

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 12/02/25**

**P/23/1549/OA  
FOREMAN HOMES LTD**

**WALLINGTON & DOWNEND WARD  
AGENT: FOREMAN HOMES**

OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) TO ERECT UP TO 29 DWELLINGS, WITH NEW ACCESS OFF NORTH WALLINGTON (ALTERNATIVE TO PREVIOUS APPLICATION P/19/0894/OA)

LAND EAST OF NORTH WALLINGTON, FAREHAM

### ***Report By***

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#### **1.0 Introduction**

- 1.1 This major planning application is being brought before the Planning Committee for determination due to the number of third-party representations received.
- 1.2 The application was previously reported to Planning Committee on 11 September 2024. Members resolved to defer the decision so that further consideration could be given to the suitability of the proposed pedestrian improvement scheme to North Wallington in respect of pedestrian safety, with the principle of a shared carriageway being the primary concern.
- 1.3 Following further discussions with the applicant and their highway consultant and the Highway Authority the application was reported back to Planning Committee on 9 October 2024. Officers clarified that the applicant had initially considered the possibility of the installation of a standard pedestrian footway with kerbing within the highway boundary to the south side of the existing carriageway. However this option was discounted as being unnecessary due to the nature of the road and the limited volumes of both vehicular and pedestrian traffic. Of the two further options explored, the virtual footpath and the shared surface, the shared surface remained the preferred option of the Highway Authority, in highway safety terms, and it was considered that this solution would offer a tangible betterment to the current situation.
- 1.4 The applicants' highways consultant addressed the committee at the meeting on 9 October 2024 and spoke in support of the application and the proposed shared surface option. There was significant discussion around Members' concerns in relation to the reliance on a shared surface scheme. Members resolved to defer the application for a second time and it was specifically

requested that the applicant explore the possibility of the installation of a footpath along North Wallington.

- 1.5 In the intervening period since the last Planning Committee meeting in October 2024, the applicant's highways consultant has reviewed the pedestrian highway improvement proposals. The applicant maintains that the shared surface option originally presented to committee is acceptable in highway safety terms, which is a view shared by both Officers and the Highway Authority. Nonetheless a further proposed pedestrian improvement scheme has been developed and is now presented to Members for consideration.
- 1.6 The body of this report has been updated to reflect the latest proposals for pedestrian improvement works on North Wallington and also in light of recent change to National Planning Policy Framework (NPPF). It should however be clarified that the December 2024 changes to the NPPF do not fundamentally alter the approach to decision making that was set out in the previous reports and the 'presumption in favour of sustainable development' remains engaged.

## **2.0 Site Description**

- 2.1 The application relates to a site at the far northern end of North Wallington on its eastern side where it meets Standard Way. The site measures 0.87 hectares in size and is mainly used as horse pasture, with scrubland and tree planting around much of its perimeter. It is bound on its northern side by Standard Way, North Wallington to the west and car park/scrubland to its south. The gradient of the land rises from north to south.
- 2.2 The site lies outside of the designated urban settlement boundary as defined in the adopted Fareham Local Plan 2037. The nearest part of the urban area lies around 35 metres away to the south-west, to the opposite side of the access to the adjacent pumping station. The Wallington Conservation Area lies approximately 250m to the south-west. On the opposite side of the road of North Wallington lies Wallington Water Meadow, a Site of Importance for Nature Conservation (SINC). Approximately 150 metres to the south lies Fort Wallington, a Grade II Listed Building now occupied by various employment related uses. To the north on the opposite side of Standard Way lies the M27 motorway.

## **3.0 Description of Proposal**

- 3.1 The proposal seeks outline planning permission for the erection of up to 29 dwellings with access proposed off North Wallington. Due to the quantum of housing proposed, the application falls into the category of major development.

3.2 Matters of scale, appearance, layout and landscaping are reserved for determination under a future application. A parameters plan has been submitted which identifies the developable areas of the site and those areas that should be retained as buffers or open space. It is indicated that the scale of development would be predominantly two-storey with some limited 2½ storey development.

#### 4.0 **Policies**

4.1 The following policies apply to this application:

##### **Adopted Fareham Local Plan 2037**

- DS1: Development in the Countryside
- DS3: Landscape
- H1: Housing Provision
- HP1 New Residential Development
- HP5 Provision of Affordable Housing
- HP7 Adaptable and Accessible Dwellings
- CC1 Climate Change
- CC2 Managing Flood Risk and Sustainable Drainage Systems
- NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network
- NE2 Biodiversity Net Gain
- NE3 Recreational Disturbance on the Solent Special Protection Areas (SPAs)
- NE4 Water Quality Effects on the Special Protection Areas (SPAs)
- NE6 Trees, Woodland and Hedgerows
- NE8 Air Quality
- NE9 Green Infrastructure
- NE10 Protection & Provision of Open Space
- TIN1 Sustainable Transport
- TIN2 Highway Safety and Road Network
- D1 High Quality Design and Placemaking
- D2 Ensuring Good Environmental Conditions
- D4 Water Quality & Resources
- D5 Internal Space Standards

##### **Other Documents:**

- National Planning Policy Framework (NPPF) 2024
- Planning Practice Guidance (PPG)
- Residential Car and Cycle Parking Standards Supplementary Planning Document (November 2009)
- Design Guidance Supplementary Planning Document excluding Welborne (December 2015)

## **5.0 Relevant Planning History**

5.1 The following planning history is relevant:

<b>P/19/0894/OA</b>	Outline planning application with all matters reserved (except for access) for residential development of up to 29 dwellings, associated landscaping and access off North Wallington Road
<b>APPEAL DISMISSED</b>	21 September 2022

## **6.0 Representations**

6.1 One hundred and twenty one representations have been received (including one from the Fareham Society) raising the following concerns;

### *Principle of Development*

- The site is not allocated for development
- There is no need for this development for housing and residents were told Wallington would not be expanded
- Little change from previously refused proposal
- Inappropriate location

### *Character/Visual Impact*

- A comprehensive development of this nature would be out of scale and character with development in the local area
- Impact to character of the Conservation Area and Water Meadows
- Impact on landscape character
- Detrimental to village setting and identity
- Contributing to urban sprawl
- Loss of rural character to lane as a result of highway works
- The site serves as a buffer zone between village and motorway
- Rising ground levels will result in overbearing and intrusive development

### *Highway Matters*

- Access to site is poor
- Increased vehicle movements on local roads
- North Wallington is narrow and congested through historic village and cannot accommodate additional traffic
- Pedestrian/cyclist safety concerns
- Proposed shared surface footway is not adequate or safe for all members of the community
- The introduction of single file traffic along this stretch of North Wallington would cause congestion and unnecessary difficulties for drivers
- Reduction of North Wallington to single carriageway would prevent access by fire tender

- The proposal may worsen subsidence of the road putting the weight of all traffic nearest the river bank
- Pedestrian route unusable during periods of flooding
- The existing footpath to the village beyond Riverside Avenue is not of sufficient width
- Inadequate street lighting
- North Wallington subject to subsidence and proposals may exacerbate damage with the road eroding into the River
- Safety risk of access in close proximity to unprotected stretch of River
- Pressure and loss of on-street parking
- Impact on Wallington Millenium village gateway which would obstruct proposed pedestrian footway to north of access

#### *Amenity*

- Overlooking/Loss of privacy
- Disruption during construction
- Intrusive ground investigation is yet to be undertaken to establish whether the site is suitable for habitation
- Residents would be subject to unacceptable air and noise pollution levels
- Excessive road noise from HGV's on Standard Way and proximity to M27

#### *Environmental*

- Loss of green space
- Impact to trees and wildlife
- Increased light pollution

#### *Other*

- Data on traffic and air quality is outdated
- Sewerage system can't cope with additional load
- Increased risk of flooding from surface water run-off
- Strain on resources such as water and energy
- Impact on property values
- Additional pressure on local services

## 7.0 **Consultations**

EXTERNAL

### **Local Highway Authority – Hampshire County Council (HCC)**

- 7.1 The amended pedestrian improvement scheme has undergone a Stage 1 Road Safety Audit, and the Highway Authority is satisfied that the identified safety issues have been adequately addressed through subsequent modifications. The scheme is considered a suitable improvement to

accommodate the additional pedestrian movements generated by the development, alongside existing pedestrian activity. In addition, traffic volumes and vehicle speeds on North Wallington are deemed sufficiently low to ensure the scheme operates effectively without causing undue conflict or delay to vehicles.

