

**P/17/0841/FP**

**FAREHAM EAST**

PRINSET LIMITED

AGENT: W Y G

CONSTRUCTION OF 12 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, CAR PARKING, DRAINAGE AND LANDSCAPING

LAND TO THE EAST OF FURZE COURT WICKHAM ROAD FAREHAM PO16 7SH

***Report By***

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***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.

A separate report is included on this Agenda setting out this Council's current 5-year housing land supply position.

***Site Description***

The application site lies on land to the immediate east of Furze Court, Wickham Road, a former office development now converted to residential apartments, which itself lies to the south-east of Junction 10 of the M27 motorway.

Whilst Furze Court and the adjacent land to the south lies within the defined urban settlement boundary of Fareham, the application site does not and so for planning purposes lies in an area of countryside. The land, together with further land outside of the applicant's ownership to the east of the site, is an area of existing open space as defined in the adopted borough local plan.

The majority of the site is mature scrub and grassland with larger more mature trees along its northern, western and southern boundaries. A large quantity of spoil has been deposited on the site thereby altering the levels of the land and creating an area of bare ground leading from its western boundary into the centre of the plot.

***Description of Proposal***

Planning permission is sought for twelve dwellings on the site.

Access to the site would be provided at its western boundary from the existing Furze Court development and via the connecting vehicular route to Wickham Road (A32).

The proposed dwellings are shown on the submitted plans to be arranged in a curved terrace running from east to west. Two parking spaces for each unit would be located on the northern side of the houses with private rear gardens on the southern side of the terrace. The dwellings would feature accommodation over three storeys with pitched roofs.

### ***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

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

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

#### **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

DSP40 - Housing Allocations

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

The following planning history is relevant:

#### **FBC.7459/34**

PERMISSION

17/07/1987

#### **FBC.7459/46**

PERMISSION

07/07/1989

<b><u>P/92/0146/OA</u></b>	<b>2/3 STOREY OFFICE BLOCK AND ASSOCIATED PARKING</b>	
	REFUSE	18/06/1992
<b><u>P/14/0952/PC</u></b>	<b>PRIOR APPROVAL FOR A CHANGE OF USE FROM CLASS B1A (OFFICE USE) TO CLASS C3 (RESIDENTIAL)</b>	
	PRIOR APPR NOT REQRD	11/11/2014
<b><u>P/15/1261/FP</u></b>	<b>CONSTRUCTION OF 33 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORAGE</b>	
	APPROVE	27/07/2016

### ***Representations***

Twelve letters of objection have been received with the following concerns:

- Overcrowding / out of character with surrounding area
- Car parking problems
- Drainage / sewerage problems
- Loss of open space / natural greenspace
- Unsuitable access / traffic congestion
- Impact on wildlife
- Noise and disturbance to other residents
- Removal of trees
- Motorway noise
- Air pollution
- Height of buildings causing overlooking / loss of privacy

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

- Proposed development is too close to the motorway with resulting impacts in relation to noise and air quality
- Site is not designated for development in the local plan
- Dangerous precedent for further development of open space
- Existing parking issues at Furze Court

### ***Consultations***

INTERNAL

Contaminated Land - No objection subject to conditions.

Environmental Health - No objection.

Trees - No objection

Highways - No objection subject to conditions

Ecology - Further survey, assessment and mitigation work is required in relation to reptiles, dormice and great crested newts.

EXTERNAL

Hampshire County Council Flood and Water Management Team - No objection.

Southern Water - No objection subject to conditions; Advice provided on sewer diversion.

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

- a) Planning history of site and surrounding area
- b) Implication of Fareham's current 5-year housing land supply position
- c) Residential development in the countryside
- d) Policy DSP40(i)
- e) Policy DSP40(ii)
- f) Policy DSP40(iii)
- g) Policy DSP40(iv)
- h) Policy DSP40(v)
- i) Other matters
- j) Planning balance

### **A) IMPLICATION OF FAREHAM'S CURRENT 5-YEAR HOUSING LAND SUPPLY POSITION**

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' is reported earlier on this agenda. Fareham Borough Council presently has 4.39 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).

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.

## B) PLANNING HISTORY OF SITE AND SURROUNDING AREA

In 1987 planning permission was granted for the construction of the offices at Furze Court, to the immediate west of the application site (our reference FBC.7459/34). Subsequent to that a further permission was granted for the construction of a landscaped earth bund to form an amenity area on the site and the land to the east of the site (our reference FBC.7459/46). Condition 2 of that permission required the site to be retained as open space.

