

OFFICER REPORT FOR COMMITTEE

DATE: 25/01/2023

**P/21/0741/RM
MILLER HOMES LTD**

**PORTCHESTER WEST
AGENT: TERENCE O'ROURKE**

RESERVED MATTERS PLANNING APPLICATION FOR THE APPEARANCE, SCALE AND LAYOUT OF THE IMPROVEMENTS TO CAMS BRIDGE AND THE APPROACHES TO ENABLE USE BY PEDESTRIANS AND CYCLISTS, VEHICLE ACCESS FOR VEHICLES ASSOCIATED WITH RAILWAY MAINTENANCE, LIGHTING, RAISING THE BRIDGE PARAPETS, BOLLARDS, RE-SURFACING AND THE LANDSCAPING OF THE SITE, PURSUANT TO OUTLINE PLANNING PERMISSION P/18/0001/OA

CAMS BRIDGE – LAND TO THE NORTH OF THE THICKET, PORTCHESTER

Report By

Richard Wright – direct dial 01329 824758

1.0 Introduction

1.1 This application has been reported to the Planning Committee for determination due to the number of third party letters of objection received.

2.0 Site Description

2.1 The application site comprises a private track which leads north from The Thicket over a railway bridge (Cams Bridge) to Winnham Farm on the opposite side of the railway line. The track has a top surface of tarmac with narrow grass verges either side. The boundary treatment either side adjacent to neighbouring residential properties varies from mature hedgerows to high level close boarded fencing.

2.2 A short distance away on the northern side of the bridge is a workshop building which a vehicle repair business is run from.

3.0 Description of Proposal

3.1 Members will be aware that outline planning permission was granted on appeal for the construction of up to 350 homes on land north of the application site at Winnham Farm, east of Down End Road, Portchester (reference P/20/0912/OA). The reserved matters associated for the first phase of the development is reported elsewhere on this agenda.

3.2 A Section 106 unilateral undertaking provided by the appellant Miller Homes in connection with the planning appeal secures a requirement to carry out improvements to Cams Bridge in accordance with the outline permission

granted in May 2019 (reference P/18/0001/OA). Those improvements comprise new lighting, raising bridge parapets, signage, re-surfacing and new road markings.

- 3.3 This current application provides the details of the appearance, scale, layout and landscaping of the bridge improvements (also known as the 'reserved matters'). Those details include plans, cross-sections and other information showing the alignment of the improved surface, the position of lighting bollards and boundary fencing and planting.
- 3.4 The application proposes that the existing track would be resurfaced with asphalt to form a new shared footway/cycleway varying in width from 2.5 – 3.5 metres wide.
- 3.5 On the southern side of the bridge, either side of the track existing hedgerows and boundary fencing would be retained. On the western side of the track the existing hedgerow would be pruned only where needed to accommodate the installation of low-level lighting bollards. Further south along the western side of the track, closest to where it meets The Thicket, no hedgerow exists at present and so it is proposed to erect a new 1.8 metre high fence in front of which would be new planting and lighting bollards. On the eastern side close to where the track meets The Thicket a new native hedgerow would be planted in front of the existing boundary fencing. At the southern end of the track demountable bollards are proposed to prevent vehicular traffic except for Network Rail vehicles. It is proposed that vehicular access to the workshop north of the bridge would in the future be provided by a new road constructed from the north as part of the first phase of constructing the 350 homes.
- 3.6 On the bridge itself weld mesh fencing would be installed between the existing bridge stone and brick parapet walls and adjacent boundary treatment. On top of the existing parapet walls fencing to a suitable specification in accordance with Network Rail's standards would be installed to a minimum height of 1.8 metres above the existing grass verge level. The existing grass verge itself would remain either side of the resurfaced track which over the bridge is approximately 2.6 metres wide.
- 3.7 On the north side of the bridge the submitted drawings show a hammerhead turning area and parking spaces for Network Rail maintenance vehicles would be created. These would be enclosed by 1.2 metre high bollards and 0.6 metre high knee rail fencing set within areas of reseeded grass verges. However, Officers note that the land north of the bridge is not included within the red edge of the application site which enjoys the benefit of outline planning permission. With that in mind any works north of the bridge outside

of the red edged application site would not be approved should Members be minded to accept the Officer recommendation for approval.

