

FAREHAM

BOROUGH COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY (DEVELOPMENT MANAGEMENT
PROCEDURE) ORDER 2015**

Planning Decision Notice

Planning Application Reference: P/18/0067/OA

Decision Date: 2nd September 2020

Fareham Borough Council, as the Local Planning Authority, hereby **PERMIT** the **Following demolition of existing buildings, residential development of up to 55 dwellings (including 3 custom-build homes) (Use Class C3), community building incorporating a local shop 250 sqm (Use Classes A1, A3, D1 & D2), accesses and associated landscaping, infrastructure and development works. at LAND TO THE SOUTH OF FUNTLEY ROAD, FUNTLEY, FAREHAM as proposed by application P/18/0067/OA** subject to the following conditions:

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

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

- 2) The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a) D2546_509 - Revised Application Site Boundary Received 21 May 2018;
 - b) Drawing no. D2546_032_REVI - Parameters Plan - received 6th June 2018;
 - c) Technical Note - Potential Mitigation Measures for Bridge Over M27 - received 20th April 2018;

- d) Drawing no. 1712047 SK01D - Access Arrangements - received 20th April 2018;
- e) 1712047 SK03B - Pedestrian_Cycle Improvements Received 21 May 2018;
- f) Drawing no. 1712047 SK05A - Pedestrian and Cycle Improvements - south section -received 31st May 2018;
- g) Ecological Assessment - Ecology Solutions - May 2018 and Ecological Baseline Note – Ecology Solutions – August 2020.

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

- 3) No development hereby permitted shall commence until a surface water drainage strategy has been submitted to and approved by the local planning authority in writing. The strategy shall include the following elements:

- a) Full details of the means of surface water drainage from the site;
- b) The detailed design of Sustainable Urban Development Systems (SUDS) to be used on the site as well as details on the delivery, maintenance and adoption of SUDS features.
- c) Assessment of surface water drainage discharge from the site in combination with the development site to the north of Funtley Road (planning application reference P/17/1135/OA) to demonstrate that:
 - i. the greenfield runoff rate will not exceed 13.1 l/s during the 1 in 100 year storm +(40%CC);
 - ii. the surface water discharged to the Funtley Road ditch will comply with CIRIA C753 2015 Table 26.2 & Table 26.3.

The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

REASON: To ensure satisfactory disposal of surface water.

- 4) No development hereby permitted shall commence until details of the means of foul water drainage from the site have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

REASON: To ensure satisfactory disposal of foul water.

- 5) No development hereby permitted shall take place until a Biodiversity Mitigation, Enhancement and Management Plan has been submitted to and approved by the local planning authority in writing. The

submitted plan shall be devised fully in accordance with the outline ecological mitigation and enhancements measures contained within the approved "Ecological Assessment - May 2018 - Ecology Solutions". The submitted plan shall include the following:

- a) A Reptile and Dormouse Mitigation Strategy;
- b) A Japanese Knotweed Eradication Scheme;
- c) A Badger Protection Strategy;
- d) Details of the timing of clearance works;
- e) A detailed scheme of biodiversity enhancements;
- f) Details of a soft landscaping scheme including provisions for buffer planting associated with the adjacent areas of Ancient Woodland;
- g) Details of darkened corridors for foraging/commuting bats;
- h) A Landscape/Ecology Management Plan including details of the maintenance of mitigation and enhancement measures.

The development shall be carried out fully in accordance with the approved Biodiversity Mitigation, Enhancement and Management Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To provide ecological compensation, management and enhancements.

- 6) No development shall commence until an Arboricultural Impact Assessment and Method Statement for tree/hedgerow protection has been submitted to and approved by the Local Planning Authority in writing and the approved scheme has been implemented. The tree/hedgerow protection shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.

- 7) No development hereby permitted shall commence until an intrusive site investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority (LPA). The intrusive site investigation and risk assessment shall include assessment of the risks posed to human health, the building fabric and the wider environment such as water resources, and where the site investigation and risk assessment reveal a risk to receptors, it shall include a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use.

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

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

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

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

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

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

The development shall be subsequently carried out in accordance with the approved details.

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

- 10) No development hereby permitted shall commence until details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site and the adjacent land have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and to assess the impact on nearby residential properties.

- 11) No development hereby permitted shall commence until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposed mitigation measures in relation to any archaeological remains found as necessary. The development shall be carried out in accordance with the approved scheme.

