

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 25 January 2017

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 - 7)

To confirm as a correct record the minutes of the Planning Committee meeting held on 14 December 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. Spending Plans 2017/18 (Pages 8 - 14)

To consider a report by the Director of Finance and Resources on the Spending Plans for 2017/18.

7. Actual Revenue Expenditure 2015/16 (Pages 15 - 20)

To consider a report by the Director of Planning and Regulation on the Actual Revenue Expenditure for 2015/16.

8. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 21)

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

ZONE 1 - WESTERN WARDS

(1) P/16/0959/OA - LAND EAST OF BROOK LANE WARSASH SO31 9FE
(Pages 23 - 37)

(2) P/16/1049/OA - LAND TO THE EAST OF BROOK LANE & SOUTH OF BROOKSIDE DRIVE WARSASH (Pages 38 - 51)

(3) P/16/1236/FP - 230 WARSASH ROAD WARSASH FAREHAM SO31 9JF
(Pages 52 - 59)

(4) P/16/1278/FP - 17 LIPIZZANER FIELDS WHITELEY FAREHAM PO15 7BH
(Pages 60 - 64)

ZONE 2 - FAREHAM

(5) P/16/1333/FP - LAND TO REAR OF 10-20 TEWKESBURY AVENUE FAREHAM PO15 6LL (Pages 66 - 75)

ZONE 3 - EASTERN WARDS

(6) P/16/1231/D3 - LAND OFF VULCAN WAY DAEDALUS EAST FAREHAM
(Pages 77 - 86)

(7) Planning Appeals (Pages 87 - 89)

9. 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 Tree Preservation Order No. 734 (2016) – 37 Heathfield Avenue.

Order served on 10 November 2016 for which there were no objections. It is recommended that Fareham Tree Preservation Order No. 734 be confirmed as made and served.

Fareham Borough Tree Preservation Order No. 735 (2016) – 40 Iron Mill Close.

Order served on 30 November 2016 for which there were no objections. It is recommended that Fareham Tree Preservation Order No. 735 be confirmed as made and served.

Fareham Borough Tree Preservation Order No. 736 (2016) – September Cottage Brook Avenue Warsash.

Order served on 6 December 2016 for which there were no objections. It is recommended that Fareham Tree Preservation Order No. 736 be confirmed and made and served.

10. Tree Preservation Order No 728 - 193 Hunts Pond Road, Titchfield Common (Pages 90 - 94)

To consider a report by the Director of Planning and Regulation regarding Tree Preservation Order No. 728. Order served on 29 July 2016 for which there were objections. It is recommended that Fareham Tree Preservation Order No.728 be confirmed with the following modification: T1 – Rear boundary of 193 Hunts Pond Road.

P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
17 January 2017

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, 14 December 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:**



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 16 November 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 Mandry	P/16/0931/FP 293B Titchfield Road Titchfield Fareham PO14 3ER	6 (1)
Councillor Mandry	Q/0366/16 293B Titchfield Road Titchfield Fareham PO14 3ER	6 (2)
Councillor Ford, JP	P/16/1192/VC The Tithe Barn Mill Lane Titchfield PO15 5RB	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 Application No/Page No
ZONE 1 – 2.30pm				
Mr M Knappett (Agent)		THE TITHE BARN MILL LANE TITCHFIELD PO15 5RB – VARY CONDITION 15 OF P/15/0786/VC TO INCREASE THE NUMBER OF WEDDING CEREMONIES	Supporting	6 (3) P/16/1192/VC Pg 23

		AND/OR WEDDING FUNCTIONS FROM 14 TO 28 TO BE HELD ON THE APPLICATION SITE IN ANY ONE CALENDAR YEAR – DEVELOPMENT AFFECTING THE SETTING OF THE GRADE 1 LISTED BARN		
Mrs B Clapperton	The Fareham Society	-Ditto-	Opposing	-Ditto-
ZONE 2 – 2.30pm				
ZONE 3 – 2.30pm				
Mr K Sims		49 WALLINGTON SHORE ROAD FAREHAM PO16 8SA – PROPOSED ERECTION OF A TWO- STOREY BLOCK OF TWO ONE- BEDROOMED FLATS	Opposing	6(5) P/16/0900/FP Pg 43
Mr R Tutton (Agent)		-Ditto-	Supporting	-Ditto-

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/16/0931/FP - 293B TITCHFIELD ROAD TITCHFIELD FAREHAM PO14 3ER

Councillor A Mandry declared a non-pecuniary interest in this item as the occupier of the neighbouring property is known to him.

The Committee requested that an additional condition be placed on the application stating that the use of the shed be for domestic storage only and cannot be used for living or sleeping accommodation.

Upon being proposed and seconded the officer recommendation to grant retrospective planning permission, subject to the inclusion of the condition that

the shed be used for domestic storage only and cannot be used for living or sleeping accommodation, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that subject to, a condition stating that the shed be used for domestic storage only and cannot be used for living or sleeping accommodation, retrospective PLANNING PERMISSION be granted.

(2) Q/0366/16 - 293B TITCHFIELD ROAD FAREHAM HAMPSHIRE PO16 7AZ

Councillor A Mandry declared a non-pecuniary interest in the item as the occupier of the neighbouring property is known to him.

The Committee decided to deal with the breaches separately.

Breach One – the non-compliance with a planning condition imposed on the 2014 permission in relation to a landscaping scheme.

A counter proposal to take formal action, if following discussions between Officers and the landowner the landscaping is not carried out, was proposed and seconded. The counter proposal was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, if the land owner does not implement the landscaping scheme, FORMAL ACTION to be taken.

Breach Two – the unauthorised laying of hard surfacing across the site which appears to have occurred in a piecemeal fashion since 2011.

Upon being proposed and seconded, the officer recommendation to take no formal action, was voted on and CARRIED.
(Voting: 7 in favour; 1 against; 1 abstention)

RESOLVED that NO FORMAL ACTION be taken.

(3) P/16/1192/VC - THE TITHE BARN MILL LANE TITCHFIELD FAREHAM PO15 5RB

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

Councillor M J Ford, JP declared a non-pecuniary interest in this item as he is a member of an amateur dramatics group who use another site owned by the applicant.

The Committee's attention was drawn to the Update Report which contained the following information:- *The applicant has submitted an overview of the barn's existing noise mitigation measures, together with ideas for other solutions. The measures suggested and intend to be implemented are as follows (subject to listed building consent where necessary):*

*New solid oak barn doors;
Moveable sound baffles;*

*Sound curtain;
Revamp of sound ceiling.*

The applicant would accept a planning condition securing the above measures.

One further letter of support received from a resident outside of the Borough.

Upon being proposed and seconded, the officer recommendation to refuse the variation of Condition 15 of P/15/0786/VC, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION to vary Condition 15 of P/15/0786/VC be REFUSED.

(4) P/16/1194/OA - WAYSIDE 66 WARSASH ROAD WARSASH SOUTHAMPTON SO31 9JA

Upon being proposed and seconded, the officer recommendation to grant planning permission, was voted on and declared LOST.
(Voting 4 in favour; 5 against)

A motion was proposed to refuse the application, but was not seconded, therefore the motion was declared LOST.

A further motion was proposed and seconded to accept the officer's recommendation to grant planning permission, was voted on and CARRIED.
(Voting: 5 in favour; 1 against; 3 abstentions)

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

(5) P/16/0900/FP - 49 WALLINGTON SHORE ROAD FAREHAM PO16 8SA

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:-

1. Updated ecology comments:

Following discussions with the agent it is confirmed that the site was cleared in 2014 to enable a topographical survey to be undertaken. The ecological report submitted with the application confirms that the clearance of the land was undertaken outside of the nesting season.

2. Amended wording of condition 9 (not related to the above update) as follows:

The mitigation measures included in section 6 of the ecological survey produced by ecosupport ltd shall be implemented prior to the occupation of the development hereby approved.

3. 1 additional objection has been received, however it did not contain any new issues of concern.

A verbal update by the officer was also given stating that a further condition was to be added to the application to deal with unidentified contamination.

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

- (i). the conditions in the report;
 - (ii). the amended conditions in the Update Report; and
 - (iii). an additional condition to deal with unidentified contamination
- Was voted on and CARRIED.
(Voting: 8 in favour; 1 against)

RESOLVED that, subject to:-

- (i). the conditions in the report;
 - (ii). the amended conditions in the Update Report; and
 - (iii). an additional condition to deal with unidentified contamination
- PLANNING PERMISSION 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.

7. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which had been made under delegated powers and to which no formal objection had been received.

Fareham Borough Council 49 Burnt House Lane and Land to the North, Stubbington. Tree Preservation Order (FTO732) 2016.

Order served on 17 October 2016 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No. 732 be confirmed as made and served.

(The meeting started at 2.30 pm
and ended at 4.52 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **25 January 2017**

Report of: **Director of Finance and Resources**

Subject: **SPENDING PLANS 2017/18**

SUMMARY

This report sets out the overall level of revenue spending on this Committee's services and seeks agreement for the revised revenue budget for 2016/17 and the base budget for 2017/18 before being recommended to Full Council for approval.

RECOMMENDATION

That the Planning Committee agrees the revised budget for 2016/17 and the base budget for 2017/18, notes the fees and charges for 2017/18 and recommends the budget to Full Council for approval.

INTRODUCTION

1. The Council has a co-ordinated strategic service and financial planning process and this report allows the committee to consider in detail these plans for the provision of the Planning Committee services during the next financial year.
2. This report and the revenue budgets have been prepared in accordance with the Medium Term Finance Strategy that was approved by the Executive on 10 October 2016 and will cover the capital programme, fees and charges and the revenue budget.

CAPITAL PROGRAMME

3. For this committee there are no capital projects planned.

FEES AND CHARGES

4. The Planning Committee charges that are shown in the budget figures are mainly statutory and therefore not under the control of the committee. The Government has to yet to indicate if Local Authorities will be allowed to increase these charges for 2017/18. The budget has been prepared with the assumption that there will be no increase in the statutory fees. The Medium Term Finance Strategy highlights the need to explore all avenues of possible charging to keep down Council Tax increases.
5. The pre-planning application advice fees are currently being reviewed to take into account a new charging mechanism. A report will be brought back to this committee once all of the relevant details are finalised.

REVENUE BUDGET

6. Appendix A analyses the overall budget total for the individual Planning Committee services and by the different types of expenditure and income.

BASE BUDGET 2016/17

7. The base budgets for 2016/17 were considered by this committee in November 2015 and were confirmed by Full Council on 19 February 2016. The base budget for 2016/17 amounted to £672,900

REVISED BUDGET 2016/17

8. The revised budget for 2016/17 is £599,200 a decrease of £73,700 or 11.0% from the base budget.

BASE BUDGET 2017/18

9. The revised budget for 2017/18 is £622,100 a decrease of £50,800 or 7.6% from the base budget.
10. Appendix A of this report shows the analysis of expenditure and income for individual services and the following paragraphs of this report set out issues affecting individual services that have arisen in the current year in order to explain the variations between base and 2016/17 and base budgets and the

2017/18 base budget.

SERVICE ISSUES

11. In preparing the budget there have been changes to the way the employee budgets have been calculated. In addition to this there have been changes to the employers costs of National Insurance and pensions.
12. These changes are reflected in the figures in this report and therefore have resulted in some variances across this committee.
13. Support Services costs provided for this committee include ICT, Personnel, Finance, Customer Services and accommodation recharges. In addition the recharges from various partnerships which support the committee include Southampton Legal Partnership, Environmental Health Partnership and Building Control Partnership are shown under third party payments.

PLANNING ADVICE

14. There has been an overall increase in the 2017/18 base budget for this service of £17,400. This is mainly due to the changes in the way the employee budget has been calculated as mentioned above.

ENFORCEMENT OF PLANNING CONTROL

15. There has been an overall decrease in the 2017/18 base budget for this service of £5,300. This is mainly due to the changes in the way the employee budget has been calculated.

APPEALS

16. There has been a small increase in the 2017/18 base budget for this service of £1,700. This is mainly due to the changes in the way the employee budget has been calculated.

PROCESSING APPLICATIONS

17. There has been an overall decrease in the 2017/18 base budget for this service of £64,600. This is mainly due to the increase in the employee and other service related expenditure budgets (£5,400).
18. The above increase in expenditure has been offset against an increase in the planning fee budget of £70,000 which has been adjusted to reflect the increase in fee income over the past couple of years.

RISK ASSESMENT

19. There are no significant risk considerations in relation to this report.

CONCLUSION

20. A number of Planning Committee services are partly funded from fees and charges and other types of income. After taking service income into account, the following sources of income reduce the overall cost of services to be met by

council tax payers:

- Investment income
- General government grant; and
- The Council's share of business rate income

21. These sources of income are generally outside the Council's control and do not reflect the changes in the overall level of spending on local services. With these sources of income effectively "fixed", members need to be aware that, unless it can be matched by increased service income, additional spending on services has to be fully funded by council tax payers.
22. It follows that Members must give full weight of the Council's overall position and future council tax levels when the revenue budgets for 2017/18 are considered.
23. The Committee is asked to:
 - (a) review and agree the revised budgets for 2016/17
 - (b) review and agree the base budgets for 2017/18; and
 - (c) recommend the budget to Full Council for approval.

Appendix A – Revenue Budget 2016/17 revised and 2017/18 Base Budget.

Background Papers: None

Enquiries:

For further information on this report please contact Neil Wood. (Ext 4506).

PLANNING COMMITTEE**ESTIMATE OF EXPENDITURE AND INCOME FOR THE COUNCIL TAX 2017/18**

	Actuals	Base	Revised	Base
	2015/16	Estimate	Estimate	Estimate
	£	£	£	£
PLANNING ADVICE	239,753	231,500	230,900	248,900
PLANNING ENFORCEMENT	116,617	115,100	113,500	109,800
APPEALS	49,697	49,600	46,300	51,300
PROCESSING APPLICATIONS	178,936	276,700	208,500	212,100
	585,003	672,900	599,200	622,100

SUBJECTIVE ANALYSIS

	Actuals	Base	Revised	Base
	2015/16	Estimate	Estimate	Estimate
	£	£	£	£
EMPLOYEES	722,355	722,800	712,000	742,800
TRANSPORT EXPENDITURE	13,388	12,600	12,300	12,300
SUPPLIES AND SERVICES	92,346	60,800	60,800	60,800
THIRD PARTY PAYMENTS	92,478	97,000	92,500	93,800
INTERNAL RECHARGES	163,518	154,000	155,900	156,700
GROSS EXPENDITURE	1,084,085	1,047,200	1,033,500	1,066,400
OTHER INCOME	-4,831	-4,600	-4,600	-4,600
FEEES AND CHARGES	-494,251	-369,700	-429,700	-439,700
GROSS INCOME	-499,082	-374,300	-434,300	-444,300
NET EXPENDITURE	585,003	672,900	599,200	622,100

	Actuals	Base	Revised	Base
<u>PLANNING ADVICE</u>	2015/16	Estimate	Estimate	Estimate
	£	2016/17	2016/17	2017/18
EMPLOYEES	201,736	194,100	193,500	211,300
TRANSPORT EXPENDITURE	1,880	2,600	2,100	2,100
SUPPLIES AND SERVICES	2,145	2,000	2,000	2,000
THIRD PARTY PAYMENTS	10,102	12,200	12,200	12,200
INTERNAL RECHARGES	37,347	35,300	35,800	36,000
GROSS EXPENDITURE	253,210	246,200	245,600	263,600
FEES AND CHARGES	-13,457	-14,700	-14,700	-14,700
GROSS INCOME	-13,457	-14,700	-14,700	-14,700
NET EXPENDITURE	239,753	231,500	230,900	248,900

	Actuals	Base	Revised	Base
<u>PLANNING ENFORCEMENT</u>	2015/16	Estimate	Estimate	Estimate
	£	2016/17	2016/17	2017/18
EMPLOYEES	90,167	87,800	86,100	82,300
TRANSPORT EXPENDITURE	2,666	2,500	2,500	2,500
SUPPLIES AND SERVICES	2,043	3,000	3,000	3,000
THIRD PARTY PAYMENTS	4,107	5,100	5,100	5,100
INTERNAL RECHARGES	17,628	16,700	16,800	16,900
GROSS EXPENDITURE	116,611	115,100	113,500	109,800
FEES AND CHARGES	6	0	0	0
GROSS INCOME	6	0	0	0
NET EXPENDITURE	116,617	115,100	113,500	109,800

	Actuals	Base	Revised	Base
<u>APPEALS</u>	2015/16	Estimate	Estimate	Estimate
	£	2016/17	2016/17	2017/18
EMPLOYEES	28,799	22,100	18,800	23,800
TRANSPORT EXPENDITURE	55	100	0	0
SUPPLIES AND SERVICES	15,951	22,900	22,900	22,900
INTERNAL RECHARGES	4,892	4,500	4,600	4,600
GROSS EXPENDITURE	49,697	49,600	46,300	51,300
NET EXPENDITURE	49,697	49,600	46,300	51,300

	Actuals	Base	Revised	Base
<u>PROCESSING APPLICATIONS</u>	2015/16	Estimate	Estimate	Estimate
	£	2016/17	2016/17	2017/18
		£	£	£
EMPLOYEES	401,653	418,800	413,600	425,400
TRANSPORT EXPENDITURE	8,786	7,400	7,700	7,700
SUPPLIES AND SERVICES	72,208	32,900	32,900	32,900
THIRD PARTY PAYMENTS	78,270	79,700	75,200	76,500
INTERNAL RECHARGES	103,651	97,500	98,700	99,200
GROSS EXPENDITURE	664,568	636,300	628,100	641,700
OTHER INCOME	-4,831	-4,600	-4,600	-4,600
FEEES AND CHARGES	-480,801	-355,000	-415,000	-425,000
GROSS INCOME	-485,632	-359,600	-419,600	-429,600
NET EXPENDITURE	178,936	276,700	208,500	212,100
PLANNING COMMITTEE				
NET EXPENDITURE	585,003	672,900	599,200	622,100

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **25 January 2017**

Report of: **Director of Planning and Regulation**

Subject: **ACTUAL REVENUE EXPENDITURE FOR 2015/16**

SUMMARY

This report sets out for the information of Members details of the actual revenue expenditure for 2015/16 in respect of the services for which this Committee is responsible.

RECOMMENDATION

The Committee is asked to note the report.

INTRODUCTION

1. The final accounts for the financial year for this Committee shows that the actual expenditure of £585,003 was £103,697 (15%) below the revised budget of £688,700 which was agreed by this Committee on 16 January 2016 and approved by Full Council in February 2016.
2. The actual totals of gross expenditure and income are set out in the table below.

