

P/16/1424/OA

MILDREN HOMES LIMITED

FAREHAM NORTH-WEST

AGENT: ADVOCO PLANNING
LIMITED

TEN DWELLINGS (USE CLASS C3) AND ASSOCIATED ROADS, PARKING,
LANDSCAPING AREAS AND PUMPING STATION (OUTLINE APPLICATION)

CARAVAN STORAGE HOPE LODGE 84 FAREHAM PARK ROAD FAREHAM PO15 6LW

Report By

Richard Wright - direct dial 01329 824758

Site Description

The application site is located to the immediate north-west of housing allocation H2 (Hope Lodge, Fareham Park Road) as identified in the Council's adopted Fareham Borough Local Plan Part 2: Development Sites and Policies. The site comprises a piece of land approximately 0.42 hectares in size the majority of which is currently in use as an open air caravan storage facility. The site is accessed from Fareham Park Road through land surrounding the dwelling at Hope Lodge.

The land is partially laid with areas of hard surfacing. These hard surfaced areas are in a deteriorating state of repair and are being gradually reclaimed by vegetation. The site slopes downhill from east to west and is bound at its western end by mature woodland designated as an ancient woodland Site of Importance for Nature Conservation (SINC).

The site lies outside of the defined urban settlement area and within a defined strategic gap (The Meon Gap).

Description of Proposal

This application proposes the redevelopment of the site with ten dwellings (use class C3) along with associated planting areas, parking and infrastructure. The application is submitted in outline form with all matters reserved.

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

CS22 - Development in Strategic Gaps

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

On the site itself:

P/02/0213/LU - Use of Land for the Open Storage of Touring Caravans
Certificate granted 30/05/2002

On the adjacent housing allocation site:

P/16/1178/FP - Residential development to provide 7 x 4 bed detached houses, garages, landscaping and new access including demolition of Hope Lodge
Currently under consideration

P/13/0059/OA - Proposed redevelopment by the erection of seven 4-bedroomed detached houses (outline application)
Permission granted 28/10/2014

On the land to the south-west of the housing allocation site:

P/13/0137/OA - Proposed redevelopment by the erection of fourteen two-bedroomed bungalows for occupation by elderly persons (outline)
Refused 19/07/2013
Appeal dismissed 07/02/2014

Representations

Two objections have been received in relation to this application with the following concerns:

- Additional traffic on Fareham Park Road
- Loss of green area
- Housing here is unnecessary give the proposed Welborne Garden Village development

A further letter of objection has been received from The Fareham Society:

- The site is outside the urban area and contrary to policy
- The site is not a brownfield site
- The site is noisy and noise from the motorway cannot be mitigated within the garden areas
- The site is adjacent to a woodland SINC which would be disturbed

One letter of support has been received from a neighbour living close to the site:

- The present use is an eyesore which brings unwanted additional traffic and crime and affects our privacy
- The proposal will be an improvement

Consultations

INTERNAL

Highways - No objection

Contaminated Land - No objection subject to a condition requiring desk study investigation and remedial measures as necessary

Ecology - Results of the further survey and assessment work are required. The proposed 10m wide buffer should be widened to 15m to accord with Natural England standing advice.

Environmental Health - Alternate methods of ventilating these houses will need to be provided so that windows can remain closed to mitigate the noise from the nearby motorway (such as mechanical extraction ventilation). Even after mitigation measures are included noise levels to outside amenity space exceed 55dB. This would expose future occupiers to a level of noise causing serious annoyance.

EXTERNAL

Southern Water - No objection (recommended conditions and advice).

Hampshire County Council (Flood and Water Management Team) - The overall approach adopted in the preparation of the drainage strategy is acceptable. However further information/details are required which can be secured through using a planning condition.

Planning Considerations - Key Issues

PLANNING POLICY

For the purposes of the development plan, the site is located outside of the settlement boundaries and thus within the countryside.

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. The applicant contends the site is previously developed land (PDL) however Officers disagree with this claim. Whilst the site does have some areas of hardstanding in varying states of repair they are principally confined to the tracks running through the site and underneath the wheels of some caravans. Grass and vegetation cover significant areas of the site and is gradually reclaiming many of the hard surfaced areas. The extent of the hardsurfacing is not sufficient in the Council's view to be considered as 'fixed surface infrastructure' as referred to in the National Planning Policy Framework (NPPF) definition of PDL.

Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.

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 CS22 of the Core Strategy states that: 'Land within a Strategic Gap will be treated as countryside. Development proposals will not be permitted either individually or cumulatively

where is significantly affects the integrity of the gap and the physical and visual separation of settlements'.