REASON: In order to ensure that the site, which is located in an area where there is potential for archaeological discovery, is adequately investigated prior to development.

- 12) No development shall proceed beyond damp proof course level until a scheme for sound attenuation against traffic and railway noise has been submitted to and approved in writing by the local planning authority in writing. The scheme shall assess the impact of noise from vehicles and trains and identify the measures necessary to attenuate against noise nuisance to future occupants. The development shall thereafter be carried out in accordance with the approved details.

REASON: To prevent avoidable disturbance to residents from noise.

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

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

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

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

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

REASON: To secure the satisfactory appearance of the development.

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

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

- 17) None of the development hereby approved shall be occupied until the pedestrian crossing points and means of vehicular access shown on the approved drawing "Drawing no. 1712047 SK01D - Access Arrangements - received 20th April 2018" has been provided. The access shall be subsequently retained and no other means of vehicular access to the site shall be provided at any time.

REASON: In the interests of highway safety.

- 18) No dwelling hereby permitted shall be first occupied until the visibility splays at the junction of the estate road/access with existing highway have been provided in accordance with the approved drawing "Drawing no. 1712047 SK01D - Access Arrangements - received 20th April 2018". 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

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

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

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

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

- 21) No development shall proceed beyond damp proof course level until a scheme detailing the relocation of the existing bus stop on the south side of Funtley Road adjacent to the vehicular entrance to the site has been submitted to and approved by the local planning authority in writing. No dwelling hereby permitted shall be first occupied until the bus stop has been relocated in accordance with the approved scheme.

REASON: In the interests of highway safety.

- 22) No dwelling hereby permitted shall be occupied until details of water efficiency measures have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed an average of 110l per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

A handwritten signature in black ink, appearing to read 'L Smith', is located in the bottom right corner of the page.

Notes to Accompany Planning Decision Notice

Planning Application Ref: P/18/0067/OA

Decision Date: 2nd September 2020

General Notes for Your Information:

- The approved documents can be obtained by viewing the submitted application online at www.fareham.gov.uk/planning
- The Council worked positively and proactively with the applicant and their agent to address any issues which came up during the course of the application being considered. A report has been published on the Council's website to explain how a decision was made on this proposal.
- The applicant is advised to contact Southern Water to discuss the need for a formal application for connection to the public sewerage system. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or visit www.southernwater.co.uk.
- Please contact the officer who handled this application Richard Wright on 01329 824758 or at rwright@fareham.gov.uk if:
 - You would like clarification about this notice
 - You would like to make changes to your permission
 - You are unhappy with this decision or the way it has been reached

Right of appeal:

- The person who made this application has the right to appeal to the Secretary of State against the imposition of any of the conditions this permission is subject to.
- The Secretary of State may decide he will not consider an appeal if it seems to him that, due to statutory requirements, the local planning authority could not have granted permission without the conditions being imposed.
- Appeals must be made within 6 months of the date of this decision notice.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- Appeals are handled by the Planning Inspectorate on behalf of the Secretary

of State. Appeals must be made using a form which you can get from:

- Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN;
 - Or submit online at The Planning Inspectorate website at
 - www.gov.uk/planning-inspectorate
- There is no third party right of appeal for neighbours or objectors.
 - If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices:

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land.

What to do next:

- Please take note of the conditions this permission is subject to. If these conditions are not met, for example if works are not carried out in accordance with the approved documents, the Council has the ability to take enforcement action where necessary.
- This permission relates to town planning. It does not grant other forms of consent which you may need, for example:

Building Regulations consent

- Building Regulations legislation sets out technical standards required for the design and construction of buildings.
- For advice please contact The Building Control Partnership:
 - Telephone 01329 824 823
 - Email bcpartnership@fareham.gov.uk
 - Website www.buildingcontrolpartnershipants.gov.uk

Consent for works in the vicinity of a public sewer

- A minimum distance of three metres (for apparatus up to three metres deep) must be maintained between any building and the public sewer. In some cases however, Southern Water will allow buildings to encroach on the public system.
- For further information please contact Southern Water:
 - Telephone 0845 278 0845
 - Website www.southernwater.co.uk

Works affecting neighbours

- Where proposals involve work on party walls or excavations near neighbouring properties, there may be measures required under the Party Wall Act 1996. Fareham Borough Council is not responsible for enforcing the Party Wall Act.
- For further information please see the following guidance:
 - Website www.gov.uk/party-wall-etc-act-1996-guidance.