

**P/17/1055/OA**

MR PLUNKETT

**WARSASH**

AGENT: BRYAN JEZEPH  
CONSULTANCY

CONSTRUCTION OF 46 DWELLINGS AND ASSOCIATED ACCESS FROM THE FLORINS (OUTLINE APPLICATION WITH APPROVAL SOUGHT FOR ACCESS AND LAYOUT)

LAND TO SOUTH WEST OF SOVEREIGN CRESCENT LOCKS HEATH SOUTHAMPTON HAMPSHIRE PO14 4LU

### ***Report By***

Richard Wright - direct dial 01329 824758

### ***Introduction***

The Council's position on 5-year housing land supply was challenged by way of planning appeal at a site in Cranleigh Road Portchester (Ref: APP/A1720/W/16/3156344) in April last year with the appeal decision issued in August.

In deciding that planning appeal the Inspector concluded that the Council's housing requirements should be based upon Objectively Assessed Housing Need, not the housing requirements set out in Local Plan Parts 1 and 2. On this basis the Inspector concluded that the Council's housing land supply position was little more than 2 years.

Finding that Fareham Borough Council does not have a 5YHLS represents a significant material change in planning circumstances. The most significant implication of the Council's current position on 5YHLS is that the approach that the Council must take in determining applications for residential development will have to be altered until the Council can robustly demonstrate that it has a 5YHLS. The approach which will need to be undertaken was set out in detail in the report titled 'How proposals for residential development should be considered in the context of this Council's 5 year housing land supply position' presented to the Planning Committee on the 15th November 2017.

This report sets out all the relevant planning policies and considerations and applies the planning balance (often referred to as the 'tilted balance') as required by National Planning Policy Framework and established planning case law.

### ***Site Description***

The application site lies to the south-west of an existing housing development granted permission and constructed in the 1990's including the roads Sovereign Crescent, Sixpenny Close and The Florins (planning permission reference P/94/0832/FP relates). Those roads are accessed from Warsash Road which Sovereign Crescent joins in two separate locations.

Access to the site is through a gate located at the south-western end of The Florins. The site is a field currently used as a paddock on which stand three outbuildings. In total the site measures 1.94 hectares and is bound on its northern, western and southern boundaries by mature trees. Some of the trees along the southern boundary are subject to a tree preservation order (TPO) as are two individual trees further towards the centre of the site. The woodland which lies on the adjacent land to the south of the site is a Site of Importance for Nature Conservation (SINC) as is the woodland to the north.

To the east of the application site lies an area originally intended as a 15 metre wide tree/landscaping buffer at the time planning permission was granted for the adjacent housing estate. The rear gardens of several houses in Sixpenny Close and The Florins

appear to have been extended into this buffer. The southern stretch of the buffer is currently used as a private access drive to a detached dwelling known as The Paddocks. Whilst properties in the adjacent housing estate are located within the defined urban settlement boundary, the application site is for planning purposes located within the countryside.

### ***Description of Proposal***

Outline planning permission is sought for the construction of 46 dwellings (originally 49 when first submitted) and associated access from The Florins.

As well as the means of access into the site the applicant has submitted the layout of the development for consideration at this stage. All other matters, such as the scale, appearance and landscaping details for the development, are reserved for consideration at a later date should outline planning permission be granted.

The revised site layout submitted shows two areas of housing separated by an approximately 13 - 16 metre wide wildlife corridor running north to south through the centre of the site. The houses on the western part of the site are arranged to face outwards onto the surrounding perimeter trees. The houses on the eastern part of the site are typically arranged to face inwards onto a central area of open space lying adjacent to the wildlife corridor. Along the southern site boundary a 15 metre buffer between the development and the adjacent SINC is proposed. Similarly, at the northern end of the site another 15m buffer between the closest residential properties and the adjacent SINC is proposed. It is proposed to continue the footpath which currently runs along the northern side of properties in Sixpenny Close and Sovereign Crescent into the site to provide a separate means of pedestrian and cycle access aside from the principal access at the western end of The Florins.

The application proposes a mix of dwellings of 9no 1-bed flats, 6no 2-bed apartments, 4no 2-bed houses, 22no 3-bed houses and 5no 4-bed houses. Of those the applicant is proposing 40% will be affordable units.