#### **Lead Local Flood Authority – Hampshire County Council**

- 7.2 An infiltration drainage strategy for the site has been ruled out due to the risk to groundwater. The revised proposal is to attenuate run-off and discharge it at a restricted rate to a surface water sewer. Revised plans and calculations have been provided based on the lowered proposed discharge rate (1.3l/s) and the location of discharge to address concerns previously raised in respect of this connection. As such we have no objection to this application.

#### **Children’s Services - Hampshire County Council**

- 7.3 The proposed development of 29 dwellings is expected to generate a total of 9 additional primary age children and 6 secondary age children. This is based on a figure of 0.3 primary age children per new dwelling and 0.21 secondary age which, was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary and secondary age children on those developments.
- 7.4 The development site is served by Harrison Primary School and by Cams Hill Secondary School in Portchester. The Primary School has capacity for the additional 9 primary pupils and the Secondary School has capacity for the additional 6 secondary pupils. The required contribution is a capital contribution to the amount of £15,000 towards the provision of additional cycle and scooter storage to be provided at local schools. The primary catchment area school is Harrison Primary and the funding will be utilised towards facilities at this school and any other school where pupils from the development attend at the discretion of the County Council.

#### **Archaeology - Hampshire County Council**

- 7.5 No objection subject to conditions

#### **Ecology – Hampshire County Council**

- 7.6 No objection subject to conditions

#### **Environment Agency**

- 7.7 No objection subject to conditions

#### **Portsmouth Water**

- 7.8 We support the revised non-infiltration drainage strategy, in principle. We wish to be further consulted on the final, detailed drainage designs for the site.

### **Southern Water**

- 7.9 A capacity check confirmed adequate capacity within the local surface water network to accommodate the proposed discharge rate flow of 1.3l/s. A formal application will be required for a connection to the public foul sewer. No objection subject to planning condition securing submission and approval of details of foul and surface water disposal.

### **Hampshire Constabulary – Designing Out Crime Officer**

- 7.10 Advice given to applicant on design matters to be considered during the preparation of the reserved matter application

### **Natural England**

- 7.11 Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of the named designated sites in The Solent region. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.
- 7.12 The development is in close proximity to The Solent designated sites. Without best practice working methods and mitigation there is a risk during the construction phase of the development that pollution from machinery, equipment or materials may enter into the water via the River Wallington. Natural England recommends that a Construction Environment Management Plan (CEMP) is produced prior to start if the works and submitted and approved in writing by your authority.

INTERNAL

### **Conservation Planner**

- 7.13 The only designated heritage asset within the immediate vicinity of the site is the Grade II listed Fort Wallington. Fort Wallington is a substantial Grade II listed structure constructed as part of the ring of Palmerston Forts designed to protect Portsmouth Harbour from attack from the landward side in the 1860s. The fort is a significant structure although its setting on the northern site has already been significantly compromised and encroached upon with modern industrial development comprising industrial workshops and warehouses. Although this modern development has significantly impacted the setting of the fort, it is still a substantial and significant heritage asset of national importance.

7.14 The proposed development site is still some distance from the fort and would not have a direct impact on either the fort itself or its immediate setting. In addition, unlike other proposed developments to the east of the fort, development on this particular site will not compromise the intervisibility with other Palmerston forts or impact on the sense of openness that formed an intrinsic part of the original military design. Given the character and other previous development in close proximity to the fort the proposed development would have minimal impact on either the significance of the fort or its wider setting. As the site is currently enclosed by established landscape screening which maintains the character of the setting it would also be beneficial to retain as much of the existing arboreal character as possible if the site is to be developed. As long as the development site continues to be screened by the existing trees to protect the wider setting of Fort Wallington there are no objections to the current proposals in Historic Environment policy grounds.

**Principal Tree Officer**

7.15 No objection subject to conditions

**Housing Development Officer**

7.16 Advice given on the required level and mix of affordable housing and site layout considerations.

**Environmental Health Officer (Contaminated Land)**

7.17 No objection subject to condition.

**Environmental Health Officer (Noise and Pollution)**

7.18 No objection

**8.0 *Planning Considerations***

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

- a) Site History
- b) Implications of housing delivery in Fareham
- c) Principle of development when assessed against the policies of the adopted local plan
- d) Highway matters
- e) Landscape and visual impact
- f) Design and layout
- g) Ecology
- h) Impact on habitat sites
- i) Other matters
- j) The planning balance



**a) Site History**

8.2 Whilst the previous planning application was subject to a non-determination appeal a report was presented to the Planning Committee on 15 June 2022. At the meeting Members of the Planning Committee resolved that, had they been able to determine the planning application they would have resolved to refuse planning permission for the following reasons:

*“The development is contrary to Policies CS2, CS4, CS5, CS6, CS14, CS15, CS17, CS18 and CS20 of the Adopted Fareham Borough Core Strategy 2011, Policies DSP6, DSP13, DSP15 & DSP40 of the Adopted Local Plan Part 2: Development Site and Policies Plan and is unacceptable in that:*

- a) The proposal represents development outside the defined urban settlement boundary for which there is no justification or overriding need;*
- b) The proposal fails to demonstrate that proposed improvements to provide a footway connection along North Wallington would be deliverable and viable and would not adversely affect the safety and operation of the highway. In the absence of such improvements, the proposal is not considered to sustainable development in that its location is poor in relation to access on foot or cycle to local services and facilities meaning future residents would rely heavily on use of the private motor car;*
- c) The proposed development would be harmful to the landscape character, appearance and function of the countryside and fail to respect or respond positively to the key characteristics of the surrounding area;*
- d) The proposal would have likely adverse effects on the integrity of habitat sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation;*
- e) In the absence of a legal agreement to secure such, the proposal fails to appropriately secure mitigation of the likely adverse effects on the integrity of habitat sites which, in combination with other developments, would arise due to the impacts of recreational disturbance;*

*f) In the absence of a legal agreement to secure such, the proposal fails to make on-site provision of affordable housing at a level in accordance with the requirements of the local plan;*

*g) In the absence of a legal agreement to secure such, the proposal fails to secure a financial contribution towards a school travel plan and cycle/scooter storage at Harrison Primary School.”*

