

P/17/1451/OA

HILL HEAD

BARGATE HOMES

AGENT: W Y G

OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 150 RESIDENTIAL DWELLINGS, ACCESS FROM OLD STREET, LANDSCAPING, OPEN SPACE AND ASSOCIATED WORKS.

LAND WEST OF OLD STREET STUBBINGTON FAREHAM

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 comprises two fields on the western side of Old Street separated by an access track which leads from the road westwards to the adjacent Titchfield Haven nature reserve. The land is, in the main, relatively flat throughout falling away slightly towards the western boundary. In all the application site measures approximately 10.7 hectares in size.

The policies maps of the adopted local plan identifies the land as being outside of the defined urban settlement boundaries. The site is therefore considered for planning purposes to lie within the countryside. It is designated as a strategic gap (The Meon Gap) within the local plan. Furthermore, as defined in the local plan, the site is an "Uncertain" Brent Geese and Wader Site.

The eastern edge of the site runs alongside Old Street itself where at present metal field gates provide access into the two fields. Mature hedgerow lines the remainder of the boundary and around much of the perimeter of each field. The southern boundary of the site abuts the rear gardens of properties in Knights Bank Road.

As mentioned above, the western site boundary lies adjacent to the Titchfield Haven Nature Reserve. The nature reserve is a locally and nationally designated reserve and Site of Special Scientific Interest (SSSI). The reserve is also part of the Solent & Southampton Water Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site.

Description of Proposal

Outline planning permission is sought for the construction of up to 150 dwellings on the site.

All matters are reserved except for the means of access into the site which is proposed at two separate points from Old Street.

The application has been submitted with a range of supporting documents and drawings including ecological studies, transport assessments and other technical reports. Also submitted but for illustrative purposes only is a masterplan showing how the site might be laid out.

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

CS22 - Development in Strategic Gaps

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

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

DSP13 - Nature Conservation

DSP14 - Supporting Sites for Brent Greese and Waders

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

Representations

Seven hundred and nine letters of objection have been received in response to the application being publicised raising the following points of concern, which are ordered in terms of the frequency in which they are mentioned:

- Inadequate local infrastructure (schools, doctors, dentists, police)

- Adverse impact on/inadequate buffer to Titchfield Haven Nature Reserve
- Highway infrastructure incapable of accommodating further development / parking problems
- Site is outside urban settlement area / within the countryside
- Traffic congestion and highway safety
- Ecology
- Contrary to adopted local plan
- Out of keeping with rural landscape character of area
- Flooding
- Loss of agricultural land
- Previous appeal decision along Old Street
- Enough houses already planned (e.g. Welborne)
- Not a preferred site in draft local plan
- Increase in noise, light and other forms of pollution
- Impact on Brent Geese foraging
- Poor local public transport links
- Affordable housing will not be affordable
- There are more suitable sites for housing development
- Poor drainage
- Loss of views
- Overdevelopment of site and area
- Pressure on local beaches
- Pollution of river
- Adverse impact on Solent SPA
- Impact on trees
- Houses will be expensive
- Inadequate bat survey
- Under Daedalus flight path
- Brownfield land should be prioritized
- Pedestrian safety
- Site should not be used for gravel extraction before development
- Loss of recreational enjoyment
- Site of high landscape sensitivity

In addition, three letters of support have been received.

Consultations

INTERNAL

Conservation Planner - No objection to revised layout on heritage grounds.

Environmental Health - No objection.

Contaminated Land - No objection subject to contamination condition

Trees - No objection.

EXTERNAL

Southern Water - No objection.

Natural England - No objection subject to appropriate mitigation being secured.

Hampshire County Council - Ecology - No objection subject to conditions.

Hampshire County Council - Countryside Access Officer - No objection subject to various points being agreed, including the funding of the nature reserve extension's long term management and measures to assist in directing new residents away from more sensitive areas

Hampshire County Council - Highways -

The applicant has not sufficiently addressed the concerns and matters raised in our response dated the 16th January 2018. Additional information is still required from the applicant relating to the following:

- Sustainable Access - Pedestrians, Cyclists and Buses
- Travel Plan
- Traffic distribution
- Traffic counts
- Street lighting
- Updated junction capacity assessment

If FBC are minded to determine the application before this additional information is submitted, the Highway Authority would recommend the following reasons for refusal:

The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that proposed access(es) are inadequate to accommodate the development safely. This would result in an unacceptable impact on the safety of users of the development and adjoining highway contrary to the NPPF and of the Fareham Borough Council Adopted Core Strategy 2011.

