

OFFICER REPORT FOR COMMITTEE

DATE:16/01/2019

**P/18/0263/OA
DRIFTSTONE HOMES LTD**

**STUBBINGTON
AGENT: SENNITT PLANNING**

OUTLINE APPLICATION FOR THE PROVISION OF UP TO 16 DWELLINGS AND TWO NEW VEHICULAR ACCESSES ONTO RANVILLES LANE, AND THE RELOCATION OF THE EXISTING ACCESS ONTO OAKCROFT LANE

THE GRANGE, OAKCROFT LANE, STUBBINGTON, FAREHAM

Report By

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1.0 Introduction

- 1.1 The planning application has received over five third party letters, comprising of a mixture of letters of objection and letters of support.
- 1.2 Members will note from the 'Five Year Housing Land Supply Position' report elsewhere on this agenda that this Council currently has a housing land supply of 4.5 years (a shortfall of 282 dwellings within the 5 year period).

2.0 Site Description

- 2.1 The application site is located to the northern part of Stubbington, and currently comprises the site of a former, large detached dwelling (known as The Grange), and an unused field. The site is bounded to the north and west by the southern end of Ranvilles Lane and the western end of Oakcroft Lane, which forms the northern perimeter road of Stubbington.
- 2.2 To the east and south of the site lies Crofton Cemetery, and to the west lie six existing two storey properties on Farm House Close. Between the cemetery and the application site lies a small stream, along which runs a ribbon of mature trees and shrubs. The boundary of The Grange itself is contained by a belt of mature leylandii trees (to Ranvilles Lane and Oakcroft Lane), and the southern boundary of the residential property is a belt of mature poplar trees, which separate the residential plot from the open field to the south. The Grange, constructed in the late 1960s was essentially abandoned by the owner which has resulted in considerable health and safety issues and the recent demolition of the property.
- 2.3 To the south of the site lies Crofton Old Church, a Grade II* listed property set within its historic churchyard. The larger cemetery on the eastern boundary of the application site is a more recent extension to the churchyard, and is

connected by a bridge to the southeast of the application site. Glimpsed views of the church are achieved by the existing field entrance to the site along Oakcroft Lane.

- 2.4 The Church and properties along Farm House Close are set on an elevated position, with the ground on the application site gently sloping to the north and east towards the lower level of Oakcroft Lane and the stream between the site and the Cemetery.

3.0 *Description of Proposal*

- 3.1 The application proposal is submitted in outline form with access and layout to be considered. Since the original submission, the application has been reduced from 26 dwellings to 16 dwellings following discussions with Officers and in view of the original concerns raised by Historic England on the impact on the setting of Crofton Old Church.
- 3.2 The current proposal seeks to construct 16 dwellings on land largely within the existing residential curtilage of The Grange, with two new access points created along Ranvilles Lane, and a new altered access from Oakcroft Lane. In addition to the new accesses along Ranvilles Lane, the overall width of Ranvilles Lane would be widened along its length between the junction with Oakcroft Lane and the southern junction with Farm House Close.
- 3.3 The low density, edge of settlement development would incorporate a large area of open space along the central arm of the site, maintaining an undeveloped view of the church when viewed from Oakcroft Lane.
- 3.4 The planning application has been supported by a detailed Planning, Design and Access Statement, Ecological Surveys, Tree Reports, Transport Statements, Landscaping and Visual Impact Assessment and a Flood Risk and Surface Water Disposal Assessment.

4.0 *Policies*

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2: Housing Provision

CS4: Green Infrastructure, Biodiversity and Geological Conservation

CS5: Transport Strategy and Infrastructure

CS6: The Development Strategy

CS11: Development in Portchester, Stubbington & Hill Head and Titchfield

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
CS22: Development in Strategic Gaps

Adopted Development Sites and Policies

DSP1: Sustainable Development
DSP2: Environmental Impact
DSP3: Impact on Living Conditions
DSP5: Protecting and Enhancing the Historic Environment
DSP6: New Residential Development Outside of the Defined Urban Settlement
DSP13: Nature Conservation
DSP15: Recreational Disturbance on the Solent Special Protection Areas
DSP40: Housing Allocations

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document
(excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/18/0939/PA	Demolition of Four Bedroomed Detached House
Prior Approval	29/08/2018
Not Required	

6.0 Representations

- 6.1 This planning application was substantially altered from what was originally submitted in March 2018, when the proposal was for the construction of 26 dwellings. Following consultation with several statutory consultees, the proposals were reduced down to 16 dwellings. The representations received have therefore been divided between those received to the initial proposal, and those received following the amended scheme and its subsequent re-consultation.
- 6.2 Under the original proposal, the Council received 32 representations (from 28 separate households) regarding the proposal for 26 dwellings. Of those 32 representations, 10 were in support and 22 objected. The key issues of objection were:
- Site located in the countryside;
 - Site located in the Strategic Gap;

- Overdevelopment of the site;
- Highway safety and traffic congestion along Ranvilles Lane and Oakcroft Lane;
- Impact on wildlife and biodiversity;
- Overlooking and loss of privacy;
- Noise disturbance from vehicle movements on the site; and,
- Impact on the Listed Buildings.

