. At the rear would be two further houses and a communal parking courtyard with thirteen spaces. It is proposed to retain much of the existing mature hedgerow as boundary treatment however this would be trimmed back in places, and new planting would be carried out along some parts of the boundary and along the access road.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document (Adopted De

Development Sites and Policies

DSP3 - Impact on living conditions

DSP5 - Protecting and enhancing the historic environment

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

Relevant Planning History

The following planning history is relevant:

P/12/0205/FP

DEMOLITION OF EXISTING BUILDING AND ERECTION OF 7 NO. 2 & 3-BED DWELLINGS WITH NEW ACCESS FROM HIGHWAY.

APPROVE

22/03/2013

Representations

In response to the application being published, the Portchester Civic Society and residents of eight neighbouring properties have written in with a mixture of positive and negative points being raised.

Positive:

- The hedgerows need tidying up
- The site is derelict and an eyesore at present
- The site is suitable for housing

Negative:

- Removal of trees/hedgerow at rear will expose some properties making them less secure and subjecting them to noise from vehicles in the car park
- Loss of light, outlook and privacy to homes at rear
- Effect on wildlife
- Increased traffic congestion and parking problems
- Danger from cars using access
- Height and terracing of houses is out of keeping with the other houses
- Harmful to Castle Street Conservation Area
- Cramped form of development

- Contamination on site

Consultations

INTERNAL

Environmental Health (Contaminated Land) - No objection subject to conditions.

Trees - No objection provided the recommendations of the tree report are followed and construction methods, as detailed within the arboricultural method statement, are followed when working near retained trees and hedges.

Ecology - No objection subject to biodiversity enhancements being secured.

Highways - No objection.

Conservation - No objection.

Planning Considerations - Key Issues

a) Planning history and principle of development

Planning permission was previously granted for the demolition of the church building and construction of seven dwellings (our reference P/12/0205/FP). The consent lapsed in March of this year. This current application proposes a similar layout but with one additional house facing northwards fronting White Hart Lane to make eight in total.

The site is previously developed land within the urban area and as such its redevelopment for residential purposes is supported by Policies CS2 & CS6 of the adopted Fareham Borough Core Strategy and through its allocation for housing in Policy DSP40 of the adopted Fareham Borough Local Plan Part 2.

b) Access

The previous permission granted proposed access from White Hart Lane into the rear of the site in a central position within the frontage. This would have entailed the removal and relocation of the two existing 'build-outs' immediately outside of the site on White Hart Lane which currently act as a pinch point to control the speed of traffic travelling through. The current proposal does away with the need to remove these build-outs by shifting the position of the access slightly to the east.

The access onto the highway is considered safe in that adequate visibility for drivers exiting onto White Hart Lane can be achieved in both directions. The width of the first part of the access drive is sufficiently wide enough to allow vehicles to pull in off the highway whilst another car leaves the site.

c) Layout and design

The access lane leads through to the rear of the site where thirteen parking spaces are provided. Spaces 12 & 13 as identified on the submitted site plan should be retained for use by the occupiers of Plot 8 due to their proximity to that house. The remaining eleven spaces would provide sufficient space to meet the needs of the other seven houses (4 x 2-bed homes, 3 x 3-bed) in accordance with the Council's adopted Residential Car & Cycle Parking Standards SPD provided they are made available on an un-allocated basis.

Appropriate arrangements are to be put in place for cycle storage, bin storage and refuse collection points.

The revised layout demonstrates that the site can accommodate eight dwellings without harming the character or appearance of the surrounding area. The development is proposed at a density of 47 dwellings per hectare (dph) compared to the recent construction of 1a & 1b White Hart Lane opposite the application site (approximately 35 dph), the six houses to the rear of the site 6 - 11 York Gardens (50 dph), Barbican Mews located off Castle Street to the east (36 dph) and the row of terraced houses nearby at 120 - 138 Castle Street (66 dph). The dwellings fronting White Hart Lane would be set back from the roadside a sufficient distance so as not to appear out of keeping with the character of the street. The proposed elevations show traditional style dwellings sympathetic in design and which respond well to the mixed but predominantly traditional architecture in the surrounding area. Subject to the use of high quality facing materials the houses would make a positive contribution to the appearance of the streetscene. Having regard to the special attention required through section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the development would preserve and enhance the character and appearance of the adjacent Castle Street Conservation Area.

d) Living conditions

Each of the eight houses proposed would have gardens at least 11 metres in length. Plots 1 - 4 would have 11 metre long gardens, Plots 5 & 6 at 11.8 & 12.6 metres respectively and Plots 7 & 8 would have 11 - 12 metre long gardens. Given the southerly aspect of the gardens for Plots 1 - 6 and westerly orientation of Plots 7 & 8, these garden sizes are considered to be adequate provided the existing boundary hedgerows are reduced in height and span so that they do not dominate or overshadow those gardens whilst still providing security and privacy for both future and existing neighbouring residents.

The distances between first floor windows which are to be clear glazed and opening and party boundaries are considered sufficient to avoid any material harm to the privacy of neighbours. Similarly, the distances between first floor windows in the rear of Plots 7 & 8 and houses in Windsor Road to the west are in excess of the 22 metres ordinarily considered acceptable in this regard. For the same reasons concerning privacy, first floor windows in the sides of certain plots, including the upstairs bathroom window set in the south elevation of Plot 8, should be controlled by a planning condition to ensure they are obscure glazed and fixed shut up to a height of 1.7 metres above floor level at all times.

Concern has been raised that the south side elevation of Plot 8 will harm the light to and outlook from properties to the south in York Gardens. At present high and overgrown planting lines this southern boundary which would be trimmed but retained when the development took place. The flank elevation of Plot 8 would stand 3.2 - 3.7 metres from the southern site boundary and approximately 14 metres from the rear elevation of the house at 7 York Gardens. Since the application site is due north of the property at 7 York Gardens there would be no loss of direct sunlight as a result of the development. It is not considered that there would be any material harm to the outlook from this property either taking account of the fact that there already exists high and substantial planting along the boundary and that the Council's adopted Design Guidance SPD suggests that in such circumstances a distance of 12.5 metres should be sufficient to acceptably minimise any loss of outlook.

Some neighbours whose properties abut the site have raised concerns that the development will expose the rear of the their properties allowing intruders to gain access

and leading to noise and disruption from vehicles in the car park. The exact details of how the site would be landscaped using both existing vegetation and new planting would, if planning permission was granted, be provided at a later date as required by a planning condition. However, the site plan indicates that the developer intends to retain as much of the existing boundary hedgerows and planting as possible to use as screening and to visually soften the edges of the site. Whilst therefore there would be some reduction in the extent of boundary vegetation, it is not considered that this would materially increase the risk of crime or anti-social behaviour. There is also no reason to suggest that the comings and goings of vehicles in the car park would give rise to an unacceptable noise nuisance to neighbours.

e) Affordable housing

Policy CS18 of the adopted Fareham Borough Core Strategy expects that development on sites that can accommodate a net increase in residential units of five or more should be subject to the requirement for a contribution towards off-site affordable housing provision. However, the government's recently reissued guidance published on the Planning Practice Guidance website advises that affordable housing obligations should not be sought from small scale development of 10-units or less and which have a maximum gross floorspace of no more than 1000m².