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
	£	£	£
Employees	721,600	722,355	755
Transport	12,600	13,387	787
Supplies & Services	60,800	92,347	31,547
Third Party Payments	98,400	92,479	-5,921
Internal Recharges	159,600	163,518	3,918
GROSS EXPENDITURE	1,053,000	1,084,086	31,086
Other Income	-2,600	-4,831	-2,231
Fees & Charges	-361,700	-494,252	-132,552
GROSS INCOME	-364,300	-499,083	-134,783
NET EXPENDITURE	688,700	585,003	-103,697

3. The main reasons for the variance is due to income being higher than anticipated by £134,783, in addition less than anticipated spend on third party payments £5,921 for building control and environmental health partnerships.
4. This was offset by the overspend on supplies and services £31,546, which was mainly due to the increased spend on consultants for specialist advice.
5. The number of applications submitted increased from 1,156 for financial year 2014/15 to 1,230 for financial year 2015/16. The number of major applications decreased from 19 in 2014/15 to 8 in 2015/16.
6. The actual net revenue expenditure for the year analysed over the main services heading is shown in the following table:-

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
	£	£	£
Planning Advice	229,200	239,753	10,553
Planning Enforcement	125,200	116,617	-8,583
Appeals	50,300	49,697	-603
Processing Applications	284,000	178,936	-105,064
	688,700	585,003	-103,697

7. A detailed breakdown of the actual cost of the individual services is shown in Appendix A. The main variations which exceed £1,000 from the approved budgets are detailed below.

PLANNING ADVICE

8. The overall overspend for this service was £10,000. The main reason for this was an overspend in the employee budget.

PLANNING ENFORCEMENT

9. The overall underspend for this service was £9,000. The main reason for this was an underspend of £7,000 in the employment budget and was due to a post becoming vacant during the year.

PROCESSING APPLICATIONS

10. The service was underspent by £104,000. The main reason for variance was the increase in fee income from planning applications. Overall applications increased by 6% when compared to the previous year resulting in additional fee income of £138,600. In addition the employee budget was underspent by £9,400 this was due to some vacancies in the employment budget.
11. This was partly offset by an increase specialist advice for some of the larger projects within the Borough.

RISK ASSESSMENT

12. There are no significant risk considerations in relation to this report

CONCLUSION

13. The cost of the services provided by this Committee was £103,697 lower than anticipated when the revised budgets were prepared and the reasons for this are set out in this report.

Background Papers:

Reference Papers:

Enquiries:

For further information on this report please contact Neil Wood (Ext 4506) or Sonia Dent (Ext 4313).

PLANNING COMMITTEE**ACTUAL OF EXPENDITURE AND INCOME 2015/16**

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
	£	£	£
Planning Advice	229,200	239,753	10,553
Planning Enforcement	125,200	116,617	-8,583
Appeals	50,300	49,697	-603
Processing Applications	284,000	178,936	-105,064
	688,700	585,003	-103,697

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
	£	£	£
<u>SUBJECTIVE ANALYSIS</u>			
Employees	721,600	722,355	755
Transport Expenditure	12,600	13,387	787
Supplies & Services	60,800	92,347	31,547
Third Party Payments	98,400	92,479	-5,921
Internal Recharges	159,600	163,518	3,918
GROSS EXPENDITURE	1,053,000	1,084,086	31,086
Other Income	-2,600	-4,831	-2,231
Fees & Charges	-361,700	-494,252	-132,552
GROSS INCOME	-364,300	-499,083	-134,783
NET EXPENDITURE	688,700	585,003	-103,697

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
<u>PLANNING ADVICE</u>	£	£	£
EMPLOYEES	190,700	201,736	11,036
TRANSPORT EXPENDITURE	2,600	1,880	-720
SUPPLIES AND SERVICES	2,000	2,145	145
THIRD PARTY PAYMENTS	12,200	10,102	-2,098
INTERNAL RECHARGES	36,400	37,347	947
GROSS EXPENDITURE	243,900	253,210	9,310
FEES AND CHARGES	-14,700	-13,457	1,243
GROSS INCOME	-14,700	-13,457	1,243
NET EXPENDITURE	229,200	239,753	10,553

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
<u>PLANNING ENFORCEMENT</u>	£	£	£
EMPLOYEES	97,300	90,167	-7,133
TRANSPORT EXPENDITURE	2,500	2,666	166
SUPPLIES AND SERVICES	3,000	2,043	-957
THIRD PARTY PAYMENTS	5,100	4,107	-993
INTERNAL RECHARGES	17,300	17,628	328
GROSS EXPENDITURE	125,200	116,611	-8,589
FEES AND CHARGES	0	6	6
GROSS INCOME	0	6	6
NET EXPENDITURE	125,200	116,617	-8,583

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
<u>APPEALS</u>	£	£	£
EMPLOYEES	22,500	28,799	6,299
TRANSPORT EXPENDITURE	100	55	-45
SUPPLIES AND SERVICES	22,900	15,951	-6,949
INTERNAL RECHARGES	4,800	4,892	92
GROSS EXPENDITURE	50,300	49,697	-603
NET EXPENDITURE	50,300	49,697	-603

	Revised Budget 2015/16	Actual 2015/16	Variance 2015/16
<u>PROCESSING APPLICATIONS</u>	£	£	£
EMPLOYEES	411,100	401,653	-9,447
TRANSPORT EXPENDITURE	7,400	8,786	1,386
SUPPLIES AND SERVICES	32,900	72,208	39,308
THIRD PARTY PAYMENTS	81,100	78,270	-2,830
INTERNAL RECHARGES	101,100	103,651	2,551
GROSS EXPENDITURE	633,600	664,568	30,968
OTHER INCOME	-2,600	-4,831	-2,231
FEEES AND CHARGES	-347,000	-480,801	-133,801
GROSS INCOME	-349,600	-485,632	-136,032
NET EXPENDITURE	284,000	178,936	-105,064
PLANNING COMMITTEE			
NET EXPENDITURE	688,700	585,003	-103,697

Report to Planning Committee

Date: 25 January 2017

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

The meeting will take place at the Civic Offices, Civic Way, Fareham, PO16 7AZ.

Items 1 & 2 (P/16/0959/OA and P/16/1049/OA) will be heard from 2.30pm.

All other Items relating to development in all wards will be heard no earlier than 4.00pm.

ZONE 1 - WESTERN WARDS

Park Gate
Titchfield
Sarisbury
Locks Heath
Warsash
Titchfield Common

Reference		Item No
P/16/0959/OA WARSASH	LAND EAST OF BROOK LANE WARSASH FAREHAM SO31 9FE OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 180 DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS & ACCESS FROM BROOK LANE.	1 REFUSE
P/16/1049/OA WARSASH	LAND TO THE EAST OF BROOK LANE & SOUTH OF BROOKSIDE DRIVE WARSASH OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 85 DWELLINGS WITH PUBLIC OPEN SPACE, ACCESS FROM BROOK LANE, LANDSCAPING WORKS, INCLUDING DEMOLITION OF EXISTING REDUNDANT NURSERY BUILDINGS.	2 REFUSE
P/16/1236/FP WARSASH	230 WARSASH ROAD WARSASH FAREHAM SO31 9JF DEMOLITION OF THE EXISTING DETACHED GARAGE AND CONSTRUCTION OF A NEW 2 BEDROOM DETACHED BUNGALOW	3 PERMISSION
P/16/1278/FP SARISBURY	17 LIPIZZANER FIELDS WHITELEY FAREHAM HAMPSHIRE PO15 7BH TWO STOREY EXTENSION	4 PERMISSION

Agenda Item 8(1)

P/16/0959/OA

FOREMAN HOMES LIMITED

WARSASH

AGENT: WOOLF BOND
PLANNING

OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 180 DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS & ACCESS FROM BROOK LANE.

LAND EAST OF BROOK LANE WARSASH FAREHAM SO31 9FE

Report By

Kim Hayler - Direct dial 01329 824815

Site Description

The site is situated on the eastern side of Brook Lane, Warsash and lies outside the urban settlement boundary as defined within the Local Plan Part 2;

The site effectively consists of two co-joined rectangular areas of land measuring approximately 6.82 hectares (16.8 acres) in total. The site slopes gently southwards and forms part of a larger area of undeveloped and former nursery land which extends to the west and south;

The site is bounded to the north by Brookside Drive, a private road and the Strawberry Fields development beyond; to the west by open land subject to a separate planning application reported elsewhere on this agenda and residential properties fronting Brook Lane; to the south by properties fronting Greenaway Lane and open land and to the east by a wooded buffer with Lockwood Road beyond;

The south western part of the site comprises Littlebrook Nursery, still in operation for strawberry production. The nursery houses large glasshouses, poly tunnels, residential caravans, offices and commercial buildings which serve the business;

The central part of the site comprises derelict glasshouses, a number of corrugated storage buildings and the land is overgrown;

The eastern extent of the site is heavily wooded with a number of buildings in disrepair scattered amongst the trees;

The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar site and also notified at a national level as Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI);

The nearest protected trees are located on the northern side of Brookside Drive, outside of the application site;

There is an active badger sett on the edge of the central part of the site, with outlying setts and badger activity across the central and western part of the site;

The undeveloped parts of the site are predominantly Grade 1 Agricultural Land (the south

western corner of the site is Grade 2 and 3b);

Public Right of Way no. 14 passes adjacent to the south western corner, connecting Greenway Lane to Brook Lane.

Description of Proposal

Outline planning permission is sought for up to 180 dwellings on the site, together with vehicle access from Brook Lane, amenity areas and landscaping;

All matters are to be reserved except for means of access which would be from the existing access which currently serves Littlebrook Nursery;

The masterplan illustrates amenity open space including a play area and woodland areas taking into account the existing features and topography of the site;

The masterplan has been submitted demonstrating how 180 dwellings could be laid out on the site. Dwellings would be sited essentially within the two rectangular parcels of land with the larger area of open space between. A pedestrian link is shown onto the public right of way in the south western corner and to Brookside Drive to the north;

A mixture of dwelling types and sizes are proposed, including 40% affordable units (up to 72 dwellings).

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

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

CS20 - Infrastructure and Development Contributions

CS21 - Protection and Provision of Open Space

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

P/16/1049/OA - Outline application for up to 85 dwellings - land east of Brook Lane and south of Brookside Drive - see following report on the agenda

Representations

One hundred and sixty objections have been received raising the following issues:

Site is outside of the urban settlement boundary and therefore contrary to a number of planning policies;

Continual filling of green spaces when Welborne was supposed to prevent this;

This is not a brownfield site - the Nautical College closes in 2017, this would be a prime site for development;

This is not a sustainable location;

This development, coupled with the Taylor Wimpey application will totally over stretch the facilities in the village;

This is a valuable countryside gap;

Overdevelopment of the site;

Loss of semi-rural feel; impact on the landscape character;

Impact on the landscape character;

Additional traffic resulting in significant congestion; highway infrastructure cannot cope now;

The proposed access is dangerous;

One single point of access onto Brook Lane is not a good idea;

Not enough parking on the site resulting in cars parking on surrounding roads;

Traffic congestion even worse during the construction phase;

The access is opposite a popular nursing home;

The new Taylor Wimpey, Strawberry Fields development has added an enormous amount of traffic to local roads;

Bungalows should be built to buffer existing properties, with houses further into the estate;

Loss of business and employment;

Loss of wildlife and their habitat;

The application was timed during the holiday period;

The submission is lacking detail;

Increase in light and air pollution;

Increased danger to school children using Brook Lane to cycle and walk;

Flooding and pressure on existing ditches;

Impact on local services; already oversubscribed;

Affordable housing is a necessity, but it must have the support network to accommodate the residents;

Loss of light, outlook and privacy enjoyed by existing residents;

Air pollution;

The sewerage system is not adequate;

Fareham Borough Council can demonstrate a land supply of 5.4 years, as such the NPPF should not overrule;

There is an enormous implication of precedence;

There is no need for open market housing like this in Brook Lane;

Health issues associated with living near busy roads.

Objection received from the Fareham Society raising the following points:

The proposal contravenes planning policies, in that it is for development outside the defined urban settlement boundary for which there is no over-riding need;

At this time Fareham Borough Council can demonstrate in excess of a 5 year land supply;

Fareham's Local Plan is up to date although it is being reviewed at the present time. The democratic processes should be strictly followed for the release of development land.

Consultations

EXTERNAL

Hampshire County Council (Archaeology) - No objection subject to conditions

Hampshire County Council (Lead Flood Authority) -

The general principles for the surface water drainage proposals are acceptable; we would recommend that further information on the proposals be submitted as part of a more detailed design phase.

Hampshire County Council (Highways Development Planning) -

The Highway Authority has considered the Transport Assessment accompanying the application and all relevant guidance and policy documents, both local and national, including the NPPF and guidance on Transport Assessment.

The proposed development will be accessed by vehicles via a proposed bellmouth junction. This will be located at the same point as the existing vehicles crossover. There is an agricultural access immediately to the north. The Highway Authority is satisfied that appropriate amendments can be made to the proposed access to better accommodate the agricultural access through a Section 278 Agreement following a detailed design check.

Junction modelling for the Brook Lane/Lockswood Road/Headland Drive and Brook Lane, A27 Bridge Road/Station Road junctions have been modeled using revised traffic data for 2017 plus 2022 along with remodelling of the previous junctions using the revised traffic data.

The Highway Authority notes the impact the increase in traffic on the adjoining road network and its junctions resulting from the development will have. It is considered that a suitable mechanism to mitigate this specific impact is through a financial contribution towards improving the operation of the affected network.

There is no highway objection subject to a transport contribution towards improvements at the A27 Bridge Road/Brook Lane junction and the A27 corridor, and submission of a Travel Plan, including a monitoring fee and bond secured through a Section 106 legal agreement.

Police and Crime Commissioner (Crime Prevention Design Advisor) -

As proposed the layout works fairly well. Connectivity needs improving to the north and

south, including providing greater surveillance of open space. This can be dealt with at the detail stage.

Environment Agency - No objection

Natural England -

The application site is within or in close proximity to a European designated site (Natura 2000 sites) and to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar sites and notified at a national level as Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI).

In considering the European site interest, the Council, as a competent authority under the provisions of the habitats Regulations, should have regard for any potential impacts that a plan or project may have.

This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that Fareham Borough Council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

Provided that the applicant is complying with the SPD or policy, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

Chichester and Langstone Harbours SPA and Ramsar Site - no objection.

Solent Maritime ASC - no objection.

SSSI - no objection.

Southern Water Services - No objection subject to condition

INTERNAL

Trees - No objection

Refuse and waste - No objection

Environmental Health (Pollution) - No objection

Environmental Health (Contamination) - No objection, subject to condition

Ecology -

The application is supported by final reports for reptiles, dormice, bats and an updated extended phase 1 habitat survey report and an badger bait-marking study report.

Bats - Roosting

The updated information provides an account of the Phase 2 emergence surveys which were completed for all buildings and trees which support suitable bat roosting features. The surveys were completed in accordance with the Bat Conservation Trust's good practice survey guidelines. No bats were seen to emerge from or return to any of the surveyed trees or buildings during these surveys.

In view of the survey findings the development is unlikely to result in a breach of the law protecting bats.

Bats - Foraging

Bat foraging activity around the site was typical of such sites, and the bat assemblage largely comprised pipistrelle bats. Serotine, noctule, long-eared and Myotis bats were also recorded in small numbers. The proposal will result in the loss of habitat which is utilised by foraging and commuting bats however the Outline Landscape Strategy Plan Ref: DD126.L01A shows that the areas of the site which support the greatest levels of activity will be retained in a substantial and functional form. In particular, the woodland blocks which are located centrally between the two development blocks retain a belt of suitable foraging habitat between the northern and southern areas of suitable habitat outside of the development.

There are no concerns over impacts on foraging and commuting bats subject to the implementation of the outlined avoidance, mitigation and compensation strategy which comprises a combination of habitat retention, habitat creation and sensitive lighting. It is recommended that detailed lighting, landscape and habitat management schemes are designed with bats (and other protected species) in mind and are submitted to secure these measures.

Dormouse

Surveys have confirmed that the site does not support dormice.

Reptiles

Reptile populations will be translocated to an off site receptor area which should be identified in order to demonstrate that the proposed strategy is deliverable and enforceable.

Breeding Birds

Breeding bird surveys have confirmed that the site supports small number of red listed bird species including starling, song thrush and house sparrow. The recorded assemblage is not unusual given the habitats supported by the site and the proposed mitigation strategy which comprises habitat retention and bird box provision is appropriate. It is recommended that these measures are secured by a suitably worded condition.

Badgers

A detailed study of badger activity at the site has confirmed that two social groups of badgers occupy the site. A total of seven badger setts have been recorded comprising two main setts, two annexe setts and three outlier setts of which all are active and therefore afforded protection. A comprehensive mitigation strategy has been provided in outline form to allow for any changes in badger activity and design prior to commencement. It is

recommended that an updating badger survey is undertaken to inform a final mitigation strategy prior to commencement.

Habitats

Lowland mixed deciduous woodland, a priority habitat, is located within the site. This feature will be retained within the development; however, it is likely that increased public access will lead to its gradual degradation. In addition, indirect impacts could arise during construction works if dust is deposited on the woodland areas. In order to ensure that indirect impacts do not arise, it is recommended that a Construction Environment Management Plan (CEMP) is produced prior to commencement, secured by a planning condition. In addition, the proposed landscape strategy should be designed to reduce pressure on the retained woodland through managing access and protecting sensitive habitats in order to ensure the longevity of this priority habitat for its intrinsic biodiversity interest and for the species it supports.

Internationally Designated Sites

The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) and Solent and Southampton Water Ramsar site.

The development will result in a net increase in residential dwellings within 5.6 km of the Solent and Southampton Water SPA. It has been demonstrated and agreed by Natural England that any increase in dwellings would have a significant effect on the SPAs when considered in combination with other plans and projects.

Fareham Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues, which can be secured through planning conditions and a Section 106 Obligation.

Planning Considerations - Key Issues

Principle of development

Land supply

Design

Landscape character

Loss of agricultural land

Affordable housing

Highways

Ecology

Effect on neighbouring properties

Effect on local infrastructure

Conclusion

PRINCIPLE OF DEVELOPMENT

Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban areas. Policies CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.

The application site lies within an area which is outside of the defined urban settlement

boundary. Policy CS14 of the Core Strategy states that:

'Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.'

Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).

The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

LAND SUPPLY

The Council's current five year housing supply position is based upon the housing requirements in the Borough's adopted Local Plan; Part 2 - Development Sites and Policies (adopted June 2015) and Part 3 - Welborne (adopted June 2015). Over the five year period from 1st April 2016 to 31st March 2021, Fareham's housing requirement is 1,932 dwellings. In accordance with paragraph 47 of the NPPF, this requirement includes a 5% buffer brought forward from later in the plan period to ensure choice and competition in the market for land.