- 8.3 It was clarified that, had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point d) by inviting the applicant to provide an up-to-date nutrient assessment of the development site and appropriate mitigation proposals. It would also have sought to address points e) – g) above by inviting the applicant to enter into a legal agreement with the Council under Section 106 of the Town & Country Planning Act 1990. The main reasons for refusal put forwards to the Inspector and defended at appeal were therefore a-c.
- 8.4 In considering the putative reasons for refusal presented by the Council the Appeal Inspector found there to be two main issues to consider. Firstly, whether the site represented an appropriate location for the proposed dwellings, having regard to both the Council’s spatial strategy and access provisions to and from the site to services and facilities on foot. Secondly, the effect of the proposed development on the character and appearance of the area.
- 8.5 With regards to the first issue it was acknowledged that the site lies outside of the defined urban settlement boundary. The adopted local plan policies at that time set out a general presumption against new residential development in the countryside. However, as the Council was also unable to demonstrate a 5 year housing land supply the proposal fell to be determined against Policy DSP40 which allowed for additional sites outside of the urban area to be permitted where they met five criterion (similar to policy HP4 of the current adopted Fareham Local Plan 2037). The proposal was found by the Inspector to comply with parts (i) and (iv) of DSP40. The first of these criteria (i) being that the proposal was relative in scale to the demonstrated 5 year housing land supply shortfall and the second (iv) being that it was considered the proposal would be deliverable in the short term.
- 8.6 Policy DP40(ii) required development proposals to be sustainably located adjacent to and well related to the existing urban settlement boundaries, where it can be well integrated into the neighbouring settlement. The Inspector considered that whilst the site does not abut the urban settlement boundary, it would be physically well related and integrated into the neighbouring settlement of Wallington. However, it was their view that

inadequate provisions had been made to demonstrate how the site would be accessed from the adjacent settlement therefore allowing integration. Whilst the supporting transport statement suggested that measures could be delivered on North Wallington to provide a safe route from the site to services and facilities in Fareham there was insufficient detail to determine the suitability of any such mitigation and these were therefore disregarded. The alternative walking route from the site to the town centre via Standard Way was considered to lie at the upper end of acceptable walking distances, which the Inspector concluded would likely discourage sustainable modes of transport. In conclusion the site was considered to represent an inappropriate location for the proposed dwellings, having regard to access to services and facilities on foot, in conflict with Policy DSP40 (ii).

8.7 Policy DSP40(iii) required proposals to be sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the countryside. The Inspector found that the proposal would result in a degree of urbanisation and countryside encroachment but that the development of this site for housing would be appropriate within this urban fringe setting. The proposed development for 'up to 29 dwellings' was a maximum figure rather than an absolute and considerations in respect of layout and scale were not to be had at that time. In principle the Inspector was comfortable that the development of the site for housing would not have an unacceptable impact on the landscape character and appearance of the area.

8.8 In assessing the planning balance, it was identified that the Council's 5YHLS position and Housing Delivery Test result weighed in favour of granting planning permission. The Inspector was of the view that the proposed 29 dwellings would provide a meaningful contribution to housing supply and that there would be social and economic benefits arising, including the delivery of affordable housing. It was not considered that the proposal would have an adverse impact on the character and appearance of the area and appropriate mitigation could be secured by planning condition or the submitted draft legal agreement to address the remaining reasons for refusal (d-g). Nevertheless, the identified adverse impacts of the development, in respect of the lack of an appropriate pedestrian access to nearby services and facilities were considered notable. The Inspector concluded that this conflict would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, including its presumption in favour of sustainable development. The appeal was subsequently dismissed following the Hearing on 21 September 2022.

#### **b) Implications of housing delivery in Fareham**

8.9 The starting point for the determination of this planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004 which states:

*'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'.*

8.10 In determining planning applications there is a presumption in favour of the policies of the extant Development Plan (Fareham Local Plan 2037) unless material considerations indicate otherwise. Material considerations include the planning policies set out in the National Planning Policy Framework 2024.

8.11 The National Planning Policy Framework (NPPF) highlights at paragraph 61 that the Government is seeking to significantly boost the supply of housing, identifying the importance of enabling a sufficient amount and variety of land to come forwards where it is needed.

8.12 The NPPF sets out that plans and decisions should apply a 'presumption in favour of sustainable development.' Paragraph 11 of the NPPF clarifies what is meant by the presumption in favour of sustainable development for decision taking. It states:

*For decision-taking this means:*

*'...*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting planning permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance<sup>7</sup> provides a strong reason for refusing the development proposed; or*

*ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination<sup>9</sup>.*

8.13 Footnote 7 to paragraph 11 reads as follows:

*'The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.'*

8.14 Footnote 8 to paragraph 11 reads:

*'This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years....'*

8.15 Adopted development plan policies are considered out-of-date where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.

8.16 The Housing Delivery Test (HDT) results for the Borough published on 12th December 2024 stated that the Council has achieved 55% of its housing target. This means the delivery of housing in the last three years (2019 to 2022) was substantially below (less than 75%) the housing requirement. Footnote 8 to NPPF paragraph 11 is clear that in such circumstances those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11 is engaged.

8.17 If the development does not accord with the local plan, the development must be considered against NPPF paragraph 11(d). Taking the first limb of paragraph 11(d), there are specific policies in the NPPF which protect areas of assets of particular importance referred to within footnote 7, namely habitat sites and heritage assets. Therefore, a judgement will need to be reached as to whether policies in the Framework provide a clear reason for refusing the development. Where this is found to be the case, the development should be refused.

8.18 The second limb of paragraph 11(d), namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh

the benefits when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'), will only apply if it is judged that there are no clear reasons for refusing development having applied the test at Limb 1.

8.19 In the absence of the Council being able to pass the HDT, it is necessary to have regard to the relevant policies of the NPPF to determine the suitability of development on this site, including most notably the overarching objective of the Government to significantly boost the supply of housing. The following sections of the report assess the application proposal 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.

**c) Principle of development when assessed against the policies of the adopted Local Plan**

8.20 Policy DS1 (Development in the Countryside) of the Fareham Local Plan 2037 highlights that housing would only be acceptable where it complies with Policies HP1, HP2, HP4, HP6 or HP11.

8.21 Policy H1 (Housing Provision) of the Fareham Local Plan 2037 sets out the number of houses to be provided within the Borough during the plan period (between 2021 and 2037). Policy HP1 (New Residential Development) highlights that new dwellings within the Urban Area Boundary will be supported in principle. The Policy continues to highlight examples where housing outside the Urban Area Boundary would be acceptable, including conversion of existing buildings, replacement dwellings, and accommodation essential for a rural worker. It is considered that none of these exceptions would apply to the development proposal. The proposal therefore does not have the benefit of support under Policy HP1 of the Fareham Local Plan 2037.

8.22 Policy HP2 also allows for small-scale residential developments (up to 4 dwellings) to be constructed in the countryside, subject to various criteria. This policy would not apply in this case due to the number of dwellings proposed.

8.23 Policy HP4 indicates that if a five year housing land supply (5YHLS) cannot be demonstrated, development in the countryside would be acceptable where five criteria are met. Policy HP4 is not currently considered to be engaged and therefore the proposal is not assessed against this policy. Policy HP6 relates to Exception Sites, where wholly affordable housing schemes to meet identified local needs are put forward, and therefore does not apply in this case. Finally, Policy HP11 relates to the provision of Gypsy, Travellers and Travelling Showpeople sites, which again is not relevant in this case.

8.24 The proposal has clear conflict with Policies DS1 and HP1. The development does not accord with the relevant policies of the adopted local plan which might otherwise have supported the principle of development outside the defined urban settlement boundary.

**d) Highway Matters**

8.25 As set out above, the sole reason for dismissing the previous appeal came down to the lack of appropriate pedestrian connectivity from the site to nearby services and facilities. Following the appeal decision, the applicant has engaged in pre-application discussions with the Highway Authority at Hampshire County Council with regard to the delivery of pedestrian improvements to North Wallington. The application is supported by a Transport Statement (TS) which sets out the proposals in full.

*Pedestrian Connectivity*

8.26 North Wallington is a lightly trafficked unclassified road subject to a 20mph speed limit. The road has street lighting but there is no footway provision on the stretch of road between the application site and Riverside Avenue to the south-west. The proposed development is forecast to generate an additional 46 to 54 pedestrian trips per day and between 4 and 6 cycle trips per day.

8.27 Details of the application site's location in respect of access to public transport and walking/cycling distance to local facilities are outlined in the Transport Statement (TS). The Inspector was of the view that the services and facilities within Fareham would be within a reasonable distance of the application site via North Wallington. Whilst the current route is not considered to be suitable, in principle it is considered by Officers that, if pedestrian improvements to North Wallington could be provided, it would facilitate safe and convenient journeys on foot and bring the development within a reasonable walking distance to local services and facilities.