6.3 Of the 10 representations in support of the original proposal, many of those highlighted that it should be supported with improvements to Ranvilles Lane, and that they would be pleased to see the derelict property at The Grange demolished.

6.4 Following the submission of the amended proposals, which resulted in an almost complete redesign of the proposed layout, and the reduction in the number of proposed dwellings from 26 to 16 dwellings, 16 further third party representations were received, although one still referred to the original proposal for 26 dwellings. Of the 16 further representations (from 13 different households), 4 of support were received, and 12 objections. The objections raised no further comments from those originally submitted.

7.0 Consultations

EXTERNAL

Natural England

7.1 No objection, subject to conditions and appropriate mitigation being provided.

Environment Agency

7.2 No objection, subject to conditions.

Historic England

7.3 Low Level Impact on the surrounding Heritage Assets.

Southern Water

7.4 No objection. Separate application needed to Southern Water for connection to the public sewerage system.

HCC Lead Local Flood Authority

7.5 No objection.

HCC Archaeology

7.6 No objection.

HCC Public Rights of Way

- 7.7 No objection, subject to contribution towards public rights of way maintenance and improvements.

HCC Children's Services

- 7.8 No objection.

Hampshire Fire & Rescue Service

- 7.9 No objection, subject to compliance with appropriate Building Regulations.

INTERNAL

Ecology

- 7.10 No objection, subject to conditions and appropriate mitigation.

Transport Planner

- 7.11 No objection, subject to conditions.

Conservation Planner

- 7.12 No objection.

Tree Officer

- 7.13 No objection.

Environmental Health (Contaminated Land)

- 7.14 No objection.

Environmental Health (Noise/Pollution)

- 7.15 No objection.

Recycling Co-ordinator

- 7.16 No objection.

Public & Open Space Manager

- 7.17 No objection.

Housing

- 7.18 No objection. 40% contribution required (6.4 Units) – Four on-site units are proposed, and therefore an off-site financial contribution equivalent to 2.4 units would also be required.

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Implications of Fareham's current 5-Year Housing Land Supply Position (5YHLS);
- b) Residential Development in the Countryside;
- c) Policy DSP40 (Housing Allocations);
- d) Other Matters;
- e) The Planning Balance

a) Implications of Fareham's Five Year Housing Land Supply Position

8.2 A report entitled 'Five Year Housing Land Supply Position' is reported elsewhere on this agenda. That Report sets out this Council's local housing need along with this Council's current housing land supply position. The Report concludes that this Council has 4.5 years of housing supply against the new 5YHLS requirement, meaning there is a shortage of 282 dwellings.

8.3 On the 26th October, the Government issued a 'Technical consultation on updates to national planning policy guidance.' The consultation on the proposed updates ran from 26 October 2018 until 7 December 2018. Currently the Government have not published the results of the consultation or confirmed which of those proposed changes will be made.

8.4 The introductory section of the consultation sets out the background for the consultation and the Government's priority to deliver more homes and to do so faster. The Government is of the view that the household growth projections published recently by the Office of National Statistics, that predict a lower level of household growth than previously, does not mean fewer homes need to be built. The objective of the consultation proposes changes to the standard method to ensure consistency with the objective of building more homes. In the short term, the Government proposes to use the 2014-based data on household growth to provide the demographic baseline for assessment of local housing need. Such an approach will further increase Fareham Borough Council's local housing need.

8.5 In the absence of a five year supply of deliverable housing sites, Officers consider that Policy DSP40 is the principal development plan policy that guides whether scheme will be considered acceptable.

b) Residential Development in the Countryside

8.6 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 outside, but adjacent to the defined urban settlement boundary of Stubbington.

- 8.7 Policy CS14 (Development Outside Settlements) 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'.

- 8.8 Policy DSP6 (New Residential Development outside of the Defined Urban Settlement Boundaries) 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)'.*

- 8.9 The site is located outside of the defined urban settlement boundary of Stubbington, 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.

c) Policy DSP40 (Housing Allocations

- 8.10 Local Plan Policy DSP40 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.'*

- 8.11 Each of these five points are considered further below.