Whilst the local plan policy requirement is for an affordable housing contribution, the PPG advice is an important material consideration which suggests otherwise. In this instance therefore it is considered that there should be no obligation for the developer to make some of these houses available as affordable units or to make an equivalent financial contribution towards off-site affordable housing provision.

f) Ecology

The applicant has proposed ecological enhancement measures in line with the advice provided by the Council's ecologist.

Policy DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies explains that proposals for residential development must satisfactorily mitigate the 'in combination' effects of recreation on the Special Protection Areas of the Solent coastline.

Subject therefore to the applicant providing a financial contribution to offset the impact of this development through the Solent Recreation Mitigation Strategy (SRMS), the proposal would comply with this policy requirement.

Conclusion

This application proposes the redevelopment of previously developed land within the urban area to provide eight houses and accords with the guidance contained within the adopted local plan. There would be no harm to highway safety, the living conditions of neighbours or the character and appearance of the area. The proposal would preserve the character and appearance of the adjoining Castle Street Conservation Area. Adequate parking space, bin and cycle storage is proposed as well as biodiversity enhancements and mitigation for the 'in combination' effects on the Solent SPAs. In this instance government policy suggests that the developer should not be obliged to contribute towards affordable housing provision.

The proposal accords with Policies CS2, CS5, CS6, CS15 & CS17 of the adopted Fareham Borough Core Strategy and Policies DSP3, DSP5 & DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies.

Recommendation

Subject to:

- a) the applicant making a financial contribution of £176 per dwelling towards the Solent Recreation Mitigation Strategy (SRMS) to be secured under section 111 of the Local Government Act 1972;
- b) the receipt of an updated tree survey plan, arboricultural method statement and proposed site plan showing the correct positions of two trees in the south-western corner of the application site;

PERMISSION:

1. The development shall begin before the expiry of a period of three years from the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- a) Location plan - drawing no. 01
- b) Proposed site plan - drawing no. 02B
- c) Proposed floor plans - drawing no. 03B
- d) Proposed elevations - Plots 7 & 8 - drawing no. 04A
- e) Proposed elevations - Plots 3 - 6 - drawing no. 05A
- f) Proposed elevations - Plots 1 & 2 - drawing no. 06
- g) Phase I Report by ecosupport limited July 2016
- h) Addendum to Ecological Report of July 2016
- i) Tree-Hedge Survey, Arboricultural Impact Assessment and Tree-Hedge Method Statement - N J Trowell July 2016

REASON: To avoid any doubt over what has been permitted.

3. No development shall take place until details of the materials to be used in the external construction of the development and areas of hard surfacing on the site have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To ensure the development is of a high quality design and appearance.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any of the dwellings hereby permitted are first occupied.

REASON: In the interests of the living conditions of future residents and the appearance of the development.

5. No development shall take place until a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained together with the species, planting sizes, planting distances, density, numbers and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed, has been submitted to and approved by the local planning authority in writing.

REASON: To ensure the development is of a high quality design and appearance.

6. The landscaping scheme, submitted under Condition 5 above, shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the development is of a high quality design and appearance.

7. No development shall take place until:

a) A desk top study and site walkover of the whole site which investigates the former uses of the site and adjacent land and their potential for contamination, with information on the environmental setting including known geology and hydrogeology, has been submitted to and approved in writing by the local planning authority. This report should develop a conceptual model and identify potential contaminant-pathway-receptor linkages.

b) Should the above study reveal a potential for contamination, an intrusive site investigation and assessment of the risks posed to human health, the building fabric and the wider environment including water resources shall be submitted to and approved by the local planning authority.

c) Where the site investigation and risk assessment reveals a risk to receptors, a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use shall be submitted to and approved by the local planning authority in writing. The scheme shall also include the nomination of a competent person to oversee the implementation of the measures.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that any contamination of the site is properly taken into account.

8. Before any of the dwellings hereby permitted are first occupied, confirmation that the remedial works required and approved pursuant to condition 7 above have been carried out in accordance with the agreed remedial strategy shall be provided in a report by an independent competent person which shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that any contamination of the site has been properly remediated as agreed.

9. The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the local planning authority. Any unsuspected contamination shall be investigated to assess the risks to human health and the wider environment and a remediation scheme shall be submitted to and approved by the local planning authority in writing. The approved scheme of remedial works shall be fully implemented before any of the dwellings hereby permitted are first occupied. On completion of the remedial works and prior to the occupation of any properties on the development, confirmation that the works have been completed in full and in accordance with the approved scheme shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that, if found, any unsuspected contamination of the site is taken into account and properly remediated.

10. The development shall be carried out in accordance with the recommendations and enhancements stated in the approved Phase I Report by ecosupport limited July 2016 and

Addendum to Ecological Report of July 2016 unless otherwise agreed in writing by the local planning authority.

REASON: To provide appropriate biodiversity enhancements.

11. None of the dwellings hereby permitted shall be occupied until the parking spaces shown on the approved site plan have been constructed and made available for use. The parking spaces shall be retained for use on an un-allocated basis at all times thereafter except for spaces 12 & 13 which shall be retained for use by the residents living at Plot 8 at all times thereafter.

REASON: To ensure an adequate level of parking provision.

12. No work relating to the construction of any of the development hereby permitted (including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

REASON: To protect the living conditions of neighbours.

13. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Statement. The Statement shall provide details of:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

REASON: To protect the living conditions of neighbours.

14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any subsequent Order revoking and re-enacting that Order with or without modification), no roof alterations (including the addition of roof lights or dormer windows), extensions or outbuildings shall be constructed within the curtilage of any of the dwellings hereby permitted unless otherwise agreed in writing by the local planning authority following the submission of a planning application made for that purpose.

REASON: To protect the living conditions of neighbours; to ensure adequate private garden space is retained; to ensure adequate levels of parking provision.

15. The following windows shall be glazed with obscure glass and be of a non opening design and construction to a height of 1.7 metres above internal finished floor and shall thereafter be retained in that condition at all times:

- a) the first floor window in the western elevation of Plot 2;
- b) the first floor window in the eastern elevation of Plot 3;
- c) the first floor window in the western elevation of Plot 6;
- d) the first floor window in the northern elevation of Plot 7;
- e) the first floor window in the southern elevation of Plot 8.