The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that there is insufficient provision of, or support for, sustainable transport options. This would result in a greater number of trips by private car which will create a severe impact on the local transport network and environment contrary to the NPPF and policy CS5 of the Fareham Borough Council Adopted Core Strategy 2011.

The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the significant movements generated could not be accommodated adequately on the existing transport network. This would result in a severe impact on the road safety and operation of the local transport network contrary to the NPPF and CS5 of the Fareham Borough Council Adopted Core Strategy 2011.

Hampshire County Council - Minerals and Waste Planning Policy - No objection subject to condition regarding option for incidental mineral extraction from site.

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

Hampshire County Council - Archaeologist - No objection subject to condition.

Hampshire County Council - Children's Services - Final comments awaited.

Planning Considerations - Key Issues

- a) Implication of Fareham's current 5-year housing land supply position
- b) Residential development in the countryside
- c) - g) Policy DSP40
- h) Impact on heritage assets
- i) Local infrastructure
- j) Other matters

k) 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, resolutions to grant planning permission 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) 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.

C) 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 homes. The proposal for up to 150 dwellings is relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

D) 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".

The site is located on the edge of the urban settlement boundary of Hill Head. The site physically abuts the rear gardens of properties in Knights Bank Road within the existing urban area and on the opposite side of Old Street to houses within the urban area. Subject to the layout of the site and consideration of how the development might relate to the surrounding built form in design terms, Officers consider there to be no reason why the development of up to 150 houses on the site could not be successfully integrated with the existing urban area.

The highway authority, Hampshire County Council, have raised concerns over the accessibility of the site in terms of walking and cycling. Distances to local services and facilities for pedestrians are beyond what is considered reasonable, for example Stubbington Village Centre is 1.8km away, the nearest local infant and junior school 1.2km away and Crofton Secondary School 2.5km away. The applicant has not suggested or proposed any improvements to sustainable transport connections to the site.

For these reasons it is considered that development would not be sustainably located so as to accord with point ii) and therefore fails that particular policy test.

E) 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".

As referred to above, the site lies outside of the defined urban settlement area within the countryside where Policy CS14 of the adopted Fareham Borough Core Strategy states built development will be strictly controlled to protect it from development which would "adversely affect its landscape character, appearance and function".

The following section of this report discusses the impact of the development on the landscape character of the Meon Valley and area surrounding the application site. In doing so Officers have had regard to the Landscape & Visual Appraisal (LVA) submitted by the applicant.

A good practice approach to assessing the visual impact on landscape character is to consider the issue in terms of the landscape effects of the development (that is the effects of the proposals on the landscape of the application site and the surrounding area as a resource in its own right) and the visual effects of the development (that is the effect of the proposals on the views available to people and their visual amenity).

Firstly, regarding the landscape effects of the development; the applicant's own LVA concludes that there would be no major adverse long term landscape effects and that all major adverse effect identified are short term and within the construction process. Officers consider the landscape effects of the proposal have been substantially underplayed by the applicant's assessment. In contrast it is considered that there will be significant, long-term moderate or major adverse effects on the Meon Valley landscape at both the wider and local scale. The development will result in the loss of an integral part of the highly valued landscape resource of the Meon Valley through conversion to urban development, a major and permanent adverse effect on the site itself. It will also have long term urbanising effects on the character of the highly sensitive, wider valley landscape beyond the immediate site boundaries. The development of 150 homes up to two storeys high along the more prominent upper and middle slopes of the valley side, along with the associated noise, activity and lighting, cannot be integrated or hidden by existing or new planting. The resulting visual intrusion and disturbance will permanently alter the distinctive rural character and natural qualities of the surrounding valley landscape.

With regards to the visual effects; it is considered that the applicant's LVA under-estimates some of the potential visual effects of the proposed development. Officers believe that the proposal would have long term major adverse effects on visual amenity for those local residents and passers-by on Old Street and Knights Bank Road. Furthermore it would have long term moderate adverse affects on the visual amenity of others in nearby residential areas and recreational users of the adjacent nature reserve and public rights network of the Meon Valley.