Policy DSP40(i)

- 8.12 Members will note from the 5 Year Housing Land Supply Position that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of 282 dwellings. This proposal for 16 dwellings is considered to be relative in scale to the 5YHLS shortfall and therefore point (i) of Policy DSP40 is satisfied.

Policy DSP40(ii)

- 8.13 The planning application site is located in close proximity to the defined urban settlement boundary of Stubbington, with good accessibility to local services, facilities, schools and employment provision. Links through the site would improve connections from this part of Stubbington, through Crofton Cemetery to Marks Tey Road and beyond into Stubbington.
- 8.14 A modern residential development is located immediately to the southwest of the site (Farm House Close), and the proposed development would be well related to this development, and seen as an extension to the urban development along this part of Stubbington. The low density, landscaped character of the proposed development would ensure a soft transition for this edge of settlement location, which would provide a strong defensible boundary along this part of Ranvilles Lane and Oakcroft Lane to the northern part of Stubbington.
- 8.15 Officers therefore consider that the proposals can be well integrated with the neighbouring settlement, whilst offering a considerable enhancement to the site and character of Ranvilles Lane, in accordance with point (ii) of Policy DSP40.

Policy DSP40(iii)

- 8.16 The site is within an area designated as countryside, and forms part of the Stubbington Strategic Gap. The site is identified within the Fareham Landscape Assessment (2017) as being within the Fareham – Stubbington Gap, as Enclosed Coastal Plain. The application is also supported by a detailed Landscape and Visual Appraisal. The Council's Landscape Assessment highlights that:

'There may be some limited scope for development in areas where there is an existing structure of vegetation to help integrate it into the landscape and where it is closely associated with existing built development around the fringes of the settlements (i.e. not out in open countryside) or character is already affected by urban influences, e.g. enclosed land on the northern edge of Stubbington... However, any such development would need very sensitive

siting, design and mitigation to avoid piecemeal attrition of the area's overall rural character'.

- 8.17 Given the low density character of the development proposal, its current and proposed landscaped character, where mature trees to the eastern part of the site, adjacent to Crofton Cemetery, would be retained, and the existing mature unsympathetic leylandii hedgerow fronting Ranvilles Lane/Oakcroft Lane would be removed and replaced with a more traditional mixture of native hedgerow and tree planting to ensure the site is well contained, creating a new urban fringe to Stubbington, whilst ensuring it does not extend into the open, arable farmland on the northern side of Oakcroft Lane.
- 8.18 The development of the site would see an incursion into the Strategic Gap. Having regard to the sensitivity and development potential in the Landscape Assessment, carefully sited, designed and mitigated development in this location would be needed to ensure it would not have a significant impact on the overall integrity of the Strategic Gap. The proposal would represent an appropriate urban fringe development, in a heavily landscaped setting, respecting its location within the countryside, whilst also providing an important contribution towards the Borough's housing land supply position.
- 8.19 Officers therefore consider that this development proposal would respect the character of the neighbouring settlement, minimising any adverse impact on the character and appearance of this part of the countryside, and maintaining the integrity of the Strategic Gap. The proposal therefore accords with point (iii) of Policy DSP40, and complies with policy CS17.

Policy DSP40(iv)

- 8.20 In terms of delivery the applicants would be happy to work with the Local Planning Authority to ensure that the proposed redevelopment is brought forward relatively quickly. They would be happy to accept a condition stipulating that an application for reserved matters should be made within 12 months of an approval in outline. It is therefore considered that point (iv) of Policy DSP40 is satisfied.

Policy DSP40(v)

- 8.21 The final test of Policy DSP40 requires that proposals would not have any unacceptable environmental, amenity or traffic implications. These are discussed in turn below.

Environmental/Ecology

- 8.22 The application has been supported by a suite of ecological reports comprising; Phase 1 Ecological Survey, Reptile Survey and Mitigation Strategy, Bat Emergence Surveys, Bat Activity Surveys, Tree Roosting

Survey for Bats, Breeding Birds Survey and a Dormouse Survey. These surveys have been assessed by the Council's Ecologist, who has raised no objection to the proposals, subject to appropriate conditions. Since the submission of the application however, an application for Prior Approval for the property's demolition was approved, and the works were undertaken under the supervision of a licenced Bat Ecologist to ensure no harm was made to any roosting bats within the derelict building.