### ***Policies***

The following policies are relevant 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

#### **Approved SPG/SPD**

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

#### **Design Guidance Supplementary Planning Document (Dec 2015)**

### **Development Sites and Policies**

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP4 - Prejudice to adjacent land

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

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

### ***Relevant Planning History***

The following planning history is relevant:

### ***Representations***

In total 331 objections have been received in response to the public consultation carried out.

After the initial period of consultation a further period was allowed for further comments on amended proposals made by the applicant. As a result some residents commented more than once on the application.

Analysis of the representations shows that, where an address was provided, 176 residents from 161 households commented on the application. A further 8 objections were received from individuals who did not provide their address.

The following main concerns were raised:

- Impact on character of existing houses
- Over-intensification / over-development
- Loss of countryside / development of greenfield site
- Additional vehicle movements and impact on local and strategic highway network
- Approach roads are unsuitable (Sovereign Crescent)
- No Transport Assessment or survey has been undertaken
- Insufficient parking space
- Impact on wildlife and adjacent SINC's
- Pressure on local infrastructure (schools, doctors, dentists)
- Increase in air and noise pollution
- Disruption during construction period
- Drainage / site susceptible to flooding

### ***Consultations***

EXTERNAL

Hampshire County Council (Mineral Planning Authority) - No objection.

Hampshire County Council (Flood & Water Management) - No objection subject to further information on proposals as part of detailed design phase.

Hampshire County Council (Ecology) - No objection subject to conditions to secure enhancement features, reptile mitigation measures and a habitat and enhance

management plan for the ecological mitigation areas (including the reptile receptor site, the wildlife corridor and SINC corridors).

Hampshire County Council (Children's Services) -

This proposed development of 49 dwellings, of which 9 are one-bed properties, lies within the catchment area of Locks Heath Infant and Junior Schools. These schools are full as are the other primary phase schools in this area. As such the development will create additional pressure for primary school places.

In line with HCC's Children's Services Developers' Contributions Policy the development should contribute to provision of infrastructure at local schools due to the additional pressure that will be placed on school places. Due to the significant level of proposed housing in the local area investigations are under way as to the requirement for additional places at local schools. To mitigate the impact of this development on school places a contribution should be made. The planning and provision of additional school places is an increasingly complex task with regard to catering for growing populations, inward migration and new housing developments. Individual schools, subject to status, now have greater autonomy regarding admission numbers and decisions surrounding school expansions, adding further complexity to the role the County Council must undertake. For this reason, and that schools need to be organised and of a size to create an organisational structure that is sustainable and sensible, planning for the impact of these developments, and others locally, takes time to resolve with local schools. Hence, at this stage it is not possible to confirm what infrastructure is to be provided to mitigate the impact on school places in the local area.

The pupil yield is likely to be 12 primary age pupils based on 40 dwellings of two beds or more and a pupil yield of 0.3 of a primary age child per dwelling.. In line with the policy a contribution of £14,539 per pupil place should be made. This totals £174,468. This amount should be able to be used flexibly to respond to the proposed strategy for delivering any additional facilities that may be required or to assist with home to school transport costs.

INTERNAL

Contaminated Land - No objection subject to conditions.

Highways - No objection subject to conditions and on-site design matters being addressed.

Trees - No objection.

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

#### **IMPLICATION OF FAREHAM'S CURRENT 5 YEAR HOUSING LAND SUPPLY**

As set out in the Introduction to this report, the Cranleigh Road Planning Appeal Inspector concluded that the Council's housing requirements should be based upon Objectively Assessed Housing Need (OAHN), not the housing requirements set out in Local Plan Parts 1 and 2. Officers accept this position.

Officers have undertaken a review of current planning permissions and the residual allocations from the adopted local plan in order to provide robust evidence to inform the current 5YHLS position. A separate report setting out Fareham Borough Council's 'Five Year Housing Land Supply Position' was reported to the Planning Committee on 13 December, 2017. Fareham Borough Council presently has 3.6 years of housing supply against its OAHN 5YHLS requirement.