Policy DSP6 of the Local Plan Part 2: Development Sites and Policies goes on to state that - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map). It offers instances where this presumption will be set aside however none are relevant to the proposed development in this case.

Considerable weight must be given to the policies set out in the adopted local plan as summarised above. Local plan policies are not permissive of residential development in the countryside except for in certain circumstances, none of which are applicable in this instance. The proposal is therefore in conflict with Policies CS2, CS6, CS14 & CS22 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan and not in accordance with the development plan.

HOUSING 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.

The PUSH OAN study, the PUSH Spatial Position Statement, and the CLG ministerial Letter of December 2014 all note that OAN figures remain untested until they have passed through the Local Plan process, and the importance of Councils being given adequate time to respond to these figures in preparing plans for their areas. The Council thus considers at the current time that it remains appropriate to rely on the Adopted Local Plan housing requirement to determine the five year housing land supply. It is acknowledged that this approach was not accepted in the Navigator appeal decision, however the circumstances of that decision differ as it predated the Adoption of Local Plan Parts 2 and 3.

The Council's land supply figures from April 2016, updated as part of the preparation of evidence to the recent Cranleigh Road Inquiry, is that it has a five year deliverable supply of 2,003 dwellings. This represents a 5.2 year supply, and this means that the determination of the application should be in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

LANDSCAPE CHARACTER AND VISUAL IMPACT

At present there are modest existing structures in the form of containers and brick built sheds placed along the site's northern boundary where their visual impact is softened by being grouped with similar single storey scale buildings on the adjacent land. The visual

impact of the caravans and motorhomes stored under the site's lawful use is limited and varies over time according to how many, and in what position, caravans are stored. The caravans and structures on the site are not prominent within the landscape when viewed from the surrounding land and are seen against a backdrop of the adjacent woodland

By contrast the proposed housing development would have an urbanizing effect on this countryside location. Whilst this application is presented in outline form with all matters reserved, including the scale of the development, the indicative site plan and the quantum of development proposed suggests two-storey housing would be constructed. Two storey houses would clearly significantly alter the visual appearance of the site harming the site's landscape character, appearance and function contrary to Core Strategy Policy CS14. It would also significantly and adversely affect the integrity of the strategic gap in which it lies contrary to Core Strategy Policy CS22.

AFFORDABLE HOUSING PROVISION

By itself the proposal for ten units with less than 1,000 m² of gross internal floorspace would not trigger a requirement for affordable housing provision having regard to the advice contained at paragraph 031 of the Planning Practice Guidance (PPG) and notwithstanding the trigger set out in Policy CS18 of the adopted Fareham Borough Core Strategy of 5 or more dwellings.

Notwithstanding, this application is presented in outline form with all matters reserved. Whilst the indicative site plan submitted with the application shows a possible layout involving the provision of 956m² of gross internal floorspace, the site is clearly capable of accommodating a development of a greater size in excess of the 1,000m² threshold set out in the PPG.

Additionally, Policy CS18 expects that if a site is "demonstrably part of a potentially larger developable site, the Council will seek to achieve affordable housing on a pro rata basis". The adjacent land within the housing allocation to the east of the site is owned by the same applicant Mildren Homes. Mildren Homes have applied for planning permission for seven detached houses on that site with planning permission having previously been granted for a similar scheme in 2014 (our reference P/13/0059/OA). The applicant considers that the two sites together could deliver 17 dwellings. The sites are directly adjacent and, for all intents and purposes, once built the development would appear as one carried out by the same developer and sharing the same means of access and spine road. The Council contends that the application site is therefore demonstrably part of a larger site the remainder of which is clearly developable and by the same applicant.

The proposal fails to provide for affordable housing and is therefore contrary to Policy CS18.

MOTORWAY NOISE

The Council's Environmental Health officer has raised concerns over the impact of motorway noise on the living conditions of new residents. Whilst internal noise could be satisfactorily mitigated through glazing and insulation to certain standards this would only be effective when windows and doors to the new houses were closed. Adequate alternative means of ventilation would need to be provided such as mechanical systems to allow residents to ventilate their homes without having to resort to opening windows and doors.

The applicant's noise assessment identifies noise levels on the site to be higher than 55dB above which serious annoyance to residents can be expected. The application is presented in outline form however the noise assessment has been based on an indicative site layout. The site layout and noise assessment together show that, even with mitigation measures introduced, external garden areas on the site are likely to be subjected to noise levels which would unacceptably effect the living conditions of those residing there. The proposal therefore fails to provide adequate external amenity space to meet the requirements of future occupiers and is contrary to Core Strategy Policy CS17.