- 8.23 Natural England were also consulted regarding the application, and raised no objection, subject to appropriate mitigation against the impact of the new residential development on the Solent Waters Special Protection Area, as required by the Habitat Regulations and the Solent Recreation Mitigation Strategy. To fulfil the requirement under the Habitat Regulations, Officers have carried out an Appropriate Assessment in relation to the likely significant effects on the Solent SPAs, and have concluded that the applicant's compliance with the SRMP means that there will be no adverse effect on the integrity of the designated sites. Habitat mitigation payment would be secured by a Legal Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 8.24 The Council's Tree Officer has reviewed the proposals, due to the relative proximity of trees on the eastern boundary with Crofton Cemetery, and to assess the impact on the existing vegetation along the southern boundary of Ranvilles Lane and Oakcroft Lane. Under the advice of the Council's Tree Officer, and due to the poor quality of the leylandii hedgerow, many of which have been cut back extensively due to their proximity to Ranvilles Lane, exposing the dead wood, this hedgerow would be removed as part of the development proposal. This removal enables not only the widening of this part of Ranvilles Lane, for the benefit of all users of the Lane, it also allows for a new belt of native tree and hedgerow planting to be created along the southern boundary of Ranvilles Lane, with pedestrian links situated behind the hedging, ensuring the overall rural character of the lane is retained.
- 8.25 Detailed landscaping would be a reserved matter, and the applicants are aware of the need to ensure that a good level of mature planting is proposed to ensure the proposal integrates quickly into the edge of settlement location.
- 8.26 As such, no objection was raised by the Council's Tree Officer, subject to compliance with the submitted Arboricultural Report and Arboricultural Impact Assessment. The proposal therefore is considered to comply with point (v – environmental issues) of Policy DSP40, and policies CS4, DSP13 and DSP15 of the Local Plan.

- 8.27 The site is classified as Grade 2 Agricultural Land, and is therefore considered best and most versatile agricultural land. However, due to the size of the site, and the relative topography, it is considered that its loss would not have a significant impact on the overall level of agricultural land in the Borough.

Amenity

- 8.28 In terms of the consideration of the amenity impact, the layout of the development is a material consideration in the determination of this outline application, and therefore the impact on the living conditions of neighbouring occupiers can be assessed against the advice in the Council's Adopted Design Guidance. Each of the proposed sixteen dwellings would comprise rear gardens broadly in compliance with the minimum standards, with the majority comprising gardens far in excess of the minimum 11 metres sought.
- 8.29 In terms of the impact on future occupiers, each property has been orientated to ensure a good level of private outdoor amenity space would be provided for each dwelling. Levels of separation between dwellings also accord with the required standards, ensuring the privacy within the proposed dwellings is acceptable.
- 8.30 The neighbouring properties that back onto the site from Farm House Close all comprise garden length of 11 metres or more, and much of the existing boundary vegetation is proposed to be retained along the southern boundary of the site. Proposed Plot 1 would be located approximately 13 metres away from the rear elevation of 1 Farm House Close, although this part of 1 Farm House Close is a link attached, pitched roof double garage. The main residential part of the property would be located 15 metres away, and the two-storey element approximately 20 metres away. It is considered that this relationship is acceptable, provided no habitable room windows are orientated towards 1 Farm House Close.
- 8.31 The properties at 2, 3 and 4 Farm House Close all comprise garden lengths of over 11 metres long, which together with the intervening boundary vegetation, would not have a direct view of Plot 1. The property at 2 Farm House Close would be located 23 metres from the side elevation of Plot 1. The proposed rear elevation of Plot 1 would be located 23 metres away from the side elevation of 5 Farm House Close, and would be set 16 metres from their mutual boundary.
- 8.32 The main garden area for 5 Farm House Close is located to the north of the property, although it is acknowledged that their patio area is located to the west of the property. The area to the west of the property is well screened by boundary vegetation and would not be significantly impacted by the presence of Plot 1. The main northern part of the garden, which measures 11 metres in

length would be located 17 metres from the side elevation of the proposed double car port serving Plot 8. The main rear elevation of Plot 8, orientated at an oblique angle, would be approximately 21 metres away from the rear elevation of 5 Farm House Close. It is therefore considered that the proposal would not have an unacceptable adverse impact on the occupiers of 5 Farm House Close.

- 8.33 The rear elevation of Plot 8 would be located 12 metres to the mutual boundary with 6 Farm House Close. The main two storey side elevation of 6 Farm House Close would be located approximately 22 metres away from the rear elevation of Plot 8. Two first floor windows on the side elevation of 6 Farm House Close comprise secondary bedroom windows, but would be set 22 metres away, in compliance with the advice in the adopted Design Guidance. It is therefore considered that the proposed development would not have an unacceptable adverse impact on the living conditions of occupiers of 6 Farm House Close.
- 8.34 The proposal therefore is considered to comply with point (v – amenity issues) of Policy DSP40, and Policies CS17, DSP2 and DSP3 of the Local Plan.