The starting point for the determination of this planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

In determining planning applications there is a presumption in favour of the policies of the extant Development Plan, unless material considerations indicate otherwise. Material considerations include the planning policies set out in the NPPF, and this contains specific guidance in paragraphs 47, 49 and 14 for Councils unable to demonstrate a 5YHLS.

Paragraph 47 of the NPPF seeks to boost significantly the supply of housing, and provides the requirement for Councils to meet their OAHN, and to identify and annually review a 5YHLS including an appropriate buffer. Where a Local Planning Authority cannot do so, paragraph 49 of the NPPF clearly states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites."

Paragraph 14 of the NPPF then clarifies what is meant by the presumption in favour of sustainable development for decision-taking, including where relevant policies are "out-of-date". For decision-taking (unless material considerations indicate otherwise) this means:

Approving development proposals that accord with the development plan without delay; and

Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies\* in this Framework indicate development should be restricted. (\*for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

On the basis that SPA mitigation can be secured, Officers can confirm that none of the 'specific policies' listed in the preceding paragraph apply to this site. Taking account of the current housing supply shortage, paragraph 14 of the NPPF is engaged and it is for the decision taker to attribute the appropriate weight to the material considerations of the case. The key judgement for Members therefore is whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies taken as a whole.

The following sections of the report assesses the application proposals against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this, Officers undertake the Planning Balance to weigh up the material considerations in this case.

RESIDENTIAL DEVELOPMENT IN 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. 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).

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.

#### POLICY DSP40

Policy DSP40: Housing Allocations, of Local Plan Part 2, states that

"Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

- i. The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall;
- ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;
- iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;
- iv. It can be demonstrated that the proposal is deliverable in the short term; and
- v. The proposal would not have any unacceptable environmental, amenity or traffic implications.

Each of these five bullet points are worked through in turn below:

#### POLICY DSP40 (i)

The present shortfall of dwellings needed to achieve a 5YHLS is in the region of 660. The proposal for 46 dwellings is relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

#### POLICY DSP40 (ii)

The eastern boundary of the application site abuts the rear gardens of properties within the housing development of Sovereign Crescent, Sixpenny Close and The Florins from which access would be directly provided. Those roads lie within the existing urban settlement boundary.

The site is in reasonable proximity to leisure and community facilities, schools and shops and lies adjacent to the existing urban area to which the proposal would relate well. Officers consider that the proposed development can be well integrated with the neighbouring settlement and is in accordance with point ii).

#### POLICY DSP40 (iii)

The site is within an area of countryside but is not designated as strategic gap. The site includes a few small outbuildings but is otherwise scrub, grassland and vegetation with some mature trees within the interior and around its perimeter.

Officers consider the proposed site layout relates well to both the existing housing development to the east and to the site's woodland surroundings and SINC designations to the north and south. As described earlier in this report, the houses on the western part of the site are arranged to face outwards onto the surrounding perimeter trees whilst retaining a reasonable distance to ensure their protection throughout the construction period and retention thereafter. The buffer between the SINC and development which stretches along the southern boundary of the site would ensure that the current tree line and understorey planting in that part of the site could remain. By not being incorporated into the private gardens of new properties the pressure to prune or fell trees in the future is likely to be less.

The houses on the eastern part of the site are typically arranged to face inwards onto a central area of open space lying adjacent to the wildlife corridor. At the centre of the open space would be an existing mature oak tree subject to a tree preservation order. This, along with the retention of many other trees on the site, demonstrates how the scheme utilises an existing landscape feature to enhance the appearance of the scheme and mitigate the effect on the countryside. Those houses adjacent to the eastern boundary of the site are arranged so that their private gardens would back onto those of existing properties in Sixpenny Close and Sovereign Crescent.