ECOLOGY

The Council's ecologist has raised concerns that the application is not accompanied by sufficient assessment of the impact of the development on bats. It is not appropriate to defer bat surveys by way of a planning condition.

Concern has also been raised that, although the development would not result in the direct loss of ancient woodland, the buffer between it and the development allowed for by the applicant is less than the minimum of 15 metres recommended by Natural England. Assessment of the ecological impacts of the associated pumping station and explanation of the relevance of the 'exclusion zone' are also missing from the submission. Whilst the application is in outline form and the submitted site plan is purely indicative, the applicant has failed to demonstrate that the quantum of development for which approval is sought could be achieved on the site without harming the adjacent ancient woodland/SINC.

Finally in relation to ecology, the applicant has failed to provide sufficient mitigation of the 'in combination' effects of increased recreational visits caused by cumulative residential development on the Solent Special Protection Area (SPA), the requirement for which is set out in Policy DSP15 of the adopted Fareham Borough Local Plan Part 2. Had the proposal found to be acceptable in all other regards the applicant would have been invited to have made the necessary financial contribution towards the Solent Recreation Mitigation Strategy (SRMS) of £181 per dwelling which could have been secured through the completion of a section 106 agreement.

THE PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that when making decisions on planning applications the local planning authority must do so in accordance with the adopted development plan.

This report explains that Officers consider this application to be contrary to policies contained within the adopted Fareham Borough Core Strategy and Local Plan Part 2: Development Sites and Policies. Specifically the proposal is found to conflict with Core Strategy Policies CS2, CS4, CS6, CS14, CS17, CS18 & CS22 and Local Plan Part 2 Policies DSP6, DSP13 & DSP15.

The application site is not previously developed land and is located outside the defined urban settlement boundary where there is an in principle objection to new residential development, and 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 which will harm the character of the landscape and visual amenity. The proposal would urbanise the existing site and adversely affect its landscape

character, appearance and function and erode the established strategic gap in which it sits.

The application also fails to provide for any contribution towards affordable housing either on-site or in the form of an equivalent financial contribution so as to accord with the requirements of Policy CS18. The applicant has failed to demonstrate that there would not be an unacceptable impact on the adjacent ancient woodland/SINC and protected species. Furthermore, motorway noise is likely to harm the living conditions of future residents in external amenity areas.

It is acknowledged that the principal benefit of granting permission would be the delivery of housing. However, notwithstanding this, it is considered that the harm caused through the conflict with the development plan is not outweighed and so planning permission should be refused.

Even if the Council could not demonstrate a five year housing land supply as the applicant contends, the Council considers that, under the required approach to decision making set out in paragraph 14 of the National Planning Policy Framework (NPPF), it would have concluded that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so.

In this regard, whilst policies for the supply of housing would have to be considered out of date, the conflict with development plan policies CS4, CS14, CS17, CS18, CS22, DSP13 & DSP15 would be given significant weight in the decision making process. The Council has considered the extent to which these policies accord with the NPPF, and it concludes that they do accord with the NPPF. Notwithstanding the benefits arising from the application proposals, identified above, the adverse impacts of granting planning permission significantly and demonstrably outweigh the benefits of doing so. The application is therefore recommended for refusal.

Recommendation

REFUSE:

The development would be contrary to Policies CS2, CS4, CS6, CS14, CS17, CS18 & CS22 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP1, DSP6, DSP13 & 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 extend residential development into the Meon Strategic Gap significantly affecting the integrity of the Gap

(c) the application is made on a site which is clearly capable of providing a level of development which would require the provision of affordable housing and is also demonstrably part of a potentially larger developable site. The application fails to provide affordable housing either in the form of on-site units or the equivalent financial contribution towards off-site provision;

(d) due to the site's proximity to the M27 motorway, external garden areas on the site will be subjected to noise levels which would unacceptably affect the living conditions of those

residing there. The application therefore fails to provide adequate external amenity space to meet the requirements of future occupiers;

(e) the applicant has failed to demonstrate that the development would protect and would not harm bats and their habitat or the adjacent ancient woodland/Site of Importance for Nature Conservation (SINC);

(f) 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.

Notes for Information

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point (f) of the above by the applicant entering into a Planning Obligation pursuant to Section 106 of The Town and Country Planning Act 1990 with Fareham Borough Council.

Background Papers

P/16/1424/OA

FAREHAM

BOROUGH COUNCIL



Caravan Storage Hope Lodge
84 Fareham Park Road
Scale 1: 2,500



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