In September 2014 the Council received a prior approval notification in relation to the offices at Furze Court (reference P/14/0952/PC). The notification was submitted as part of the provisions of the General Permitted Development Order (GPDO) which allows the change of use of offices for residential purposes subject to the local planning authority's consideration of the likely impacts on just a few issues (in this instance highways, flood risk and land contamination). The Council subsequently issued a decision in November 2014 to confirm that no prior approval was required for the change of use of the offices to residential flats.

Following the notification for the change of use of the existing office building in 2014, the Council granted planning permission in July 2016 for an additional thirty-three flats to be constructed in two new wings to the building (reference P/15/1261/FP).

During the initial period of construction of the flats approved in 2016 Officers became aware that a large quantity of spoil excavated from the land had been deposited on the land to the east (the current application site). Following an enforcement investigation the Council served a notice under Section 215 of the Town & Country Planning Act 1990 in March 2017 to require the land to be cleared of soil, rubble and debris which has been brought on to the site for the purpose of storage or disposal. The notice was served on the landowner Ambitio Ltd and following the failure to comply with the requirements of the notice a prosecution was brought and the landowner convicted in the Magistrates Court in July 2017.

Subsequent to that conviction the Council took further action due to the continued failure to comply with the requirements of the Section 215 notice resulting in the matter once again being brought before the Magistrates Court in January this year. The defendant was again

convicted and fined for failure to comply with the notice.

## C) 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. 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.

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.

## D) POLICY DSP40(i)

The first test of Policy DSP40 is that: "The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall".

Members will note from the 5 Year Housing Land Supply Position report elsewhere on this Agenda that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of

291 houses. The proposal is for a development of 12 dwellings meaning that it is relative in scale to the shortfall.

#### E) POLICY DSP40(ii)

The second test of Policy DSP40 is that: "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".

As part of the evidence published in support of the Council's draft Local Plan 2036 a background paper on accessibility has been produced (October 2017). The paper sets out accessibility standards that were used to appraise potential allocations through the local plan call-for-sites process (para 4.1). These standards relate to a site's proximity to facilities and services such as GP Surgeries, schools and play areas. Of the ten criteria listed the application site satisfies just three, namely being within 400m of a bus stop, 1200m of a town/district/local centre and 800m of a greenspace.

The western and southern edges of the application site abut the defined urban settlement boundary. The dwellings are proposed to be arranged so that, with the exception of the rear pedestrian access, the private rear gardens lie adjacent to the rear gardens of the adjacent existing housing development at Cornfield. In addition to this, pedestrian and vehicular access to the site is to be provided via Furze Court thereby connecting the two sites. Officers consider that the site's physical proximity and proposed relationship with the adjacent urban area means that it would be well integrated with the existing settlement.

#### F) POLICY DSP40(iii)

The third test of Policy DSP40 is that: "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".

Officers consider that the design, scale and overall appearance of the proposed dwellings would appropriately reflect the character of the recently constructed new elements of Furze Court itself. Notwithstanding, the height of the houses, the excessive width and bulk of the terrace would have a profound and adverse impact on the appearance of the countryside and the landscape character of the area of open space as a whole.

At present the site forms part of a swathe of natural greenspace, mature grass and scrubland amongst which are various medium to large sized trees and shrubs, which runs east/west along the southern side of the M27 motorway. Whilst relatively close to housing located to the south of the site those houses are not easily visible from the site by virtue of tall mature trees and a densely vegetated bund running along the northern edge of the neighbouring gardens. The land slopes gently away from west to east and this gentle gradient continues into the adjacent open space to the east of the application site.

The proposal would remove a large area of this natural greenspace and introduce built development onto a piece of land which has not previously been developed. The development would comprise three storey housing with private rear gardens enclosed by boundary treatment on the southern side. To the north of some plots would be a small front garden however in the main the frontage of the properties would be hard surfaced along with the adjacent access road and further visitor parking and turning space on the northern side of the road. The development would have a significant adverse impact on the visual appearance and character of both the site and the surrounding countryside as a result. Whilst a portion amounting to roughly two thirds of the red edged site would not be developed north of the road, the adverse visual effect of the housing and associated

surfacing would not be minimised in any real way as a result. The applicant has proposed some planting along the eastern flank of the terrace of dwellings however this area is relatively narrow allowing for only minimal planting to take place which would do little to minimise or mitigate the visual impact of the three storey bulk of not only that dwelling but the terrace as a whole.

In summary of this point, whilst the dwellings are shown to be sympathetically designed in relation to the existing buildings at Furze Court to the west, the development would nonetheless introduce an intrusive form of built development into an area previously undeveloped which would have an adverse effect on the countryside's character and appearance.