Traffic

- 8.35 The application includes consideration of the proposed access arrangements, and proposes the creation of two new vehicular accesses onto Ranvilles Lane, and the realignment of an existing access onto Oakcroft Lane. In addition to the new access arrangements, the application also proposes the overall widening of this length of Ranvilles Lane south of the junction with Oakcroft Lane to the northern side of the proposed new main access into the site. This widening would be considered by Hampshire County Council under a separate Section 278 Agreement.
- 8.36 Ranvilles Lane currently has a 'National' unrestricted speed limit, although the narrowness of the lane limits the general speed of vehicles along this part of the road (average speeds only 26 mph). Presently the southern part of Ranvilles Lane and Oakcroft Lane are known to be 'rat runs' providing a link between Peak Lane (to the east) and Titchfield Road (to the west). It is likely, in the event that the Stubbington by-pass is constructed that the volume of traffic along these lanes would be reduced. Funding to secure the provision of a Traffic Regulation Order to reduce the speed limit along Ranvilles Lane to 30mph would be secured by a Section 106 agreement under the Town and Country Planning Act 1990 (as amended).
- 8.37 The proposal would include an extension of the pavement from the northern side of 1 Farm House Close along Ranvilles Lane (set behind a new hedgerow and tree line) to the proposed main new access into the site.

Pedestrian access would then pass through the site, with new footpath links across the open space within the site to both Oakcroft Lane and Crofton Cemetery. Improvements to, and future maintenance of Fareham PROW 509 would also be secured by a Section 106 agreement of the Town and Country Planning Act 1990 (as amended).

- 8.38 The application is supported by the Council's Transport Planner, and the works to Ranvilles Lane would result in an overall improvement to all users of the Lane. The development of the site would also improve pedestrian and cycle access from the northern part of the Stubbington through the site into the cemetery and beyond. The layout demonstrates that the proposal can accommodate the necessary level of off-street car parking for each of the properties, adequate visitors car parking, and appropriate bin storage and collection points for the Borough's Refuse Collection team.
- 8.39 It is therefore considered that the proposed development accords with point (v – traffic issues) of Policy DSP40, and policy CS17 of the Local Plan.
- 8.40 Overall therefore, it is considered that the development of the site would fully comply with the five criteria of Policy DSP40 and would not have a significant visual or physical impact on the overall integrity of this part of the Fareham – Stubbington Gap. The low density, urban fringe character of the proposal would complement the edge of settlement location and has resulted in no objection from the Council's Urban Designer and Conservation Planner.

d) Other Matters

- 8.41 **Affordable Housing:** The development proposal requires an on-site contribution of 40% affordable dwellings (equivalent to 6.4 units). The scheme sets out an on-site provision of four units, and therefore the remaining 2.4 units would need to be secured as a financial contribution, secured by a Section 106 agreement under the Town and Country Planning Act 1990 (as amended). This approach has the support of the Council's Affordable Housing Strategic Lead Officer. The type, size, mix and tenure of the properties to be provided on site would need to be agreed to the satisfaction of Officers.
- 8.42 **Flood Risk and Land Drainage:** The site is located immediately adjacent to a small stream that forms a tributary to the River Meon (to the west of the site). Plots 14, 15 and 16 were subsequently re-sited to ensure they were located outside the designated Flood Zones of the stream. Additionally, detailed drainage assessments were undertaken, which were co-ordinated with the Council's Tree Officer to ensure the tree belt along the stream, to the eastern side of the site would not be affected by the development proposal.

The Environment Agency and Hampshire County Council (Lead Local Flood Authority) have both raised no objection to the proposal.

8.43 **Heritage Assets:** The southern boundary of the site is bounded by the historic churchyard of Crofton Old Church. The Church is a Grade II* Listed building, and is located next to 17 Lychgate Green, which is a Grade II Listed building (formally known as the Crofton Manor Hotel). The amended scheme includes a large central area of public open space that wraps around the boundary of the historic church yard and ensures an important view of the Church from Oakcroft Lane is maintained through the development. Historic England now consider the development to have a 'low level' impact, and the revised layout has the support of the Council's Conservation Planner. The large area of open space contributes not only to maintain the view of the Church from the site, but also contributes towards maintaining the edge of settlement/countryside setting of the Church. The development is therefore considered to preserve the setting, character and appearance of the nearby Listed Buildings.