It is acknowledged that the Council's adopted housing requirement is not based on Objectively Assessed Need (OAN), as required by the NPPF. In light of this and in accordance with the Inspector's Report on Local Plan Part 2, the Council has committed to and commenced a review of the adopted Local Plan, in order to plan positively for meeting Objectively Assessed Housing Need. This figure was published in evidence to support the PUSH Spatial Position Statement in June 2016, to enable each PUSH Council to review its Local Plan and identify specific sites and locations for development to meet OAN. To reaffirm this commitment, the Council has recently adopted a new Local Development Scheme which provides the timetable for the production and adoption of the new Fareham Local Plan 2036.

The appeal decision in December 2014 for the site adjacent to The Navigator public house (reference P/13/1121/OA) is acknowledged, however since that decision, the approaches of both Local Plan Part 2 and Local Plan Part 3 have both been found sound by a Planning Inspector and adopted by the Council. In addition, the ministerial letter on Strategic Housing Market Assessments (dated 19th December 2014) states that "the outcome of a SHMA is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans. It does not immediately or in itself invalidate housing numbers in existing Local Plans". Therefore in accordance with this statement and the Planning Practice Guidance, the housing requirement figure used to calculate the Council's five-year housing supply position is based on the Council's adopted Local Plan. As such, until the new Fareham Local Plan 2036 has been subject to consultation and examination and been adopted by the Council, it is the Council's view that it would be premature to adopt the Objectively Assessed Housing Need figure as the Borough's housing requirement.

Taking the positions on housing requirement and housing supply into account, Fareham Borough Council is therefore currently able to demonstrate a five-year housing land supply

position of 5.7 years.

The table demonstrating the five year lands supply position is appended to the report (Appendix 1).

DESIGN

The illustrative masterplan shows the overall layout and form of the development designed to be sympathetic with the existing properties in Brook Lane and Greenaway Lane and the wider landscape beyond.

Up to 180 houses are proposed which equates to an average net density of 34 dwellings per hectare. This level of density is comparable to the surrounding residential development. Furthermore, building heights will not exceed 2.5 storeys.

Based on the illustrative details provided officers are not fully satisfied that up to 180 dwellings can be accommodated on the site in a manner that accords with Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne). As a result, the number of dwellings may need to be reduced when a detailed reserved matters application is submitted for determination in order for the proposal to comply with the Council's Design Guidance. Officers have sought legal advice in relation to this issue and have been advised that as the description of the development states 'up to 180 units' this number is not set in stone and can be varied at the detailed application stage.

LANDSCAPE CHARACTER

The site comprises a combination of commercial glasshouses, polytunnels, former nursery land, open and wooded areas. The site is currently viewed from residential properties in Brook Lane and Greenaway Lane and from limited public vantage points, including the public right of way crossing the south western corner of the site. Glimpsed views of the commercial buildings can be seen between properties along Brook Lane. The site cannot be seen in longer distance views due to the existing built form and vegetation.

Whilst the development might not be seen easily from public vantage points the proposal would introduce built form and associated infrastructure including lighting and planting which would affect the character of the landscape and visual amenity. The illustrative layout demonstrates that where possible valuable landscape features would be retained and the development could be further mitigated by reinforcing green corridors of vegetation and greenspace. Furthermore the presence of a good structure of woodland, hedgerows and trees provides opportunities for integration of new buildings within the existing landscape.

Notwithstanding the existing site features, Policy CS14 of the Core Strategy states that built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Residential development on the site would affect its existing landscape character, appearance and function.

LOSS OF AGRICULTURAL LAND

The undeveloped parts of the site are predominantly Grade 1 Agricultural Land (the south western corner of the site is Grade 2 and 3b).

Paragraph 112 of the National Planning Policy Framework states: 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.'

Policy CS16 of the adopted Core Strategy states: 'New development will be expected to safeguard the use of natural resources by preventing the loss of the best and most versatile agricultural land (Grades 1, 2 or 3a of the Natural England Agricultural Land Classifications System).'

The loss of Grade 1 and 2 agricultural land is a material planning consideration and the proposal is therefore contrary to policy CS16 of the adopted Core Strategy and the NPPF.

AFFORDABLE HOUSING

The applicant is proposing to deliver 40% affordable homes in accordance with Policy CS18 of the adopted Core Strategy.

The affordable dwellings will comprise a mixture of sizes, including both affordable rented and shared ownership properties.

Since the original application was submitted the Highway Authority has indicated they would be seeking a highway contribution. Officers also question whether 180 dwellings can be satisfactorily accommodated on the site.

Planning Officers requested a viability appraisal from the applicant to demonstrate that the development would be able to deliver affordable housing at 40%; only a high level appraisal has been forthcoming. Without a detailed viability appraisal it is not possible for officers to establish whether the proposal would be fully compliant in respect of affordable housing bearing in mind the highway contribution and the questions raised in respect of housing numbers.

HIGHWAYS

The Highway Authority has considered the application in detail; the submitted Transport Assessment has specifically dealt with the following matters:

Accessibility (walking and cycling; public transport);

Personal injury accident data;

Vehicular access junction;

Travel plan (consultation and partnership; targets; measures; monitoring; funding and section 106 Agreement);

Travel demand (trip generation; traffic distribution; traffic assignment);

Highway impact.

The Highway Authority notes the impact the increase in traffic on the adjoining road network and its junctions resulting from the development will have. It is considered that in the event that planning permission is granted a suitable mechanism should be put in place to secure a financial contribution for improvements to the A27 Bridge Road/Brook Lane junction and the A27 corridor.

ECOLOGY

Under the consultation section of this report the potential effects on wildlife have been set out.

There are no concerns relating to Dormouse, birds and bats, and reptiles can be relocated.

Natural England has confirmed that measures can be built into the proposal that seek to avoid all potential impacts on the European Sites, including contributions towards the Solent Recreation and Mitigation Partnership.

In the event that planning permission is granted, the above matters could be secured through planning conditions and/or a Section 106 Obligation.

EFFECT ON NEIGHBOURING PROPERTIES

A number of properties close to the site in Brook lane and Greenaway Lane have an outlook across the application site. The outlook from these properties into the site would change from commercial nursery buildings including glasshouses and polytunnels to a housing estate if the proposal were to go ahead. However subject to ensuring suitable separation distances this change is not considered to materially harm the living conditions of the occupiers of adjoining properties. Furthermore local residents are likely to be very sensitive to changes in views so careful design and boundary landscaping will help to mitigate these effects and to an extent improve views

A number of dwellings are under construction to the north of the site (Strawberry Fields development) however they sit behind a 15 metre wide planting buffer.

The illustrative layout demonstrates how up to 180 dwellings could be sited on the site. In the event that outline planning permission were granted the detailed application would need to ensure that this number of dwellings would be built in a manner which meets this Council's requirements in respect of light, outlook and privacy as set out in the recently adopted Fareham Borough Council Design Guidance (excluding Welborne) SPD.

IMPACT ON LOCAL INFRASTRUCTURE

A number of residents raise concern about the effect 180 further homes would have on what are already perceived as strained schools, doctors and other services in the area. When developments of this scale come forward on individual sites, the expectation is that the needs of future residents should be met by the providers of those services. Whilst Officers acknowledge the strong local feeling on these issues, Officers do not believe that a reason for refusal can be substantiated on these grounds.

CONCLUSION

Officers acknowledge the proposal could deliver up to 180 dwellings, including affordable housing which is a material planning consideration which needs to be given due weight.

Officers further acknowledge that through careful design and management, appropriate measures can be put in place to ensure that ecological interests are fully and appropriately safeguarded.

The Highway Authority notes the impact the increase in traffic on the adjoining road network and its junctions resulting from the development will have. It is considered that in the event that planning permission is granted a suitable mechanism is put in place to secure a financial contribution for improvements to the A27 Bridge Road/Brook Lane junction and the A27 corridor;

The Highway Authority has highlighted that a Travel Plan secured through a Section 106 Obligation would assist in mitigating the impacts upon the highway network.

The application site is upon land which is entirely outside the defined urban settlement boundary where there is an in principle objection to new residential development except in exceptional cases. None of the exceptions set out within the adopted policies have been claimed here. This in principle policy objection weighs heavily against granting planning permission. Furthermore, the nature of the proposed development would introduce built form and associated infrastructure, including lighting and planting which will affect the character of the landscape and visual amenity. The proposal would urbanise the existing site and affect its landscape character, appearance and function;

The application site is a part of a much larger area of predominantly undeveloped former nursery land between the developed areas of Locks Heath and Warsash. The development of this land will result in a change in the environment for a number of properties which presently overlook the site, and will result in further 'urban creep' southwards towards Warsash. However, subject to the retention and further enhancement of established trees and landscaping this change will not materially harm the living conditions of occupiers of nearby residential properties;

The application site also comprises predominantly Grade 1 and Grade 2 Agricultural Land; these are the best grades of Agricultural Land. Both national and local planning policy seeks to avoid the loss of the highest grades of agricultural land.

The applicant has challenged whether this Council has a five year supply of housing land. Details of the Council's housing land supply have been provided earlier in the report and confirm there is in excess of a five year housing land supply.

Officers conclude that the benefits that would arise from the proposal do not outweigh the harm caused by developing land outside the defined urban settlement boundary and the loss of areas of Grade 1 and 2 Agricultural Land. The proposals would be contrary to policies contained within the adopted Fareham Borough Core Strategy and Local Plan Part 2: Development Sites and Policies

Officers therefore recommend that the planning application should be refused for the reasons set out below.

Recommendation

REFUSE:

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

(a) the proposal represents development outside the defined urban settlement boundary for

which there is no justification or overriding need and would adversely affect its landscape character, appearance and function;

(b) the proposal would result in the loss of Grade 1 and Grade 2 agricultural land;

(c) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

(d) in the absence of a financial contribution or legal agreement to secure such, the proposal would result in an increase in traffic on the adjoining road network and its junctions to the detriment of the users of the highway;

(e) in the absence of a legal agreement securing a Travel Plan, the proposed development would not make the necessary provision to ensure 'reduce and manage measures' are in place to assist in reducing the dependency on the use of the private motorcar;

(f) in the absence of a legal agreement securing provision of open space and facilities and their associated management, the recreational needs of residents of the proposed development would not be met;

(g) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(h) had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its long-term maintenance.

Note for information:

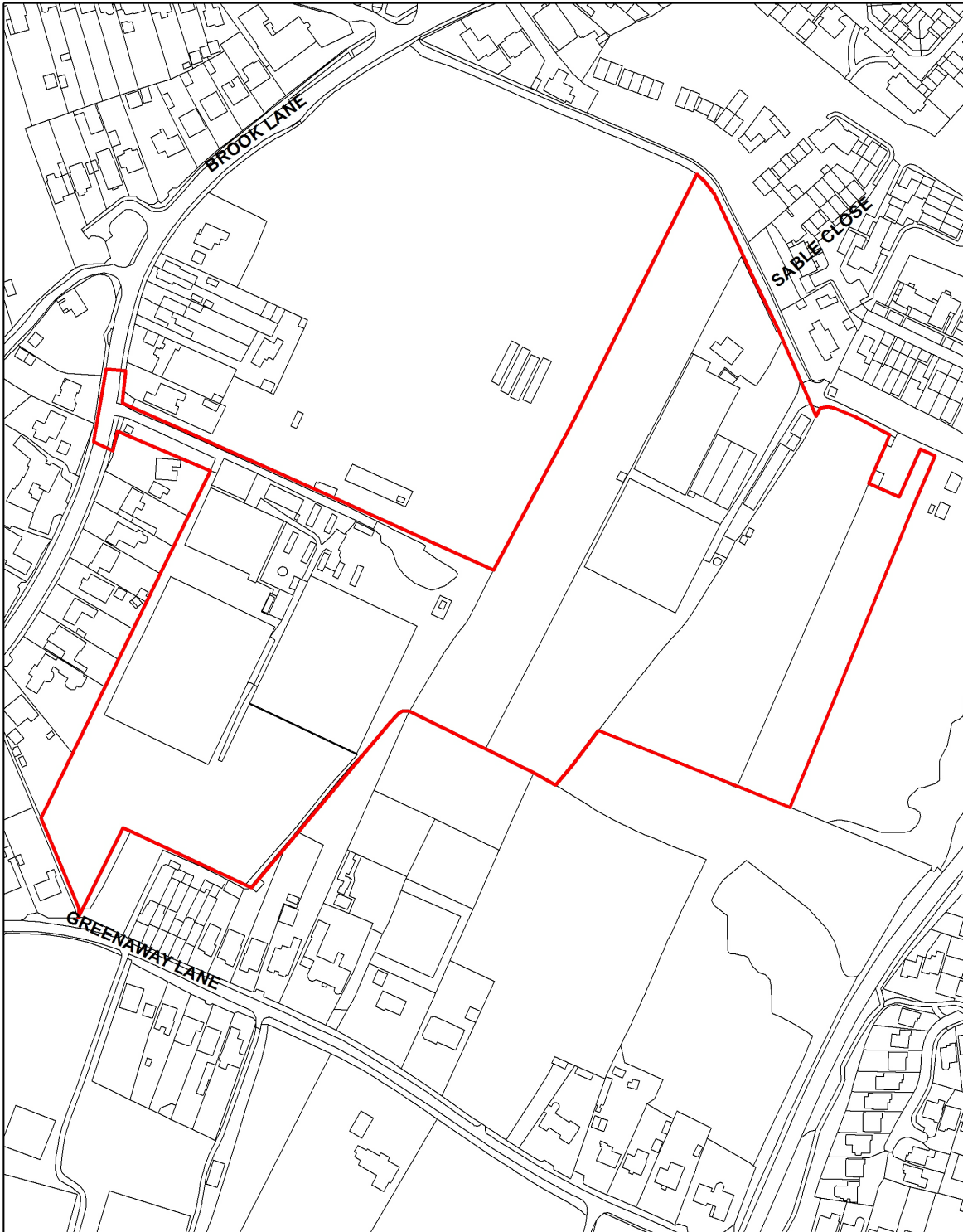
Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address points c - h of the above by the applicant entering into legal agreements with Fareham Borough Council and Hampshire County Council.

Background Papers

See planning history above.

FAREHAM

BOROUGH COUNCIL



Land East of Brook Lane
Scale 1:2500



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2017

APPENDIX 1 – 5-YEAR LAND SUPPLY

		2016-17	2017-18	2018-19	2019-20	2020-21	Total
Requirement	Core Strategy + DSP Plan	147	147	147	147	147	735
	5% buffer	8	8	7	7	7	37
	Welborne Plan	120	180	200	320	340	1160
	Total	275	335	354	474	494	1932
Supply	Outstanding planning permissions for large sites (5 or more units)	334	254	282	63	0	933
	Outstanding planning permissions for small scale sites (1-4 units)	48	47	47	0	0	142
	Outstanding site allocations in Local Plan Part 2	0	0	20	140	125	285
	Brownfield Sites in planning	0	0	45	40	78	163
	Small site windfall allowance	0	0	0	37	37	74
	Delivery at Welborne	0	0	0	250	350	600
	Total	382	301	394	530	590	2197
	Balance against Requirement	+107	-34	+40	+56	+96	+265
Land Supply Position (Years)		5.7					

Agenda Item 8(2)

P/16/1049/OA

TAYLOR WIMPEY UK LTD

WARSASH

AGENT: TURLEY
(SOUTHAMPTON)

OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 85 DWELLINGS WITH PUBLIC OPEN SPACE, ACCESS FROM BROOK LANE, LANDSCAPING WORKS, INCLUDING DEMOLITION OF EXISTING REDUNDANT NURSERY BUILDINGS.

LAND TO THE EAST OF BROOK LANE & SOUTH OF BROOKSIDE DRIVE WARSASH

Report By

Kim Hayler - Direct dial 01329 824815

Site Description

The application site measures 2.69 hectares (6.6 acres) and lies to the east of Brook Lane and to the south of Brookside Drive;

The site was formerly used as a nursery and is now disused and heavily overgrown. There is evidence of former nursery buildings, now derelict to the southeast corner of the site;

The site is relatively flat, falling gradually from the north east corner towards the south west;

Land immediately to the south and east of the site is of a similar character; the land beyond Brookside Drive (private drive) to the north is currently being developed (Strawberry Fields); established frontage development lies to the west along Brook Lane;

An overhead 11kV power line crosses the site diagonally;

An active badger sett is located on the eastern boundary of the site;

There is an area tree preservation order outside of the north eastern boundary;

The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar site and also notified at a national level as Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI).

Description of Proposal

Outline planning permission is sought for up to 85 new dwellings on the site, together with a new vehicle access from Brook Lane, public open space including a locally equipped area of play (LEAP), surface water drainage and landscaping;

All matters are to be reserved except for means of access which would be from a new junction access off Brook Lane;

A masterplan has been submitted demonstrating how 85 dwellings could be laid out on the site. Dwellings are shown to front onto the open space and landscaped areas. A pedestrian link is proposed from Brook Lane into the site. A drainage attenuation pond is shown located adjacent to the western boundary close to Brook Lane;

Removal of the bus layby on Brook Lane and relocation of the bus stop;

The existing 11kV power line will be diverted underground by SSE as a statutory undertaker at the cost to the developer.

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

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

CS20 - Infrastructure and Development Contributions

CS21 - Protection and Provision of Open Space

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

P/16/0959/OA - Outline application for up to 180 dwellings on land east of Brook Lane - see preceding report on agenda

Representations

One hundred and sixty objections have been received raising the following concerns:

Site is outside of the urban settlement boundary;

Local Plan is up to date and this should represent the guide to development;

No requirement for additional housing in the locality - Local Plan provides for 5 year supply;

Excessive density;

Loss of a strategic gap;

Example of 'urban sprawl';
Lack of sufficient parking will lead to further on street parking pressure;
Loss of area of Countryside;
Liability to Flooding;
Impact on Locks Heath Shopping Area (inadequate Parking);
Pressure on stretched local services, schools, doctors etc;
Pressure of traffic on local road network;
Layout not in keeping with Local Environment;
Impact on bus stops and lay-by;
Increased pollution from cars;
Increased Light pollution;
Loss of wildlife and habitat;
Lack of employment;
Development of Welborne should be sufficient;
Increased use of private transport should be planned for rather than public transport that no one wants to use;
Loss of privacy;
Loss of woodland;
Hazardous access point;
Too Much building already in Warsash;
Hazard for walking school children;
Loss of views;
Devaluation of existing property;
Existing horticultural nursery could still be used were it not for greedy landowners;

The Fareham Society has commented as follows:

The application contravenes policies in the adopted Local Plan Part 2 in that the site is outside of the urban settlement boundary and there is no overriding need;

The Council can demonstrate a five year land supply;

The site does not constitute previously developed land;

The Local Plan is being reviewed; the democratic process should be strictly followed for the release of further development land.