Officers consider that the Meon Valley is one of the defining landscape features of Fareham Borough. The Fareham Landscape Assessment 2017 (one document published as part of the evidence base to the recently published draft Fareham Local Plan 2036) acknowledges the overall character of the Meon Valley as being one of a rural, intact landscape with a distinctive topographic unity and sense of place, based around the diverse landscape features of the valley and the strong relationship between the valley floor and the gently sloping agricultural landscape beyond. It is therefore of high value as part of the Borough's landscape resource and as such Officers consider it to be a 'valued landscape' for the purposes of assessment under paragraph 109 of the National Planning Policy Framework (NPPF). Paragraph 109 of the NPPF states that "The planning system should contribute to and enhance the natural and local environment by:... protecting and enhancing valued landscapes, geological conservation interests and soils". The proposed development would have a significant harmful effect on this valued landscape resource and is therefore found to be contrary to Paragraph 109.

As referred to earlier in this report, the site lies within The Meon Gap, a strategic gap between Fareham/Stubbington and the Western Wards. Policy CS22 of the adopted Core Strategy states that "Development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements".

The physical and visual separation between Hill Head and the Western Wards urban settlement area would be diminished as a result of the proposed development. The Fareham Landscape Assessment (2017) describes the contribution that the Lower Meon Valley landscape makes to the settings and character of settlements in the local area. It concludes that the Meon Valley has "a crucial role in defining the natural limits to growth of settlements in the north and east, preventing further sprawl into open countryside to the west of Stubbington and south of Titchfield and Fareham'. It concludes that the area "retains a strongly rural character with few urban influences or 'fringe' characteristics, and has an important role in maintaining the distinction between urban and countryside areas. This rural character extends right up to the edge of the settlements of Titchfield and

Stubbington and acts as an important buffer between the urban edge and the highly sensitive environment of the valley floor. The clear distinction between town and countryside, and the integrity of the valley landscape as a whole, would be compromised by significant development extending into the area beyond the existing urban edge. As a strong topographic feature, the Meon Valley acts as a natural 'limit to growth' and a 'natural setting for the urban areas on either side.'" It concludes that "there is very limited capacity to accommodate development without a significant impact on the integrity of the area's rural, unspoilt character and the role that it performs in maintaining the separate identity and character of the settlements and their landscape settings".

In summary, the proposed development would result in major and moderate adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area contrary to Policies CS14 & CS17 of the adopted Core Strategy. Furthermore the development would fail to protect and enhance this valued landscape contrary to Paragraph 109 of the NPPF. The development would also significantly affect the integrity of the strategic gap and the physical and visual separation of Titchfield and Stubbington/Hill Head contrary to Policy CS22 of the adopted Core Strategy.

With the above assessment in mind it is difficult to envisage any substantial form of housing development that would not result in similar adverse impacts. However, consideration must be given to whether, notwithstanding the principal policy position set out above, the quantum of housing on the site could be delivered in a manner which reflects the character of the neighbouring settlement area.

Old Street is a rural lane in character with strong landscaped edges of verges, hedging and mature trees. As with Knights Bank Road which borders the southern edge of the application site, dwellings are detached and typically large being set back from the highway in generous plots. The density of these streets is typically below 13 dwellings per hectare. This creates a sylvan character which in the opinion of Officers should be reflected in any proposed scheme on the application site.

The illustrative layout by contrast is a much more suburban form of development with far less space about buildings, minimum standard sized rear gardens and very shallow or minimal frontages that will not allow for robust and maturing landscaping. The densities on display are in the region between 25 and 36 dwellings per hectare. As a result a development of 150 houses on the site would appear much more cramped by comparison to the adjacent neighbouring roads and out of keeping with the established character of the urban area. The development would not respond positively to or be respectful of the form and spaciousness of the urban area context and would therefore be contrary to Policy CS17 of the adopted Fareham Borough Core Strategy.

In summary of this policy test, the proposal fails to satisfy point iii) of Policy DSP40 in that the development would not be sensitively designed to reflect the character of the neighbouring settlement and minimise the adverse impact on the countryside and strategic gap.

F) 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, Bargate Homes, is a regional housebuilder. They have stated that, subject to outline planning permission and reserved matters being approved, legal agreements signed and conditions discharged, it is anticipated that the site could deliver 40 dwellings

per year between 2018/19 and 2022/23.

The applicant has demonstrated that the test set out at point iv) of the policy can be met.

G) 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".

Whilst the proposal is not considered to have unacceptable ecological or amenity implications, concerns have been raised by the highway authority, Hampshire County Council. These issues are discussed below however in summary the proposal fails to meet the final test of Policy DSP40(v).