REASON: To prevent overlooking and to protect the privacy of the occupiers

Notes for Information

a. If asbestos is present on site in any form (cement, insulation, lagging, boarding) the applicant's attention is drawn to guidance on the following website <http://www.hse.gov.uk/asbestos/essentials/index.htm> any demolition/removal should be subject to a Health and Safety risk assessment and in a manner so as to not release fibres to the air or soil. The applicants attention is drawn to The Control of Asbestos Regulations 2012 <http://www.hse.gov.uk/asbestos/regulations.htm>.

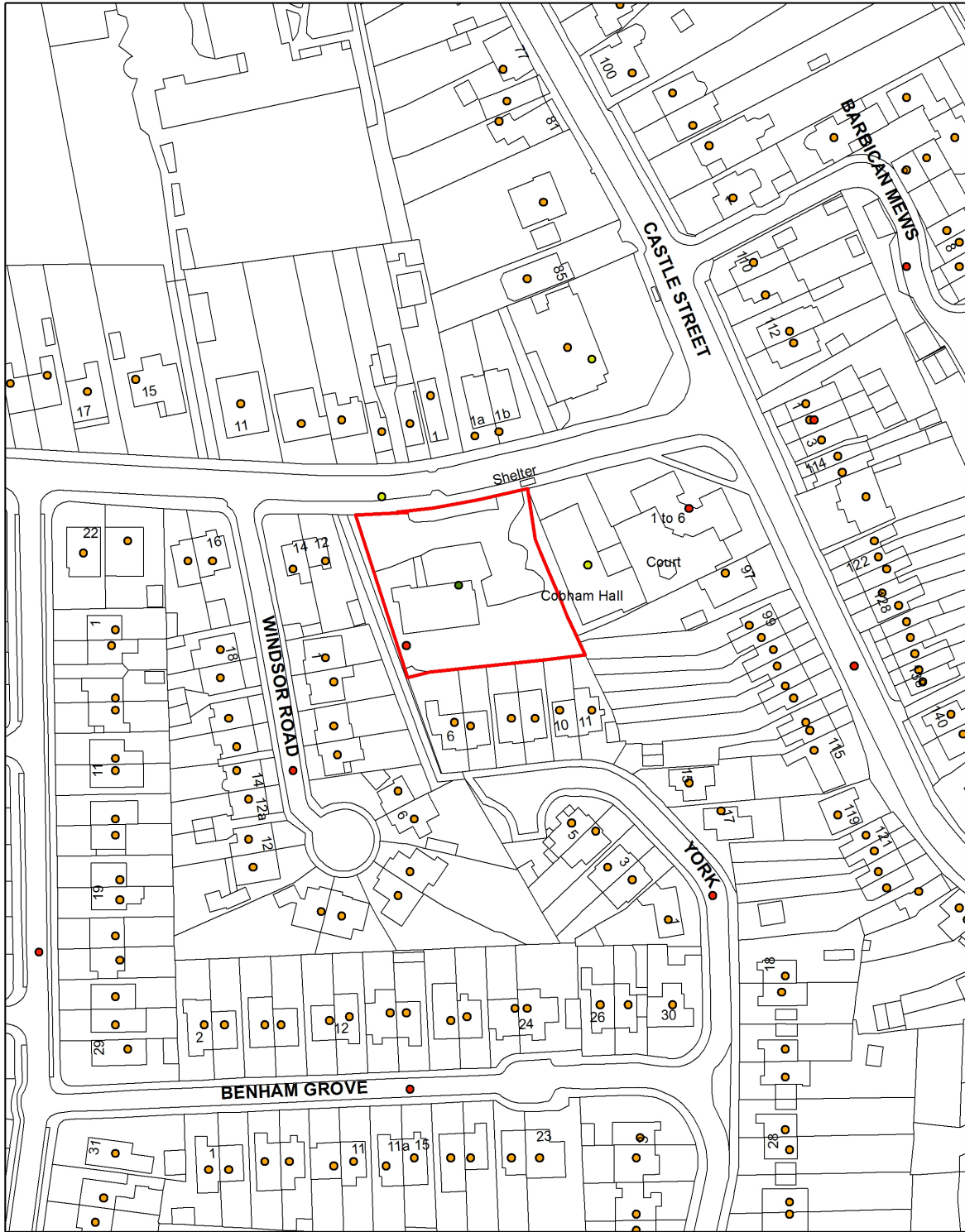
b. Birds nests, when occupied or being built, and the widespread species of reptile receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential birds nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August. If there is absolutely no alternative to removing shrub and tree vegetation (as permitted by consent) during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5 - 10m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord. Reptile habitat such as grassed banks, tall grassland margins, rotting vegetation heaps should be carefully cleared by hand during warmer months as if hibernating reptiles are disturbed they will die. Any reptiles revealed should be moved to adjacent retained rougher/boundary habitat or allowed to move off of their own accord.

Background Papers

P/12/0205/FP; P/16/0905/FP

FAREHAM

BOROUGH COUNCIL



Former Catholic Church of
Our Lady of Walsingham
Scale 1: 1,250



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Agenda Item 6(7)

P/16/1153/VC

LIDL UK

PORTCHESTER EAST

AGENT: RPS PLANNING &
DEVELOPMENT

VARIATION OF CONDITION 5 OF PLANNING PERMISSION P/15/1093/FP
(DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF LIDL FOOD STORE WITH
ONE HUNDRED CAR PARKING SPACES) TO PROVIDE FOR AN EXTENDED PERIOD
FOR THE DELIVERY OF OFF SITE HIGHWAY WORKS.

UNITS 1-4 & 18-19 CASTLE TRADING ESTATE FAREHAM PO16 9SF

Report By

Mark Wyatt. Direct Dial (01329) 824704

Site Description

The application site is on the east side of Castle Trading Estate comprising the land of units 1-4 and numbers 18 and 19. The site occupies the corner plot at the junction of the Trading Estate road and the A27. The eastern site boundary forms the borough boundary with Portsmouth City Council.

In terms of topography the site is generally flat although there is a slight change in levels down into the site from the northern boundary.

The site is currently under construction.

Description of Proposal

This application seeks to vary the terms of condition 05 of the planning permission currently being implemented. The trigger for the delivery of the off site A27 / Castle Trading Estate signal improvements and footway widening is requested to be amended to allow for the improvement works to be delivered within four months of the store opening rather than prior to the store opening.

Policies

The following policies and Guidance apply to this application:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Approved Fareham Borough Core Strategy

CS1 - Employment Provision

CS3 - Vitality and Viability of Centres

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS17 - High Quality Design

Development Sites and Policies

DPS1 - Sustainable Development

- DSP2 - Environmental Impact
- DSP3 - Impact on living conditions
- DSP17 - Existing Employment Sites and Areas
- DSP34 - Development in District Centres, Local Centres, and Local Parades
- DSP36 - Portchester District Centre
- DSP37 - Out-of-Town Shopping

Relevant Planning History

The following planning history is relevant:

<u>P/15/1093/FP</u>	Demolition of existing buildings and erection of Lidl food store with one hundred car parking spaces.(Amended proposal to planning permission P/14/1187/FP)	APPROVE	12/02/2016
<u>P/14/1187/FP</u>	DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF LIDL FOOD STORE WITH 70 CAR PARKING SPACES.	APPROVE	11/11/2015

Representations

None

Consultations

INTERNAL CONSULTEES:

Highways: No objection

EXTERNAL CONSULTEES:

Hampshire County Council(Highways): No objection

Planning Considerations - Key Issues

Planning permission was granted in February 2016 for the redevelopment of the application site to provide a new Lidl foodstore.