Consultations

EXTERNAL

Police Crime Prevention Design Advisor -

To the south of the main access to the development the plan shows a pedestrian/cycle access. There is limited natural surveillance of this access, therefore it should be removed, however further comments can be made at detail design stage.

Hampshire County Council (Archaeology) - no objection subject to conditions.

Hampshire County Council (Lead Flood Authority) -

The general principles for the surface water drainage proposals are acceptable; we would

recommend that further information on the proposals be submitted as part of a more detailed design phase.

Hampshire County Council (Highways) -

The Highway Authority has considered the Transport Assessment and supplementary addendum accompanying the application and all relevant guidance and policy documents, both local and national, including the NPPF and guidance on Transport Assessment.

The Highway Authority have technically audited the information supplied and raise no objection to the site access. However, the developer will need to ensure that land for their proposed visibility splays is available for dedication to the Highway Authority.

The Highway Authority has concluded that the level of development proposed (85 units) would not have a significant impact upon the highway network.

Southern Water Services - no objection

Natural England -

The application site is within or in close proximity to a European designated site (Natura 2000 sites) and to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar sites and notified at a national level as Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI).

In considering the European site interest, the Council, as a competent authority under the provisions of the habitats Regulations, should have regard for any potential impacts that a plan or project may have.

This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that Fareham Borough Council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

Provided that the applicant is complying with the SPD or policy, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

Chichester and Langstone Harbours SPA and Ramsar Site - no objection.

Solent Maritime ASC - no objection.

SSSI - no objection.

INTERNAL

Environmental Health (Pollution) - no objection.

Environmental Health (Contamination) - no objection subject to conditions.

Trees - no objection.

Ecology -

Internationally Designated Sites

The application site is in proximity to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) and Solent and Southampton Water Ramsar site, each of which are situated approximately 650 metres west of the western boundary of the site.

The development will result in a net increase in residential dwellings within 5.6 km of the Solent and Southampton Water SPA. It has been demonstrated and agreed by Natural England that any increase in dwellings would have a significant effect on the SPAs when considered in combination with other plans and projects.

Fareham Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measure to address these issues which can be secured through planning conditions and a Section 106 Obligation.

European Protected species

Updated ecological information has been considered including a revised masterplan.

Badger

The illustrative master plan has been revised (Rev D) to improve connectivity along the southern site boundary. The corridors which are approximately 5m wide will maintain opportunities for badgers to move through the site and access adjacent resources. The proposed habitats within the corridors will also provide suitable foraging opportunities for badger. Surveys carried out at the site identified a number of commuting paths within the site but noted that foraging activity was low. It is considered that the provision of vegetated corridors around the periphery of the site will retain commuting opportunities and re-establish potential foraging habitat for the local badger social groups.

A suitable outline mitigation strategy for badgers has been provided within the Ecological Mitigation and Enhancement Plan and it is expected that an updated mitigation strategy (supported by updated surveys as necessary) will be provided with the updated site layout. This will ensure that any changes in badger sett distribution on-site and/or proximity of development to existing setts will be addressed.

Breeding Birds

The revised illustrative master plan shows increased nesting provision though the proposal will result in an overall loss in nesting habitat, the proposed corridors and array of nest boxes will maintain nesting opportunities within the site. The proposed strategy for vegetation clearance detailed within the EMEP will ensure that nesting birds, their active nests and eggs are not impacted during site preparation and construction works.

Reptiles

A detailed Reptile Mitigation Strategy has been submitted in support of the application. The strategy is for the translocation of the existing reptile population to an off-site receptor site. The retention of reptiles in-situ was not considered to be deliverable.

The strategy is supported by surveys of the application site and the proposed receptor site which have confirmed that the receptor site supports only a small reptile population. It is considered that with habitat management as proposed within the Reptile Mitigation Strategy, the carrying capacity of the receptor site will be increased substantially in order to receive the translocated animals. The submitted strategy presents an acceptable methodology for a functional off-site translocation including an assessment of reptile populations at both sites, details of the translocation methods (including a plan of the proposed fencing) and on-going monitoring and management.

Bats

The illustrative site plan has been updated to increase connectivity along the southern boundary of the site. The EMEP identifies that it will be necessary to design the lighting strategy to retain dark corridors and prevent illumination of roost areas. This information can be provided in the reserved matters application.

Surveys have confirmed that bats roost within the site and the proposal will result in the loss of a bat roost and the demolition of the roost structure has the potential to kill or injure bats. In light of this, had there been no overriding reason for refusing the application the Local Planning Authority would have had to assess the proposal against the derogation test set out in the EU Directive.

Planning Considerations - Key Issues

Principle of development

Land supply

Design

Landscape character

Affordable housing

Highways

Ecology

Effect on neighbouring properties

Effect on local infrastructure

Conclusion

PRINCIPLE OF DEVELOPMENT

Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban areas. Policies CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.

The application site lies within an area which is outside of the defined urban settlement boundary.

Policy CS14 of the Core Strategy states that:

'Built development on land outside the defined settlements will be strictly controlled to

protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.'

Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).

The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

LAND SUPPLY

The Council's current five year housing supply position is based upon the housing requirements in the Borough's adopted Local Plan; Part 2 - Development Sites and Policies (adopted June 2015) and Part 3 - Welborne (adopted June 2015). Over the five year period from 1st April 2016 to 31st March 2021, Fareham's housing requirement is 1,932 dwellings. In accordance with paragraph 47 of the NPPF, this requirement includes a 5% buffer brought forward from later in the plan period to ensure choice and competition in the market for land.

It is acknowledged that the Council's adopted housing requirement is not based on Objectively Assessed Need (OAN), as required by the NPPF. In light of this and in accordance with the Inspector's Report on Local Plan Part 2, the Council has committed to and commenced a review of the adopted Local Plan, in order to plan positively for meeting Objectively Assessed Housing Need. This figure was published in evidence to support the PUSH Spatial Position Statement in June 2016, to enable each PUSH Council to review its Local Plan and identify specific sites and locations for development to meet OAN. To reaffirm this commitment, the Council has recently adopted a new Local Development Scheme which provides the timetable for the production and adoption of the new Fareham Local Plan 2036.

The appeal decision in December 2014 for the site adjacent to The Navigator public house (reference P/13/1121/OA) is acknowledged, however since that decision, the approaches of both Local Plan Part 2 and Local Plan Part 3 have both been found sound by a Planning Inspector and adopted by the Council. In addition, the ministerial letter on Strategic Housing Market Assessments (dated 19th December 2014) states that "the outcome of a SHMA is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans. It does not immediately or in itself invalidate housing numbers in existing Local Plans". Therefore in accordance with this statement and the Planning Practice Guidance, the housing requirement figure used to calculate the Council's five-year housing supply position is based on the Council's adopted Local Plan. As such, until the new Fareham Local Plan 2036 has been subject to consultation and examination and been adopted by the Council, it is the Council's view that it would be premature to adopt the Objectively Assessed Housing Need figure as the Borough's housing requirement.

Taking the positions on housing requirement and housing supply into account, Fareham Borough Council is therefore currently able to demonstrate a five-year housing land supply position of 5.7 years.

The table demonstrating the five year lands supply position is appended to the report

(Appendix 1).

DESIGN

The illustrative masterplan shows the overall layout and form of the development including some frontage development adjacent to Brook Lane, continuing the frontage development and building line.

Lower density development is proposed towards the site boundaries with higher density to the centre of the site. Building heights will be predominantly two storey with some limited three storey buildings at key locations.

The net developable area (excluding ecological corridors/retained hedgerow and drainage basin) is 2.41 hectare (5.9 acres). Up to 85 houses are proposed which equates to an average net residential density of 35 dwellings per hectare. This level of density is comparable to the residential development currently under construction at Strawberry Fields to the north.

Based on the illustrative details provided officers are satisfied that up to 85 dwellings can be accommodated on the site in a manner that accords with Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne).

LANDSCAPE CHARACTER

The site comprises a combination of redundant buildings, dense scrub, grassland and vegetation. The site is currently seen by users of Brook Lane and from residential properties in Brook Lane. Glimpsed views of the site can be seen from the new housing currently under construction to the north of Brookside Drive, however there is a 15 metre wide strategic landscape corridor which will mature in time creating a visual buffer. The masterplan illustrates that where possible valuable landscape features would be retained and enhanced to mitigate the development. The site cannot be seen in longer distance views due to the existing built form and vegetation.

Policy CS14 of the Core Strategy states that built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. The nature of the proposed development would introduce built form and associated infrastructure, including lighting and planting which will affect the character of the landscape and visual amenity. The proposal would urbanise the existing site and change its landscape character, appearance and function.

AFFORDABLE HOUSING

The applicant is proposing to deliver 40% affordable homes in accordance with Policy CS18 of the adopted Core Strategy.

The affordable dwellings will comprise a mixture of sizes, including both affordable rented and shared ownership properties.

Since the original application was submitted the Highway Authority has indicated they would be seeking a highway contribution as a result of the potential cumulative effects of the development in the vicinity.

Planning Officers requested a viability appraisal from the applicant to demonstrate that the development would be able to deliver affordable housing at 40%; no detailed viability appraisal has been forthcoming. Without a detailed viability appraisal it is not possible for officers to establish whether the proposal would be fully compliant in respect of affordable housing bearing in mind the potential highway contribution.

HIGHWAYS

The Highway Authority has considered the application in detail; the submitted Transport Assessment has specifically dealt with the following matters:

The site access and flow of traffic on Brook Lane;
Visibility splays in Brook Lane;
Pedestrian and cycle access and safety;
Junction assessments;
Local and wider accessibility;
Speed sampling;
Public transport.

Whilst the Highway Authority acknowledges there will be an increase in vehicle movements associated with the development on the local highway network, no objection is raised in relation to this application in isolation as they are satisfied that the proposal will not materially harm highway safety. However, there is a further application for development on the adjoining site, (see preceding report P/16/0959/OA refers) and a number of pre-application enquiries have been received recently from land owners for residential development on sites in the vicinity to the application site. In light of this, the Highway Authority are concerned that the cumulative impact of this and other developments in the vicinity would have significant impact upon the highway network. As a result, had the Council been minded to grant planning permission then a highway contribution would have been secured for improvements to the A27 Bridge Road/Brook Lane junction and the A27 corridor as a result of the potential cumulative effects of development in the vicinity.

ECOLOGY

Under the consultation section of this report the potential effects on wildlife have been set out.

There are no concerns relating to badgers, breeding birds and bats, and reptiles can be relocated. Natural England has confirmed that measures can be built into the proposal that seek to avoid all potential impacts on the European Sites, including contributions towards the Solent Recreation and Mitigation Partnership.

In the event that planning permission is granted, the above matters could be secured through planning conditions and a Section 106 Obligation.

EFFECT ON NEIGHBOURING PROPERTIES

A small number of properties close to the site in Brook lane have an outlook across the application site. The outlook from these properties into the site would change from disused and heavily overgrown nursery buildings to a housing estate if the proposal were to go ahead.

A number of dwellings are under construction to the north of the site however they sit behind a 15 metre planted buffer.

The illustrative layout demonstrates how up to 85 dwellings could be sited on the site. In the event that outline planning permission were granted the detailed application would need to ensure that this number of dwellings would be built in a manner which meets this Council's requirements in respect of light and privacy as set out in the recently adopted Fareham Borough Council Design Guidance (excluding Welborne) SPD. Local residents are likely to be very sensitive to changes in views so careful design and boundary landscaping will help to mitigate these effects and to an extent improve views. In light of this officers do not consider the proposal would materially harm the outlook from the neighbouring residential properties.

IMPACT ON LOCAL INFRASTRUCTURE

A number of residents raise concern about the effect 85 further homes would have on what are already perceived as strained schools, doctors and other services in the area. When developments of this scale come forward on individual sites, the expectation is that the needs of future residents should be met by the providers of those services. Whilst Officers acknowledge the strong local feeling on these issues, Officers do not believe that a reason for refusal can be substantiated on these grounds.

CONCLUSION

Officers acknowledge the proposal could deliver up to 85 dwellings, including affordable housing which is a material planning consideration which needs to be given due weight.

Officers further acknowledge that through careful design and management, appropriate measures can be put in place to ensure that ecological interests are fully and appropriately safeguarded.

It is also noted that whilst the development would lead to an increase in vehicle movements along Brook Lane and immediate roads leading to and from it, it would not in isolation lead to materially unsafe highway conditions. However, had the Council been minded to grant planning permission then a highway contribution would have been secured for improvements to the A27 Bridge Road/Brook Lane junction and the A27 corridor.

The application site is a part of a much larger area of predominantly undeveloped former nursery land between the developed areas of Locks Heath and Warsash. The development of this land will result in a change in the environment for a small number of properties which presently overlook the site, and will result in further 'urban creep' southwards towards Warsash. However, subject to the retention and further enhancement of established trees and landscaping this change will not materially harm the living conditions of the occupiers of the nearby residential properties.

The application site is upon land which is entirely outside the defined urban settlement boundary where there is an in principle objection to new residential development except in exceptional cases. None of the exceptions set out within the adopted policies have been claimed here. This in principle policy objection weighs heavily against granting planning permission. Furthermore, the nature of the proposed development would introduce built form and associated infrastructure, including lighting and planting which will affect the character of the landscape and visual amenity. The proposal would urbanise the existing

site and affect its landscape character, appearance and function.

The applicant has challenged whether this Council has a five year supply of housing land. Details of the Council's housing land supply have been provided earlier in the report and confirm there is in excess of a five year housing land supply.

Officers conclude that the benefits that would arise from the proposal do not outweigh the harm caused by developing land outside the defined urban settlement boundary. The proposals would be contrary to policies contained within the adopted Fareham Borough Core Strategy and Local Plan Part 2: Development Sites and Policies.

Officers therefore recommend that the planning application should be refused for the reasons set out below.

Recommendation

REFUSE:

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

(a) the proposal represents development outside the defined urban settlement boundary for which there is no justification or overriding need and would adversely affect its landscape character, appearance and function;

(b) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

(c) had the Council been minded to grant planning permission then a highway contribution would have been secured towards highway improvements as a result of the potential cumulative effects of development in the vicinity;

(d) in the absence of a legal agreement securing provision of open space and facilities and their associated management, the recreational needs of residents of the proposed development would not be met;

(e) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(f) had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its long-term maintenance.

Note for information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning

Authority would have sought to address points b - f of the above by the applicant entering into legal agreement with Fareham Borough Council.

Background Papers

See planning history above.

Updates

One further comment has been received from a local resident not able to attend the committee meeting raising the following comments:

The proposal will be an extension of the Strawberry Fields development which is over developed and buildings too high, totally changing the character of Warsash;

Lack of parking in Locks Heath Shopping Centre;

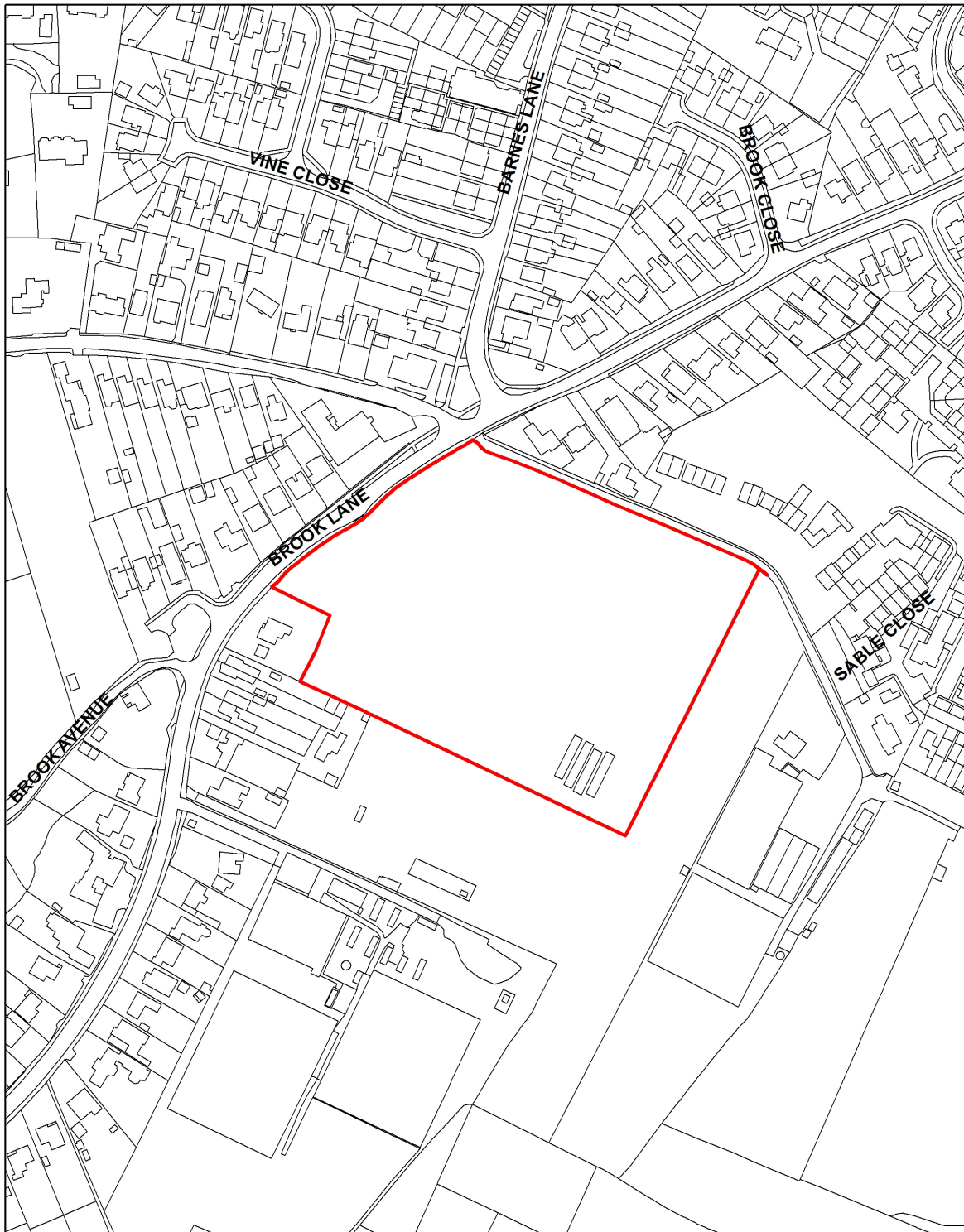
The footpath alongside my property should be removed;

If the proposal is permitted I will consider moving;

Loss of privacy.