For the above reasons the proposal fails to satisfy the third test of Policy DSP40 as well as being in conflict with Policies CS14 and CS17 of the adopted Fareham Borough Core Strategy.

#### G) POLICY DSP40(iv)

The fourth test of Policy DSP40 is that: "It can be demonstrated that the proposal is deliverable in the short term".

The applicant has recently constructed thirty-three flats on the site of Furze Court itself. Given the relatively modest scale of the proposal, the applicant is confident that the proposed development of 12 dwellings could be delivered within a short time period. Officers have no concerns that the site is not likely to be deliverable in the short term.

#### H) POLICY DSP40(v)

The fifth and final test of Policy DSP40 is that: "The proposal would not have any unacceptable environmental, amenity or traffic implications".

### ENVIRONMENTAL

The proposal would result in the loss of an area of existing open space as defined in the adopted local plan. This open space is secured through a planning condition imposed on planning permission reference FBC.7459/46.

Policy CS21 of the adopted Fareham Borough Core Strategy states that:

"The Borough Council will safeguard and enhance existing open spaces and establish networks of Green Infrastructure to add value to their wildlife and recreational functions. Development which would result in the loss of or reduce the recreational value of open space, including public and private playing fields, allotments and informal open space will not be permitted, unless it is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size."

The applicant has submitted a Review of Open Space Assessment to accompany the application which argues that, "given the surplus of Natural Greenspace in the Borough, together with the benefits to be delivered as part of the proposed development, 0.88ha could be removed from the allocation without causing harm or undermining the qualities or contribution of the Furzehall Avenue Greenspace to the ward or the borough as a whole".

The Fareham Borough Council Greenspace Study (2007) identifies the Furzehall Avenue Natural Greenspace as being of below average quality and value. The more recent



Background Paper on Open Space (2017) produced as part of the evidence base to support the draft Fareham Local Plan 2036 puts the surplus of Natural Greenspace in Fareham East at 5.87ha. Notwithstanding, the development would result in the loss of a part of the open space allocation without any mitigation proposed by the applicant in terms of a suitable replacement site. In that regard therefore the proposal is contrary to Core Strategy Policy CS21.

## ECOLOGY

The Council's ecologist has raised outstanding concerns regarding the development's potential impact on protected species of dormice, reptiles and great crested newts. Insufficient information has been provided to be able to satisfactorily conclude that the proposal would not harm those protected species. As a result the proposal is contrary to Local Plan Part 2 Policy DSP13 in that it fails to protect those species populations and their associated habitats.

## AMENITY OF EXISTING NEIGHBOURS

Turning to the amenity of neighbours living nearby; the development comprises a three storey terrace of dwellings some 68 metres wide from west to east and with the bulk of this terrace lying between approximately 11.5 - 15 metres from the southern boundary. There are four properties lying beyond the southern boundary, the outlook from which would inevitably be altered as a result of the development (nos. 14, 20, 22 & 24 Cornfield). Taking Plot 6 as an approximate mid-point of the terrace, that dwelling would be approximately 14.5 metres from the southern site boundary with 20 Cornfield. The ground floor of the house at Plot 6 would be approximately 26 metres from the nearest part of the house at 20 Cornfield. Other dwellings in the proposed terrace would be similar or greater distances apart from houses to the south in Cornfield. In the case of 14 Cornfield that dwelling would lie approximately 32 metres from the nearest part of the new terrace.

The applicant has produced sectional drawings to further demonstrate the relationship between the new terrace with these adjacent properties. These drawings show the existing bund which would remain in place and which, along with the established planting on it, would provide a degree of screening between the new and existing houses. The drawings also illustrate that the levels of the application site are lower than those neighbouring properties thereby reducing the overall height in comparison.

Officers consider that, whilst the terrace would have a considerable mass and would be visible from the neighbouring properties to the south, the effect on the outlook from and light to those properties would not be materially harmful.

The Council's adopted Design Guidance SPD (excluding Welborne) advises that "first floor windows should be at least 11 metres from boundaries they look towards and no less than 22 metres from facing windows in neighbouring houses". However, it continues by saying that "in the case of more spacious areas a greater distance is likely to be required". In this instance Officers consider that a greater distance ought to be achieved in light of the fact that at present the private gardens of those properties at Cornfield are not overlooked at all. The application proposes separation distances which are consistently in excess of the minimum requirements and in many cases far exceeding those standards. Officers are satisfied that there would be no materially harmful effect on the privacy of existing residents.