ECOLOGY

The applicant has provided an ecological appraisal report followed by detailed report on specific species, including bats, dormice and reptiles, to assess the likely impact of the development on biodiversity interests.

The ecology work carried out has directly informed the illustrative masterplan which shows an area for ecological mitigation and enhancement along the western boundary of the site adjacent to Titchfield Haven. This is described by the applicant as being an extension to the existing nature reserve. An ecological mitigation and management plan has also been submitted to provide further detail.

Natural England have commented on the application raising no objection subject to the following three mitigation measures:

Firstly, Natural England reiterate the requirement for the proposal to provide mitigation for the 'in combination' effects of the net increase in residential accommodation on the Solent and Southampton Water Special Protection Area. This requirement is set out in Policy DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies. This matter could be addressed by the applicant entering into a Section 106 legal agreement to secure a contribution towards the Solent Recreation Mitigation Project (SRMP) specifically set up to deliver such mitigation.

Secondly, Natural England suggest that the design, long term management and associated costs of the extension to the nature reserve should be agreed with Hampshire County Council, or another appropriate organisation, and secured.

Thirdly, Natural England suggest that a Biodiversity Mitigation and Enhancement Plan (BMEP) in relation to protected species present on the site be secured by planning condition. Hampshire County Council Ecology group have commented to say they are satisfied that previous concerns have been addressed and raising no objection subject to mitigation measures being secured.

AMENITY

In relation to residential amenity, the development is unlikely to have an unacceptable impact on the amenity of neighbouring residents, notwithstanding the fact that the proposal is presented in outline form with matters of scale, appearance and layout reserved for consideration at a later date should planning permission be forthcoming.

HIGHWAYS

In relation to traffic generation and highway matters in general; the application has been submitted accompanied by a transport assessment, framework travel plan and subsequent technical notes to address concerns raised by the highway authority, Hampshire County Council.

The latest advice on this application from Hampshire County Council Highways was received on 20th February. The recommendation of the highway authority is included in full earlier in this report regarding consultation responses. In short there remains concerns in three key areas.

Firstly, the proposed access into the northern parcel of land where the development is proposed off Plymouth Drive is inadequate and would have an unacceptable impact on the safety of highway users. Possible solutions to the problem have been suggested by the highways officers.

Secondly, it is considered that there is insufficient provision of, or support for, sustainable transport options. As a result the development would result in a greater number of trips by private car which would create a severe impact on the local transport network. Highways officers have suggested that this issue, which principally relates to public transport and walking and cycling links, should be explored by the applicant in greater detail and improvements proposed.

Thirdly, it is the highway authority's view that the significant number of additional vehicle movements generated by the proposed development cannot be accommodated adequately on the existing transport network without resulting in a severe impact on the road safety and operation of that network. Further work by the applicant is required to demonstrate that the distribution of vehicles from the site would not result in such a significant impact. In addition, the application fails to provide adequate assessments of the impact on the capacity of key affected junctions within the local road network.

The applicant has responded to these issues in a technical note submitted to the local planning authority on 1st March. When this information was received a request was made to the applicant for a suitable extension of time to the application determination period to allow the Council and highway authority to consider it. The applicant declined to agree to an extension of time. Notwithstanding, this information is currently being reviewed by Officers and a further request for advice has been sent to the highway authority. If received before the Planning Committee meeting is held to determine this application the revised advice will be provided in a written update to Members.

H) IMPACT ON HERITAGE ASSETS

Great Crabthorn, 80 Old Street, is a grade II listed building which stands on the opposite side of Old Street close to the north-eastern corner of the application site. Historically the building would have been surrounded by rural agricultural land and, whilst this has been eroded to the south and east by modern housing, the building still retains its long standing relationship with the countryside to the west which contributes to its setting. The development of housing within this land therefore potentially affects the setting of the listed building.

Whilst layout is a reserved matter not for consideration at this stage, the applicant has revised the illustrative masterplan to demonstrate that a scheme of up to 150 dwellings could be achieved on the site without harming the setting of Great Crabthorn. The Council's Conservation Planner has raised no objection to the revised proposal.

Having regard to the statutory duty set out in Section 66 of the Town and Country Planning

(Listed Buildings and Conservation Areas Act 1990 to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest they possess, and also taking account of the requirements of Policy DSP5 of the adopted Fareham Borough Local Plan Part 2, the proposed development is considered not to have any unacceptable impacts in relation to heritage assets.