FAREHAM

BOROUGH COUNCIL



Land East of Brook Lane
& South of Brookside Drive
Scale 1:2500



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2017

APPENDIX 1 – 5-YEAR LAND SUPPLY

		2016-17	2017-18	2018-19	2019-20	2020-21	Total
Requirement	Core Strategy + DSP Plan	147	147	147	147	147	735
	5% buffer	8	8	7	7	7	37
	Welborne Plan	120	180	200	320	340	1160
	Total	275	335	354	474	494	1932
Supply	Outstanding planning permissions for large sites (5 or more units)	334	254	282	63	0	933
	Outstanding planning permissions for small scale sites (1-4 units)	48	47	47	0	0	142
	Outstanding site allocations in Local Plan Part 2	0	0	20	140	125	285
	Brownfield Sites in planning	0	0	45	40	78	163
	Small site windfall allowance	0	0	0	37	37	74
	Delivery at Welborne	0	0	0	250	350	600
	Total	382	301	394	530	590	2197
	Balance against Requirement	+107	-34	+40	+56	+96	+265
	Land Supply Position (Years)	5.7					

Agenda Item 8(3)

P/16/1236/FP

WARSASH

MR DONALD YAU

AGENT: ELLIS PARTNERSHIP

DEMOLITION OF THE EXISTING DETACHED GARAGE AND CONSTRUCTION OF A NEW 2 BEDROOM DETACHED BUNGALOW

230 WARSASH ROAD WARSASH FAREHAM SO31 9JF

Report By

Rachael Hebden. Direct Dial 01329 824424

Introduction

The applicant has submitted amended plans which decrease the footprint of the proposed dwelling by decreasing the number of bedrooms from 3 to 2 and removing the proposed car port which was originally attached to the dwelling. As a result the distance between the west elevation and no. 43 has increased to 15m at the closest point.

Site Description

230 Warsash Road is a residential site which currently contains a detached, two storey, dwelling with parking for 3 cars to the front and a detached, double garage to the rear.

The site is level, laid to lawn and contains some conifers. The south and west boundaries are demarcated by a perimeter fence. The east boundary is represented by a conifer hedge of approximately 3m in height.

Description of Proposal

The application proposes the demolition of the existing garage and the sub-division of the site with the erection of a detached, two bedroom bungalow to the rear. The bungalow would incorporate on site car parking to the front together with space for turning a car with a cycle store in the rear garden.

Policies

The following policies apply to this application:

The Fareham Borough Residential Car and Cycle Parking Standards Supplementary Planning Document

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP1 - Sustainable Development

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Representations

Only one representation (from no. 43) has been received in response to the amended plans. The representation confirmed that the issues originally raised remained of concern.

Five representations were received in response to the plans originally submitted raising the following concerns:

One representation states no objection in principle, but raises the following points:

- The future installation of windows above ground level should be prevented to prevent a loss of privacy to neighbouring properties.
- Details of the acoustic fence along the west boundary should be provided as part of the planning consent.

The remaining four representations are in objection to the proposal and raise the following points:

- Overdevelopment and cramped design
- Contrived vehicular access onto Warsash Road
- Proximity of vehicular access to adjacent properties
- No precedent for infilling in this area
- The additional cars using the existing drive will increase navigational difficulty for school children who walk along Warsash Road
- Loss of privacy to no. 4 Fleet End Road
- Overshadowing of no. 4 Fleet End Road
- Proximity of building to no. 4 Fleet End Road
- The proposed building would be overlooked by opposite houses
- The existing garage is used for storage not parking
- Noise and activity associated with a new dwelling will impact no. 43 Corvette Avenue
- Loss of existing planting
- Loss of outlook to no. 45 Corvette Avenue
- Loss of light to no. 45 Corvette Avenue
- Pollution from exhaust fumes
- Narrow vehicular entrance is not safe

Consultations

INTERNAL CONSULTEES

Trees - No objection

Planning Considerations - Key Issues

Principle of development

The site is within the urban area, therefore Policies CS2 and CS6 are applicable. In addition Policy CS9 which seeks to provide for residential development within the urban

area provided that the setting of the area is protected, is also applicable.

The site comprises garden land which is no longer identified as previously developed land. Whilst this in itself is not a reason to resist development, proposals on residential garden sites must be considered against the criteria within Policy CS17 which requires all development to respond positively to and be respectful of the key characteristics of the area including scale, form and spaciousness. The proposed addition of a bungalow is therefore acceptable in principle subject to satisfying the criteria of the Planning Policies summarised earlier in this report.

Effect on the character of the area

Concerns have been raised about the impact the proposed dwelling would have on the character of the area. The proposed dwelling would be accessed via the existing vehicular drive that leads to the detached garage and its position to the rear of no. 230 Warsash Road (a two storey dwelling) is such that it would only be visible from extremely limited viewpoints within Warsash Road. The impact on the character of the area would therefore be minimal and in accordance with Policy CS17 which requires development to respect the character of the area.

Concerns have also been raised about the 'cramped' form of development. The proposed sub-division of the plot, would by its nature result in two smaller plots, however there are a variety of plot sizes in the area and the resulting plots sizes would not be uncharacteristically small. The proposed gardens are also large enough to satisfy the space standards recommended in the Fareham Borough Residential Design Guidance SPD.

Living conditions

The proposed dwelling satisfies the national minimum technical internal space standards as recommended by the Fareham Borough Residential Design Guidance SPD. The garden for no. 230 would be a depth of 11m in line with the minimum depth recommended by the Fareham Borough Residential Design Guidance SPD. The garden to the rear of the proposed dwelling would be between 8 and 10m in depth, which falls slightly below the 11m depth recommended by the Fareham Borough Residential Design Guidance SPD, however the proposed garden would be 14m wide and is therefore considered to be large enough to serve the future occupiers of the proposed 2 bedroom dwelling. In addition, the garden would edge onto the rear of a neighbour's garden and would therefore benefit from an open outlook.

Access to the proposed dwelling would pass along the west elevation of no. 230. Currently the west elevation contains a door providing access to the utility room, however the application is supported by plans which demonstrate that the back door would be replaced with a window to prevent any obstruction of the proposed driveway.

Effect on neighbouring properties amenities

When considering the impact of the proposed dwelling on the amenities of the neighbouring properties, it is of relevance to compare the impact of what is proposed to the impact that would result from the construction of a detached structure that could be constructed under 'permitted development rights', that is without the need for an express planning permission. In this case, the owners of no. 230 could erect a detached structure of up to 4m in height

(that is only 0.6m below the ridge of the proposed dwelling) in the rear garden without the need for planning permission, provided it was not within 2m of the boundary of the site. Although any structure built under permitted development could not be used as an independent dwelling, it would be of a similar scale and bulk and would have a similar impact on the neighbours' amenities in terms of scale, outlook, overshadowing and privacy.

Concerns have been raised regarding the proximity of the proposed dwelling to no. 4 Fleet End Road and potential overshadowing. The proposed dwelling would be visible from the rear of no. 4 Fleet End Road, however it has been designed with a shallow hipped roof which would slope away from no. 4 and have a ridge height of only 4.6m. It is considered that the form of the proposed roof, together with the position of the bungalow 15 metres west of no. 4 Fleet End Road, would prevent any significant overshadowing.

Concerns have also been raised regarding the loss of privacy to no. 4 Fleet End Road. The proposed bungalow would contain windows within the east elevation that would face no. 4 Fleet End Road, however they are all at ground level and therefore would not result in a loss of privacy given that the west boundary (at this point) is represented by a 1.8m wooden fence. Any subsequent perceived loss of privacy by the occupiers of no. 4 Fleet End Road could be mitigated by the addition of supplementary soft landscaping along the boundary (however this is not considered to be a necessary requirement of the application).

Concerns have also been raised regarding the impact that the proposal would have on the amenities of no's 43 and 45 Corvette Avenue. The proposed dwelling would be visible from the rear of no. 45, however it would be visible from an oblique angle and separated by over 15m. The incorporation of a hipped roof on the bungalow would also prevent the dwelling from having a significant adverse impact on their outlook or amount of available sunlight.

The proposed bungalow would be positioned almost directly opposite no. 43, however the hipped roof of the bungalow together with the separation distance of 15m (at the closest point) would prevent it from appearing overtly overbearing or having a significant adverse impact on the amount of available sunlight. It is also of relevance to note that while the proposed dwelling would be positioned opposite the rear of no. 43 the outlook on either side of no. 43's rear garden would remain open.

The proposed dwelling would contain two windows within the west elevation, however they would not result in a loss of privacy to no's 43 or 45 as they are located at ground floor level and the west boundary is represented by a 1.8m close boarded fence. As with no. 4 Fleet End Road, any subsequent perceived loss of privacy by the occupiers of no. 43 or 45 Corvette Avenue could be mitigated by the addition of supplementary soft landscaping along the boundary (however this is not considered to be a necessary requirement of the application).

Neighbours have also raised concerns regarding disturbance from the additional noise and activity that would be associated with the proposed dwelling. The proposed development would replace the existing garage therefore noise and activity associated with the occupiers of no. 230 accessing the existing garage would be relocated to the front of no. 230 where their parking is now proposed. Any noise and activity resulting from the future occupiers accessing the proposed dwelling would therefore not be greater than that which already exists.

Both no. 230 and the proposed dwelling would have acceptable garden sizes which would prevent the noise and activity associated with the use of the garden from being

concentrated in any one area. The overall levels of noise and activity which would result from the proposed development would therefore not be above a level considered to be acceptable in an urban area.

Concerns have also been raised about pollution from the exhaust fumes of cars entering and exiting the site. While cars entering and exiting the site would emit fumes, the increased numbers of vehicle movements would not be significant enough to have an adverse impact on the neighbouring properties.

Parking and highways

The proposed dwelling would share the existing vehicular access. Both the existing and proposed dwelling would have on-site car parking and turning in line with the required standards. The development also incorporates cycle storage facilities. The parking spaces and cycle storage can be secured for future use via condition.

Ecology

The applicant has provided the necessary financial contribution towards the Solent Recreation Mitigation Partnership interim strategy, such that the proposed development is considered to mitigate its impact and would, in combination with other developments, not increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

Conclusion

The proposed development is considered to be an acceptable form of development that would not cause material harm to the visual amenities of the area, the safety of the highway or living conditions of the occupiers of the neighbouring properties in accordance with the requirements of the relevant planning policies.

Recommendation

PERMISSION, subject to conditions:

1. The development hereby permitted shall be started before the expiry of three years from the date of this decision notice.

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

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

-Proposed elevations Drawing no. 1730-03 Rev A

-Proposed elevation (existing house) Drawing no. 1730-04

-Site layout Drawing no. 1730-01 Rev B

-Proposed floor and roof plans Drawing no. 1730-02 Rev A

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

3. No development shall take place until the Local Planning Authority have approved details in writing of how provision is to be made on site for the parking and turning of operatives vehicles, the areas to be used for the storage of building materials, plant, excavated materials and huts

associated with the implementation of the permitted development and measures to be taken to prevent spoil and mud being deposited on the public highway by vehicles leaving the site

during the construction works. The areas, facilities and approved measures 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 residential amenities of the occupiers of nearby residential properties is maintained during the construction period.

4.No development shall take place above damp proof course until samples of all materials to be used in the construction of external surfaces of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall thereafter be used in the construction of the approved dwelling.

REASON: To secure the satisfactory appearance of the development.

5. 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 bank and public holidays.

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

6. The dwelling shall not be occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times.

REASON: In the interests of highway safety.

7.The dwelling hereby approved shall not be occupied until the bin collection point and cycle store has been made available in accordance with the approved plans. The designated area shall thereafter be kept available and retained at all times for the purpose of bin and cycle storage.

REASON: In the interests of visual amenity; in order to facilitate alternatives to the motorcar.

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

REASON: To protect the amenities of the nearby residents.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended or any Order amending or revoking this Order, no development permitted by Part 1, Classes A, B, C D or E of Town and Country Planning (General Permitted Development) Order 2015 (and any subsequent amendments) shall be erected unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for this purpose.

REASON: To protect the amenities of the neighbouring properties.

10. The development hereby permitted shall be constructed strictly in accordance with the measures contained within the Tree Method Statement dated 15th July 2016.

REASON: To ensure the health of the trees.

11. The door in the west elevation of no. 230 shall be replaced with a window in accordance with Drawing no. 1730 - 04 prior to the occupation of the dwelling hereby approved.

REASON: In the interests of the amenity of the occupants of the existing and proposed

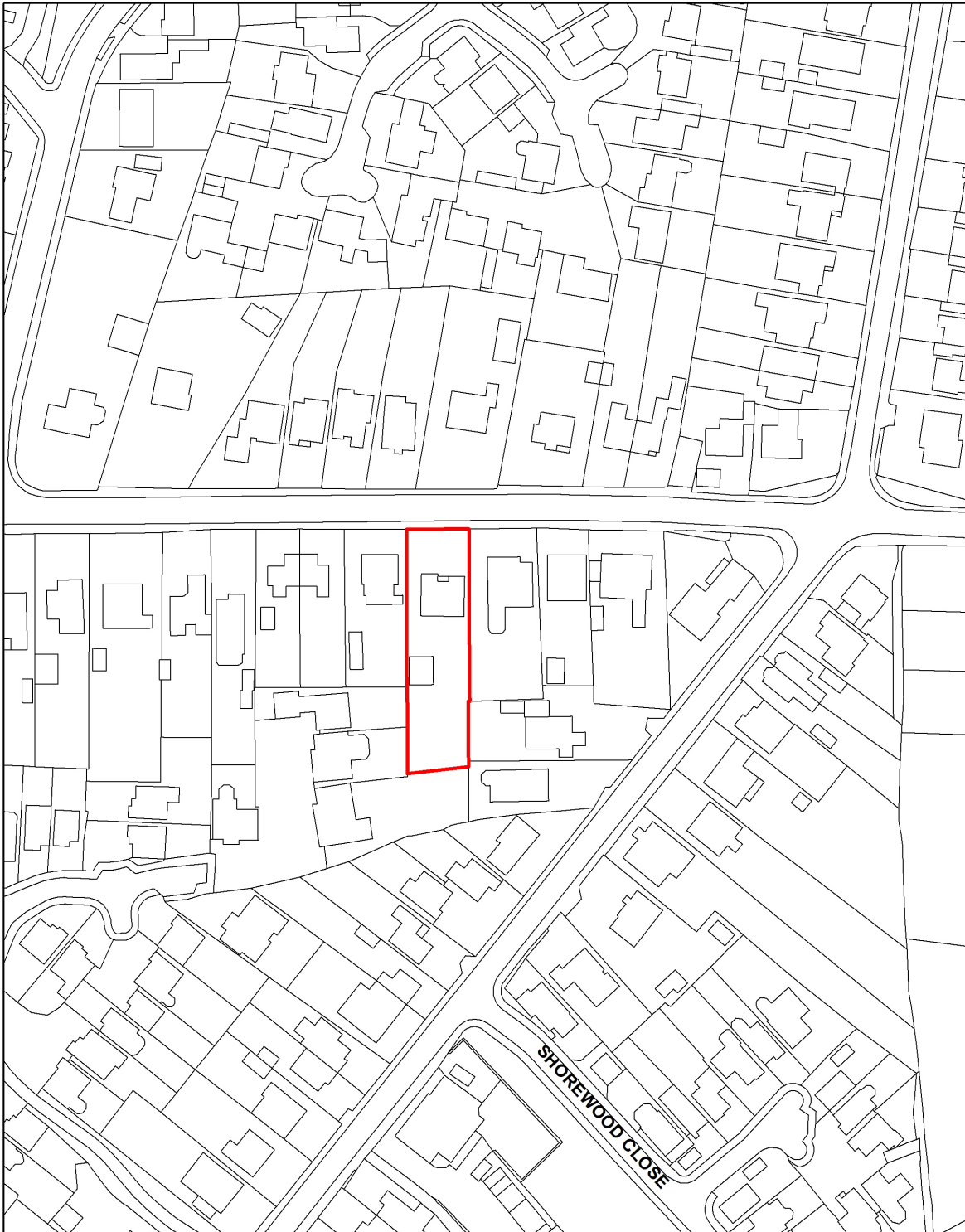
dwellings.

Background Papers

P/16/1236/FP

FAREHAM

BOROUGH COUNCIL



230 Warsash Road
Scale 1:1250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2017

Agenda Item 8(4)

P/16/1278/FP

SARISBURY

MR & MRS WHITTINGTON

AGENT: THORNS YOUNG LTD

TWO STOREY EXTENSION

17 LIPIZZANER FIELDS WHITELEY FAREHAM HAMPSHIRE PO15 7BH

Report By

Arleta Miszewska 01329 824 666

Amendments

The original proposal has been revised to include:

- An obscure glazed balustrade serving a Juliet balcony in a front elevation;
- A traditional design window serving the proposed lounge instead of bi-fold doors;
- A hip end roof instead of a gable end roof.

Site Description

The application relates to a two storey, 4-bed detached house located at the end of a cul-de-sac in Lipizzaner Fields. The house is served by a double detached garage located to the north of the house. The access to the property is via a shared drive with no. 15 Lipizzaner Fields located to the east.

Description of Proposal

Planning permission is sought for a two storey infill extension located between the front projection of the house and the detached garage. The extension would accommodate a lounge on the ground floor and a bedroom on the first floor. The proposal would not increase the number of bedrooms in the house.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Development Sites and Policies

DSP3 - Impact on living conditions

Representations

Two letters from two different households have been received objecting to the original proposal and five letters from four households have been received objecting to the revised proposal. The following concerns have been raised:

- External materials out of keeping with the area,
- Loss of light in garden and conservatory, loss of privacy in first floor bedroom at no. 19,
- Loss of outlook, privacy and light, and overshadowing of no. 15,
- Intensification of business run from home, increase in noise level and demand for car parking,
- Will set a precedent,
- A protected tree is not shown on the submitted plans,
- Noise during construction.

Consultations

INTERNAL

Trees -

There are no arboricultural grounds for refusal, therefore no objection to the proposed two storey extension.

An informative is suggested clarifying with the applicant that no activity during the construction phase is to take place in the garden to the west side of the plot. This would avoid the need to condition a tree protection plan.

Planning Considerations - Key Issues

Design and impact on the street scene

The extension would infill the area between the front projection of the main house and the detached garage. Although the ridge height of the proposed extension would match the height of the ridge of the main house, this is considered acceptable in this case as lowering the ridge height would create an overly complicated appearance.

