

**P/16/0243/OA**

MR RAY HANSLIP

**WARSASH**

AGENT: PAUL AIREY PLANNING  
ASSOCIATES

DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF EIGHT DETACHED HOUSES AND CREATION OF PADDOCK (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

EGMONT NURSERIES BROOK AVENUE WARSASH FAREHAM SO31 9HN

***Report By***

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***Site Description***

The application site comprises an area of countryside around 1.9 hectares in size and located on the northern side of Brook Avenue, Warsash. Approximately 60% of the site is covered by derelict buildings, glasshouses and hard standing and was used up until the 1990s as a commercial nursery. A horse paddock forms a considerable portion of the site in its north-western corner. Adjacent to the northern site boundary is Holly Hill Woodland Park.

Residential properties fronting Brook Avenue lie close by as does the small housing development at Yorkdale (to the immediate west of the application site).

***Description of Proposal***

Outline planning permission is sought for eight detached dwellings. All matters are reserved meaning the application seeks simply to establish the principle and quantum of development on the site. Notwithstanding this, an illustrative site layout plan has been provided showing the possible arrangement of eight dwellings on the site with an area of open space/paddock shown along the western site edge.

Submitted in support of the application are Phase I and II ecology surveys (carried out in June and November 2014 respectively) and a Ecological walkover survey report (carried out in January/February 2016) to accompany those earlier studies.

***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

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

**Approved SPG/SPD**

**Development Sites and Policies**

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

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

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP13 - Nature Conservation

***Relevant Planning History***

The following planning history is relevant:

**P/15/0540/OA**      **INSTALLATION OF 2820 PHOTOVOLTAIC PANELS AND USE OF EXISTING OFFICE BUILDING FOR INSTALLATION OF INVERTER & CONTROL EQUIPMENT (OUTLINE APPLICATION)**

APPROVE                      19/11/2015

**P/15/0529/OA**      **CONSTRUCTION OF EIGHT DETACHED HOUSES AND CREATION OF Paddock (OUTLINE APPLICATION)**

WITHDRAWN                      03/11/2015

**P/09/0126/FP**      **ERECTION OF SINGLE STOREY REAR EXTENSION TO EXISTING OFFICE BUILDING TO PROVIDE WC FACILITIES**

PERMISSION                      08/04/2009

**P/07/1644/VC**      **REMOVAL OF CONDITION 2 ON PLANNING APPROVAL P/06/0982/CU CONTINUED USE OF BUILDING AS OFFICE**

PERMISSION                      21/02/2008

**P/06/0982/CU**      **Change of Use of Building to Office (Non Agricultural)**

PERMISSION                      19/10/2006

***Representations***

Twenty-one sets of comments have been received in support of the application and making the following points:

- This will enhance the environment
- Plans are sympathetic and in keeping with quality developments like Yorkdale and Cawtes Reach
- There would be no unacceptable increase in vehicular traffic on Brook Avenue

However, several of these letters of support express reservations such as:

- Eight houses are too many
- Could the paddock be protected from further housing development in the future?
- More information is needed on the enhanced western site boundary
- Open aspect frontage may encourage verge parking
- Damage to private road from site traffic
- Traffic calming measures should be introduced
- Will this be a special case dissuading owners of other redundant greenhouses in the

vicinity from also applying for planning permission?

Nine sets of comments have been received raising the following concerns. Of these, six stated they were in objection to the proposal.

- Contrary to countryside policies of local plan
- This piece of land is part of a gap between the built up community and the River Hamble
- Not in keeping with semi-rural aspect of Brook Avenue
- Visual impact of two storey houses
- Will set a precedent for the development of other nursery sites nearby
- Harmful to highway safety / risk to pedestrians
- Brook Avenue is not suitable for an increase in traffic and public access
- Lorries using other end of Brook Avenue which is unsuitable for heavy vehicles

### **Consultations**

INTERNAL

Contaminated -

The site is a horticultural nursery and therefore there is potential for land to be affected by contamination.

The application could be approved subject to a condition that takes account of the following: a desk study investigation and site walkover, an intrusive site investigation and risk assessment if required, a strategy of remedial measures if required, the implementation of those remedial measures and their validation by an independent competent person. In addition, should contamination be encountered during works that has not been investigated or considered, details of remedial measures should be agreed with the LPA and implemented and validated.

Trees -

No objections subject to a detailed tree planting and landscaping scheme.

Highways -

This is a proposal to redevelop this redundant nursery site with eight detached dwellings, an open paddock and an access road with turning head. Across the site frontage and along the northern side of its loop leading to Brook Lane, Brook Avenue is a wide, tarmacked, private street with no footway provisions and limited street lighting.

Whilst the application submission does not specify the level of activity that the former nursery site would have had, it is apparent that this large site would have employed a number of workers and thus have attracted a reasonable level of vehicular and non-vehicular movements along Brook Avenue. These would have been staff, commercial vehicles and, possibly, customer movements.