The existing housing development adjacent to the site's eastern boundary is at a density of around 21.5 dwellings per hectare and is predominantly two storey in scale. In comparison the eastern part of the development as shown on the proposed site plan would be at a higher density of approximately 30 dwellings per hectare. Whilst scale is a reserved matter the illustrative drawings indicate houses in this part of the site would be two storey. The western part of the development, beyond the wildlife corridor running north to south through the middle of the site, would feature the two apartment buildings which are illustrated to be three storey but with two and a half storey eaves heights. Again, whilst scale is a reserved matter this indicates that the heights of buildings are likely to increase slightly in respect of the proposed flats in this part of the site. As a result the density of the development in the western half of the site would also increase to around 45 dwellings per hectare. Overall the net developable area of the site (excluding ecological corridors/buffers and open space) is approximately 1.21 of a hectare. Forty-six units are proposed which equates to an average net residential density of 38 dwellings per hectare across the site as a whole.

Officers consider that the built form of the proposed development, the sense of visual spaciousness between and around buildings and the continuity in the street frontage, along with the greened boundaries and central open space, would relate well to and reflect the general character of the neighbouring urban area.

The site is bound by substantial mature tree cover around much of its perimeter. Long

distance views from surrounding viewpoints are therefore not possible and the site does not make a significant contribution to the wider setting of the urban area. Instead views into the site are very localised and are mainly limited to those available from adjoining private properties to the east and those gleaned by users of the public bridleway/right of way which runs along the southern boundary between it and the adjacent woodland. There would therefore be limited visibility of the proposed development except for those local views mentioned from which the change in character would be most apparent and harmful. Notwithstanding, the buffer on the southern edge of the site would act to mitigate public views from the bridleway to a certain extent and the sight of new housing would be viewed against the backdrop of the mature trees in the woodland to the north. The proposals would bring about a change in character of this piece of countryside which would primarily have a localised visual impact from the adjacent bridleway and residential properties to the east.

In the opinion of Officers, the proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the countryside. The proposal therefore accords with the test set out at point iii).

#### POLICY DSP40 (iv)

The applicant has provided a letter stating that an agreement has been reached to sell the site to the housebuilder Foreman Homes subject to outline planning permission being granted. A letter has been received from Foreman Homes confirming this arrangement and setting out a timescale for constructing the houses. The letter from Foreman Homes states that an application for reserved matters would be submitted within a few weeks of outline permission being granted and the development would commence within six months of outline permission being granted. The applicant has also confirmed that a planning condition reducing the time period for implementation would be acceptable. Such a condition could stipulate that reserved matters be submitted within twelve months of outline approval and the development commenced within twelve months of the last of those reserved matters being approved.

Officers consider that the letters received from the applicant and Foreman Homes demonstrate that the site is deliverable in the short term thereby satisfying the requirement of Policy DSP40(iv).

#### POLICY DSP40 (v)

The final test of Policy DSP40: "The proposal would not have any unacceptable environmental, amenity or traffic implications" is discussed below:

#### ECOLOGY

Hampshire County Council's ecologist has advised on the implications of the development and has raised no objections.

The revised site plan includes satisfactory buffers between the proposed development and adjacent SINC sites and the wildlife corridor shown running through the site north to south would assist connectivity for protected species between these SINC sites. In their response the Council's ecologist has remarked that although the access road dissects this corridor and is not ideal, the presence of good connectivity along the northern, southern and western edges of the site means that there ought not to be any significant adverse effect. A planning condition could be used to ensure the SINC buffers and wildlife corridor are planted with appropriate species and thereafter maintained and managed accordingly.

The applicant has indicated that they would agree to the transfer of the areas of open

space, SINC buffers and wildlife corridor to Fareham Borough Council in the event planning permission is granted and that this could be secured through a Section 106 legal agreement. Officers in the Council's Streetscene department are in agreement that in principle the Council would be prepared to adopt the land subject to appropriate maintenance costs being secured through the planning obligation.

Further survey work with regards to dormice and bats was carried out after initial feedback from Officers and the results of those surveys raised no further concerns. The badger sett known to be located within the woodland SINC to the north of the site is considered sufficient distance from the proposed development so as not to raise any concerns. The applicant's revised reptile mitigation measures are considered acceptable subject to a condition securing an appropriate management plan to safeguard the chosen receptor site.

A contribution towards the Solent Recreation Mitigation Partnership (SRMP) can be secured through a Section 106 legal agreement.

The proposal is acceptable from an ecological perspective in accordance with Policy CS4 of the adopted Fareham Borough Core Strategy and Policies DSP13 and DSP15 of the adopted Fareham Borough Local Plan Part 2.