Concerns have been raised over the choice of external materials. However, as the property is located at the end of a T-shaped cul-de-sac and not prominent from the street, the proposed extension would have a limited impact on the character and appearance of the area and the visual amenities enjoyed by the members of the public.

Impact on the living conditions of adjacent neighbours

Concerns have been raised over loss of light in the rear garden and conservatory at no. 19 Lipizzaner Fields. The separation distance between the proposed extension and this neighbouring property boundary would be between 5.5 and 6 metres. Moreover, given the hipped roof design, the location of the extension, south of the garden, and the movement of the sun, it is clear that the extension would not cause overshadowing during summer months, when the garden area would be expected to be used most frequently. As such, it is concluded that the proposed extension would not cause such detrimental overshadowing of the property at no. 19 to justify planning refusal.

Further concerns have been raised over loss of privacy in the bedroom window at no. 19 from the proposed first floor, full-height window with a "Juliet" balcony serving a bedroom. The Council's adopted Design SPD states that:

"Oblique" views across into neighbouring gardens are typical where houses are close by but these are not considered harmful to privacy."

Finally, the Council's Design SPD states that:

"A "Juliet" balcony has no decked area to stand out on. There are no potentially harmful sideways views."

The views afforded from the front windows towards nos. 15 and 19. would be sideways and therefore, in accordance with the Council's design standards, not considered harmful to the privacy of the adjacent neighbours.

Turning to the concerns raised over the loss of light, sunlight and overshadowing of the front bay window at no. 15 Lipizzaner Fields. The extension would be located to the north-west and some 8 metres away from the bay window. The Council's Design SPD requires two storey side extensions which can affect a sole window in a neighbouring property to be located 6 metres away. Therefore, this spatial relationship complies with the Council's guidance for domestic extensions and is not considered harmful to the living conditions of these neighbours, in terms of loss of light, sunlight, outlook and overshadowing.

Standards related to distance requirements (BRE) have been quoted by the neighbours from no. 15 Lipizzaner Fields. However, these standards are not adopted by the Council. The proposed extension follows the guidance set out in the Council's adopted Design SPD.

Concerns regarding loss of privacy from the windows inserted in the frontage of the proposed extension have also been raised by the neighbours from no. 15 Lipizzaner Fields. In this case the views would not be across rear gardens, where greater level of privacy would be expected, but across the frontages, which can be easily overlooked by the street users. Moreover, the window would be screened, to some extent, by a one metre high obscure glazed balustrade. Therefore, the front windows in the proposed extension are not considered detrimental in planning terms.

Impact on protected trees

The Council's Principal Tree Officer raises no objection to the proposal subject to no works being carried out in the garden to the west side of the plot. The applicant has confirmed that, as requested, no activity during the construction phase will take place in the garden to the west side of the plot and that the build and connecting utilities will take place from the frontage of the property.

Other matters

Concerns have been raised over a business being run from the application site and the potential for the proposed development to intensify the use. The applicant has confirmed that the proposed extension is to be used for domestic purposes only and not with running of the home business. Therefore, the proposed extension would not result in an increase in noise level and demand for car parking.

Setting a precedent has also been raised as a concern. However, each planning proposal is assessed on its own merits and granting of planning permission for a development does not guarantee that a similar development will be approved elsewhere.

Whilst noise during construction of an extension is inevitable, it will be of a temporary nature and therefore does not justify refusing a planning application. As the proposal is an extension to a domestic property, rather than a large scale development, imposing a condition requiring detailed construction method statement would not be, in planning terms, necessary and reasonable.

Recommendation

Permission, subject to conditions:

1. The development shall begin within 3 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.

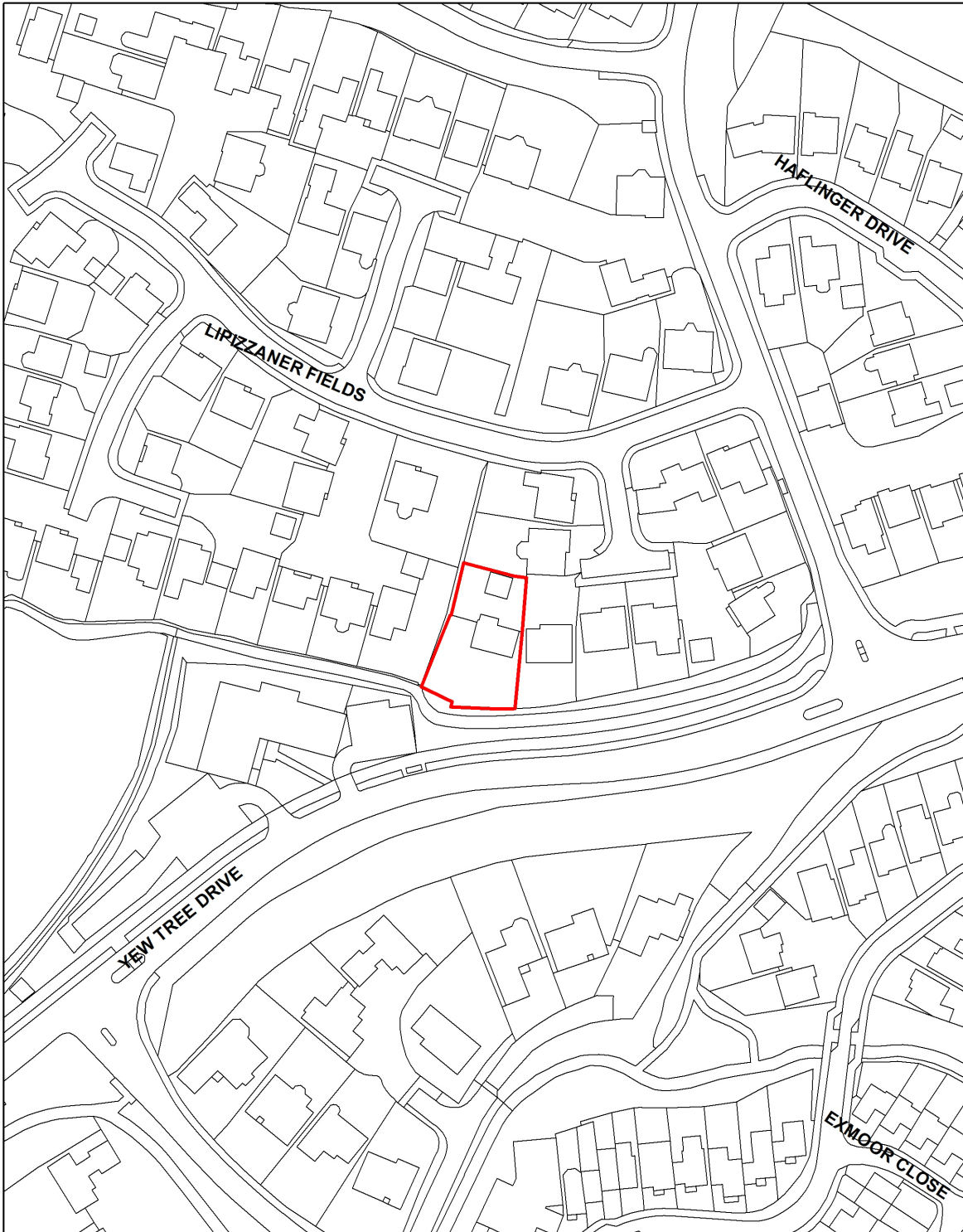
2. The development shall be carried out in accordance with the following approved documents:

- a) Proposed floor plans and elevations, drawing number PG 1087 16 2 Rev C;
- b) Proposed sections, drawing number PG 1087 16 3 Rev C;
- c) Proposed block plan, 1:500.

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

FAREHAM

BOROUGH COUNCIL



17 Lipizzaner Fields
Scale 1:1250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2017

ZONE 2 - FAREHAM

Fareham North-West

Fareham West

Fareham North

Fareham East

Fareham South

Reference

Item No

P/16/1333/FP
FAREHAM
NORTH-WEST

LAND TO REAR OF 10-20 TEWKESBURY AVENUE FAREHAM
HAMPSHIRE PO15 6LL
RESIDENTIAL DEVELOPMENT COMPRISING THE DEMOLITION
OF EXISTING BUNGALOW AND ERECTION OF 7 BUNGALOWS
(3 PAIRS OF SEMI-DETACHED AND 1 DETACHED) AND
ASSOCIATED PARKING ON LAND REAR OF 10-20
TEWKESBURY AVE, FAREHAM PO15 6LL

5
PERMISSION

Agenda Item 8(5)

P/16/1333/FP

FAREHAM NORTH-WEST

DRIFTSTONE DEVELOPMENTS

AGENT: ADP ARCHITECTS LTD

RESIDENTIAL DEVELOPMENT COMPRISING THE DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 7 BUNGALOWS (3 PAIRS OF SEMI-DETACHED AND 1 DETACHED) AND ASSOCIATED PARKING ON LAND REAR OF 10-20 TEWKESBURY AVE, FAREHAM PO15 6LL

LAND TO REAR OF 10-20 TEWKESBURY AVENUE FAREHAM HAMPSHIRE PO15 6LL

Report By

Richard Wright - direct dial 01329 824758

Site Description

The application site comprises the northern sections of the gardens of residential properties at 10 - 20 Tewkesbury Avenue as well as the whole of the property at 14 Tewkesbury Avenue. These north-west facing gardens are between 42 - 52 metres long from the rear of the existing houses.

Tewkesbury Avenue is a residential cul-de-sac of 23 dwellings made up of a combination of bungalows, chalet bungalows where first floor accommodation has been added and two-storey dwellings. To the rear of two of the plots fronting the north-western side of the road are four semi-detached chalet bungalows granted planning permission on appeal in 2007 in a development known as Poppy Gardens (our reference P/07/0592/FP). At the south-western end of the road is the vehicular entrance to St Columba C of E Primary Academy school. To the north-west of the application site lies the Kershaw Adult Day Care Centre.

Description of Proposal

Full planning permission is sought for seven bungalows on the application site (six 2-bedroom semi-detached dwellings and one 2-bedroom detached dwelling).

The bungalows are proposed to be laid out on the site in a row behind the frontage properties. The existing semi-detached bungalow at 14 Tewkesbury Avenue would be demolished to make way for vehicular and pedestrian access to the new homes.

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

CS7 - Development in Fareham

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)

Development Sites and Policies

DSP3 - Impact on living conditions

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

<u>P/16/0395/OA</u>	Residential development comprising the demolition of existing bungalow and erection of 8 semi-detached dwellings (3 bed), new access road, car ports and associated parking on land rear of 10-20 Tewkesbury Ave, Fareham PO15 6LL
	WITHDRAWN 12/07/2016

Representations

Objections to this application have been made on behalf of 13 different households in Tewkesbury Avenue and Poppy Gardens. The objections raise the following concerns:

- Highway safety at junction of Tewkesbury Avenue and Fareham Park Road
- Highway safety along Tewkesbury Avenue through increase of traffic, particularly at times when children are travelling to and from school
- Parking problems
- Harmful to character of area
- Overlooking/loss of privacy
- Noise and disturbance
- Disruption caused during construction (including noise, dust and traffic/parking problems)

A letter of objection has also been received from the Principal of the school raising concerns over the potential for the development to add to existing parking problems and the associated increase in risk to children coming to and leaving school on a daily basis.

Consultations

INTERNAL

Contaminated Land Officer - No objection.

Ecology - Further detail in respect of the proposed reptile mitigation strategy should be sought.

Highways - No objection subject to a condition to ensure parking spaces remain unallocated.

Planning Considerations - Key Issues

a) Principle of development

Policy CS2 (Housing Provision) of the adopted Fareham Borough Core Strategy states that when delivering housing to meet the Borough's need "priority will be given to the reuse of previously developed land within the existing urban areas".

The application site is located within the urban area as defined by the local plan, however garden sites such as this are excluded from the definition of previously developed land given in the National Planning Policy Framework (NPPF). That is not to say that garden sites cannot be developed for housing purposes, but that the specific impacts of each proposal must be considered on its own merits in line with local planning policy. It is recognised that well thought through proposals for the reuse of garden land can assist in delivering housing without harming the character of the surrounding area.

In this instance the application site comprises long rear gardens to six frontage properties on one side of the road. There is similar backland garden development immediately adjacent (Poppy Gardens) and to the south of Tewkesbury Avenue and rear of Fareham Park Road. If planning permission was granted for this development there would be no harmful effect on the prevailing character of the surrounding area as a result. In that respect there is no conflict with either Core Strategy Policy CS2 or Policy CS17 which seeks to ensure that development responds positively and is respectful of the key characteristics of an area including amongst other things its form and spaciousness.

b) Design and layout

An earlier planning application submitted in April 2016 proposed eight semi-detached chalet bungalows on the site (our reference P/16/0395/OA). This application was withdrawn after discussions between the applicant and Officers during which concerns were raised that the layout of the site was unduly cramped resulting in problems with the amount of space about the buildings and room for vehicles to manoeuvre.

This application therefore proposes an alternative scheme of seven smaller dwellings meaning less space is required for parking. The submitted site layout shows an access road 5.0 metres wide narrowing to 4.5 metres with sufficient space for a footpath on one side as well as planting strips to soften the approach into the site. Within the interior of the site there would be adequate room for vehicles to manoeuvre around a shared surface and a reasonable amount of space in front of each of the dwellings to provide landscaped frontages. To the rear of the bungalows rear gardens ranging between 11.0 - 11.8 metres long are proposed. This is broadly speaking in keeping with the size of some gardens nearby (dwellings in Poppy Gardens, 6 Tewkesbury Avenue) and also large enough to adequately meet the needs of future occupants for private garden space.

The bungalows themselves have been designed to mimic the traditional form of the existing dwellings along Tewkesbury Avenue with fully hipped roofs and bay windows to the front and flat roof additions to the rear. In combination with the now satisfactory proposed layout of the site, this ensures that there would be no visual harm to the character and appearance of the surrounding area.

c) Living conditions of neighbours

The development is proposed to be single storey thereby removing any concerns regarding overlooking from first floor windows. There would therefore be no material impact on the privacy of any of the adjacent or nearby properties.

There would be no materially harmful effect on light to or outlook from any of the neighbouring properties. The proposed bungalow at Plot 1 would stand approximately between 1.0 - 1.5 metres from the north-eastern site boundary the other side of which lies the chalet bungalow at 14 Poppy Gardens. The submitted site sections show that the

bungalow at Plot 1 would be set around 0.3 - 0.4 metres lower than the existing neighbouring chalet bungalow. It would also be positioned around 3.8 metres further forward. The impact on light into and outlook from the front ground floor window (serving a kitchen/diner) in the adjacent chalet bungalow would not be materially harmful. Officers have followed the guidance set out in the Council's adopted Design Guidance SPD and found that the front corner of the bungalow would fall just behind a line drawn at 45 degrees from the centre of that window. This is in addition to the bungalow being set on lower ground and having a fully hipped roof so as to reduce its bulk.

The access into the site passes adjacent to the neighbouring properties 12 & 16 Tewkesbury Avenue. The property closest the vehicular carriageway is within the control of the applicant and would be improved with the installation of a 2.0m high acoustic fence or wall along its flank elevation and rear garden in order to mitigate increased noise from passing cars.

d) Highways

A main point of concern raised by local residents is the impact of the development on the amount of traffic using Tewkesbury Avenue. Neighbours are concerned over the potential detrimental impact on highway safety from additional vehicle movements in and out of the site, along Tewkesbury Avenue and in and out of the junction with Fareham Park Road.

Officers agree that Tewkesbury Avenue is a well used road primarily because of the effect of vehicles coming and going to the school in combination with the traffic generated by the existing 23 dwellings. The school is open Monday to Friday during term-time and traffic is generated throughout a typical school day. However, the road is particularly busy at times when children are being brought to school at the start of the day (the school gates open at 8.30am and registration takes place at 8.45am) and collected at the end of the school day (children can leave school from 3.15pm) with a mixture of heavy pedestrian and vehicular use along Tewkesbury Avenue.

The applicant's own Highway Appraisal suggests that on average around 45 two-way vehicle movements occur between 8.00 - 9.00am (the morning peak). Using a tool known as TRICS (a database which records actual trip movements generated by various types of development) the appraisal estimates that a typical development of the type proposed could be expected to generate an additional 4 vehicle movements during this morning peak hour (1 every 15 minutes).

The Council's Transport Planner has been consulted on the proposal and has responded to raise no objection. Whilst it is acknowledged that Tewkesbury Avenue is at times a busy road, mainly due to traffic associated with the school, the anticipated increase in vehicle movements to and from the new houses are not significant enough to be able to demonstrate that any material harm would be caused to highway safety.

e) Parking

Closely related to the issues discussed in the above paragraphs concerning highway safety, some local residents have raised concerns over how the development might affect the availability of street parking in the area. Because of the vehicle movements associated with the school, on street parking is under particular pressure at certain times of the school day, but less so outside of those times.

The Council's adopted Residential Car & Cycle Parking Standards SPD recommends that for 2-bedroom properties the equivalent of 1.25 parking spaces should be provided. The application proposes to provide 9 unallocated parking spaces for use by the residents of the new bungalows as required by these standards.

The standards also suggest that residential developments take account of the demand for visitor parking and provide spaces accordingly. It follows that "In areas where over 50% of the spaces are allocated, an extra 0.2 spaces per dwelling should be provided". In this case the spaces are to be unallocated meaning that visitors could use any of the 9 spaces in front of the dwellings themselves. Notwithstanding, the developer has opted to provide an additional 2 spaces along the access into the site specifically for visitors to use. In practice however these spaces could be used for residents of the development to park their own vehicles should the need arise.

Officers consider the level of parking provision proposed to be adequate and in line with local policy. It would be necessary to control the parking spaces by using a planning condition to ensure they remain for use by any of the residents of the new bungalows or their visitors and do not become allocated to any one particular dwelling or resident.

f) 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 bungalows available as affordable units or to make an equivalent financial contribution towards off-site affordable housing provision.

g) Ecology

The Council's ecologist has considered the reports submitted by the applicant in relation to ecology, particularly in relation to reptiles and bats. No objection has been raised subject to the applicant providing an updated reptile mitigation strategy which could be secured through an appropriately worded condition.

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.

h) Disruption during construction

Concerns have been raised by neighbours over the impact of the development during

construction, in particular the effect of noise, dust and debris from the building site, and also the effect on parking and highway safety. The applicant has responded by submitting a Construction and Site Waste Management Plan in an attempt to address some of these concerns.