8.28 A number of options have now been considered to deliver the required pedestrian connectivity that the Inspector previously considered to be lacking. The shared surface option was the preferred option initially presented to Members which included various measures to enhance the current shared surface environment by reducing traffic speeds, better managing traffic flow, and providing a clear route for pedestrians to take on the southern side of North Wallington. To reduce vehicle speeds two buildouts would have been installed which would require cars to slow and operate a 'give-way' arrangement. These buildouts would incorporate a segregated 'bypass' at the highway edge for pedestrians. Signage and road markings would be used to identify the presence of pedestrians and other road users and yellow lines would prevent cars parking around the Riverside Avenue junction to provide a clear unobstructed route for pedestrians and cyclists.

- 8.29 The TS includes results from a pedestrian count carried out on North Wallington in 2022 over two weekdays and a weekend which recorded 116, 138 and 77 pedestrian movements respectively over a 24 hour period. There is currently no pedestrian footway along this stretch of North Wallington, and there have been no reported accidents involving pedestrians to Hampshire Constabulary for the most recent 5-year period. Whilst it is not considered that the proposed development would generate significant additional volumes of pedestrian movement along North Wallington, Officers considered that the pedestrian safety improvements provided by the shared surface option would have benefitted both existing and future users alike, making it a safer and more appealing route.
- 8.30 Nonetheless, as is set out within the introduction to this report, the proposal has been amended at the request of Members to include a designated footway along the southern edge of the road which would result in the reduction in the width of the carriageway to single file.
- 8.31 The latest proposals are accompanied by a Stage 1 Road Safety Audit. The scheme proposes the provision of a 2.0m wide footway with a kerbed edge along the southern side of North Wallington. Rather than cutting into the adjacent bank to widen the highway, the scheme would instead retain a single lane carriageway width of 3.1m for the length of North Wallington between the proposed site access and the junction of North Wallington and Riverside Avenue to the west. Priority would be given to vehicles travelling east along North Wallington towards the application site. North Wallington is subject to a 7.5 tonne weight restriction. Vehicle tracking has been provided as part of the Road Safety Audit to demonstrate that a fire tender or a 10m rigid vehicle could pass along the road which addresses a specific concern raised by local residents.
- 8.32 To facilitate vehicle flows along North Wallington, three passing locations are proposed along the length of the narrowing which would allow opposing vehicles to wait and pass. The passing bays vary in length between 9.5m and 14m. To allow pedestrians to transition across the passing locations dropped kerbs and tactile paving would be installed with posts to prevent vehicle encroachment on the raised pavement providing a safe refuge for pedestrians. The provision of double yellow lines would be the subject of a subsequent Traffic Regulation Order (TRO) but these are shown indicatively along the southern edge of the carriageway.
- 8.33 Vehicle flows are light along North Wallington and the provision of a single carriageway width with passing locations would be consistent with long established provisions on North Wallington south of Riverside Avenue to



Wallington Shore Road, due to the presence of formal on-street parking bays. The Highway Authority has been consulted on the amended proposals and raise no objection as set out within their latest consultation response.

- 8.34 Officers are satisfied that the latest proposal incorporating a 2m wide footway to the south of North Wallington and reducing the road to single width carriageway would be acceptable in highway safety terms and would provide the pedestrian connectivity that was previously considered to be lacking by the appeal Inspector.
- 8.35 The proposed double yellow lines along the south side of North Wallington would require a Traffic Regulation Order (TRO) to be made following a public consultation procedure as set out in legislation. The provision of waiting restrictions is acceptable in principle to the Highway Authority.
- 8.36 A street lighting assessment has been undertaken which has identified that the existing street lighting provision on North Wallington does not meet current requirements. Additional lighting columns are required and could be secured as part of a Highway Agreement under Section 278 of the Highways Act 1980 between the developer and the Highway Authority. This is standard practice for off-site highway works required as part of a development. Details of the drainage strategy along North Wallington would be considered at detailed design stage to address any ponding issues which would impinge on the pedestrian route.
- 8.37 Other off-site pedestrian improvements proposed include the provision of a 2 metre-wide footway leading north from the site access along the southern side of North Wallington to connect to Standard Way and the motorway underpass on the opposite side of the road, with two improved uncontrolled pedestrian crossing points. Subject to agreement of the s278 Highway Agreement with the Highway Authority, the scheme of improvement works would need to be completed before first occupation of the development.

#### *Access*

- 8.38 The means of access to the site forms part of the outline application being considered. The construction of the access would enable North Wallington at this particular point to be widened to 6.1m to better accommodate the existing parking provision that occurs to the northern side of the road adjacent to the residential properties. Visibility splays of 2.4m x 40m to the north and 2.4m x 39m to the south would be achieved in line with the observed speeds and Highway Authority requirements. Swept path analysis of the proposed access demonstrates that the access is sufficient to accommodate cars, refuse vehicles and emergency vehicles. The proposed access on to North Wallington is considered to be of suitable standard to serve the development.

### *Trip Generation & Traffic Impact*

- 8.39 The traffic generation for the proposed development has been estimated using trip rates derived from survey data from comparable sites contained within the TRICS database. Table 6.1 of the TS provides vehicle trip rates (per dwelling) that were accepted for the previous application. The estimated traffic generation based on a 32-dwelling proposal is 16 vehicle movements in the morning network peak hour (0800 – 0900) and 14 in the evening peak hour (1700 – 1800). This gives a slightly inflated precautionary figure than would be expected of the proposed maximum 29 dwelling development.
- 8.40 The TS sets out that based on likely destinations it would be anticipated that approximately half the vehicles leaving the site would travel in each direction along North Wallington. This would equate to one additional vehicle along that route every 7-8 minutes during the peak hour.
- 8.41 Junction capacity modelling has been undertaken for the site access junction and the North Wallington/Standard Way. The assessment shows the junctions to operate within capacity with no queuing or material delays. Given existing conditions and the relatively low number of additional vehicle movements generated by the proposed development, it is not anticipated that the residual cumulative impact on the road network, taking into account other permitted or planned development in the local area, would be severe.

### *Parking Displacement on North Wallington*

- 8.42 In March 2022 parking beat surveys in accordance with the Lambeth Methodology were carried out along North Wallington on a stretch of some 155m extending from Drift Road up to Standard Way and also on Riverside Avenue. It was identified that there is currently scope for approximately 29 vehicles to park on the south side of North Wallington between the site and the junction with Riverside Avenue on the southern side of the carriageway. The parking survey results however indicate that there is limited on-street parking taking place with typically 3-4 vehicles parked overnight (likely residential parking) with between 4 and 6 vehicles parked during the day (likely associated with 'park and stride' commuters). It is considered that there is capacity to accommodate displaced residents parking on North Wallington (south of Riverside Avenue) and on Riverside Avenue itself. For commuters there is car parking available within the town centre.
- 8.43 It is confirmed that there would be no change in respect of the existing parking that takes place to the north side of North Wallington within the vicinity of Riverside Cottages and additional parking would remain available to residents of these properties within the layby on the opposite side of the road.

8.44 The proposal is considered to accord with Strategic Policy TIN1 and Policy TIN2 of the Fareham Local Plan 2037.

**e) Landscape character and visual impact**

8.45 The site is within Local Character Area 11 - Portsdown as defined in the Fareham Landscape Assessment (FLA), which encompasses an area of land which is bisected by the M27. The site is defined as being within the Open Arable Downs: Fringe Character and is specifically part of Fort Wallington Fringe.

8.46 The FLA describes this as a small fragmented area which is severed from the wider chalkland landscape open countryside to the north by the M27 motorway, forming an area of captured landscape sandwiched between the motorway, the A27 road corridor and the northern edge of Wallington. The FLA acknowledges that it has an overriding urban fringe character, noting the presence of large scale industrial/commercial buildings and infrastructure and sets out that its overall value as part of the Borough's landscape resource is relatively low.