## AMENITY

Adjacent properties in Sixpenny Close and The Florins would be sufficient distance from new dwellings to ensure there would be no harmful loss of light or outlook.

The proposed layout is considered acceptable in that it provides sufficient private garden space for each of the proposed dwellings and would meet the requirements in respect of light, outlook and privacy as set out in the adopted Fareham Borough Design Guidance (excluding Welborne) Supplementary Planning Document.

## HIGHWAYS

Access into the site from the western stub end of The Florins is considered to be acceptable in highway safety terms as is the revised site layout.

The use of the approach roads to the site has been assessed with the likely increase in traffic generated by the proposed new houses in mind. Access to the site would be available via either arm of Sovereign Crescent and concerns have been raised by local residents over the increased use of the road which is narrow at points and the hazard posed by parked cars. Whilst the road is indeed narrow in parts this is typical of a residential side street such as Sovereign Crescent where vehicles are not intended to travel at higher speeds. All of the detached properties along the road benefit from off-street parking however the presence of parked cars along the route would not in Officers' opinion have any unacceptable implications. It is considered that either route along Sovereign Crescent from Warsash Road would be safe and convenient in highway terms.

Through the imposition of planning conditions and the completion of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990, Officers are satisfied that the proposal would not have any unacceptable environmental, amenity or traffic implications in compliance with criteria (v) of DSP40.

## AFFORDABLE HOUSING

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

as proposed is considered acceptable. The provision of those units along with further details such as the tenure mix could be secured via a Section 106 legal agreement.

## EFFECT UPON LOCAL INFRASTRUCTURE

A number of residents have raised concerns over the effect 46 further homes would have upon schools, doctors and other services in the area. Officers acknowledge the strength of local concern on these issues.

With regard to schools, Hampshire County Council have identified a need to increase the number of primary school places available within the area. As this authority collects the Community Infrastructure Levy (CIL) and education facilities are listed on this Council's 'Regulation 123' list, contributions towards education cannot be secured through a Section 106 planning obligation at the present time.

The Council has recently consulted on proposed changes to the 'Regulation 123' list to enable contributions towards education to be included in Section 106 agreements. A report to the Council's Executive was published on Monday 12th February on this matter and will be considered by the Executive at the meeting scheduled to take place on Tuesday 20th February. Officers will provide Members of the Planning Committee with an update accordingly prior to them considering this particular application.

In respect of the impact upon doctors/ medical services, the difficulty in obtaining appointments is an issue that is raised regularly in respect of new housing proposals. It is ultimately for the health providers to decide how they deliver health services. Officers do not believe a refusal on these grounds would be sustainable.

## DRAFT LOCAL PLAN

Members will also be aware that the Draft Local Plan which addresses the Borough's development requirements up until 2036, was subject to consultation between 25th October 2017 and 8th December 2017. In due course this plan will replace Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Development Sites & Policies).

The site of this planning application was considered as part of the Council's "call for sites" process as part of the review of the local plan. It is not proposed to be allocated for housing within the draft local plan. A number of background documents and assessments explain the site selection process which are of relevance. The Housing Site Selection Background Paper describes the site as being "developable but not preferred". It states that "Overall this site has a reasonable/good SA [sustainability appraisal] outcome. The adjacent land is a highly sensitive landscape which would act as a consideration for any development. Overall there were other sites capable of meeting the housing need that provide an improved match on balance against the Site Selection Priorities". However, at this stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of this planning application.

## THE PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

Paragraph 14 of the NPPF clarifies the presumption in favour of sustainable development in that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies indicate development should be restricted (for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

The approach detailed within the preceding paragraph, has become known as the "tilted balance" in that it tilts the planning balance in favour of sustainable development and against the Development Plan.

The site is outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture and required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of Local Plan Part 2: Development Sites and Policies Plan.

Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS against objectively assessed housing need. In weighing up the material considerations and conflicts between policies; the development of a greenfield site weighted against Policy DSP40, Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall, well related to the existing urban settlement boundaries such that it can be integrated with those settlements whilst at the same time being sensitively designed to reflect the areas existing character and minimising any adverse impact on the Countryside.