## AMENITY OF OCCUPANTS

The development is proposed in a location which Officers consider to be satisfactory

although not ideal in terms of the effect of motorway noise on future occupants. The terrace has been designed by the applicant specifically with mitigating traffic noise in mind with the access and parking to the north side where noise levels are higher and private amenity areas to the south where they benefit from the shielding effect of the building. The submitted noise assessment has been considered by Officers and found to be acceptable subject to conditions requiring the implementation of specific noise mitigation measures. Similarly, the advice provided regarding air quality in the area is satisfactory.

The dwellings are appropriately sized thereby exceeding the minimum sizes set out in the government's National Technical Standards.

The rear private gardens of the proposed dwellings range in size from approximately 11 to 13.5 metres long. The Council's adopted Design Guidance SPD (excluding Welborne) states that "private gardens should be adequately sized and provide good quality outdoor space. A garden length of at least 11 metres long should be provided". In this case it is considered that the gardens proposed provide adequate external space to meet the requirements of future occupiers.

## TRAFFIC

The applicant has amended the originally submitted plans to improve pedestrian access into the site and no objection has been raised to the proposal from the Council's Transport Planner.

The proposal is to provide two car parking spaces per dwelling in front of each house. On the other side of the access road would be a further sixteen parking spaces offered on an unallocated basis for residents and their visitors. To accord with the Council's adopted Residential Car & Cycle Parking Standards SPD either each of the four bedroom houses should provide three allocated car parking spaces or there should be 27 unallocated spaces provided. The SPD recommends that "Where a mixture of allocated and unallocated spaces is planned for an individual dwelling, developers are required to meet the allocated standard". In this instance the overall number of spaces exceeds that of the allocated standard. Officers are therefore satisfied that appropriate parking provision is made.

## I) OTHER MATTERS

Policy CS18 of the adopted Fareham Borough Core Strategy expects that "On sites that can accommodate between 10 and 14 dwellings developers will be expected to provide 30% affordable units". It continues: "Where development viability is an issue, developers will be expected to produce a financial assessment in which it is clearly demonstrated the maximum number of affordable dwelling which can be achieved on the site".

The applicant has submitted a viability appraisal to support their assertion that the development would be unviable with affordable housing provision. The Council's own consultants have independently assessed this information and concluded that the development would be viable with a financial contribution to off-site affordable housing provision in the region of £180,000. The applicant has agreed to make the required financial contribution which could be secured through a legal agreement under Section 106 of the Town & Country Planning Act 1990.

No objection has been raised to the application by Southern Water or Hampshire County Council Flood and Water Management team as the lead local flood authority. The scheme is considered to be acceptable in relation to foul and surface water disposal subject to conditions.

## J) 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 Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall (fulfilling the first test of Policy DSP40) and deliverable in the short term (meeting the fourth test of that policy).

The proposal would also be located on a site adjacent to the existing urban settlement area and would be well integrated into that area (meeting the second test of Policy DSP40). Notwithstanding, the development would introduce an intrusive form of built development into an area previously undeveloped which would have an adverse effect on the countryside's character and appearance. It would therefore fail to meet the requirements of the third test of Policy DSP40 as well as being contrary to Policies CS14 & CS17 of the adopted Core Strategy.

In relation the fifth and final test, whilst the proposal would have no materially harmful impact on highway safety or residential amenity, insufficient ecological information has been provided to demonstrate that protected species and their associated habitats would be protected and enhanced by the development. The proposal would also result in the loss of an area of designated existing open space. It therefore fails this fifth test of Policy DSP40 and is also contrary to Policy DSP13 of the adopted Fareham Borough Local Plan Part 2.

Officers acknowledge that the proposal would provide twelve new dwellings albeit that this would make a modest contribution towards addressing the Council's housing supply

shortfall. It is also noted that the applicant is willing to provide the required financial contribution towards off-site provision of affordable housing.

Notwithstanding, the harm identified to the character and appearance of the countryside, the loss of open space and potential for harm to protected species, in the opinion of Officers significantly and demonstrably outweighs the benefits of the proposal, when assessed against the policies of the NPPF taken as a whole.

The Officer recommendation to the Planning Committee is that the planning application should be refused.