8.44 It is therefore considered that the development proposal accords with Policies CS17 and DSP5 of the Local Plan.

8.45 **Open Space/Informal Layout:** The proposal retains a large central area of public open space running north – south through the site, and to the eastern corner of the site. This design approach enables a more informal, countryside character of the proposal, ensuring a low density, well landscaped scheme for an edge of settlement location.

8.46 Whilst the detailed design and scale of buildings, and the overall landscaping would be considered under reserved matters applications, the general layout of the proposal, which includes narrower lanes and gravelled courtyards and discrete parking areas would ensure a scheme dominated by landscape features and open space. These elements contribute towards providing a high quality environment for an edge of settlement location, which maintains a good level of informal open space in a low density setting to complement the northern perimeter of Stubbington.

8.47 It is considered that the overall layout and provision of open space result in a scheme which fully accords with the character of the area and complies with Policy CS17 of the Local Plan.

e) The Planning Balance

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

'If regard is to be had to the development plan for the purposes 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.'

- 8.49 The site lies outside, but adjacent to the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture or required infrastructure. The site also lies within the Stubbington to Fareham Strategic Gap, where it is important that development should not significantly affect the integrity of the gap and the physical and visual separation of settlements. The location of the site, immediately to the north of the existing urban area of Stubbington, contained a former large detached dwelling and being contained by the norther perimeter road of the settlement is considered to contribute to the containment of the site, and would not have a significantly harmful effect on the overall integrity of the Gap. 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 the Local Plan Part 2: Development Sites and Policies Plan.
- 8.50 Officers have carefully assessed the proposals against Policy DSP40 (Housing Allocations) which is engaged as this Council cannot demonstrate a 5YHLS. Officers have also given due regard to the updated 5YHLS position report presented to the Planning Committee elsewhere on this agenda and the Government steer in respect of housing delivery.
- 8.51 In weighing up the material considerations and conflict between policies; the development of a greenfield site weighed 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 boundary such that it can be integrated with the adjacent settlement whilst at the same time being sensitively designed to reflect the areas existing character and minimising any adverse impact on the countryside.
- 8.52 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 largely undeveloped. However, that impact would be localised and merely extend the existing built form. Officers consider that the change in character of the site and the resulting visual effect would not cause any substantial harm.
- 8.53 In respect of environmental, amenity and traffic issues (including ecological mitigation), Officers are satisfied that these issues have been appropriately addressed in the submitted application.

- 8.54 In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage of housing supply, Officers acknowledge that the proposal would deliver a gross increase of 16 dwellings in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply would make a material contribution in light of the Council's current 5YHLS.
- 8.55 There is a conflict with development plan policy CS14 which ordinarily would result in this proposal being considered unacceptable. Ordinarily CS14 would 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 land supply, development plan Policy DSP40 is engaged and Officers have considered the scheme against the criterion 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.
- 8.56 Officers consider that the implications of the CJEU judgement (People Over Wind, Peter Sweetman v Coillte Teoranta) and paragraph 177 of the NPPF mean that the presumption in favour of sustainable development set out in paragraph 11 of the same Framework is not engaged.
- 8.57 In the event that this approach is subsequently found to be incorrect as a consequence of a Court decision or a clarification in Government policy, Officers have considered the application in the alternative and assessed the proposals having regard to the 'tilted balance' test set out in paragraph 11 of the NPPF.
- 8.58 In understanding a detailed assessment of the proposals throughout this report and now applying the 'tilted balance' to those assessments, Officers consider that:
- (i) there are no policies within the National Planning Policy Framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposal, particularly when taking into account that any significant effect upon Special Protection Areas can be mitigated through a financial contribution towards the Solent Recreation Mitigation Strategy; and,
 - (ii) any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.

8.59 Therefore, even if paragraph 11 of the NPPF were a relevant consideration, Officers find that having applied the 'tilted balance', they would have similarly concluded that planning permission should be granted for the proposals.

8.60 Having carefully considered all material planning considerations, Officers recommend that planning permission should be granted subject to the following matters.

9.0 Recommendation

9.1 Subject to the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) on terms drafted by the Solicitor to the Council to secure:

- On-site provision of 4 dwellings as affordable housing and a financial contribution to secure an equivalent of 2.4 units of off-site contribution for affordable housing. The type, size, mix and tenure to be agreed to the satisfaction of Officers.
- Financial contribution to secure satisfactory mitigation of the 'in combination' effects that the increase in residential units on the site would cause through increased recreational disturbance of the Solent Coastal Special Protection Areas.
- TRO for highway to extend the speed reduction along Ranvilles Lane to 30mph.
- PROW improvements/maintenance to improve connectivity and surface treatment.