By contrast, and following the construction phase, the proposed residential development would be expected to generate a lower level of activity along Brook Avenue. Consequently, subject to conditions, there is no highway objection to the application.

Ecology - Comments will be provided as an update to the committee report

## EXTERNAL

Hampshire County Council (Minerals and Waste) -

The proposed development site boundary overlies part of the MWCA. The MWCA in this area indicates that there is a high potential that viable sand and gravel deposits are present within the site. Due to the scale of the proposed application it is unlikely to have a significant impact as the development would not sterilise a significant amount of safeguarded resources. At this time Hampshire County Council has no objection to this development in terms of minerals and waste policy.

### ***Planning Considerations - Key Issues***

#### PRINCIPLE OF DEVELOPMENT

The development of eight houses is proposed on the site of a derelict commercial nursery. Such a use would not be considered to constitute 'previously developed land' under the definition of such given in the Glossary to the National Planning Policy Framework (NPPF) which excludes land that is or has been occupied by agricultural buildings.

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. Policy 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)."

This application site has been submitted for the Council's consideration in the 'Call for Sites' exercise, which commenced in November last year, as an important part of the Local Plan Review. The site is comparable to a number of other sites in the locality containing glasshouses, which have also been submitted for the Council's consideration in the 'Call for Sites' or which are subject to consultation by site promoters prior to the submission of planning applications. It is considered most appropriate for sites such as these to be properly considered as part of the Local Plan Review, whereby suitable sites come forward through the plan led process and are properly consulted upon as the emerging plan moves through to adoption.

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 five year housing supply position is based upon the requirements of the Borough's adopted Local Plan (Part 2 and Part 3). Since the appeal at the site adjacent to The Navigator public house in December 2014 (reference P/13/1121/OA), Local Plan Part 2 and Local Plan Part 3 have both been found sound and adopted by the Council. In accordance with the Planning Practice Guidance, the Borough's housing requirement figures in the adopted Local Plans provide the basis for calculating the five year supply.

The NPPF requirement for Local Plan housing requirement to be based on Objectively Assessed Need (OAN) is acknowledged. This is addressed through the development of the PUSH Spatial Position Statement, which identifies what the Borough's objectively assessed housing need is, and translates this into a housing requirement figure for the Borough to be used in the emerging Local Plan Review.

The Fareham Today: Special Housing Update November 2015 publication explains that in order to take account of the emerging Objectively Assessed Housing Need for the authority, Fareham have commenced a review of the adopted Local Plan, so that the authority can properly plan for the emerging housing [and employment] needs until 2036. Therefore it is currently considered premature to base housing requirement on emerging work.

Expected housing supply over the period 2016/17 to 2020/21 is comprised of sites with planning permission, which are scheduled to be completed during this five year period; sites allocated within Local Plan Part 2, which are expected to be delivered over this period; and other policy compliant sites that the Council know to be available, suitable and deliverable within this five year period. In addition the delivery of housing at Welborne forms a significant component of the Borough's overall housing supply. However, due to the existing delay in the delivery of housing at Welborne, supply is now scheduled to commence in 2019/2020.

Taking these positions on housing requirement and housing supply into account, Fareham Borough Council is currently able to demonstrate a five-year land supply of 5.4 years.

## DENSITY, CHARACTER AND PATTERN OF DEVELOPMENT IN THE SURROUNDING AREA

This application is presented in outline form only meaning that permission is not sought at this stage for the precise layout of the site. Notwithstanding, the illustrative site layout provided with the application shows a possible development at a density of 5.5 dwellings per hectare (dph). This is similar in comparison to the adjacent housing development at Yorkdale (approx. 4.5 - 5 dph) and nearby Cawtes Reach (approx. 4 dph).

The proposal is also similar to these two nearby developments in that it would be located behind the ribbon development of older houses which front Brook Avenue. The streetscene of Brook Avenue would be affected by the formation of an access, which although not proposed for formal consideration could not feasibly be provided by any other route, but the houses themselves could potentially be sited some 35 metres north of the road.

Beyond those observations however any further comparison is not possible due to the fact that the scale, appearance and layout of the development are all matters which the applicant has asked to be reserved so that they can be considered at a later date should the principle of development be held to be acceptable. It should be noted that the

circumstances which led to the granting of planning permission for the development at Cawtes Reach (the site of the former Keileen Nurseries) and Yorkdale (the site of a former concrete works) are materially different from those at Egmont Nurseries.

The Cawtes Reach/Keileen Nursery site, first granted outline permission for six detached dwellings in 2008 (ref P/08/0101/OA), is located immediately alongside the urban settlement boundary. The Officer report to the Planning Committee in that case acknowledged that the development would enhance the outlook from neighbouring properties which were particularly close by to large and derelict greenhouses on land in need of remediation. The report explained that Officers felt that there was a fine balance between the benefits and disbenefits of the proposal but concluded that the environmental improvements from the proposed development would outweigh the conflict with countryside policy and so permission should be granted. It is not considered that the same benefits are evident with the proposed redevelopment of Egmont Nurseries and notably the current application site is not adjacent to houses within the urban area.