- 3.8 Officers are of the view that the information submitted with this application is sufficient to consider the discharge of conditions 2 (lighting) and 3 (boundary treatment) of the outline consent (our reference P/18/0001/OA).

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Adopted Development Sites and Policies Plan

DSP2 - Environmental Impact

DSP3 - Impact on living Conditions

DSP13 - Nature Conservation

Fareham Local Plan 2037 (Emerging)

The Fareham Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector requested a number of modifications to the Plan. The proposed modifications were the subject of public consultation from 31st October until 12th December 2022. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network

TIN1 - Sustainable Transport

TIN2 - Highway Safety & Road Network

D1 - High Quality Design & Placemaking

D2 - Ensuring Good Environmental Conditions

5.0 Relevant Planning History

- 5.1 The following planning history is relevant:

P/18/0001/OA	Outline Planning Application for Improvements to Cams Bridge and the Approaches to Enable Use by Pedestrians and Cyclists and Continued Vehicle Access to the Workshop Including Lighting, Raising The Bridge Parapets, Signage, Re-Surfacing and New Road Markings
Permission	03/05/2019

6.0 Representations

6.1 Fifteen letters have been received in response to the application being publicised. Some of the comments made relate either to the associated housing development or to matters of principle considered when determining the previous outline planning application for the improvements to this route. However, the following matters were raised which are material to the consideration of this current application for approval of reserved matters:

- The existing hedgerows should be retained at the same height and depth to maintain privacy and to avoid harm to nesting birds.
- Concern over damage to hedgerows and trees during construction.
- The bollards at the north and south will not prevent motorcycles which will bring nuisance and noise to the area.
- Loss of privacy to neighbouring gardens.
- Proposals will leave neighbouring gardens insecure.
- Light nuisance from proposed lighting.
- No detail of surface water drainage.

7.0 Consultations

EXTERNAL

Ecology

7.1 No objection. The planting of a new hedge as shown is supported and the list of proposed species is acceptable. The new bollard lighting along the bridge is also acceptable. The minimal trimming of the existing hedgerow to allow for the installation of the new lighting should be carried out with regard to nesting birds.

Hampshire County Council - Highways

7.2 No objection.

Planning Considerations

8.1 The proposed improvements to Cams Bridge are secured through the Section 106 unilateral undertaking provided by Miller Homes in connection with the outline planning permission for 350 homes allowed on appeal. They are

essential to provide a safe and convenient route for pedestrians and cyclists to and from the housing site north of the railway line. The principle of improving Cams Bridge in this regard has already been considered acceptable when outline planning permission was granted for these works in 2019 (reference P/18/0001/OA). The outline permission included several planning conditions relating to lighting (condition 2), boundary treatment (condition 3) and signage (condition 4).

- 8.2 The planning considerations important for Members to take into account when determining this application relate to the details of the proposed improvements and how they may affect the character and appearance of the area and the living conditions of residents living nearby.
- 8.3 Officers have carefully considered the proposals and are satisfied that the resurfacing of the route, the proposed lighting, planting and boundary treatment would not be harmful to the visual appearance of the area. The applicant has taken steps to try and retain as much of the existing boundary planting and treatment as possible and this would be enhanced by new planting and new fencing where required. It is recommended that the precise detail of the proposed fencing to be erected on top of the existing stone and brick parapet on the bridge itself should be the subject of a planning condition. The applicant will first need to agree the proposed fencing with Network Rail having regard to their safety standards and any other practical and legislative requirements.
- 8.4 The existing boundary planting and fencing, which would mostly be unaffected by the development, broadly provides suitable screening of views from the route up to and over the bridge. It should be noted that to a large extent, much of the existing hedgerow planting and fencing falls just outside of the application site boundary on land owned and/or controlled by neighbouring properties.
- 8.5 In places additional boundary treatment would be required to ensure an adequate degree of privacy in the gardens of adjacent properties, for example at the southern end of the track, and this is proposed to be carried out by the applicant within the confines of the application site.
- 8.6 Due to the nature of the existing boundary planting and fencing there are two small 'gaps' that have either not been picked up by the applicant when preparing the proposals or have emerged since the application was originally submitted in 2021. One of these gaps lies at the southern end of the bridge on its western side where the existing hedgerow is depleted and requires reinforcement. Similarly, there is a gap in the hedgerow on the eastern side of the track a short distance south of the bridge which requires additional

planting. Officers have requested an amended Landscape Boundary Treatment Strategy from the applicant to include measures to 'plug' those gaps with additional planting or screening carried out on land within the application site boundary.