GRANT OUTLINE PLANNING PERMISSION, subject to the following Conditions:

1. Application for approval of details of the appearance and scale of the building(s) and the landscaping of the site (all referred to as 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.

2. Applications for approval of all reserved matters shall be made to the Local Planning Authority not later than 12 months from the date of this permission.
- REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of 12 months from the date of the approval of the last of the reserved matters.

REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be constructed in accordance with the following approved documents:

- a) Site Location Plan (Drawing: Promap);
- b) Site Plan (Drawing: 17-1083-005-C);
- c) Topographic Land Survey (Drawing: JOB-17605-The Grange Oakcroft Lane.dwg Rev A);
- d) Ranvilles Lane Works Scheme (Drawing: FA E-F2281.00/SK100/P1);
- e) Drainage Schematic (Drawing: FA E-F2281.00/C110/P3).

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

5. No development shall take place within the 8m Easement Zone, as outlined on the approved Site Plan. The Easement Zone shall be retained and maintained thereafter and throughout the lifetime of the development.

REASON: In the interests of maintaining a buffer zone from the bank of the nearby river.

6. No development of the dwellings hereby permitted shall commence until the means of vehicular access has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

7. No dwelling hereby permitted shall be first occupied until the visibility splays of 2.4m by 35m at each of the three junctions onto Ranvilles Lane and Oakcroft Lane as set out on the approved plans have been provided. The visibility splays shall thereafter be kept clear of obstruction (nothing over 0.6m in height) at all times.

REASON: In the interests of highway safety.

8. No development shall take place until details of the type of construction proposed for the roads and access(es) and the method of disposal of surface water have been submitted to and approved in writing by the Local Planning Authority.

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

9. The visitors parking spaces marked on the approved plans shall be kept available for visitors at all times.

REASON: In the interests of highway safety.

10. No dwelling shall be occupied until the approved parking and turning areas 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 made for that purpose.

REASON: In the interests of highway safety.

11. No dwelling hereby approved shall be first occupied until detailed plans and proposals have been submitted to the Local Planning Authority for approval showing:

(i) Refuse bin storage (sufficient for 2 no. 140 litre wheeled bins);

(ii) Secure cycle storage.

The cycle storage required shall take the form of a covered building or other structure available on a 1 to 1 basis for each dwellinghouse hereby permitted. Once approved, the storage shall be provided for each dwellinghouse and shall thereafter be kept permanently available for the stated purpose.

REASON: To encourage non-car modes of transport and to ensure proper provision for refuse disposal.

12. 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 bank and 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.

13. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel and undercarriage washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning of site of vehicles;
- (viii) the location of any site huts/cabins/offices.

REASON: To ensure safe and neighbourly construction.

14. 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 properties, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

15. Development shall proceed in accordance with the measures set out in Sections 5.5 & 5.6 of the revised Phase I Ecological Assessment (Ecosupport, revised June 2018), Section 5 of the Dormouse Survey Report (Ecosupport, June 2018), Section 6.0 of the Bat Emergence Survey Report (Ecosupport, February 2018), Ecology Addendum (Ecosupport, August 2018) and all the measures set out in the revised Reptile Survey and Mitigation Strategy (Ecosupport, August 2018).

REASON: To protect bats, reptiles, dormice, badgers and water voles in accordance with the Habitat Regulations 2017 and the Wildlife and Countryside Act 1981.

16. Prior to the commencement, a scheme of lighting (during construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats and water voles, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

REASON: In order to minimise impacts of lighting on the ecological interest of the site.

17. Prior to commencement, a detailed Biodiversity Enhancement Strategy, detailing site-wide biodiversity enhancement features to be incorporated, shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with the approved details.

REASON: To conserve and enhance biodiversity.

18. Prior to commencement, an Ecological Management Plan (EMP) for the public open space, reptile receptor site and the eastern corridor comprising the existing stream, shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

REASON: To ensure the long-term protection, enhancement and management of suitable habitats on site for wildlife.

19. No development shall take place until a full, site specific Flood Risk Assessment and Surface Water Drainage Strategy have been provided to the Lead Local Flood Authority, containing the following elements:

- (i) Updated drainage plans with a technical summary identifying any changes from the Flood Risk Assessment and Surface Water Drainage Strategy;
- (ii) Updated calculations for runoff and volume to take into account any changes;
- (iii) Evidence that runoff exceeding design criteria has been considered; and,
- (iv) Confirmation of who will be responsible for each of the drainage elements.