It is acknowledged that the proposal would have an urbanising impact through the introduction of housing and related infrastructure onto a site which is at present undeveloped. However that impact would be localised and would not alter long distant views which are screened by the heavily treed site boundaries which would remain. Officers consider that the change in the character of the site and the resulting visual effect would not cause any substantial harm.

In respect of environmental and amenity issues, and subject to mitigation in respect of the SPA, none of the 'specific policies' listed within Paragraph 14 of the NPPF apply to this application site. Officers are satisfied that there are no outstanding amenity and ecology issues which cannot otherwise be addressed through appropriate use of planning conditions and obligations. There would be no materially harmful impact on highway safety.

Affordable housing as 40% of the units, along with the delivery of onsite open space and facilities, can be secured through a planning obligation.

In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, officers acknowledge that the proposal could deliver 46 dwellings, including affordable housing, in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply as required by Paragraph 47 of the NPPF weighs in favour of granting planning permission.

There is a clear conflict with development plan policy CS14 as this is development in the countryside. Ordinarily, officers would have found this to be the principal policy such that a

scheme in the countryside should be refused. However, in light of the council's lack of a five year housing supply, development plan policy DSP40 is engaged and officers have considered the scheme against the criteria therein. The scheme is considered to satisfy the five criteria and in the circumstances, officers consider that more weight should be given to this policy than CS14 such that, on balance, when considered against the development plan as a whole, the scheme should be approved.

In addition, given the lack of a five year housing supply and with paragraph 14 of the NPPF engaged, officers have not found any adverse impacts from the scheme to significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. This means that the Government policy position is that permission should be granted.

Officers therefore recommend that the planning application should be permitted subject to the imposition of appropriate planning conditions and the prior completion of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990.

### ***Recommendation***

Subject to the applicant entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:

- a) To secure the provision and transfer of the areas of open space, wildlife corridor and buffer zones to Fareham Borough Council, including associated maintenance costs;
- b) To secure pedestrian and cycle access for members of the public through the site from the footpath adjacent to the north-west corner of the site, adjacent the vehicular access formed from The Florins and through to the public bridleway adjacent to the southern edge of the site in perpetuity;
- c) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
- d) To secure on-site affordable housing provision at a level compliant with the adopted local plan;

### **GRANT OUTLINE PERMISSION:**

Subject to the following conditions:

- 1) Application for approval of details of the appearance, landscaping and scale of the development (referred to as the 'reserved matters') shall be made to the local planning authority before the expiration of twelve months from the date of this permission. Work shall be commenced in pursuance of this permission no later than twelve months from the approval of the final reserved matter.

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 hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- a) Location plan - drawing no. DNC-487-11 Rev A
- b) Site plan - drawing no. DNC-487-01 Rev L (received 30th Jan 2018)

- c) Reptile Survey and Outline Mitigation Report - revised October 2017
- d) Bat Activity Surveys - November 2017
- e) Arboricultural Impact Assessment & Tree Survey

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

3) No development shall commence on site until a Construction Management Plan (CMP) setting out how provision is to be made on site for the parking and turning of operatives vehicles, wheel cleaning, the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development, has been submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in accordance with the CMP and areas identified in the CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA.

REASON: In the interests of highway safety and/or in order to secure the health and wellbeing of the trees and vegetation which are to be retained at the site and/or to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period.

4) No development shall commence until details of the width, alignment, gradient and type of construction proposed for any roads, footways and access, including all relevant horizontal and longitudinal cross sections showing the existing and proposed ground levels, together with details of street lighting (where appropriate), the method of disposing of surface water, and details of a programme for the making up of roads and footways, have been submitted to and approved by the Local Planning Authority in writing. The development shall be subsequently carried out in accordance with the approved details.

REASON: To ensure that the roads are constructed to a satisfactory standard.

5) No development shall commence until details of the means of foul and surface water drainage from 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 unless otherwise agreed with the local planning authority in writing.

REASON: To ensure satisfactory disposal of foul and surface water.