Condition 5 of this planning permission is as follows:

05. The store hereby approved shall not open until the applicant/developer has completed the off site highway works as detailed in drawing number 4621.008 Revision B "Proposed Off Site Highway Improvements" and drawing 4621.005 Revision B "Proposed Access Arrangements" as referred to within the legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, as amended, associated with this permission.

REASON: In the interest of highway safety and policy CS5 of the Fareham Borough Core Strategy.

The application confirms that the new site access onto the Castle Trading Estate and the closure of the existing access will continue to be completed prior to the store opening.

The improvements to the A27 / Castle Trading Estate including upgraded pedestrian

crossing facilities have been programmed in with the County Council (as Highway Authority) and the widening of the existing footway on the south side of the A27 and the dedication of this land as highway are also programmed in. The store is due to open in November 2016, and these highway works will not be completed until after this time. The application therefore seeks a variation of the planning condition to allow for these works to be completed within four months of the store opening as follows:

The store hereby approved shall not be open until the developer/applicant has completed the following highway works as detailed on drawing PR-002 Rev J and in the legal agreement associated with this permission pursuant to section 106 of the Town and Country Planning Act:

- The new site access and stopping up of the existing access

The remaining highway works detailed on drawing 4621.008 Rev B and in the legal agreement associated with this permission shall be completed within four months of the store opening. These works comprise:

- Improvements to the A27/Castle Trading Estate traffic signal including the provision of a pedestrian crossing on castle Trading Estate; and

- The widening of the existing footway along the A27 to facilitate the provision of a shared use footway/cycleway, including dedication of highway rights.

REASON: In the interest of highway safety and policy CS5 of the Fareham Borough Core Strategy.

The footpath widening works and the proposed A27 / Castle trading estate junction works are identified as public benefit works to help improve the attractiveness of the links between the new store and Portchester District Centre. The proposed signal improvements are not essential highway safety or highway capacity works that need to be completed prior to the store opening. The County Council, as highway authority, have been consulted on the proposals and have raised no objection to the proposals as submitted and are reassured that the works have been programmed in.

The junction as it currently exists provides for an uncontrolled pedestrian crossing and the proposal seeks to upgrade and improve the crossing facility. As such, customers of the store and the district centre can use the existing crossing in the period between the store opening and the commencement of the proposed works. When the junction works are undertaken the traffic management measures will provide temporary arrangements for pedestrians detailing safe alternative walking routes whilst construction is underway and these measures will first be agreed with the Highway Authority.

The Local Planning Authority takes comfort in the fact that the works are already programmed in with the County Council to start in early January 2017 and on the basis that the works are completed as per the suggested condition the proposal is not considered to have a significantly and demonstrably harmful impact on the footfall between the district centre and the proposed store.

Section 73 of the Town and Country Planning act allows an applicant to make an application to vary or seek relief from a planning condition. The result of the consideration of an application under this Section of the Act is that a fresh planning permission is granted for the whole scheme. As such all conditions are repeated from the decision P/15/1093/FP as necessary. A new legal agreement is also necessary given that the decision results in a new permission being granted.

Subject to the satisfactory completion of a deed of variation to the Section 106 agreement

pursuant to the permission P/15/1093/FP to ensure that the planning obligations reflect the revised trigger for the delivery of the off site highway improvements, the proposal is considered to be acceptable for planning permission to be granted.

SUMMARY:

The proposed off site highway works are considered to be public betterment works rather than essential highway safety works and as such the delay in the completion of these works until four months after the store opens is acceptable to the Highway Authority and the local planning authority. The proposals accords with Policies CS5 and CS17 of the adopted Fareham Borough Core Strategy.

Recommendation

Subject to the completion of a deed of variation to the Section 106 agreement pursuant to the permission P/15/1093/FP on terms to the satisfaction of the Solicitor to the Council, to ensure that the planning obligations reflect the revised trigger for the delivery of the off site highway improvements.

PERMISSION subject to conditions:

1) The development shall be carried out in accordance with the following documents approved under planning permission P/15/1093/FP:

- PR-001 Proposed Site Location Plan
- PR-002 Revision J Proposed Site Layout Plan
- 4621.008 Revision B Proposed off-site Highway Improvements

REASON: To ensure a satisfactory comprehensive development

2) The development shall be undertaken in accordance with the approved Construction Method Statement approved pursuant to condition 4 of the permission P/15/1093/FP.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Policies CS5, CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

3) The store hereby approved shall not be open until the developer/applicant has completed the following highway works as detailed on drawing PR-002 Rev J and in the legal agreement associated with this permission pursuant to section 106 of the Town and Country Planning Act:

- The new site access and stopping up of the existing access

The remaining highway works detailed on drawing 4621.008 Rev B and in the legal agreement associated with this permission shall be completed within four months of the store opening. These works comprise:

- Improvements to the A27/Castle Trading Estate traffic signal including the provision of a pedestrian crossing on castle Trading Estate; and
- The widening of the existing footway along the A27 to facilitate the provision of a shared use footway/cycleway, including dedication of highway rights.

REASON: In the interest of highway safety and policy CS5 of the Fareham Borough Core Strategy.

04) The store hereby approved shall not open until the scheme of remedial measures (pursuant to condition 07b on planning permission P/15/1093/FP) have been fully implemented with verification of the installation of the mitigation measures submitted to and

approved in writing by the Local Planning Authority prior to first occupation. The verification shall include photographic evidence and "as built" drawings.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

05) Lighting shall be installed in accordance with the Philips Lighting Report for the Exterior Carpark dated 11.11.2015 and the drawing dated 12.11.2015 prepared by Philips and titled Carpark Lighting Levels Initial Lighting Levels as submitted and approved under planning permission P/15/1093/FP.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

06) The store hereby permitted shall only be used for a hard discount food store. This is defined as a store which is characterised by; non-food ranges promoted through "weekly specials", dominance of private or "exclusive" labels with few national brands, selling a limited range of products (less than 3,500 product lines which can be demonstrated through the availability of stock keeping records as requested), significantly cheaper products in terms of average price than all other multiple food retailers. No use other than a hard discount food store as outlined above shall occupy the premises unless an express planning permission for an alternative use is granted by the Local Planning Authority.

REASON: In the interest of preserving the vitality and viability of Portchester District Centre in accordance with policy DSP37 of the Fareham Borough Local Plan Part 2 Development Sites and Policies.

07) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (or any Order revoking and re-enacting that Order), the discount food store hereby approved shall only have a maximum of twenty five percent (25%) of the total floor space used for the sale of the following goods:

- i) Clothing and footwear, fashion accessories including handbags and luggage, watches and jewellery;
- ii) Pharmaceutical and personal care products (including perfumes, toiletries, spectacles and contact lenses;
- iii) Books, music records and CD's, DVD's and other recorded media; and
- iv) Toys

REASON: In the interest of preserving the vitality and viability of Portchester District Centre in accordance with policy DSP37 of the Fareham Borough Local Plan Part 2 Development Sites and Policies.

08) The store hereby approved shall not open until the vehicular access to the site and parking layout as shown on drawing PR-002 Rev J has been constructed and provided in accordance with the approved plans.

REASON: In the interests of highway safety and in accordance with Policy CS5 of the Fareham Borough Core Strategy.

09) All construction work in relation to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 08.00 hours and 18.00 hours Monday to Friday and 08.00 hours and 13.00 hours Saturdays and at no time on Sundays and recognised bank/public holidays

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular or pedestrian access other than those shown on the approved plans shall be formed to the site.

REASON: In the interests of highway safety and in accordance with Policy CS5 of the Fareham Borough Core Strategy.

11) No materials obtained from site clearance or from construction works shall be burnt on the site.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

12) The development shall be carried out in accordance with section 6 "Recommendations" of the Extended Phase 1 Habitat Survey, prepared by Abricon (reference 010HRHL110) and dated 19th May 2014 and section 6 "Recommendations" of the Bat Survey (Building Inspection), prepared by Abricon (reference 010HRHL110) and dated 30th September 2015 as submitted and under planning permission P/15/1093/FP..

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

13) The development shall be carried out in accordance with detail under the heading "Residual Flood Risk and Mitigation" in the Stuart Michael Associates letter dated 26th February, reference 4621/AKA/amp as submitted under planning permission P/15/1093/FP.

REASON: To ensure that the flood risks are appropriately mitigated against in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

14) The development shall be constructed in order to achieve a BREEAM 'very good' rating.

REASON: To ensure the development is constructed and operates in a sustainable manner in accordance with Policy CS15 of the Adopted Fareham Borough Core Strategy.

15) No deliveries shall be taken at or despatched from the site outside of the hours of:

Monday - Saturday: 0600 and 2200;

Sundays, Bank and Public Holidays: 0830 and 1900

REASON: To ensure that the store operations do not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

16) The use hereby permitted shall not be open to customers outside of the following times:

- Monday - Saturday: 0700 - 2200; and

- Sunday: 1000 - 1700

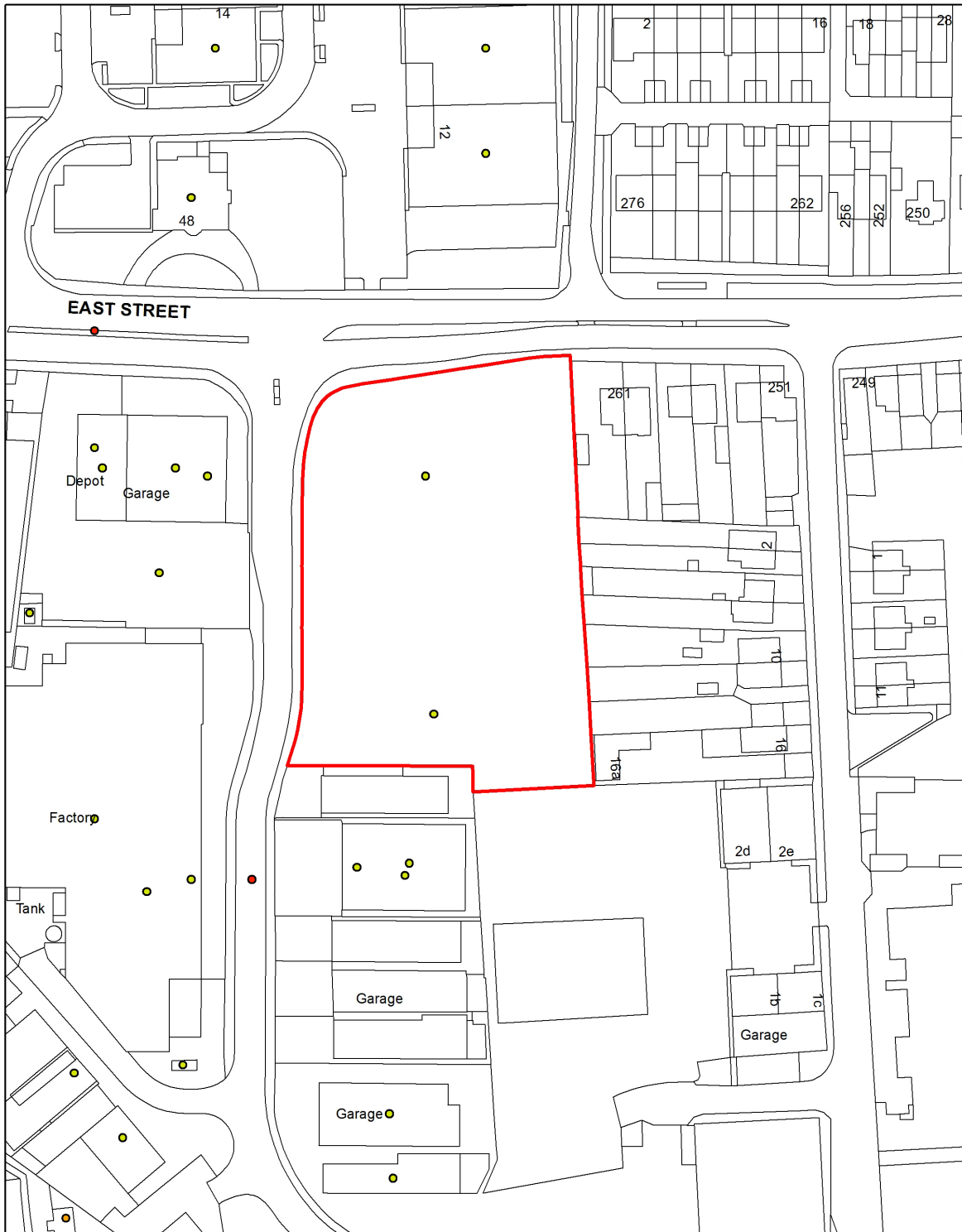
REASON: To ensure that the store operations do not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

Background Papers

see "relevant planning history" section above.