REASON: To ensure that the proposed development is satisfactorily drained.

INFORMATIVES:

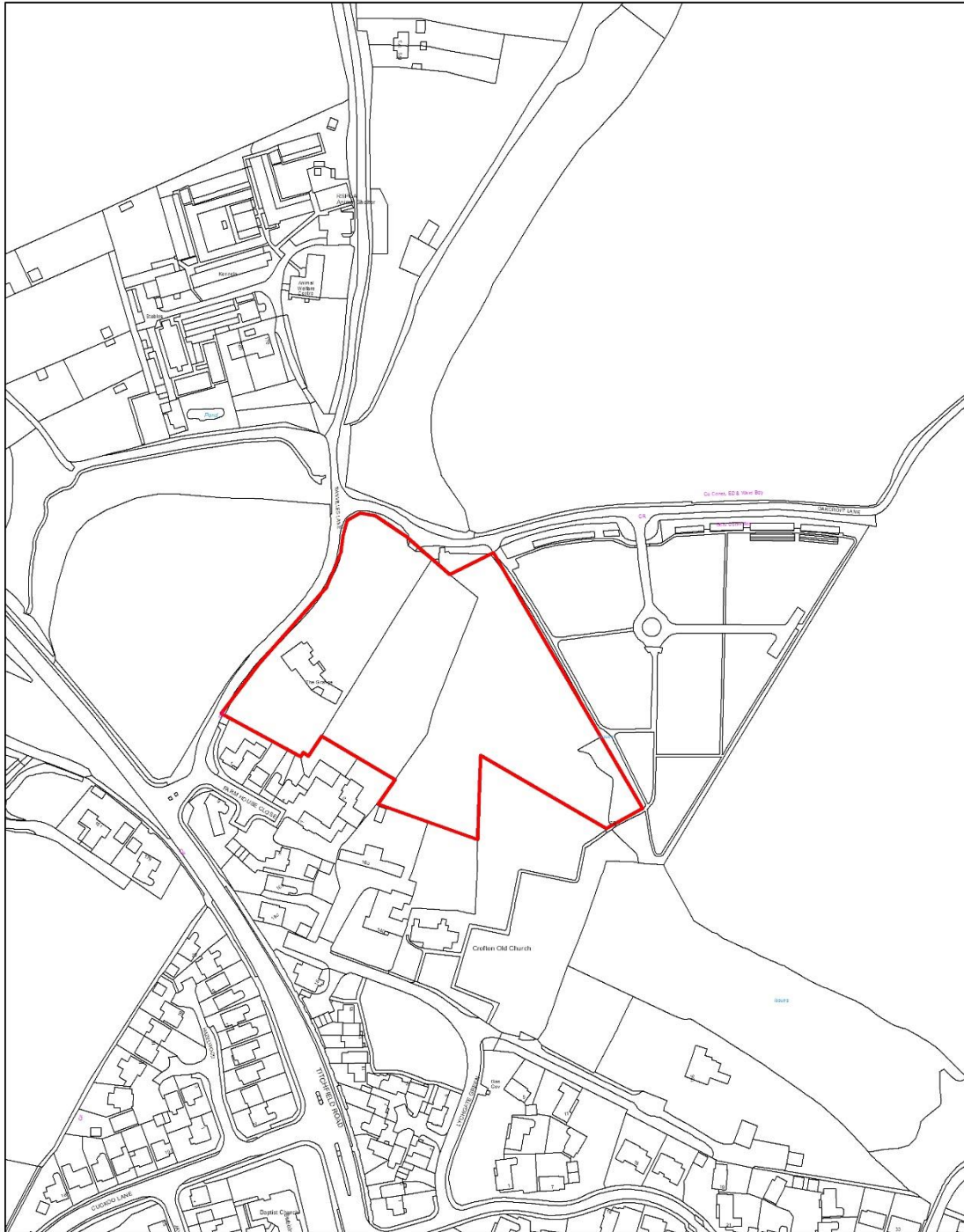
- a) Applicants should be aware that, prior to the commencement of the development, contact must be made with Hampshire County Council, the Highway Authority. Approval of this planning application does not give approval for the construction of vehicular access, which can only be given by the Highway Authority. Further details regarding the application process can be read online via <http://www3.hants.gov.uk/roads/apply-droppedkerb.htm>. Contact can be made either via the website or telephone 0300 555 1388.

10.0 Background Papers

P/18/0263/OA

FAREHAM

BOROUGH COUNCIL



The Grange, Oakcroft Lane
Scale 1:2500



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