8.47 When determining the previous appeal, the Inspector's assessment of the landscape character of the area and the proposals impact thereon reads as follows;

*'The commercial buildings are very much evident as you travel along Standard Way to the top of North Wallington road with the site located between two industrial sites. The existence of the M27 is also a dominant feature when standing within the appeal site and as such the character of the site is dominated by the presence of these urban features.*

*Taking into account the severance which has been created by the motorway, the area does not have a role in maintaining the definition between town and country and its character is more associated with the surrounding urban area than the open countryside to the north of the motorway. As a result, the site does not contribute to the open rural nature which is experienced beyond the appeal site and does not provide an important visual separation between the existing built development.*

*Whilst there would be a degree of urbanisation and countryside encroachment through additional housing, the introduction of the proposed dwellings into the site would be appropriate within this urban fringe setting. In particular, it would result in the infilling of the existing gap between Standard Way and the existing development which*

*extends along North Wallington road and would result in a continuation of the visual and historical relationship of the settlement.'*

8.48 The appeal decision, and the Inspector's findings in relation to this issue, are important material considerations for Members to take account of when determining this current application which is for the same quantum of development on the very same site. In light of the Inspectors' comments Officers do not consider that a reason for refusal relating to the impact on the landscape character of the area would be defensible. The specific details in relation to the layout of the site and the scale and appearance of buildings to be presented at reserved matters stage would however warrant careful consideration when submitted to the Council for approval.

**f) Design & Layout**

8.49 In response to Officer's concerns held at appeal over the level of development proposed and the indicative layout of the site, the Planning Inspector expressed a view that as the description of development is for 'up to' 29 dwellings this must be taken as a maximum and not an absolute or minimum figure. As such, their view was that any doubt over the site's capability of accommodating this maximum number of dwellings, whilst enabling the constraints of the site to be adequately mitigated and ensuring compatibility with the character and appearance of the area, is a matter for consideration at reserved matters stage when further details are available.

8.50 The submitted illustrative site layout and sketch view have been superseded by a 'parameters plan' which Officers have worked with the applicant to make acceptable. If approved, the parameters plan would form the basis for the final layout design and the reserved matters application would need to follow the parameters set out in that plan. The parameter plan submitted by the applicant simply establishes the 'developable area' of the site where homes would be built and those areas which should be retained as green buffers or public open space. The green buffer is shown extending along the majority of the northern boundary adjacent to the retained line of trees/hedgerow, with the exception of the highway access point, and this continues around the eastern perimeter of the site widening out at the southern boundary to retain important on-site habitat. Officers would be seeking a pedestrian link between the green buffers along the northern boundary and the larger area adjacent to the southern boundary to ensure connectivity and opportunity for recreation for future residents. The position of this link has been shown indicatively on the parameters plan. The scale and design of dwellings is a matter for consideration at the reserved matters stage however it is indicated that development would be predominantly two storey with limited two and a half storey development.

8.51 The design and layout of the site will likely be influenced by the requirement to provide adequate mitigation to future occupants against noise originating from the M27, potentially using the built form as a noise barrier to private amenity space and development to the rear. A planning condition would be imposed to secure the submission of a scheme of sound attention with the reserved matters application to demonstrate that an acceptable living environment for future residents would be provided based on up-to-date background noise levels. The submitted noise impact assessment suggests this would be achievable through the use of higher specification glazing and alternative ventilation, where appropriate, to accord with the Building Regulations. Whilst mindful of the need to secure an acceptable living environment, Officers would need to be convinced that the proposed height, scale and mass of development on the site frontage would be acceptable within the context of the surrounding area, noting the two storey cottage forms that are characteristic of North Wallington further towards the village's historic core.

#### **g) Ecology**

##### *Habitats*

- 8.52 The application site currently contains a variety of habitats. The dominant habitat type present across much of the developable area of the site is identified as 'unmanaged other neutral grassland'. Other habitats present include lowland calcareous grassland, scrub, lowland mixed deciduous woodland, boundary hedgerows and trees.
- 8.53 Currently there is an area of lowland calcareous grassland (0.148 ha) which extends in a strip along the southern part of the site. Initially concerns were raised by the Council's Ecologist in respect of the extent of loss of this habitat which is a priority habitat, but this loss has now been reduced as shown on the submitted parameter plan. It is now proposed that 0.082 ha of lowland calcareous grassland would be retained, which is twice the amount indicated within the original ecology reports.
- 8.54 The woodland habitat within the south-eastern corner of the site would be retained. A reduced area of Blackthorn scrub located adjacent to the northern boundary hedgerow would be retained and managed and Bramble scrub within the south-east corner of the site would be retained and enhanced through the planting of native species and future management. The northern boundary hedgerow and the southern boundary woodland would be retained. A new native hedgerow would be planted along a gap on the northern boundary of the site which would improve ecological connectivity across the site.

- 8.55 Tree loss would be minimal and that which would be carried out would be primarily to enable the access to the site to be formed, with potential for a small section of removal within a group along the southern boundary. The overall impact on the landscape character of the area as a result of this tree loss is considered to be minimal.
- 8.56 Policy NE1 of the Fareham Local Plan 2037 concerns the protection of nature conservation, biodiversity and the local ecological network. It clarifies that development will be expected to adhere to the principles of the mitigation hierarchy of 'avoid, mitigate, compensate'. This means, if a development has the potential to harm biodiversity directly or indirectly, the impact should be avoided (such as by finding an alternative site or through appropriate design). If harm cannot be avoided, then adequate mitigation should be provided. As a last resort, if mitigation is not provided, compensation amounting to the lifetime of the development should be arranged. Development should demonstrate clearly that the mitigation hierarchy has been followed.
- 8.57 The applicant's ecologist has set out how the mitigation hierarchy has been followed by retaining habitats on site in some capacity where possible. In particular, much of the calcareous grassland along the southern boundary is now proposed to be retained. Where habitats have to be lost this has been minimised and mitigated with new hedgerow planting proposed and enhancement of existing scrub. As a last resort, some off-site compensation will be required to provide the required 10% biodiversity net gain. The Council's Ecologist is satisfied that the proposals follow the principles of the mitigation hierarchy.

#### *Protected Species*

- 8.58 The site has been surveyed to seek evidence of, or the potential for presence of, protected species. The tree lines and hedgerows on site provide suitable commuting habitats for badgers and the grassland areas provide suitable foraging habitat. A potential badger sett was identified close to the site boundary and a badger activity survey undertaken. The site was also considered to provide suitable habitat for foraging and commuting bats. The majority of habitats on site were considered to offer potential for reptiles with dominant areas of unmanaged grassland typically favoured by reptiles. A suite of reptile presence/likely absence surveys were undertaken by the applicant's ecologist in 2018 which recorded no reptiles on site. Updated reptile surveys have been undertaken in 2023 which again recorded no reptiles. It can therefore be considered that a population is likely to be absent and the site is of negligible value to reptiles. No suitable habitat was found for Great Crested Newts.

- 8.59 The established woodland, scrub and hedgerow were considered to provide suitable habitats for dormice and there were records of dormice locally. No evidence of dormice was found within the site during both the 2018 nest tube surveys and the updated nut search in 2023. However, due to evidence of dormice within close proximity to the application site, the presence of dormice is assumed to have been established within all suitable habitat on the application site. The site is also considered to be of high potential for nesting and breeding birds.
- 8.60 In order to mitigate impacts to protected species from the loss of habitat and the development of the site the supporting ecological appraisal sets out appropriate recommendations for mitigation, compensation and enhancement. The implementation of the development in accordance with the recommendations of the ecological appraisal will be secured by planning condition. The Council's Ecologist has also requested an updated badger survey be undertaken prior to the commencement of development to inform a method statement to be submitted for approval to the Local Planning Authority in respect of works within close proximity to the sett.