The Construction and Site Waste Management Plan explains that the developer would try and avoid deliveries of materials and plant to the site taking place during school drop off and pick up times. Officers consider it would be reasonable given the constraints at the site to secure this by way of a planning condition preventing any deliveries from occurring during those busiest times. The applicant has also submitted a construction management layout plan showing how space will be provided during the construction phase for site office/welfare facilities, materials and top soil storage and 8 parking spaces for contractors' vehicles. This again could be secured by condition, in particular to ensure those parking spaces are provided for use by contractors as an alternative to street parking. A further restriction to prevent contractors from parking on Tewkesbury Avenue could also be subject of an explicit condition.

Conclusion

The proposed bungalows would not be harmful to the character of the area or to the living conditions of neighbours. Officers have carefully considered the impact on highway safety and have concluded that there would be no demonstrable harm arising from the development. Adequate parking provision would be provided. The applicant has set out how certain aspects of the construction phase of the development would be managed, notwithstanding various conditions are considered necessary to control and mitigate any impacts particularly in relation to on-street parking and disruption during peak hours of school traffic.

The proposal is considered acceptable and there is no conflict with the relevant local plan policies mentioned above.

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 applicant submitting an updated reptile mitigation strategy to the satisfaction of Officers;

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) 1726-L01e Location plan

b) 1726-10e Site layout - Bungalows

- c) 1726-11a Plots 1-4 Plans
 - d) 1726-12a Plots 5 & 6 Plans
 - e) 1726-13a Plot 7 Plans
 - f) 1726-17 Site Sections
 - g) 1726-14a Plots 1-4 Elevations
 - h) 1726-15a Plots 5 & 6 Elevations
 - i) 1726-16a Plot 7 Elevations
 - j) Drainage Strategy by RGP - November 2016
 - k) Construction and Site Waste Management Plan
 - l) 1726-CM01 Construction Management Layout
 - m) Reptile Mitigation Strategy
- REASON: To avoid any doubt over what has been permitted.

3. No development above damp proof course (dpc) level 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 above damp proof course (dpc) level 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, including full details of the acoustic fencing/wall shown on the approved site layout plan. The boundary treatment, including the acoustic fencing/wall, shall be completed before any of the dwellings hereby permitted are first occupied and the acoustic fencing/wall shall be retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

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

5. No development above damp proof course (dpc) level shall take place until details of bin and cycle storage have been submitted to and approved in writing by the local planning authority. The approved bin and cycle storage shall be completed before any of the dwellings hereby permitted are first occupied.

REASON: To provide appropriate storage space for bins in the interests of the satisfactory appearance of the development; to encourage alternative modes of transport to the motorcar.

6. No development above damp proof course (dpc) level 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.

7. The landscaping scheme, submitted under Condition 6 above, shall be implemented in full 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.

8. None of the dwellings hereby permitted shall be occupied until the parking spaces shown on the approved site layout plan have been constructed and made available for use. The parking spaces shall be retained for use on an unallocated basis at all times thereafter and at no time shall any of the parking spaces be allocated for use only by a particular dwelling or individual.

REASON: To ensure an adequate level of parking provision.

9. No development above damp proof course (dpc) level shall take place until a scheme of biodiversity enhancements to be incorporated into the development has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To enhance biodiversity.

10. The development hereby permitted shall be carried out in accordance with the approved reptile mitigation strategy unless otherwise agreed in writing by the local planning authority.

REASON: To ensure appropriate mitigation measures for protected species.

11. 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.

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 by the local planning authority.

REASON: To protect the living conditions of neighbours.

13. No deliveries of materials or plant shall be made to the site between the hours of 0815 - 0900 and 1500 - 1530 hours Monday to Friday unless otherwise first agreed in writing by the local planning authority.

REASON: In the interests of highway safety.

14. The development hereby permitted (excluding demolition works and site preparation) shall be carried out in accordance with the approved Construction and Site Waste Management Plan and Construction Management Layout (drawing no. 1726-CM01). The contractors' parking spaces shown on the Construction Management Layout shall be provided and retained for use for parking purposes by contractors at all times during the development (excluding demolition works).

REASON: In the interests of highway safety and to ensure adequate levels of parking provision.

15. At no time whilst the development hereby permitted (excluding demolition works and site preparation) is being carried out shall vehicles used by contractors or other persons involved in carrying out the development be parked on the public highway Tewkesbury

Avenue.

REASON: In the interests of highway safety and to ensure adequate on-street parking provision is available to meet the needs of this residential area.

Notes for Information

a) Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

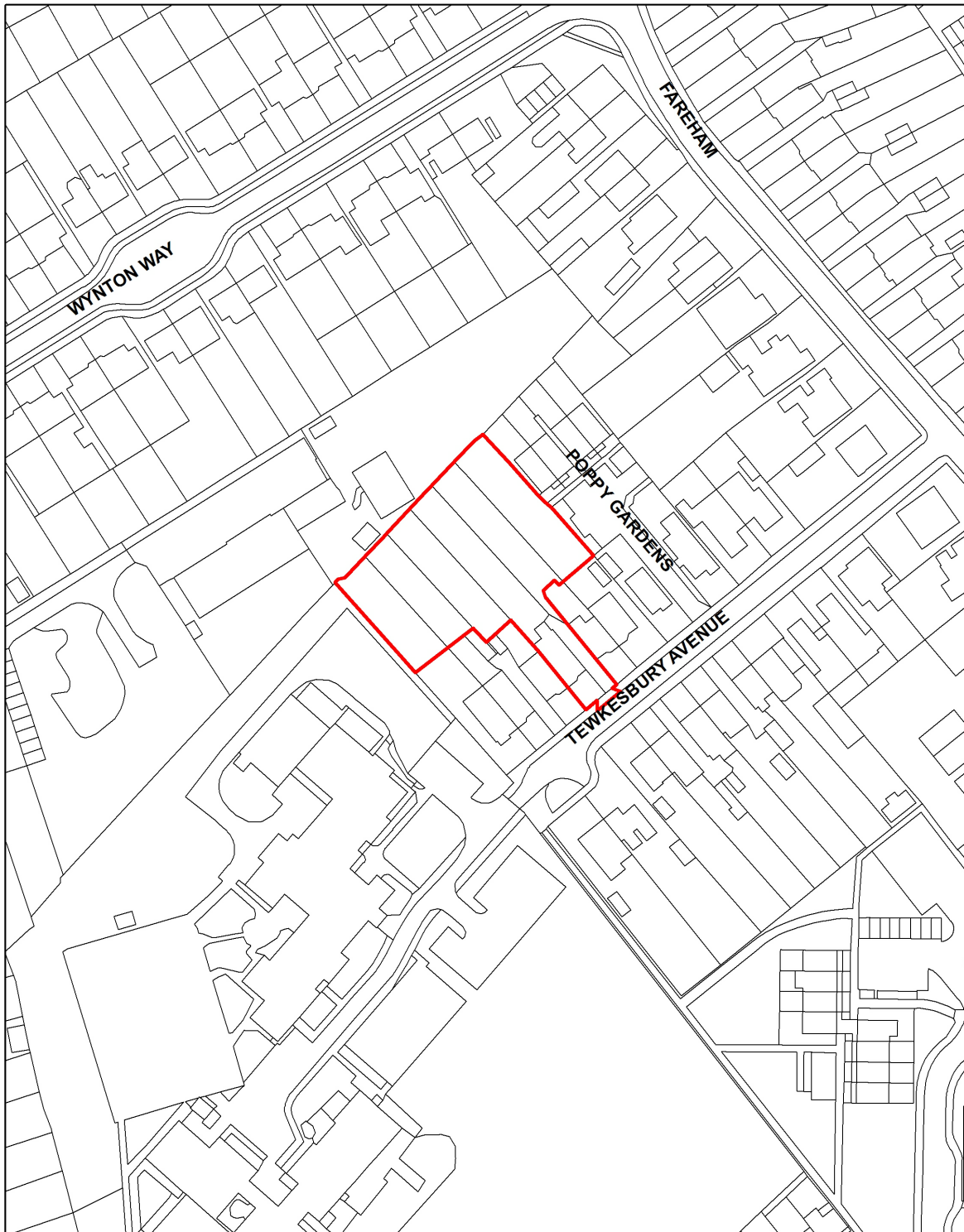
b) Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in 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 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

Background Papers

P/16/1333/FP

FAREHAM

BOROUGH COUNCIL



Land to Rear of
10-20 Tewkesbury Avenue
Scale 1:1250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2017

~~Agenda Annex~~

ZONE 3 - EASTERN WARDS

Portchester West

Hill Head

Stubbington

Portchester East

Reference

Item No

P/16/1231/D3
STUBBINGTON

LAND OFF VULCAN WAY DAEDALUS EAST FAREHAM
A TERRACE OF TWO HANGARS (1252SQ.M GEA) AND A
TERRACE OF THREE HANGARS (1871SQ.M GEA) FOR THE
PURPOSE OF PARKING AND STORAGE OF LIGHT AIRCRAFT
(B8 USE CLASS), AND A COMMUNAL FACILITIES BUILDING
(137SQ.M GEA) FOR THE USERS OF THE GENERAL AVIATION
HANGARS WITH ASSOCIATED CAR PARKING.

6
PERMISSION

Agenda Item 8(6)

P/16/1231/D3

STUBBINGTON

FAREHAM BOROUGH COUNCIL

AGENT: BOYLE AND SUMMERS
LTD

A TERRACE OF TWO HANGARS (1252SQ.M GEA) AND A TERRACE OF THREE HANGARS (1871SQ.M GEA) FOR THE PURPOSE OF PARKING AND STORAGE OF LIGHT AIRCRAFT (B8 USE CLASS), AND A COMMUNAL FACILITIES BUILDING (137SQ.M GEA) FOR THE USERS OF THE GENERAL AVIATION HANGARS WITH ASSOCIATED CAR PARKING.

LAND OFF VULCAN WAY DAEDALUS EAST FAREHAM

Report By

Mark Wyatt. Direct Dial 01329 824704

Introduction

This application is presented to the planning committee given that the proposal is a major application made by the Council on Council owned land. The application is made in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992. The Regulations set out that "...an application for planning permission by an interested planning authority to develop any land of that authority...shall be determined by that authority".

Site Description

The application site is, excluding the road access, broadly rectangular in shape. The site is located at the end of the newly constructed Hangars East road infrastructure on the road now known as Vulcan Way. The site is on the airside part of the Daedalus airfield and is primarily laid to grass.

Description of Proposal

The application seeks full planning permission for five general aviation hangars with an associated amenities hub building and car parking.

The hangars would comprise 2 rows of hangars running east to west. The hangar buildings would face each other creating a central courtyard. The majority of the courtyard would be grassed with aprons space and a taxiway providing aircraft access to the hangars around the edge. The amenities hub building would be positioned to the east of the courtyard together with an area for external storage. The proposed 39 car parking spaces would be positioned to the south east of the courtyard, with access directly off Vulcan Way.

Each hangar would be 30m wide and 20m deep with a shallow pitched roof. The ridge height would be 7.7m with an eaves height of 6m. The hangars would be composed of a grey profiled aluminium with illuminated numbers on the front. The amenities hub building would be composed of dark grey corrugated metal cladding and dark grey facing bricks. The perimeter of the site would be bound by a security fence.

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

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS12 - Daedalus Airfield Strategic Development Allocation

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP9 - Economic Development Outside of the Defined Urban Settlement Boundaries

Relevant Planning History

The following planning history is relevant:

<u>P/16/0661/D3</u>	Development of six new terraced aircraft hangars with associated car parking and landscaping, for business / light industry use. The building will predominantly be used for aircraft storage, maintenance and repair. The development includes a new access road taken from the Hammerhead of the recently constructed access road, Spitfire Way.
	APPROVE 13/10/2016
<u>P/13/1122/PA</u>	PROPOSED DEMOLITION OF BUILDINGS (INCLUDING HANGARS A THROUGH TO O INCLUDING ALL FREESTANDING PROPERTIES AND THE MARTSU BUILDING)
	PRIOR APPR NOT 10/02/2014 REQRD
<u>P/11/0436/OA</u>	USE OF AIRFIELD FOR EMPLOYMENT BASED DEVELOPMENT (UP TO 50202 SQ.M OF FLOOR SPACE) IN NEW AND EXISTING BUILDINGS (USE CLASSES B1, B2 & B8) WITH INCREMENTAL DEMOLITION TOGETHER WITH CLUBHOUSE (CLASS D2) VEHICLE ACCESS, ALLOTMENTS, OPEN SPACE AND LANDSCAPING.
	APPROVE 20/12/2013

Representations

None received

Consultations

EXTERNAL CONSULTEES:

Hampshire County Council (Archaeology) - The Written Scheme of Investigation submitted with the application sets out the terms for archaeological monitoring to be carried out during ground works. All findings should be recorded and reported to the LPA.

Hampshire County Council (Highways) - No objection

Gosport Borough Council - No objection

INTERNAL CONSULTEES:

Ecology - The information submitted confirms that the site does not support reptiles, badgers, bats or great crested newts, however it does provide habitat for skylark which are a protected species. A bird mitigation strategy should be secured via condition to ensure that birds, active nests and eggs are not impacted during construction, habitat features suitable for skylark are incorporated into the site and grassland is managed so as to maintain functional habitat for breeding skylark. Further measures to increase biodiversity of the wider site should also be secured by condition.

Highways - No objection

Environmental Health (Contamination) - Comments awaited

Planning Considerations - Key Issues

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

- Principle of Development
- Landscape and Strategic gap
- Quality of Design
- Effect on Residential Properties
- Highways and Traffic
- Other Matters
- The Planning Balance

Principle of Development:

The application site is within land subject to Policy CS12 (Daedalus Airfield Strategic Development allocation) of the adopted Core Strategy. Whilst within the Daedalus Airfield, the site is in the majority outside of the employment allocation at Hangars East as shown on the Proposals Map. The site is therefore subject to the requirements of CS14 (Development Outside Settlements). The whole of the Daedalus airfield is located within a Strategic Gap to which Policy CS22 applies.

The application site for the proposed hangars is, in part, covered by the outline planning permission (P/11/0436/OA) for B2/B8 uses.

The proposed hangars will strengthen the aviation uses of the airfield by enabling tenants of some of the existing hangars which are to be demolished to be relocated. They will also meet some of the unmet General Aviation (GA) demand for further hangar space at Solent Airport. The proposed development, combined with an earlier permission for six new business hangars off Spitfire Way (P/16/0661/D3 refers), will result in the consolidation of

existing floor space by grouping the majority of hangars (both business and GA) within a more defined area of the airfield. The proposed consolidation of the hangars will result in a more efficient use of space compared to the existing hangars which are dispersed more widely within the airfield and will improve the operational efficiency of the airfield.

One of the key aims of Policy CS12 is that development should not "...adversely affect the existing or future potential aviation operation of the airfield". In addition development is encouraged "that retains and strengthens the marine and aviation employment clusters, particularly those that require direct access to an operational airfield. Policy CS12 further sets out that the delivery of high quality development will include the "...reorganisation and consolidation of existing and new floor space, including the phased removal of some existing structures to create an efficient arrangement of buildings and associated activities sympathetic to the landscape and strategic gap whilst having regard to the specific space and operational requirements of aviation related employment uses".

Members will be aware that in its capacity as a landowner this Council has adopted a Vision and Outline Strategy for Daedalus. The Vision and Outline Strategy is not part of the Council's adopted development plan nor an adopted planning document such that the Vision is not a determining factor in the recommendation. It does however set out how the broader development of Daedalus could be brought forward. The activity envisaged within Daedalus East within the Vision includes an aviation cluster, comprising small/medium sized hangarage for general aviation and commercial aviation businesses to locate.

In the opinion of Officers the proposal fulfils the strategic aims of Policy CS12 as it delivers development which is entirely appropriate for this airfield and strategic employment location. Whilst within the 'umbrella' of Policy CS12, the majority of the site itself is outside the employment allocation at Daedalus, and the area covered by the outline planning permission. The supporting statement submitted with the application details that the proposal is in line with policy CS14 in so far as the proposal does not have an adverse impact upon the existing character of the coast or countryside. The application does not make the case that this is required infrastructure and it is clearly not agriculture or forestry development.

The application details that this particular site was selected in order to provide ease of access to existing taxiways and the main runway for GA users. This requirement would be difficult to achieve if the site were moved further into the area identified on the proposal map for existing employment allocations given the proposed laying out of serviced plots in Hangars East and limited remaining space for GA hangarage.

The hangars proposed will have a not insubstantial land take and to provide this type of structure wholly within the allocated employment zones would result in the reduction of space available for the delivery of employment as envisaged by policy CS12 and as expected in the grant of the outline permission P/11/0436/OA.

As well as the land take for the hangars and associated infrastructure, the proposal would generate a far less intensive level of activity than perhaps the units anticipated within the employment areas such that the two types of use (business and hangars) have purposefully been kept separate by the applicant despite the current site layout falling partially within the site allocation and boundary of the outline permission. Whilst separate, the buildings are proposed in very close proximity to the remainder of the Daedalus East employment area and will read as an extension to the cluster of buildings at Daedalus East.

As well as the five new hangars, the proposal includes a small, single storey amenity building. This will be a communal building with toilet, changing and rest facilities given that the hangars are very modest in their facilities.

In the opinion of Officers the erection of the hangars and associated infrastructure extending outside the defined employment allocation are arguably contrary to the objectives of Policy CS14. Any breach of this policy needs to be 'weighed up' against the positive benefits arising from the proposal. Officers have judged that the development is entirely appropriate at the site, and the applicant has explained why a site has been chosen that extends outside the employment allocation and land permitted for development within the outline permission. This choice of site has been chosen for both operational reasons and to ensure that the employment generating opportunities within the remainder of the allocated employment areas are not prejudiced.

Having carefully balanced these issues, Officers consider that the benefits arising from siting the hangars in this location, outweigh any harm which may be caused to policy CS14. The issues relating to the visual and physical effects on the strategic gap are explored in the next section.

Landscape and Strategic gap

The Daedalus landscape is that of an active airfield and growing employment site. Whilst within the "countryside" for the purposes of policy CS14, the site is heavily influenced by its military history and as such the airfield does not form a tract of undeveloped countryside in the same way that other parts of the Strategic Gap do. It already contains sporadic built development and has a distinct character of its own. The proposed site is directly adjacent to the allocated Hangars East employment area and the outline planning permission has established that some buildings of substantial size could be accommodated adjacent to the application site.

The open areas between the runways are the greatest contributors to the Strategic Gap and the sense of openness at Daedalus. The proposal does not stray into the open space between the runways. Furthermore, on the basis that there will be the removal of some of the old hangars around the airfield and a consolidated area of hangar space adjacent to the evolving employment area, the proposal is not considered to result in harm to the landscape which is already heavily influenced by the nature of the activities on the site and the urban influences from the settlements around the airfield.