FAREHAM

BOROUGH COUNCIL



Units 1-4 & 18-19
Castle Trading Estate
Scale 1: 1,250



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Agenda Item 6(8)

P/16/1162/FP

STUBBINGTON

NATS

AGENT: BILFINGER GVA

25 METRE HIGH RADAR TOWER, RADAR EQUIPMENT CABIN WITHIN A SECURE FENCED COMPOUND AND ASSOCIATED DEVELOPMENT

MCA DAEDALUS AERODROME BROOM WAY FAREHAM PO13 9YA

Report By

Mark Wyatt. Direct Dial (01329) 824704

Site Description

The application site is located on the west side of the former second runway at Daedalus, some 315m north of the southern most taxiway. The site is essentially a 21m by 25m compound currently laid to grass with the remainder of the site being existing hard surfacing on the airfield.

Description of Proposal

This application seeks to revise the siting of the previously permitted NATS radar at Daedalus. The radar will be sited within a fenced compound off the western side of the former second runway. A small area of hardstanding is also proposed for access and parking when personnel are on site at the radar. The red edge includes the permanent operational site access from the south, off Daedalus Drive and a temporary construction access from Meteor Way around the rear of the Innovation Centre.

The radar itself remains as previously permitted; it is a curved antenna approximately 15m tall and is finished with orange and white stripes (which are set by Statutory Legislation). The radar will, once operational, sit centrally on top of a 10m high tower with an equipment cabin at ground level. The finished radar height, therefore, is 25m. There are also two lighting finials proposed and these have a finished height of 27m.

The previous location for the radar was due south of the current site on the north side of Daedalus Drive at the eastern end of the hardstanding adjacent to the MCA complex and driving test centre.

Policies

The following policies and guidance apply to this application:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS11 - Development in Portchester, Stubbington and Hill Head

CS12 - Daedalus Airfield Strategic Development Allocation

CS14 - Development Outside Settlements

CS17 - High Quality Design

CS22 - Development in Strategic Gaps

Development Sites and Policies

DSP3 - Impact on living conditions

Relevant Planning History

The following planning history is relevant:

<u>P/16/0270/FP</u>	The erection of a new 25 metre high radar tower, Radar Equipment Cabin within a secure fenced compound and associated development	APPROVE	27/05/2016
<u>P/16/0689/FP</u>	The erection of a new 25 metre high radar tower, Radar Equipment Cabin within a secure fenced compound and associated development (Revised application from P/16/0270/FP)	APPROVE	26/07/2016

Representations

One letter received from the Chairman of Solent Microlights:

- Based in Hangar T I am supportive of the radar with the proviso that it will not affect the operation of aircraft from the newly provided Microlight Grass Strip running 14/32.
- Without this proviso, I oppose this application.

Consultations

INTERNAL CONSULTEES:

Airport Manager: I have ensured that the proposed construction and installation of the radar will have no adverse effect on the airport operations now or in the future.

Environmental Health (Contaminated Land): Response awaited.

EXTERNAL CONSULTEES:

Gosport Borough Council: Response awaited

Planning Considerations - Key Issues

The key issues for consideration in the determination of this application are:

- The principle of development
- The Daedalus Enterprise Zone and the Airport
- Landscape Impact
- Neighbouring amenity and Health Implications

THE PRINCIPLE OF DEVELOPMENT:

The application site is, for the purposes of planning policy, within the designated countryside and Strategic Gap such that policies CS14 and CS22 of the Core Strategy apply. The site is also within the strategic Daedalus employment allocation designated by policy CS12 although the site is outside of the areas identified for development on the inset maps of the Core Strategy.

CS14 seeks to restrict new built development outside of the defined urban settlement

boundaries to that essential to agriculture, forestry or essential infrastructure. The reason for this policy is "...to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function".

Whilst not a policy requirement to consider other sites, the submission sets out that NATS has considered twenty one other sites for the proposed radar. These are listed in the submission as well as the reason why they have been discounted. The application also sets out that this site has been identified from the previous location on the south side of the airfield due to "...unforeseen technical difficulties".

The radar proposal is as considered previously. It is simply the siting that has changed as a result of this application. As such the radar will not be directly linked to the Daedalus Airport operations and it is not directly related to the air traffic arriving and departing from the airfield. However, it does feed into a NATS system which supports twenty three other radar sites in order to provide a blanket cover of air traffic over the UK. The application sets out that in order for the applicant to maintain the continued operation of these radar sites, an additional radar site is required with the primary purpose of providing NATS with a radar for training and testing purposes without the need to impact upon the operational radar network.

Having this dedicated radar facility is key to maintaining the current NATS radar surveillance and to ensure the very highest levels of safety for air traffic control and navigation. Given the nature of air traffic, there are no set identifiable times that the radar would be used. It would be used as necessary by the applicant.

In addition, paragraph 31 of the NPPF advises that Local Authorities should, working with other stakeholders, develop strategies for the provision of viable infrastructure necessary to support sustainable development including the growth of airports. Appropriate air traffic control will inevitably assist in this growth.

THE DAEDALUS ENTERPRISE ZONE AND THE AIRPORT:

Previously concerns were expressed by the residents in the Borough of Gosport about the possible impacts of the radar on the operations of the airfield and also the impacts upon potential businesses within the buildings known as Daedalus Park to the south of the airfield.

For the land allocated by policy CS12, the policy requires developments to not adversely affect the existing or future potential general aviation operation of the airfield. Similarly the policy also seeks to deliver development that retains and strengthens the marine and aviation employment clusters. As described above, the application site is now further away from the buildings in Daedalus Park and there have been no representations received for this application expressing any concern at the impacts of the radar operations upon sensitive equipment within the businesses locating to the enterprise zone.

It is acknowledged that the NPPF seeks to build a strong, competitive economy by planning positively for the location of and expansion of clusters or networks or knowledge driven, creative or high technology industries (para 21), such as those advanced manufacturing uses sought at the Solent Enterprise Zone. However, the NPPF does advise that when planning for airports plans should take account of the growth and role that they play in serving business, leisure, training and emergency service needs (para 33).

Additionally the NPPF when supporting proposals for high quality communications infrastructure, such as telecom masts, advises that Local Planning Authorities should have evidence that the telecommunications infrastructure does not cause significant and irreparable interference with other electrical equipment including air traffic services (para 44).

The location of the radar more centrally within the airfield, further north than its permitted site, is unlikely to give rise to impacts upon other businesses. Previously the applicant agreed to undertake an airport survey and safeguarding exercise. They will also undertake an independent radiology impact assessment on first transmission from the radar. Officers believe these matters should still be addressed and that any impacts can be addressed through the imposition of appropriate planning conditions.

Third party comments have sought assurance that the proposed radar will not affect the microlight grass runway. As was the case previously, there are no plans identified in the Development Plan for a grass runway in this part of the airfield. It is also noted that in the Council's recent consultation on the Daedalus Vision, there was no grass runway proposed in the vision other than the retention of the existing grass runway which runs from the south west to the north east parallel to and on the southeastern side of the main runway.