6) No development shall commence until a habitat enhancement and management plan for the provision and long-term management of the ecological mitigation areas associated with the development hereby approved, including the reptile receptor site, wildlife corridor and SINC buffers, has been submitted to and approved by the local planning authority in writing. The plan shall include details of suitable planting and boundary treatment to be carried out in or around those areas along with proposals for their long-term maintenance and management. The development shall be carried out and thereafter managed and maintained in accordance with the approved plan.

REASON: To conserve and enhance biodiversity.

7) No development shall commence until details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site and the adjacent land 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 safeguard the character and appearance of the area and to assess the

impact on nearby residential properties.

8) No development hereby permitted shall commence until a desk top study of the former uses of the site and adjacent land and their potential for contamination has been submitted to and approved in writing by the Local Planning Authority (LPA).

Should the submitted study reveal a potential for contamination, no development shall commence until an intrusive site investigation and risk assessment has been submitted to and approved by the local planning authority (LPA) in writing. The intrusive site investigation and risk assessment shall include assessment of the risks posed to human health, the building fabric and the wider environment such as water resources, and where the site investigation and risk assessment reveal a risk to receptors, it shall include a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the LPA. This shall be investigated to assess the risks to human health and the wider environment and a remediation scheme implemented following written approval by the Local Planning Authority. The approved scheme for remediation works shall be fully implemented before the permitted development is first occupied or brought into use.

On completion of the remediation works and prior to the occupation of any properties on the development, an independent competent person shall confirm in writing that the works have been completed in full and in accordance with the approved scheme. Such confirmation shall include photographic evidence and, if considered necessary by the local planning authority, as built drawings of the development.

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

9) No development shall proceed beyond damp proof course level until details of secure cycle storage have been submitted to and approved by the Local Planning Authority in writing. The approved secure cycle stores shall be provided before any dwelling is first occupied and shall thereafter be retained and kept available for use at all times.

REASON: To encourage cycling as an alternative mode of transport.

10) No development shall proceed beyond damp proof course level until details of the proposed bin storage areas (including bin collection points) have been submitted to and approved by the Local Planning Authority. The details shall include the siting, design and the materials to be used in construction. The approved bin storage and collection areas shall be provided before any dwelling is first occupied and shall thereafter be retained and kept available for use at all times.

REASON: To ensure that the character and appearance of the development and the locality are not harmed.

11) No development shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing and hardsurfacing materials have been submitted to and approved by the LPA in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

12) The development hereby approved shall be carried out in full accordance with the mitigation measures set out in Section 5.0 of the approved Bat Activity Surveys and Section 5.0 of the approved Reptile Survey & Outline Mitigation Report.

REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

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

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

14) None of the development hereby approved shall be occupied until the means of vehicular access shown on the approved site plan (drawing no. DNC-487-01 Rev L) have been provided. The access shall be subsequently retained.

REASON: In the interests of highway safety.

15) None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any 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 protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

16) No dwelling on Plots 1, 5, 6, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 37, 38, 39, 40, 41, 42, 45 or 46, hereby approved, shall be first occupied until the approved parking and turning areas (where appropriate) for that property 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 unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.

REASON: In the interests of highway safety.

17) No dwelling on Plots 2, 3, 4, 7, 8, 9, 10, 11, 12, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 43 or 44, hereby approved, shall be first occupied until the approved parking and turning areas which, although unallocated to individual dwellings, are sufficient to serve that part of the overall development completed at that time, have been constructed in accordance with the approved details and made available for use on an unallocated basis. Those areas shall thereafter be kept available for the parking and turning of vehicles at all times on an unallocated basis unless otherwise agreed in writing by the Local Planning

Authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety.

18) None of the development hereby permitted shall be occupied until the visitor parking spaces marked on the approved site plan with a 'V' have been provided on site unless otherwise agreed in writing by the local planning authority. Those spaces shall be subsequently retained at all times.

REASON: The car parking provision on site has been assessed in the light of the provision of visitor parking spaces so that the lack of these spaces may give rise to on street parking problems in the future.