Strategic Gaps are established planning tools designed, primarily, to define and maintain the separate identity of settlements. Policy CS22 states that:

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

The gap designation is not a countryside protection or landscape designation, its primary purpose is to maintain the 'separate identity' of settlements and to protect their individual character and sense of place.

Existing development within the airfield blurs the settlement edges of Stubbington and Lee-on-the-Solent, meaning that there is not a strong boundary between the settlement and the Strategic Gap in most instances. As described above, the open areas between the runways

are the greatest contributors to the Strategic Gap. Whilst the proposed hangars may physically reduce the area of the gap it does not visually diminish the gap due to its siting adjacent to the Hangars East employment area and the limited public views of the site. The proposed hangars are not considered to result in a form of development that would cause the coalescence of settlements which would affect the integrity of the gap. As such the proposal is considered acceptable under the terms of policy CS22.

Quality of Design

Policy CS17 seeks to secure high quality design that responds positively to the key characteristics of the area being respectful of landscape, scale, form and spaciousness. In this case the architecture of the hangars is simple and of a functional design. The shallow pitched roof and use of horizontal profiled aluminium cladding would minimise the perceived height of the hangars. The Design and Access Statement submitted in support of the application sets out that "The arrangement of the coloured profiled aluminium panels clearly defines each individual hangar but allows the building to be read as one. The elevational treatment is in keeping with aviation design and reflects the high quality proposals for the Business Hangars and the airfield's future developments in general."

The proposed amenities hub would be single storey and of brick construction with corrugated metal cladding and a shallow pitched roof to complement the design of the proposed hangars. The overall proposed design solution is considered to be appropriate for Daedalus and in accordance with the requirements of Policy CS17.

Effect on Residential Properties

The location of the proposed hangars are to the eastern side of the airfield such that there is a significant distance between the hangars and the nearest residential dwellings. Even if maintenance of aircraft is undertaken it is unlikely to give rise to unacceptable impacts to surrounding residential properties.

Highways and Traffic

The application is supported by a Transport Statement. The proposed 39 car parking spaces are considered to be sufficient for the predicted low level of parking demand associated with the proposed use of the hangars, however there is scope for additional parking spaces to be provided should it become necessary in the future.

The proposed aircraft hangars are slightly larger than the existing hangars they are intended to replace and would result in an estimated additional 4 movements in the weekday morning peak hour and an additional 3 movements in the weekday pm peak hour. The Highway Authority is satisfied that the Broom Way/Spitfire Way junction would continue to operate below capacity with the addition of the new aircraft hangars traffic.

Ecology

The application is supported by a Preliminary Ecological Appraisal, a Protected Species Assessment Report and a Reptile Presence/Absence Survey Report. The application site supports species poor grassland, hardstanding and scattered areas of tall ruderal vegetation and scrub. The habitat within the site is not notable in terms of intrinsic biodiversity interest, however it does have the potential to support protected species such as breeding birds and reptiles.

The reports submitted with the application confirm that there is no evidence of reptiles, badgers, great crested newts or bats on site. The site does however contain a number of territories for skylark.

The application proposes that areas of grassland suitable for use by skylarks are cleared outside of the bird nesting season and that any new landscaping is maintained to benefit this bird species. A bird mitigation strategy containing detailed measures to maintain nesting opportunities for skylark within the application site is suggested by the Ecologist to be secured by condition.

Whilst currently this site is a little way from the main part of the airfield, this proposal and other developments on Daedalus East will bring it much more into the area of airfield operations and such conditions may not be conducive to the operation of an active airfield.

A condition to secure measures to enhance the overall biodiversity of the site in line with the requirements of the NPPF and Policy DSP13 is also recommended by the ecologist but for similar reasons is not included in the recommendation given the airport operations.

Other Matters

The application is accompanied by a Written Scheme of Archaeological Investigation prepared by Wessex Archaeology. This sets out that the development will be monitored during the development for any significant archaeology and any finds recorded. This can be secured by planning condition.

The applicant has undertaken a non-intrusive radiological survey and an intrusive survey considering Unexploded Ordnance (UXO). No UXO was encountered in either survey. The application is supported by a ground contamination report. Environmental Health has been consulted but their detailed comments and specifically the suggested conditions are awaited. An update report will be provided at the committee meeting on this aspect.

The Planning Balance

Despite being new development in the countryside in conflict with policy CS14, the applicant makes the case that the tests in policy CS12 are met. It is considered that given the proposed demolition of the older, outdated hangars on the airfield and the siting of the proposed terraces, overlapping the Daedalus East employment area boundary, that the proposed development would not cause unacceptable harm to the openness of the airfield or to the general aviation interests at Daedalus. In addition the fact that the hangars will not take up a significant part of the area of the site specifically identified for employment generating uses weighs in favour of the scheme.

The proposed hangars would help achieve the objectives for strengthening the airport function at Daedalus as required by policy CS12. To further strengthen this conclusion, 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 hangarage will inevitably assist in this growth. As such when weighed in the balance the proposal is considered acceptable by Officers subject to conditions.

Recommendation

PERMISSION subject to conditions:

1) The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

Reason: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

2) The development is to be carried out in accordance with the finally amended and approved plans as follows:

Location plan Drawing no. 16043 P. 01

Site plan Drawing no. 16043 P. 02 Rev A

Hanger ground floor plans Drawing no. 16043 P. 03

Hangers ground floor plans Drawing no. 16043 P. 04

Amenities hub ground floor plan Drawing no. 16043 P. 05

Hanger elevations Drawing no. 16043 P. 07

Hanger elevations Drawing no. 16043 P. 08

Roof Plan Drawing no. 16043 P. 06

Design and Access Statement Produced by Boyle and Summers ref 16043

Reason: In the interests of an appropriate and comprehensive development

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:

- parking for site vehicles and contractors;
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from demolition and or 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; and
- vegetation clearance details

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.

4) Details of all external materials to be used in the construction of the building hereby permitted shall be submitted to and approved by the local planning authority in writing prior to their installation on the building. The development shall be carried out in accordance with the approved details.

Reason: To secure the satisfactory appearance of the development.

5) Details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development is constructed and operates in a sustainable manner.

6) Details of any external lighting, including location, design and luminance levels shall be

submitted to and approved in writing by the Local Planning Authority prior to installation. The installation of any lighting shall take place in accordance with these approved details.

Reason: In the interest of the local amenities.

7) No building shall be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles in accordance with the approved plan. The parking and manoeuvring areas shall thereafter be retained for such purposes at all times.

Reason: In the interests of highway safety in.

8) The buildings hereby approved shall not be brought into use until there is a direct connection from it, less the final carriageway and footway surfacing, to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the date upon which first occupation is commenced of the building for which permission is hereby granted. The roads and footways shall be laid out and made up in accordance with the approved specification, programme and details.

REASON: To ensure that the roads and footways are constructed in a satisfactory manner.

9) The development shall be undertaken in accordance with the measures contained in the "Written Scheme of Investigation for Archaeological Watching Brief" prepared by Wessex Archaeology (ref: 89359.01) submitted in support of the application. All findings shall be recorded in line with the methodology proposed in the Written Scheme of Investigation for Archaeological Watching Brief and submitted in writing to the Local Planning Authority for approval prior to the commencement of construction.

Reason: To ensure that the construction period does not have a detrimental impact upon the historic environment and that any findings are appropriately recorded.

10) In the event that the site clearance in preparation for the development hereby permitted takes place during the period 1st March - 31st July Inclusive in any calendar year, a detailed inspection by an ecologist should be undertaken prior to any works being undertaken to ensure no active bird nests are present. In the event that nesting birds are in occupation on the site a nesting bird mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. The development shall then be undertaken in accordance with the approved mitigation strategy.

Reason: To avoid the bird nesting season and to conserve biodiversity

11) The Communal Facilities building shall only be used for purposes ancillary to the use of the hangars hereby permitted.

Reason: In the interest of appropriate uses being established on the airfield.

12) The hangars hereby permitted shall be used only for purposes within Use Classes B2 and

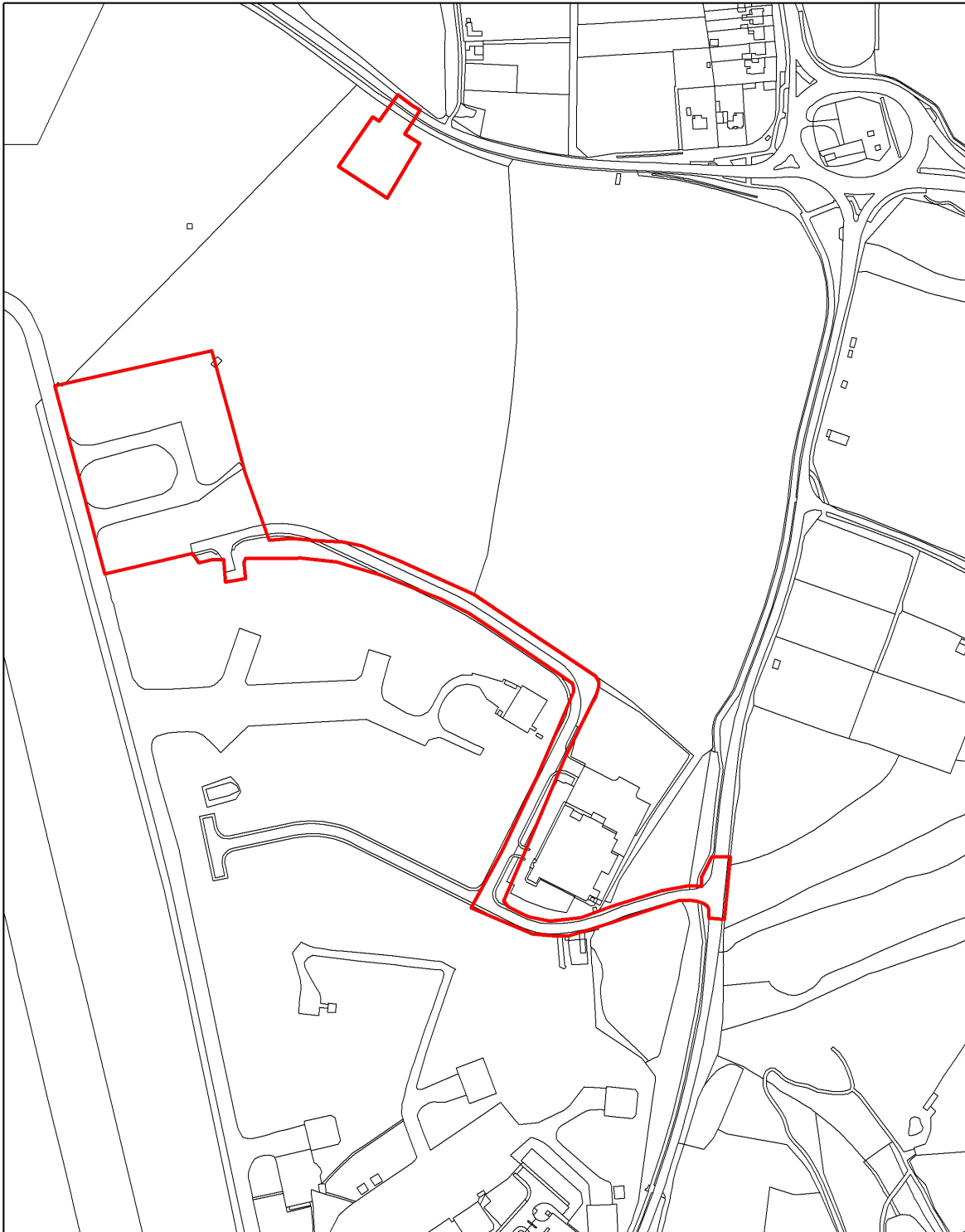
B8 and for no other purpose of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to Class B2 or B8 or any statutory instrument revoking and re-enacting that Order with or without modification unless otherwise first agreed in writing with the Local Planning Authority following the submission of a planning application for that purpose. Reason: To protect the General Aviation uses.

Background Papers

P/16/1231/D3, P/16/0661/D3

FAREHAM

BOROUGH COUNCIL



Land off Vulcan Way
Scale 1:3750



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2017

PLANNING APPEALS

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

CURRENT

P/16/0190/VC

Appellant: Mr Martin Roberts
Site: 15 Samuel Mortimer Close Catisfield Fareham PO15 5NZ
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 06 December 2016
Reason for Appeal: Automated sectional garage door to car port of Plot 24 (15 Samuel Mortimer Close).

P/16/0711/FP

Appellant: MR DAVID HUMPHREY
Site: The Wheatsheaf 1 East Street Titchfield
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 30 December 2016
Reason for Appeal: CONSTRUCTION OF TWO-STOREY DWELLING AND ALTERATIONS TO PUBLIC HOUSE CURTILAGE

P/16/0774/FP

Appellant: Mrs Emma Ford
Site: 30 James Grieve Avenue Locks Heath Fareham SO31 6UD
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 14 November 2016
Reason for Appeal: TWO STOREY SIDE & SINGLE STOREY REAR EXTENSIONS

PLANNING APPEALS

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

CURRENT

P/16/1002/FP

Appellant: MR IAN HUNTER
Site: 14 Kelsey Close Fareham PO14 4NW
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 13 December 2016
Reason for Appeal: DEMOLITION OF EXISTING GARAGE, CONSTRUCTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION

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

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.
Decision: ALLOWED
Decision Date: 06 December 2016

P/15/0946/OA

Appellant: MR CHRIS COLLINS
Site: 274 Botley Road - Land To Rear - Burridge 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)
Decision: DISMISSED
Decision Date: 09 December 2016

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **25 January 2017**

Report of: **Director of Planning and Regulation**

Subject: **FAREHAM TREE PRESERVATION ORDER NO 728 – 193 HUNTS
POND ROAD, TITCHFIELD COMMON.**

SUMMARY

The report details objections to a provisional order made in July 2016 and provides officer comment on the points raised.

RECOMMENDATION

That Tree Preservation Order 728 is confirmed with a modification to the situation of T1 in the schedule and its position on the map.

BACKGROUND

1. Section 197 of The Town and Country Planning Act 1990 places a duty on local planning authorities when granting planning permission to include appropriate provision for the preservation and planting of trees.

It shall be the duty of the local planning authority -

- (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
 - (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.
2. Section 198 gives local planning authorities the power to make tree preservation orders [TPOs].

(1) If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.

3. Fareham Borough Council Tree Strategy 2012 - 2017.

Policy TP7 - Protect significant trees not under Council ownership through the making of Tree Preservation Orders.

Policy TP8 - Where necessary protect private trees of high amenity value with Tree Preservation Orders.

4. TPO 728 was served on the 29th July 2016 on public amenity grounds.

INTRODUCTION

5. On the 29th July 2016 a provisional order was served in respect of one pedunculate oak situated on the rear boundary of 193 Hunts Pond Road.

OBJECTIONS

6. Under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012 one objection has been received from the owner of 16 Tillingbourn on the following grounds:
 - Concern about the time it may take to get permission to carry out any work.
 - Concern that permission can be denied to have work carried out.
 - The tree is only 11 metres from the dwelling, which causes concern about possible damage to foundations and the delay in gaining permission to remove the tree in such circumstances.
 - Having a tree preservation order on the tree may affect the value and saleability of their property.

No other objections have been received to the making of the order.

TREE WORK APPLICATIONS

7. In dealing with applications to carry out works to protected trees the Council will consider whether the reasons given in support of an application outweigh the amenity grounds for protecting them. Permission to prune and maintain protected trees in the context of their surroundings, species, and previous management history will not be unreasonably withheld by the Council.
8. The existence of a TPO does not preclude the carrying out of tree works to, or indeed the felling of, any tree if such a course of action is warranted by the facts. There is currently no charge for making an application to carry out works to protected trees, applications are normally determined within 4 - 5 weeks of registration.

DAMAGE TO FOUNDATIONS

9. When water is removed from clay soils by tree roots the spaces between the soil particles close and the material shrinks. This affects the load bearing capacity of the soil that supports building foundations. Whether a building is affected by a tree in this way is impossible to predict. It depends on the interactions between a number of factors, including the shrinkability of the soil, the construction and depth of foundations, the size, species, vigour and rooting pattern of the tree, effects of other vegetation and any surface treatment, drainage and prevailing weather conditions.
10. Some trees can cause subsidence damage to buildings at considerable distance, while others can grow very close without causing any damage. Current building standards require that the presence of trees is taken into consideration when specifying foundations for new buildings and foundations can be specified that will not subside.
11. The Council has not received any evidence to suggest the subject oak is the cause of damage to property as a result of clay soil shrinkage due to tree root activity. In circumstances where a protected tree has been identified as a material cause of subsidence damage to property, the Council will not unreasonably withhold consent for the offending tree to be removed if such a course of action is justified by the facts of the case.

PROPERTY VALUE

12. There are many ways in which trees can indirectly contribute to the quality and value of our urban areas. The positive impact of trees and woodland on property prices is well documented, with increases in property values ranging from 5 – 18%. The larger the trees are then the greater their proportional value.
13. Trees in urban areas are widely regarded as important natural assets that contribute substantial economic value to our communities.

RISK ASSESSMENT

14. The Council will not be exposed to any significant risk associated with the confirmation of the FTPO 728 as made and served. Only where an application is made for consent to work on trees subject to a TPO and subsequently refused does the question of compensation payable by the Council arise.

CONCLUSION

15. When making tree preservation orders the Council endeavours to consider the rights of those affected and use its powers responsibly. However, the rights of the individual must be balanced against the rights of the public to expect the planning system to protect a tree when its amenity value justifies such protection.
16. Tree preservation orders seek to protect trees in the interest of public amenity; therefore it follows that the removal of a protected tree should only be sanctioned where its public amenity value is outweighed by other considerations. In this instance Officers consider that the reasons put forward objecting to the confirmation of TPO 728 are not sufficient to outweigh its public amenity value (photo at Appendix 1). However, members are invited to reach their own conclusion.
17. Officers therefore recommend that Tree Preservation Order 728 is confirmed with a minor modification to the description of T1 in the schedule to '*Rear boundary of 193 Hunts Pond Road*' and amend its corresponding position on the TPO map.

Background Papers: TPO 728.

Reference Papers: Forestry Commission: The Case for Trees – 2010. Planning Practice Guidance - Tree Preservation Orders (2014), Fareham Borough Council Tree Strategy 2012 – 2017 and The Law of Trees, Forests and Hedges (second edition) – *Charles Mynors*.

Enquiries:

For further information on this report please contact Paul Johnston. (Ext 4451)

APPENDIX 1 – OAK T1 VIEWED FROM HUNTS POND ROAD