### ***Recommendation***

REFUSE

The development would be contrary to Policies CS4, CS14, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011, Policies DSP2, DSP6, DSP13, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan and the Council's adopted Design Guidance (excluding Welborne) Supplementary Planning Document;

and is unacceptable in that:

(a) the development would lead to the loss of existing open space without providing a better quality replacement site to be used as open space which is equivalent in terms of accessibility and size;

(b) the development would be harmful to the landscape character, appearance and function of the countryside and would fail to respect or respond positively to the key characteristics of the surrounding area;

(c) insufficient ecological information has been provided to demonstrate that protected species and their associated habitats would be protected and enhanced by the development;

(d) the development would fail to provide affordable housing at a level in accordance with Policy CS18 of the adopted Fareham Borough Core Strategy or an equivalent financial contribution towards off-site provision;

(e) 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;

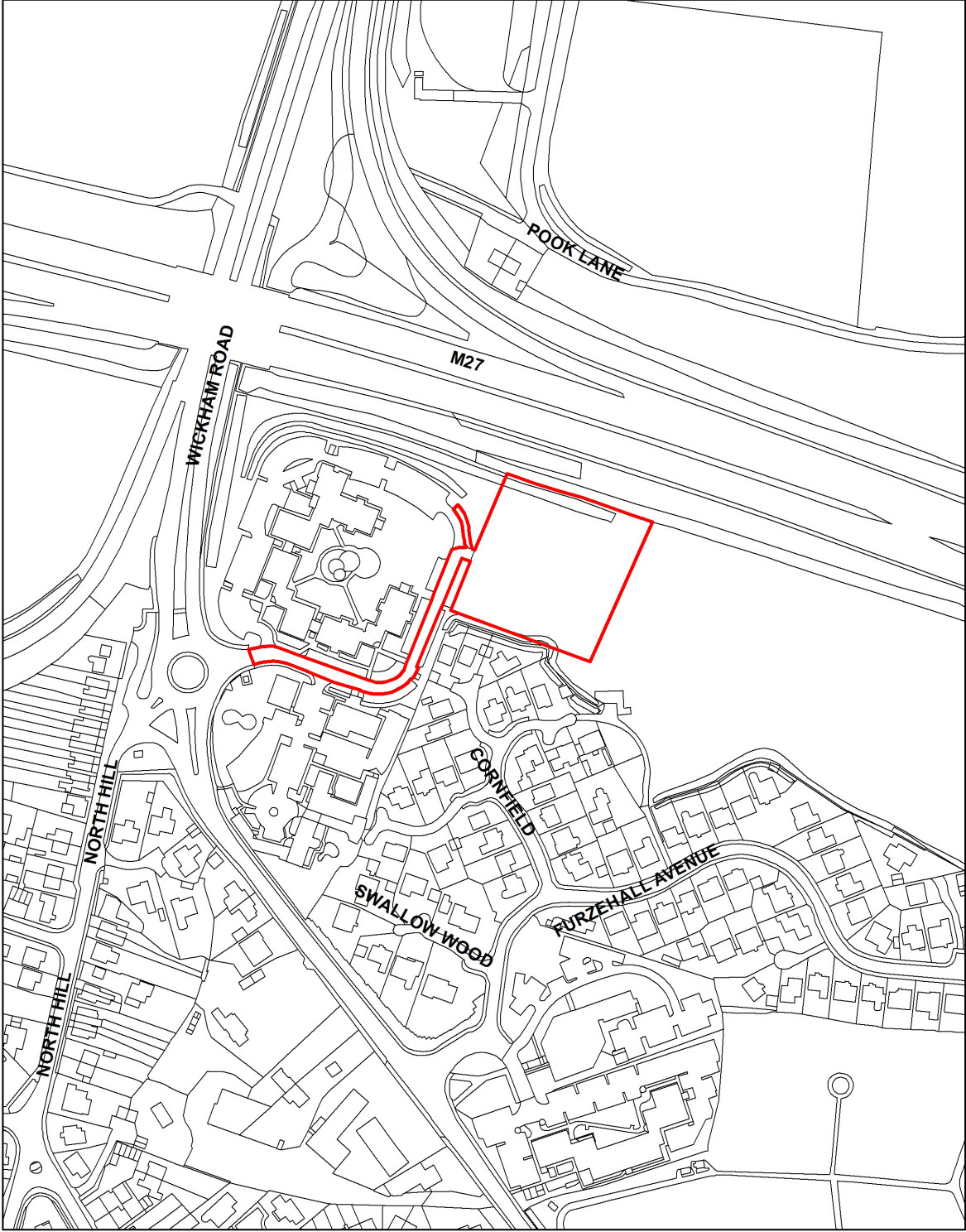
(f) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection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

### ***Background Papers***

P/17/0841/FP

# FAREHAM

BOROUGH COUNCIL



Land to East of Furze Court  
Scale 1:2500



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