19) The landscaping scheme, submitted under Condition 1 shall be implemented and completed 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. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

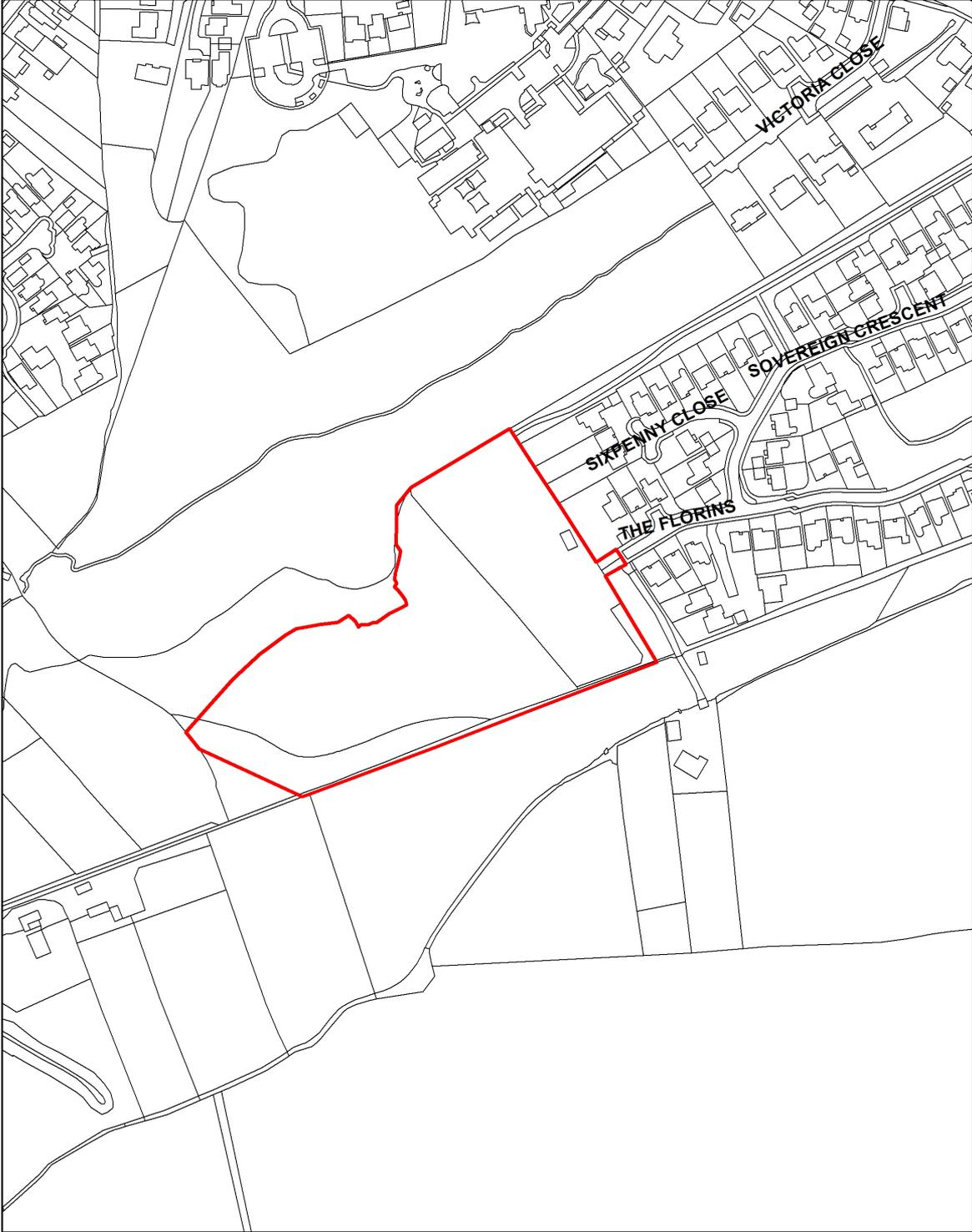
REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

***Notes for Information***

a) The applicant is advised to contact Southern Water to discuss the need for a formal application for connection to the public sewerage system. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 330 303 0119) or visit [www.southernwater.co.uk](http://www.southernwater.co.uk).

# FAREHAM

BOROUGH COUNCIL



Land to South West of Sovereign Crescent  
Scale: 1:2,500



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