The applicant submits that in their view the radar proposal will not affect the provision of a cross wind grass runway strip. However the airport manager has indicated that the re-positioning of the radar will affect the use of the landing strip identified in the representation and as such the third party comments are to be recorded as an objection to the proposal. However this grass landing strip is unlicensed and the Airport Manager has confirmed it is an unofficial landing strip which holds no bearing to the airports operational needs. As stated above there are no development plan policies that seek the retention of or provision of such a strip. The Airport Manager has confirmed that the siting of the radar will have no adverse effect on the airport operations now or in the future.

LANDSCAPE IMPACT:

As well as being within the countryside, the application site is also within the designated Strategic Gap. The policy test in policy CS22 is that development should not affect the integrity of the gap and the physical and visual separation of settlements.

The integrity of the gap in this part of the borough is that of the open, short cut grass airfield. This open character of the airfield, functions well as an effective part of the gap in the visual and physical separation of Stubbington and Lee-on-the-Solent.

The proposed radar, whilst not directly related to the airfield operations, is a feature related to aviation activities and as such its location on an airport would not appear as alien in the landscape.

The revised siting of the radar brings it more central within the airfield away from the more urban edge of the site and in turn away from the southern edge of the Gap. However the tower on which the radar sits is of lattice type construction and, whilst within an open part of the site, it is confined to a relatively small compound such that the building will not result in the visual or physical coalescence of settlements.

It is also noted that there are large buildings that exist on the airport and others that are permitted nearby. It is considered that the integrity of the strategic gap will remain to the

effect that Stubbington and Lee-on-the-Solent will not have coalesced, Officers do not consider the Gap will be materially harmed.

NEIGHBOURING AMENITY AND HEALTH IMPLICATIONS:

The nearest residential properties are to the south of the site, within the Borough of Gosport. These dwellings lie some 340 metres from the radar itself; which is now approximately 200m further north than previously permitted. It was previously found that whilst the radar will be seen from these dwellings, it was of a far enough distance that the rotating radar would not give rise to any material harm to the amenity of these dwellings. With a greater separation distance now proposed, this scheme will also not have a demonstrably harmful impact upon the amenity of these dwellings.

The NPPF advises that with communications infrastructure applications should be supported with a statement that self certifies that the cumulative exposure, when operational, will not exceed International Commission on Non-Ionising Radiation Protection Guidelines (ICNIRP).

In this case NATS has submitted the necessary self-certification for ICNIRP compliance. NATS has additionally confirmed that the radar operates under the frequencies authorised by Ofcom and therefore there should not be any interference or health issues as a result of the radar operations.

CONCLUSION:

In summary the proposal will provide an important piece of essential infrastructure to ensure the safety of air traffic control. The proposal is not considered to be an alien feature on an airport and the siting of the radar is such that the integrity of the strategic gap will not be materially harmed and the settlements of Lee-on-the-Solent and Stubbington will remain both physically and visually separate.

The proposal is not considered to pose any health risks or be a risk to those operating from the airport. The applicant will ensure that any transmission from the radar does not affect the current or future airfield operations or the businesses located in the Enterprise Zone.

The proposal will be a sufficient distance from neighbouring residential properties such that there is no material harm to the amenity of these dwellings.

Officers consider that the proposal is in accordance with policies CS5, CS12, CS14, CS22 and DSP3 of the Development Plan and is recommended for Permission accordingly.

Recommendation

Subject to the comments of Environmental Health (Contaminated Land) being received and any additional conditions that are recommended,

PERMISSION subject to conditions:

1) The development shall commence before the expiry of three years from the date of this decision notice.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development shall be carried out in accordance with the following approved plans:

- DS08700AA109ASPT Sheet 5 of 5 Site Access Plan
 - DS08700AA109ASPT Sheet 4 of 5 Western Elevation
 - DS08700AA109ASPT Sheet 3 of 5 Southern Elevation
 - DS08700AA109ASPT Sheet 2 of 5 Site Plan and Block Plan
 - DS08700AA109ASPT Sheet 1 of 5 Local Area Map and Site Location Plan
- REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

3) No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:

- Details of the parking arrangement for site vehicles and contractors
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.
- areas for loading and unloading;
- areas for the storage of plant and materials;
- security hoarding position and any public viewing platforms (if necessary);
- site office location;
- construction lighting details;
- wheel washing facilities;
- dust and dirt control measures;
- a scheme for the recycling of construction waste;

The development shall be carried out in accordance with the approved details.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Policies CS5, CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

4) Should unidentified contamination be encountered during the works, construction should stop and the contamination investigated and an agreed scheme of remedial measures shall be submitted to an agreed in writing by the Local Planning Authority before work recommences. The remediation measures shall be fully implemented prior to the first use of the radar and confirmed as completed in writing to satisfaction of Local Planning Authority.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment or future users of the site

5) All construction work in relation to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 08.00 hours and 18.00 hours Monday to Friday and 08.00 hours and 13.00 hours Saturdays and at no time on Sundays and recognised bank/public holidays unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities of neighbouring properties in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

6) Prior to the first transmission of the radar details of the radiological test to be undertaken on the first transmission of the radar as set out in the letter dated 19th April 2016 from Mark

Taylor of NATS submitted to planning application P/16/0689/FP shall be submitted to and approved in writing by the Local Planning Authority. These details will include when the test will be undertaken, how the test will be undertaken and who will undertake the test. Any necessary mitigation measures needed as a result of this test shall be documented and submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be fully implemented before the second transmission from the radar and mitigation measures will then be retained at all times whilst the radar is operational.