I) LOCAL INFRASTRUCTURE

A number of residents raise concern about the effect 150 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, final comments from Hampshire County Council are awaited and shall be reported to Members of the Planning Committee by way of a written update prior to the meeting.

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 and should not constitute a reason for refusing this planning application. Officers do not believe a refusal on these grounds would be sustainable.

J) OTHER MATTERS

No objection to the development has been raised from Hampshire County Council in relation to the impact on archaeological or mineral deposits of importance subject to planning conditions being imposed in the event planning permission was granted. Similarly, this Council's Contaminated Land Officer has not raised an objection subject to further investigation of the ground conditions and any required remedial measures being carried out.

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

K) 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).

Notwithstanding, the development would have major and moderate adverse landscape and visual effects materially harmful to the landscape character, appearance and function of the countryside. The site is considered to form part of a 'valued landscape' (the Meon Valley) which the proposed development would fail to protect, enhance, or respect or respond positively to. Furthermore the proposal would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements. Aside from those principal landscape visual impact and strategic gap issues, it is considered that the quantum of development for which permission is sought on the site is not achievable whilst delivering a housing scheme of high quality design which responds positively to or respects the established character of the existing adjacent urban area. As well as failing to meet the requirements of this third test of Policy DSP40 therefore, the proposal is also considered contrary to Policies CS14, CS17 & CS22 of the adopted Core Strategy.

In relation to the fifth and final test of Policy DSP40, Officers consider there to be materially harmful implications in relation to highway safety, the inadequacy of sustainable transport links and the impact on the local highway network through the traffic likely to be generated.

Turning to other issues, Officers acknowledge that the proposal would provide affordable housing at a policy compliant level of 40% of the units, along with the delivery of onsite open space and facilities. It is also acknowledged that the ecological impact on-site and to the nearby designated sites, including the adjacent Titchfield Haven Nature Reserve, could be satisfactorily mitigated. Those matters could be secured through an appropriately drafted planning obligation made under Section 106 of the Act as could outstanding issues relating to education provision

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 up to 150 dwellings including affordable housing to contribute to the 5-year housing land supply shortage in the Borough. This would provide a significant and material boost/contribution to meeting housing needs within the Borough.

Notwithstanding, the harm identified above to the landscape character, appearance and function of the countryside, which is considered to constitute a "valued landscape" in planning policy terms, along with the harm to the integrity of the strategic gap and the safety and operation of the highway network, significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Members will note from this report that additional highway information has recently been

submitted by the applicant and the highway authority, HCC, has been consulted upon it and asked to advise whether it addresses the relevant concerns that have been raised. Even if HCC were to withdraw their objection following consideration of the revised information, in applying the balance Officers still consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

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

Recommendation

Subject to final comments being received from Hampshire County Council - Children Services and any further reasons for refusal raised through those comments:

REFUSE

The development would be contrary to Policies CS4, CS5, CS14, CS16, CS17, CS18, CS20, CS21 and CS22 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan;

And, Paragraphs 32 and 109 of the National Planning Policy Framework;

and is unacceptable in that:

(a) the application site lies outside the defined urban settlement boundary on land which is considered to form part of a 'valued landscape'. As a result the proposed development would result in a range of long term major and moderate adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area. In addition the proposed development would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements;

(b) the quantum of development proposed would result in a cramped layout and would not deliver a housing scheme of high quality design which respects and responds positively to the key characteristics of the area;

(c) by virtue of the inadequate access arrangements from Old Street into the northern section of the application site, the development would be harmful to the safety of highway users;

(d) by virtue of the insufficient provision of, or support for, sustainable transport options, the development would result in a material increase in vehicle movements to and from the site which would have a severe impact on the safety and operation of the local highway network;

(e) the development would result in a material increase in vehicle movements to and from the site which cannot be accommodated adequately on, and would have a severe impact on the safety and operation of, the existing local highway network;

(f) had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its long-term maintenance;

(g) had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of the local plan;

(h) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(i) in the absence of a legal agreement to secure such, the proposal fails to provide satisfactory details of the design, long term management and ownership and associated costs of the proposed extension to the nature reserve. As a result the proposal fails to provide adequate mitigation, compensation and enhancement measures in relation to the effects of the development on qualifying features of the Solent and Southampton Water Special Protection Area (SPA) and adjacent Site of Special Scientific Interest (SSSI);

(j) 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;

(k) in the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met;

(l) in the absence of a legal agreement to secure the submission and implementation of a full Travel Plan, payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Travel Plan, the proposed development would not make the necessary provision to ensure measures are in place to assist in reducing the dependency on the use of the private motorcar.

