

**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***

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***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;

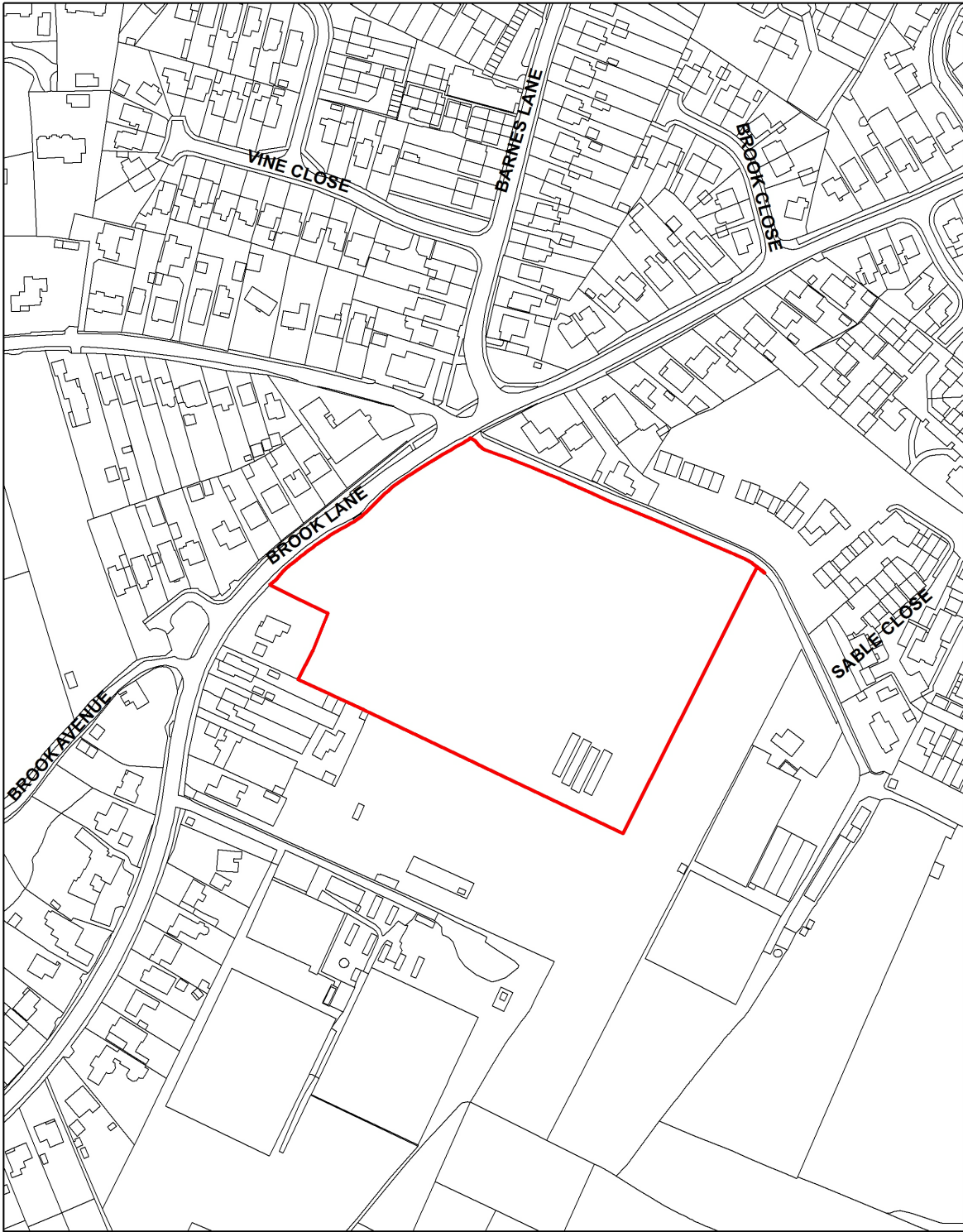
The footpath alongside my property should be removed;

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



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