#### *Biodiversity Net Gain*

- 8.61 The application was submitted prior to the mandatory requirement for Biodiversity Net Gain (BNG) coming into effect on 12 February 2024. However, in accordance with Policy NE2 of the Fareham Local Plan 2037 the proposal will still be expected to deliver a 10% BNG. The biodiversity net gain (BNG) metric calculation submitted with the application predicts that the proposal would result in a loss of 60.84% habitat units and a gain of 9.24% hedgerow units post development. The applicant's ecologist has taken steps to deliver BNG units on site where possible following the mitigation hierarchy; for example, the enhancement of Bramble scrub into mixed scrub, the planting of individual trees, and the creation of a new length of native species-rich hedgerow along the northern boundary. However, it has not been possible to achieve a net gain or satisfy the trading rules within the constraints of the site. The deficit would need to be made up through the purchase of off-site habitat and hedgerow credits from a registered provider. In order to satisfy the trading summary, a combination of lowland calcareous grassland, other neutral grassland and mixed scrub would need to be created. A planning condition could be imposed securing submission of a biodiversity net gain plan prior to the commencement of development including a habitat management and monitoring plan to demonstrate how this gain would be maintained over a 30 year period.

#### **h) Impact on Habitat Sites**

- 8.62 Strategic Policy NE1 of the Fareham Local Plan 2037 sets out the strategic approach to biodiversity in respect of sensitive European sites and mitigation

impacts on air quality. Policies NE3 and NE4 specifically relate to recreational disturbance and water quality effects on Habitat Sites respectively.

- 8.63 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.
- 8.64 In light of their importance, areas within The Solent have been specially designated under UK law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.65 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated sites. This is done following a process known as an Appropriate Assessment (AA). The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.66 To fulfil the requirements under the Habitat Regulations, Officers have carried out an AA in relation to the likely significant effects on the HS which concludes that there would be no adverse effects on the integrity of protected sites subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.

*Water Quality (nitrates)*

- 8.67 The first likely significant effect on HS relates to deterioration in the water environment through increased nitrogen. Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.68 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England has provided a methodology for calculating nutrient budgets and



options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best-available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advise local planning authorities to take a precautionary approach when addressing uncertainty and calculating nutrient budgets. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE's advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.

- 8.69 A nitrogen budget has been calculated in accordance with Natural England's 'National Generic Nutrient Neutrality Methodology' (Nov 2022) ('the NE Advice') and the updated calculator (February 2024) which confirms that the development would generate 22.93 kg TN/year. In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be lowland grazing and woodland.
- 8.70 Due to the uncertainty of the effect of nitrates from the development on the Habitat Sites, adopting a precautionary approach, and having regard to the NE advice, the Council will need to be certain that the additional output will effectively be mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.71 The applicant has purchased 23 kg TN/year of nitrate mitigation credits from Hampshire and Isle of Wight Wildlife Trust (HIWWT) and notice of purchase has been presented to the Council. Through the operation of a legal agreement between the HIWWT, Isle of Wight Council and Fareham Borough Council dated 30 September 2020, the purchase of the credits will result in a corresponding parcel of agricultural land at Little Duxmore Farm on the Isle of Wight being removed from intensive agricultural use, and therefore providing a corresponding reduction in nitrogen entering the Solent marine environment.
- 8.72 The purchase of the nitrate mitigation credits has the effect of ensuring that land previously in agricultural use is retained and managed in a way which ensures a reduction in nitrates entering that land of 23 kg TN/year for the lifetime of the development for which planning permission is being sought. This will ensure that the scheme can demonstrate nutrient neutrality.
- 8.73 A planning condition would secure details of the water efficiency measures to be installed within the dwellings to ensure that water consumption would not

exceed 110L per person/per day to reflect the assumptions of the nitrate budget.

#### *Air Quality*

- 8.74 The second aspect is impact on air quality, where the designated sites can be adversely affected through airborne pollution from development sites generated either during construction or operation / occupation. The Council's Air Quality Habitat Regulations Assessment (HRA) for Short-Term Development in Fareham Borough by Ricardo Energy and Environment (2020) has undertaken an assessment which avoids the need for relying on the assumption of a 200-metre zone of influence by including dispersion modelling of emissions from all roads with modelled traffic flows within the Fareham study area, whether or not they are located within 200m of a designated site. The Study concluded no likely significant effect alone or in combination with other plans and projects for all qualifying features of the protected HS.

#### *Recreational Disturbance*

- 8.75 The last of the likely significant effects on HS concerns disturbance on The Solent coastline through increased recreational use by visitors to the sites. The development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area.
- 8.76 Policy NE3 of the Fareham Local Plan 2037 explains that planning permission for proposals resulting in a net increase in residential units may be permitted where the 'in combination' effects of recreation on the Special Protection Areas are satisfactorily mitigated through the provision of a financial contribution to the Solent Recreation Mitigation Strategy (SRMS).
- 8.77 The applicant will be required to enter into a Section 106 legal agreement to secure the appropriate financial contribution in accordance with The Solent Recreation Mitigation Strategy.
- 8.78 In summary, the Council has carried out an AA and concluded that the proposed mitigation and conditions will be adequate for the proposed development and ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies NE1, NE3 and NE4 of the adopted local plan.
- 8.79 Natural England has been consulted on the Council's AA and their formal comments are expected shortly. Members will be updated at the Committee

Meeting. It is considered that the development accords with the Habitat Regulations and complies with Policies NE1, NE3 and NE4 of the adopted Fareham Local Plan 2037.

**i) Other Matters**

***Affordable housing***

- 8.80 Policy HP5 of the Fareham Local Plan 2037 concerns the provision of affordable housing and states that sites that can accommodate 10 or more dwellings and encompass greenfield sites shall provide 40% dwellings as affordable homes.
- 8.81 The affordable housing must be provided in accordance with the following proportions:
- i. At least 10% as Social Rent; and
  - ii. At least 55% as Affordable Rent; and
  - iii. At least 10% of the overall housing provision on site to be provided as Affordable Home Ownership.
  - iv. The mix of property size and type should reflect the local need and the site characteristics.
- 8.82 The appropriate level of affordable housing provision and a policy compliant tenure mix would be secured within a Section 106 legal agreement.

***Flood Risk & Surface Water Drainage***

- 8.83 Para 165 of the NPPF advises that;

*‘Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.’*

- 8.84 The site itself is located within the Environment Agency’s Flood Zone 1 and is therefore considered to be at a low level of flooding from tidal or fluvial sources such as the River Wallington. However, in order that the proposal does not increase the risk of flooding elsewhere it is essential to ensure that surface water run-off from the site is adequately dealt with. The drainage calculations for the site have been carried out to ensure that any run-off or discharge is at existing greenfield rates or lower so as not worsen existing flood risk.

- 8.85 The site lies within a groundwater source protection zone due to its proximity to a public drinking supply source to the south. There are a number of adits (manmade tunnels linked to the abstraction well) associated with this supply source; one of which runs beneath the application site 15 - 20m below ground level. In delivering sustainable drainage, infiltration to ground would normally be the preference within a hierarchy of acceptable discharge solutions, however due to the groundwater sensitivity in this location infiltration drainage is not considered appropriate. The preliminary drainage strategy for the site incorporates permeable paving and underground water storage tanks which would collect and temporarily store surface water run-off which would then be discharged at a controlled rate into the existing surface water sewer network. Approval of the final drainage strategy based on the site layout would be subject to planning condition in consultation with the Environment Agency, Portsmouth Water, and the Lead Local Flood Authority.
- 8.86 The Environment Agency has not raised any concerns in respect of any increased flood risk associated with the River Wallington as a result of surface water discharge from the site given the intention to control this to below the greenfield run-off rate.