Notes for Information

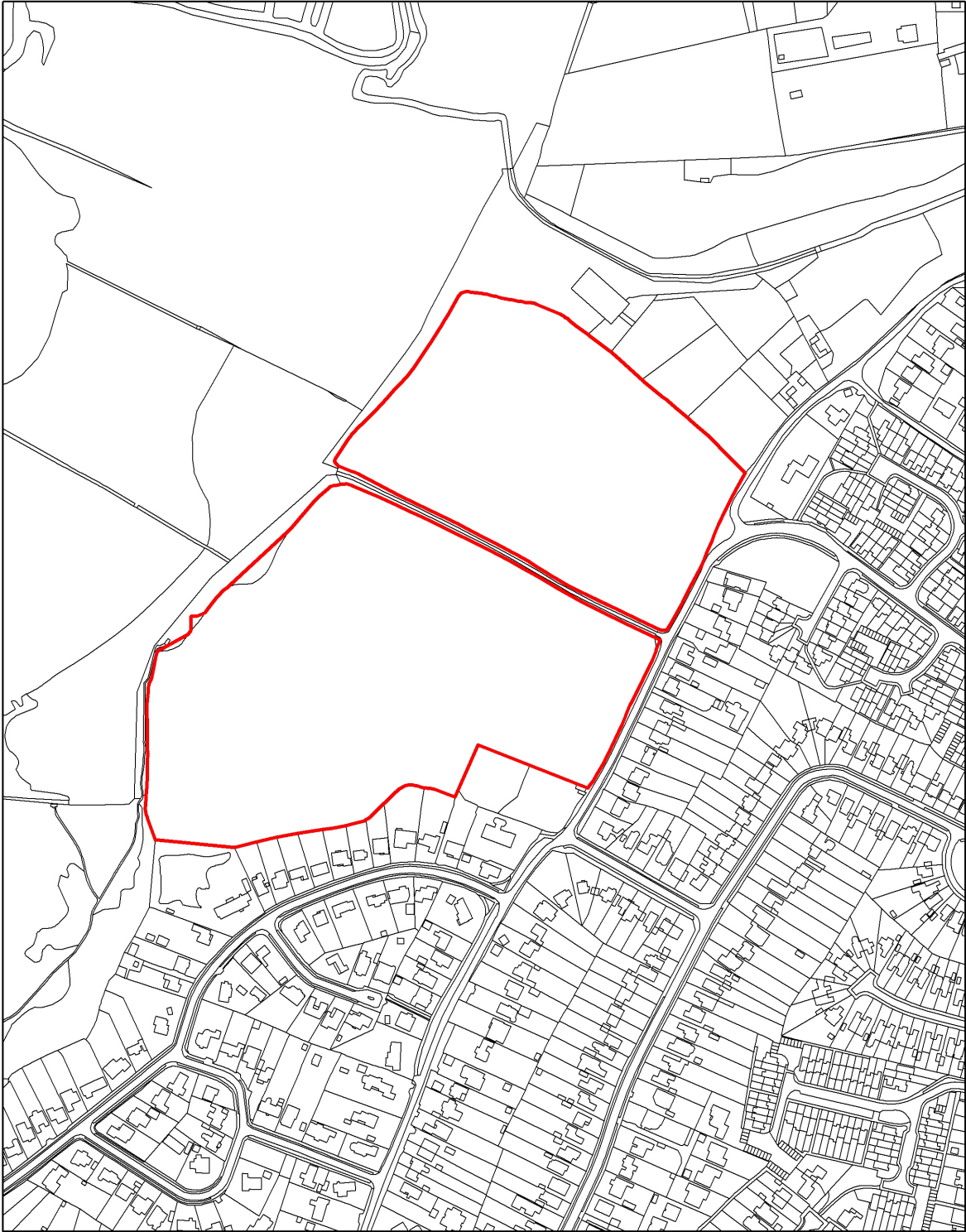
Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point f) above through the imposition of a suitably worded planning condition and points g) - l) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990

Background Papers

P/17/0681/OA

FAREHAM

BOROUGH COUNCIL



Land West of Old Street
Scale 1:3750



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