- 8.7 The proposed bollard lighting would be confined to the western side of the track in front of the existing and proposed hedgerow and fencing. There would be four 10W lighting bollards on the track leading up to the southern side of the bridge. On the bridge itself would be two 40W lighting bollards – one at each end. The bollards would have aluminium louvres to limit upward light. In these locations the lighting emitted would be largely shielded from neighbouring properties and Officers consider that any light spillage would be unlikely to result in a nuisance to those living nearby.
- 8.8 In summary, Officers consider the development would not have an unacceptable adverse impact on the living conditions of neighbours through a loss of privacy or light pollution.
- 8.9 The Highway Authority Hampshire County Council have been consulted. They have raised no objection to the proposals which would not compromise the objectives of providing the improvements to the route to facilitate safe and convenient access for pedestrians and cyclists.
- 8.10 The Council's Ecologist has raised no objection to the proposals including the proposed bollard lighting.
- 8.11 In summary Officers consider the proposals to be acceptable in that they would not be harmful to the character and appearance of the area, would not result in unacceptable adverse impacts on the living conditions of neighbours and would have no unacceptable ecological or highways implications. The application accords with Policies CS5 & CS17 of the adopted Local Plan Part 1, Policies DSP2, DSP3 & DSP13 of the adopted Local Plan Part 2 and Policies NE1, TIN1, TIN2, D1 & D2 of the emerging Fareham Local Plan 2037.
- 8.12 The details of lighting and boundary treatment are considered satisfactory in order to be able to discharge conditions 2 & 3 respectively of the outline planning permission granted under reference P/18/0001/OA.

9.0 Recommendation

- 9.1 DELEGATE authority to the Head of Development Management to

- a) make any necessary modification, deletion or addition to the proposed conditions;

9.2 **APPROVE** the reserved matters and details pursuant to conditions 2 & 3 of the outline planning permission reference P/18/0001/OA, subject to:

- a) the receipt of an acceptable amended Landscape Boundary Treatment Strategy plan to show additional boundary planting/treatment;
- b) the following conditions:
 1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a) General arrangement plan – drawing no. CB – C – 002 Rev P06
 - b) Cross sections – drawing no. CB – C – 003 Rev P5
 - c) Landscape Boundary Treatment Strategy
 - d) Hamilton 10W – v20
 - e) Hamilton 40W – v20

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

2. No development shall take place on site until details of the proposed fencing to be installed on top of the existing stone and brick parapet wall on the bridge have been submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

3. The planting shown on the approved Landscape Boundary Treatment Strategy plan 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; to protect the privacy of neighbouring residents.

4. Within one month of the commencement of development, or as otherwise agreed in writing with the Local Planning Authority, the 1.8 metre high

Jacksons Fencing 'Urban' slatted fencing shown on the approved Landscape Boundary Treatment Strategy plan shall be installed in accordance with the approved plan. The fencing shall be retained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON: To protect the privacy of neighbouring residents; to secure the satisfactory appearance of the development.

5. Within one month of the commencement of development, the bollard lighting shown on the approved drawing "General arrangement plan – drawing no. CB – C – 002 Rev P06" shall be installed in accordance with the approved plan and the approved details shown on the approved documents "Hamilton 10W – v20" and "Hamilton 40W – v20". The bollard lighting shall be retained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to provide a safe and appropriate level of ecologically sensitive lighting for users of the footway/cycleway.

10.0 Notes for Information

10.1 For the avoidance of doubt, the development hereby approved relates only to the works to be carried out within the red edge of the application site as identified on drawing no. 249501/JC001 Rev A approved by reference P/18/0001/OA.