The development at Yorkdale, granted outline permission for six detached dwellings in 2000 (ref P/98/1398/OA), was carried out on the site of a former concrete works. The Planning Officer's report put forward the following view which importantly draws a distinction between the site and adjacent commercial nurseries:

"The present use could readily be regarded as an established commercial use not requiring a countryside/coastal area that should be better situated in an existing commercial area within the Borough. Setting aside everything else the removal of this non-conforming use from this countryside location and the cessation of associated commercial vehicle movements along Brook Avenue may be regarded as desirable. The consequence of supporting the above notion may raise the aspirations of owners of commercial businesses that occupy adjoining land. The uses, some of which may be regarded as redundant, are in the main of an horticultural nature, a use appropriate to a countryside area and therefore in Officers' opinion are different, albeit they are both commercial business buildings in the countryside. In visual terms redundant glasshouses can often be regarded as obtrusive. The removal of such glasshouses may be regarded desirable but such land could readily return to other forms of agricultural use which is not the case of the application site".

For the reasons set out earlier in this report, there is an objection in principle to residential development upon this site under the policies of the adopted Core Strategy and adopted Local Plan Part 2. Officers furthermore consider that development in the manner proposed would be harmful to the character of this countryside location.

## ACCESS

The means of access to the site is a reserved matter however it is unrealistic for vehicular access to the site to be provided by any other route than Brook Avenue. Several of the comments received, both from those residents objecting and those supportive of the proposal in principle, have raised the issue of the private road's suitability to cope with additional vehicle movements along it.

The advice received from the Council's Highways Officer is that, notwithstanding the condition of the road surface, lack of street lighting and pedestrian footway, the number of vehicle movements created by the development would not be adverse taking into account the site's previous use as a commercial nursery. No detailed information has been provided by the applicant concerning the type and extent of traffic generated by the use of the site as

a nursery up until the 1990s. In reality the now derelict site is unlikely to have generated any large number of vehicle movements for some twenty or more years. However, even after taking this into account, it is not considered that the amount of development proposed would have a materially harmful effect on the safety or convenience of highway users.

## AFFORDABLE HOUSING

Policy CS18 of the adopted Fareham Borough Core Strategy, requires residential developments on sites that can accommodate between 5 and 9 dwellings to provide 30% affordable units or the equivalent financial contribution towards off-site provision.

A recent Court of Appeal decision (West Berkshire DC/Reading BC v SoS CLG) has resulted in the reinstatement by the government of certain paragraphs of the Planning Practice Guidance (PPG) which relate to Planning Obligations. Paragraph 31 of the relevant section of the PPG explains that "there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development". It goes on to set out these circumstances including that "contributions should not be sought from developments of 10-units or less, AND which have a maximum combined gross floorspace of no more than 1000sqm" (emphasis added). In this instance although the number of units is less than 10, the construction of eight large detached houses would inevitably constitute a development with a gross floorspace of more than 1000sqm.

Had the application been considered acceptable in all other regards the applicant would have been invited to enter into a section 106 agreement to secure a financial contribution towards the off-site provision of affordable housing.

## ECOLOGY

Policy DSP15 of the adopted Fareham Borough Local Plan Part 2 requires the 'in combination' effects of recreation on the Solent Special Protection Areas to be satisfactorily mitigated where additional residential units are proposed. Had the proposal been found to be acceptable in all other regards the applicant would have been invited to make a financial contribution or a legal agreement to secure such towards the Solent Recreational Mitigation Strategy (SRMS) in order to offset the 'in combination' effects.

Full comments from the Council's ecologist will be reported by way of an update to this report in which any further outstanding ecological matters will be explained along with a revised recommendation if required.

## CONCLUSION

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 are considered relevant in this instance. This in principle policy objection weighs heavily against granting planning permission. In addition to this the proposal would be harmful to the character of this countryside location.

Any benefits that would arise from the proposed redevelopment, would not in the opinion of Officers, outweigh the harm caused by developing this agricultural land outside the defined urban settlement boundary.

In addition the proposal does not provide the means to secure a financial contribution towards off-site affordable housing provision and 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. 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 recommend that the planning application should be refused for the reasons set out below.

***Recommendation***

Subject to comments received from the Council's Ecologist;

**REFUSE:**

The development would be contrary to Policies CS2, CS6, CS14, CS17 and CS18 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6 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. Furthermore development of this site by the erection of eight detached dwellings would be harmful to the character of this countryside location;

(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) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to contribute to the off-site provision of affordable housing in the Borough.

***Background Papers***

P/16/0243/OA

# FAREHAM

BOROUGH COUNCIL



Egmont Nurseries  
Scale 1:1250



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