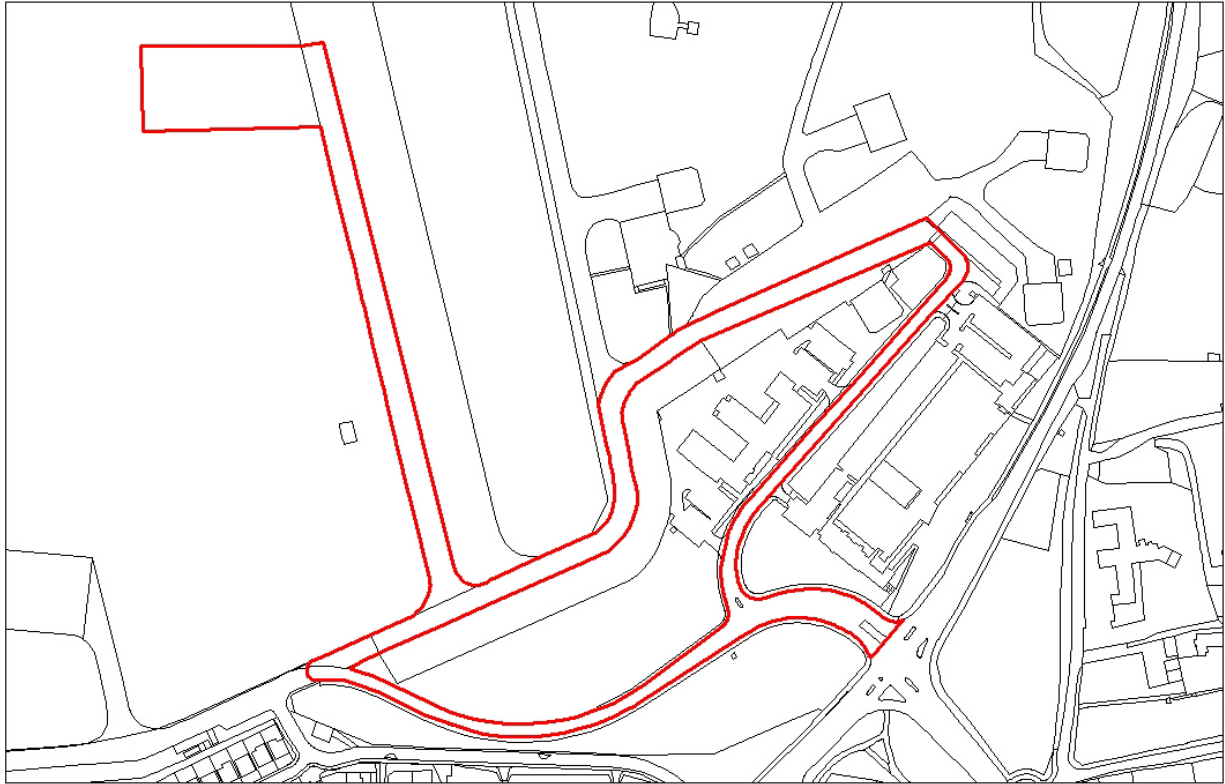
REASON: To ensure that the site does not impact upon other businesses within the Solent Enterprise Zone and in the interest of the operational airfield.

Background Papers

see "relevant Planning History" section above.

Updates

As a point of clarification, the radar enclosure is a 25m by 25m compound and not 21m by 25m as referenced in the agenda report.



FAREHAM
BOROUGH COUNCIL

Daedalus

Scale 1:2500

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Agenda Item 6(9)

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

ENF/16/0048

Appellant: VICTORY TRAVEL LIMITED
Site: Unit C Lake Works Cranleigh Road Portchester Fareham
Date Lodged: 24 August 2016
Reason for Appeal: CHANGE OF USE WITHOUT PERMISSION - WITHOUT PLANNING PERMISSION, THERE HAS BEEN A MATERIAL CHANGE OF USE OF THE SITE TO A MIXED USE AS A COACH DEPOT & VEHICLE & GRAPHIC DESIGN & DIGITAL PRINTING BUSINESS.

P/15/0946/OA

Appellant: MR CHRIS COLLINS
Site: 274 Botley Road - Land To Rear - Burrige Southampton Hampshire SO31 1BQ
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 02 September 2016
Reason for Appeal: ONE CHALET BUNGALOW TOGETHER WITH ASSOCIATED CAR PARKING AND LANDSCAPING (OUTLINE APPLICATION SEEKING APPROVAL FOR MATTERS OF ACCESS, LANDSCAPING AND LAYOUT)

P/16/0478/FP

Appellant: MRS ANNA SKETCHLEY
Site: 38 South Street Titchfield Fareham PO14 4DJ
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 27 July 2016
Reason for Appeal: REAR CONSERVATORY

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

P/16/0479/LB

Appellant: MRS ANNA SKETCHLEY
Site: 38 South Street Titchfield Fareham PO14 4DJ
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 27 July 2016
Reason for Appeal: REAR CONSERVATORY

HEARINGS

P/15/0260/OA

PUBLIC INQUIRY

Appellant: PERSIMMON HOMES SOUTH COAST
Site: Land North Of Cranleigh Road/ West Of Wicor Primary School
Portchester Fareham Hampshire
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 16 September 2016
Reason for Appeal: OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT FOR UP TO 120 DWELLINGS, TOGETHER WITH A NEW VEHICLE ACCESS FROM CRANLEIGH ROAD, PUBLIC OPEN SPACE INCLUDING A LOCALLY EQUIPPED AREA OF PLAY (LEAP), PEDESTRIAN LINKS TO PUBLIC OPEN SPACE, SURFACE WATER DRAINAGE AND LANDSCAPING

DECISIONS

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

DECISIONS

P/15/0267/FP

Appellant: MR STEVE AND JO HAMMOND
Site: Carron Row Farm 15 Segensworth Road Titchfield Fareham PO15 5DZ
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 23 May 2016
Reason for Appeal: CHANGE OF USE LISTED BARN TO 5 BEDROOM DWELLING, FORMATION OF ACCESS AND GARDEN CURTILAGE, DEMOLITION OF SINGLE STOREY BUILDING, DEMOLITION OF THE TOILET BLOCK, DEMOLITION OF THE SINGLE STOREY FISHERMANS HUT AND REPLACEMENT WITH 3 BEDROOM DWELLING, FORMATION OF ACCESS AND GARDEN CURTILAGE FOR NEW DWELLING, FORMATION OF CAR PARKING FOR ANGLERS, ERECTION OF HERITAGE INTERPRETATION SIGN
Decision: DISMISSED
Decision Date: 11 October 2016

P/15/1055/FP

Appellant: Mr Patrick Reilly
Site: Land At New Road Swanwick SO31 7HE
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 20 July 2016
Reason for Appeal: The erection of a detached 5 no. bedroom house provided with a detached double garage, car parking, turning and an earth bund to the front of the site.
Decision: DISMISSED
Decision Date: 05 October 2016

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

DECISIONS

P/16/0257/TO

Appellant: Mr Steven Skittrall
Site: Windy Arbor 154 Stubbington Lane Fareham PO14 2NQ
Decision Maker: Officers Delegated Powers
Recommendation: PART APPROVE
Council's Decision: PART APPROVE
Date Lodged: 22 June 2016
Reason for Appeal: ONE HORSE CHESTNUT: FELL, ONE HORSE CHESTNUT: REDUCE CROWN BY SELECTIVELY RETRENCHING THE UPPER BRANCHES AND REDUCE REMAINING BRANCHES BACK TO PREVIOUS PRUNING POINTS CIRCA 2-3 METRES, ONE HORSE CHESTNUT: REDUCE TO PREVIOUS PRUNING POINTS CIRCA 2-3 METRES. THE TREES ARE PROTECTED BY TPO 132.
Decision: DISMISSED
Decision Date: 14 September 2016

P/16/0434/CU

Appellant: MR JOHN TUCKNOTT
Site: 20 Silver Birch Avenue Fareham PO14 1SZ
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 05 September 2016
Reason for Appeal: CHANGE OF USE OF LAND INTO GARDEN AREA, RELOCATION OF GARDEN WALL WITH VEHICLE ACCESS GATES
Decision: ALLOWED
Decision Date: 05 October 2016