#### ***Heritage Impact & Archaeology***

- 8.87 The site is considered likely to retain a moderate archaeological potential and the proposed development would negatively impact any archaeological remains which might be present. The County Archaeologist recommends that the assessment, recording and reporting of any archaeological deposits be secured through appropriate planning conditions. There are no other concerns in respect of the impact of the development on heritage assets including Fort Wallington. The development is considered to accord with Policy HE4 of the Fareham Local Plan 2037.

#### ***Adaptable and Accessible Dwellings***

- 8.88 The Fareham Local Plan 2037 sets out that in light of Fareham's above average aged population it is important that more homes are constructed at an adaptable standard to give greater choice and the ability for older people to remain in their homes should they wish, whilst supporting and encouraging the provision of specialist and older person housing when appropriate. In addition, 16% of the resident population of the Borough have a long-term health problem or disability indicating that there is an increased requirement for specialist accommodation options moving forward. In accordance with Policy HP7 of the Fareham Local Plan 2037 it is proposed to impose a planning condition to secure that at least 15% of the proposed dwellings are constructed to Category 2 standard as outlined in Part M (Access to and Use of Buildings) of the Building Regulations (2015 edition).

### ***Amenity Implications***

- 8.89 Matters of scale, appearance and layout are reserved for consideration at the future reserved matters application stage. It is at that stage that the detailed consideration of these issues would need to comply with relevant local plan policy and the adopted design guidance SPD to ensure appropriate amenity standards for future residents and to protect the living conditions of neighbouring residential properties. This would include matters such as ensuring appropriate internal and external space is provided and that the light to, outlook from and privacy enjoyed by proposed and existing properties is acceptable in planning terms.

### ***Effect upon Local Infrastructure***

- 8.90 Concerns have been raised over the effect of the number of dwellings on schools, doctors and other services in the area. The difficulty in obtaining doctor's appointments and dental services is an issue regularly raised in respect of new housing proposals. It is ultimately for local health providers to decide how they deliver their services. A refusal on these grounds could not be substantiated. The County Council advises that the catchment primary and secondary schools have capacity to accommodate the predicted number of additional pupils generated by the development. A contribution of £15,000 towards the provision of additional cycle and scooter storage at local schools to promote sustainable modes of transport could be secured within the S106 legal agreement.

### **j) The Planning Balance**

- 8.91 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'*

- 8.92 Officers have carefully assessed the proposals against the policies contained within the NPPF and the relevant policies of the Fareham Local Plan 2037. The site lies outside of the defined Urban Area Boundary. The principle of the development of the site would be contrary to Policies DS1, HP1, HP2, HP6 and HP11 of the adopted Fareham Local Plan 2037. However, as the latest Housing Delivery Test results for the Borough indicate that the delivery of housing was substantially below 75% of the housing requirement over the previous three years, policies contained within the Fareham Local Plan 2037 are regarded as 'out of date' by virtue of paragraph 11 of the National Planning Policy Framework.

- 8.93 As set out earlier in the report, paragraph 11(d) of the NPPF clarifies the presumption in favour of sustainable development in that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii) 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination’.
- 8.94 An Appropriate Assessment has been undertaken and concluded that the proposal would not adversely affect the integrity of protected Habitat Sites. There are no clear reasons to refuse the application on the grounds set out within paragraph 11(d)(i).
- 8.95 Turning to paragraph 11(d)(ii), Officers have carefully considered the potential adverse impacts of the proposed development and the benefits when assessed against the policies of the Framework taken as a whole. In doing so, significant weight has been given to the findings of the Planning Inspector in the recent appeal.
- 8.96 With regards to the visual impact of developing the site, the Appeal Inspector previously found that the development would be appropriate to the landscape character and quality of the area and result in an infill between the existing built development which is proportionate to the scale of the existing settlement. The parameters plan submitted with the current application indicates that development would be predominantly two storey scale with potential for some limited two and a half storey development. A green buffer would be provided around much of the site to enable development to better assimilate into the landscape. Further consideration will be required at the reserved matters stage to ensure that the proposed quantum and form of development sits comfortably within the context of the surrounding area however it is considered possible for a well designed scheme to come forwards to make effective use of the land without an adverse visual impact on the landscape.
- 8.97 Officers are of the view that in light of the revisions made to the proposals, compared to the previous submission, the sole reason for the Inspector’s

dismissal of the appeal in respect of pedestrian connectivity has been addressed. It is considered that the proposed site access would not have any unacceptable highway safety implications and pedestrian connectivity improvements along North Wallington have been demonstrated to be achievable to the satisfaction of the Highway Authority and would offer a betterment to the current situation.

- 8.98 There are no other adverse impacts identified throughout this report which could not be adequately addressed or mitigated through appropriate planning conditions.
- 8.99 Turning to the benefits of granting planning permission, Officers consider that the proposal would make a valuable contribution towards addressing local housing supply, including the provision of a policy compliant percentage of affordable homes. The NPPF highlights the Government's objective to significantly boost the supply of homes to meet the needs of the local community enabling land to come forwards where it is needed.
- 8.100 To assist in speeding up the delivery of housing from this site, the applicant has agreed to a reduced implementation period for any planning permission granted. The reserved matters application(s) would be required to be submitted within 2 years from the date of outline consent being granted as opposed to the standard 3 years. The development would then need to be commenced within 1 year of the approval of the final reserved matters application.
- 8.101 Despite the countryside allocation of this site, and subject to the proposed pedestrian connectivity improvement works on North Wallington, the site is considered to be sustainably located on the edge of Wallington village with access to the services and facilities within Fareham Town Centre.
- 8.102 In conclusion therefore and returning to the 'tilted balance' of paragraph 11(d)(ii) of the NPPF, Officers consider that the adverse impacts of granting permission do not significantly and demonstrably outweigh the benefits of doing so, having had regard to the policies of Framework as a whole. Officers recommend that outline planning permission should be granted subject to the imposition of appropriate planning conditions, and subject to the prior completion of a Section 106 legal agreement.

## **9.0 Recommendation**

- 9.1 Subject to the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:

- a) The delivery of at least 40% of the dwellings as affordable housing; the type, size, mix and tenure as agreed by Officers;
- b) Delivery of appropriate highway works secured through a Section 278 Agreement to be entered into with the Highway Authority to secure;
  - i) Pedestrian improvements to North Wallington as shown in principle on Drawing: ITB14153-GA-022 Rev D - North Wallington Pedestrian Improvement Scheme incorporating;
    - Street lighting improvements as shown in principle in Tetra Tech: Lighting Design and Light Spillage Assessment (8 February 2023)
    - The implementation of waiting restrictions, as deemed necessary (following payment by the developer of all costs associated with the advertising and making the Traffic Regulation Order).
  - ii) Highway improvements as shown in principle on Drawing: ITB14153-GA-021 - Site Access Arrangements including;
    - a 2m wide footway from the site access to connect to Standard Way;
    - a 2m wide section of footway on Standard Way to connect to the motorway underpass;
    - uncontrolled pedestrian crossing points improved with tactile paving on Standard Way and North Wallington;
    - the lay-by access to the north of the site access altered to a vehicle crossing on North Wallington and turning head modifications;
    - the delivery of the site access junction to North Wallington and closure of existing vehicular access from the site to North Wallington layby
- c) To secure a financial contribution of £15,000 towards the provision of additional cycle/scooter storage at Harrison Primary School.
- d) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
- e) To secure a financial contribution for the monitoring of significant on-site BNG

**THEN**



9.2 **GRANT OUTLINE PLANNING PERMISSION** for construction up to 29 dwellings, with new access off North Wallington (alternative to previous application P/19/0894/OA), subject to the following conditions:

1. Details of the layout of the site, the appearance and scale of buildings and the landscaping of the site (hereinafter called "the 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 Section 91 of the Town and Country Planning Act 1990.

2. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of two years 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 two years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

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

- i) Location Plan (drwg No.19.046.01 Rev B)
- ii) Parameter Plan (drwg No. 19.046.03 Rev B)
- iii) Site Access Arrangement – drwg No. ITB14153-GA-021
- iv) Ecological Appraisal (Ecosupport, August 2024)
- v) Biodiversity Net Gain Assessment (Ecosupport, Aug 2024)
- vi) Drainage Strategy Addendum 2 (Odyssey, July 2024),

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

5. No development hereby permitted 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 Local Planning Authority in writing.

The development shall be carried out in accordance with the approved details.  
REASON: To secure the satisfactory appearance of the development.

6. 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.

7. No development shall take place until details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, to include 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 in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

8. No dwelling erected on the site subject to this planning permission shall be first occupied until there is a direct connection from it, less the final carriageway and footway surfacing, to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the date upon which construction is commenced of the penultimate building/dwelling for which permission is hereby granted. The roads and footways shall be laid out and made up in accordance with the approved specification, programme and details.

REASON: To ensure that the roads and footways are constructed in a satisfactory manner.

9. No development shall be occupied until the means of vehicular access to the site has been constructed as shown on the approved plan (drwg No. ITB14153-GA-021). The access shall be subsequently retained with the visibility splays kept permanently clear of any obstruction to visibility exceeding 600mm in height above the adjacent carriageway level.

REASON: To provide satisfactory access and in the interests of highway safety.

10. No dwelling, hereby approved, shall be first occupied until the approved parking and turning areas (where appropriate) 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 for that purpose.

REASON: In the interests of highway safety.

11. 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 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.

12. No reserved matters application shall be submitted pursuant to condition 1 unless it demonstrates that at least 15% of the total number of dwellings to be provided on the site (rounded up to the nearest whole number), including at least 15% of the affordable units, shall be constructed at Category 2 standard as outlined in Part M (Access to and Use of Buildings) of the Building Regulations (2015 edition) or equivalent as agreed in writing with the local planning authority.

REASON: To meet the needs for specialist housing within the Borough in accordance with Policy HP7 of the emerging Fareham Local Plan 2037.

13. No development shall take place 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 shall be submitted to and approved in writing by the local planning authority. 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.

14. 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.

15. Development shall proceed in accordance with the measures detailed in Section 6.0 'Recommendations' of the Ecological Appraisal (Ecosupport, August 2024).

REASON: to ensure the protection of designated sites, retained habitats and protected species.

16. No development shall commence (including demolition, site clearance and ground preparations) until an updated badger survey (to be carried out no earlier than 3 months prior to the commencement of development) and a method statement detailing the mitigation measures to be implemented for the duration of any construction works proposed within a 30m radius of the identified badger sett has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the safeguarding of protected species.

17. No works shall take place (including demolition, site clearance and ground preparations) until an updated Biodiversity Gain Plan, based on the principles within the Biodiversity Net Gain Assessment (Ecosupport, Aug 2024), setting out the measures that will provide net gains for biodiversity of at least 10% has first been submitted to and approved by the local planning authority in writing. The submitted plan shall contain the following:

- i) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- ii) confirmation of the pre-development biodiversity value of the onsite habitat;
- iii) confirmation of the post-development biodiversity value of the onsite habitat;
- iv) details of any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- v) details of any biodiversity credits purchased for the development.
- vi) a habitat management and monitoring plan detailing how the proposed measures to secure 10% Biodiversity Net Gain will be managed, maintained, monitored and funded for a minimum of 30-years.

REASON: To minimise impacts on, and secure the provision of measurable net gains for, biodiversity.

18. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned on-site habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain on-site habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced on-site habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration.

REASON: To secure at least 10% net gains for biodiversity for a period of at least 30 years from the completion of the development.

19. No development shall commence until an Arboricultural Impact Assessment and a Method Statement for installation of 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. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

20. No reserved matters application shall be submitted pursuant to condition 1 without an updated noise survey and proposed scheme of sound attenuation to assess the impact of vehicle noise from the M27 and local roads and identify the measures necessary to attenuate the dwellings against noise nuisance for future occupants. The development shall thereafter only be carried out in accordance with any approved details.

REASON: To prevent avoidable disturbance to residents from noise.

21. 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. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

22. No development shall commence until a detailed surface water drainage strategy for the site, based on the principles within the Drainage Strategy Addendum 2 (Odyssey, July 2024), has been submitted and approved in writing by the Local Planning Authority.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

23. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any of the dwellings. The approved surface water drainage system shall be maintained in accordance with those details thereafter.

REASON: In order to ensure satisfactory disposal of surface water.

24. No development hereby permitted shall commence until an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources has been submitted to and approved in writing by the Local Planning Authority (LPA). The site investigation shall not take place until the requirements of the LPA have been fully established.

Should the submitted site investigation and risk assessment reveal a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the LPA. It shall also include the nomination of a competent person (to be agreed with the LPA) to oversee the implementation of the measures.

**Prior to the occupancy of each unit:**

The agreed scheme of remedial measures shall be fully implemented. Remedial measures shall be validated in writing by an independent competent person as agreed with the LPA. The validation is required to confirm that the remedial works have been implemented in accordance with the agreed

remedial strategy and shall include photographic evidence and as built drawings where required by the LPA. The requirements of the LPA shall be agreed in advance.

Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the LPA. The remediation shall be fully implemented and validated in writing by an independent competent person as agreed with the LPA.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place. To ensure that the development does not contribute to unacceptable levels of water pollution. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site to ensure adequate mitigation against land contamination on human health.

25. Prior to the commencement of development a scheme of works detailing the extent and type of any piling, or other foundation designs and/or investigation using penetrative methods proposed shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the proposed development, does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework (NPPF).

26. No development hereby permitted shall commence until a Written Scheme of Investigation (WSI) for that development parcel has been submitted to and approved in writing by the local planning authority. The submitted WSI shall:

- a. recognise, characterise and record any archaeological features and deposits that may exist
- b. and should initially take the form of trial trenches that are located across the whole of the proposed development site

No development shall commence until an archaeological mitigation strategy, based on the results of the approved WSI has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved mitigation strategy.

Following completion of all archaeological fieldwork a report will be produced setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement. That report shall be

submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings hereby permitted.

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. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

27. None of the residential units hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling 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 a maximum of 110 litres 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.

28. 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.

29. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

- a) A list of defined potential impact to the Solent & Dorset Coast SPA & Portsmouth Harbour SSSI;
- b) Details of methods for pollution control to ensure no pollution (such as debris from dust or surface water run-off) is able to enter the water;
- c) Details of how sediment/concrete or other debris that may be accidentally released during construction will be captured to prevent it entering the water;
- d) Details of biosecurity to ensure that all equipment brought on to site does not bring any contaminants such as invasive species onto the site and into the waters;



- e) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site;
- f) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
- g) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
- h) Arrangements for the routing of lorries and details for construction traffic access to the site;
- i) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
- j) The measures for cleaning the wheels and underside of all vehicles leaving the site;
- k) A scheme for the suppression of any dust arising during construction or clearance works;
- l) The measures for cleaning North Wallington and Standard Way to ensure that they are kept clear of any mud or other debris falling from construction vehicles;
- m) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;
- n) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
- o) Provision for storage, collection, and disposal of rubbish from the development during construction period;
- p) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- q) Temporary lighting;
- r) No burning on-site;

**REASON:** In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

## **THEN**

9.3 **DELEGATE** authority to the Head of Planning to:

- (a) Make any necessary modification, deletion or additions to the proposed conditions or heads of terms for the section 106 legal agreement; and
- (b) Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

**10.0 Background Papers**

- 10.1 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.

# Land East of North Wallington Road Fareham