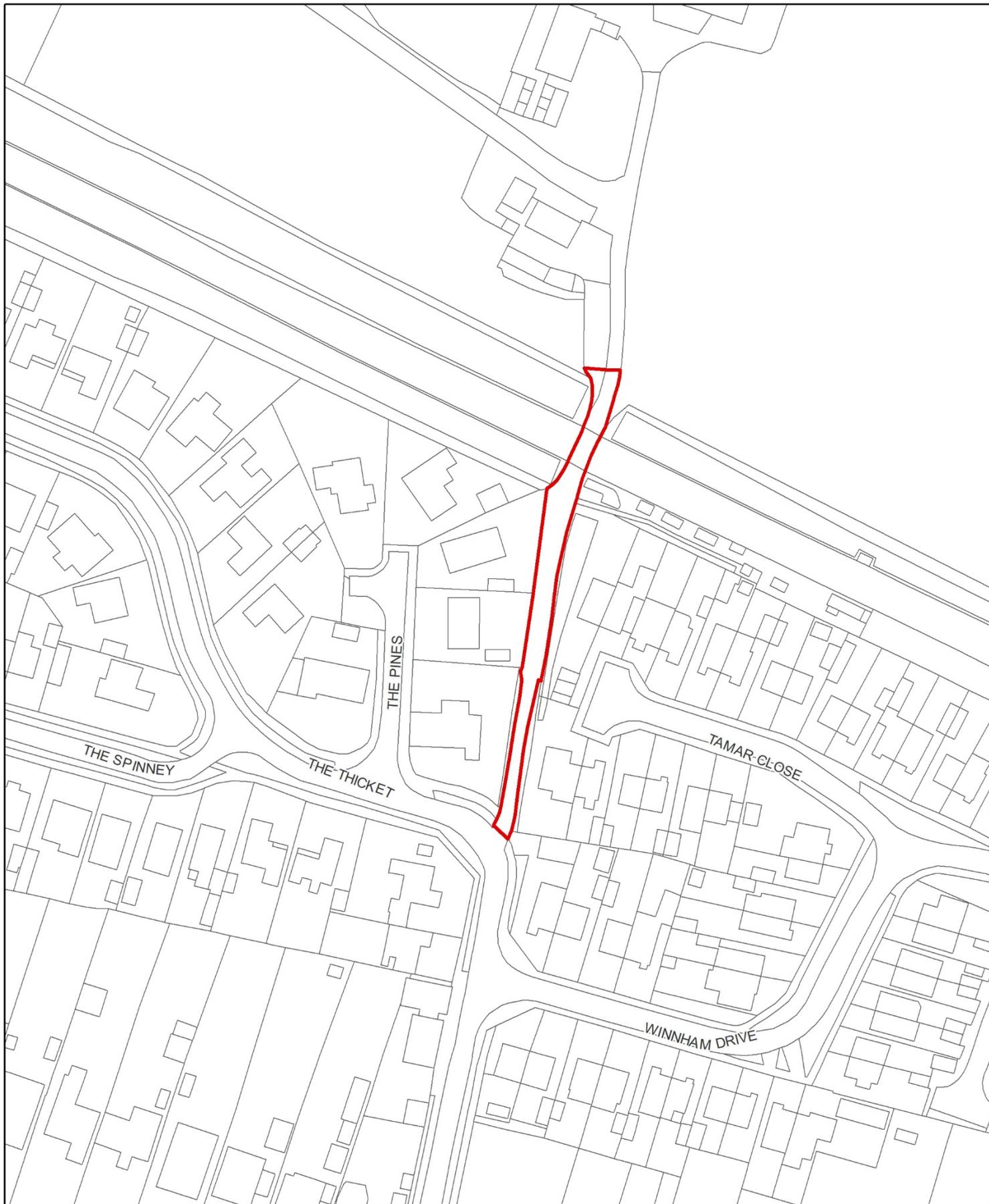
10.2 Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake any vegetation clearance outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is no alternative to doing the work during this period then a thorough examination of the affected areas must be carried out before the works start. If occupied nests are present then work must stop and works can only recommence once the nest becomes unoccupied of its own accord.

11.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Land to North of The Thicket
Cams Bridge, Portchester

Scale 1:1,250



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