

**SUPPLEMENTARY AGENDA  
PLANNING COMMITTEE**

**Date:** Wednesday, 19 January 2022  
**Time:** 2.30 pm  
**Venue:** Collingwood Room - Civic Offices

**9. Planning applications and Miscellaneous Matters including an update on Planning Appeals**

To consider a report by the Director of Planning and Regeneration on development control matters, including information regarding new planning appeals and decisions.

**(9) UPDATE REPORT (Pages 1 - 9)**



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19 January 2022

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## Housing Delivery Test 2021

The results of the Housing Delivery Test (HDT) were published on 14<sup>th</sup> January. The Test Results showed that the number of dwellings delivered over the preceding 3 years represented 62% of the number required against the Government's requirements.

The table below provides a more detailed breakdown of our results, showing the annual number of dwellings required each year against the actual number delivered.

	2018-19	2019-20	2020-21	Total
Annual requirement	347	428*	342*	1,117
No of homes delivered	290	285	117	692
% of requirement delivered				62%

\*For years 2019/20 and 2020/21, the Government reduced the need requirement which authorities were required to meet by 1 month and 4 months respectively in recognition of the impact of the Covid-19 pandemic.

When the HDT result falls below 75%, the presumption in favour of sustainable development must be applied by the Council when deciding planning applications. In these situations, paragraph 11 d) of the NPPF states that the authority should grant planning permission unless one of two scenarios apply:

- the application of policies in the NPPF that protect areas or assets of particular importance (for example, protected sites, Green Belt, Local Green Space, AONB or National Park, designated heritage assets or areas at risk of flooding or coastal change) provides a clear reason for refusing the development proposed,
- or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole.

As the Council cannot currently demonstrate a five-year housing land supply, the Council already applies paragraph 11 d) (known as the 'tilted balance') when making decisions on planning applications. The publication of the HDT results do not change how the Council is required to make planning decisions.

The Council is required to continue applying a 20% buffer to the five-year housing land supply calculations and have an HDT Action Plan. The Council's HDT Action Plan was published in June 2021.

The next HDT results are expected around this time next year. It is only on the publication of a result higher than 75% that the Council can stop applying the presumption in favour of sustainable development. The Council must achieve a HDT

result of higher than 85% before it can apply a buffer of 5%, rather than 20%, to the five-year housing land supply requirement.

## UPDATES

for Committee Meeting to be held on 19/01/2022

### **ZONE 1 – WESTERN WARDS**

(1) P/19/0313/RM (WARSASH WARD)

Brook Lane

#### 1. Amended plans

Amended plans have been received in response to the highways objection. The amended plans update the tracking of vehicles on the roads to demonstrate that cars and refuse vehicles can navigate the site without encroaching onto the pavement. The amended plans also amend the proposed surfacing of the roads with areas containing pavements surfaced with tarmac and the shared surface areas (that is the areas without pavements) surfaced with block paving.

#### 2. Updated Consultee response

Hampshire County Council Highways have reviewed the amended plans and have confirmed no objection subject to a condition ensuring the vehicular access to the south is built to adoptable standards.

The following comments were also provided:

- The shared use area is now clearly defined using block paving consistently throughout the secondary shared surface street network. The revised design makes the different intended use of the internal roads clear to users.
- No significant safety concerns are raised at this stage however a Stage 1 Road Safety Audit will be required at the detailed design stage.
- The amended tracking shows that all required manoeuvres can be carried out without overrunning of the footways.
- The additional pedestrian link in the south east will improve connectivity.

#### 3. Additional Representation

An additional objection has been received. The following issues are to be considered in addition to those summarised in the officer report:

- The homes should be carbon neutral
- Housing numbers should be reviewed in light of revised central government housing figures
- Access by emergency services may be compromised by congested roads
- Lack of pavements

- The site has been allocated as CS12 employment
- Loss of trees
- The roads are too narrow
- The plans may result in anti-social behaviour
- Will the flats include adequate sound proofing?

Officer Comment:

- There is no policy requirement for homes to be carbon neutral.
- The principle of development was secured at the outline stage.
- There are shared surface areas where there are no pavements. These areas have been designed to give priority to pedestrians. The amended plans have been assessed by HCC Highways who raise no objection.
- The landscaping plan contains details of a number of new trees which will add to the character of the area. The tree officer has endorsed the proposal.
- The plans have been carefully designed to ensure areas of car parking and public open space are overlooked to discourage anti-social behaviour.
- The construction of the buildings, including sound proofing would be subject to Building Regulations.

4. Financial Contributions and Updated Recommendation

The applicant has now paid the contribution towards the council's interim solution regarding the impact of recreational disturbance on the New Forest and payment of the SRMP contribution is secured within a unilateral legal agreement. The recommendation is therefore updated as follows:

- A) DELEGATE to the Head of Development Management in consultation with the Solicitor to the Council to consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and to make any minor modifications to the proposed conditions, addition of conditions or any other subsequent minor changes arising as a result of Natural England's comments regarding the Appropriate Assessment

And subject to

- B) Completion of an Allocation Agreement to secure nitrate mitigation credits from Whitewool Farm

then

GRANT RESERVED MATTERS APPROVAL, subject to the conditions in the officer report, Condition number 1 to be amended as follows to include the amended plans):

1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

Location plan Drawing no. 1001 Rev A

Dwelling design pack ref UP00108/DDP/01G

Streetscenes 1 UP0018-08-E-1

Streetscenes 2 UP0018-08-E-2

UP00108-03 Rev L Land Use Plan

UP00108-04 Rev Z(23) Site Layout Plan

UP00108-06 Rev I Materials Distribution Plan

UP00108-07 Rev J Affordable Housing Plan

UP00108-09 Rev I Building Heights Plan

UP00108-10 Rev I Parking Distribution and Refuse Collection Plan

JSL3218\_200M Hard Landscape Plan

JS3218\_500L Soft Landscape Plans

JS3218\_501L Soft Landscape Plans

JS3218\_502L Soft Landscape Plans

JS3218\_550G Typical Tree and Shrub Palette

Tree pit detail

Tree Protection and Removal Plan Drawing no. 702 Rev D

5006804-RDG-XX-ST-PL-C-2201 Rev L Refuse Vehicle Tracking and Refuse Collection Strategy

5006804-RDG-XX-ST-PL-C-2202 Rev G-D Vehicle Tracking Review

5006804-RDG-XX-ST-PL-C-0701 Rev H Highway widths and radii

5006804-RDG-XX-ST-PL-C-0702 Rev G Section 38 Agreement Plan

RPS Ecology Survey Report ref OXF10206\_872

Ecosupport ecology addendum dated June 2021

Lighting Drawing no. 2019\_01\_18-1-A

Landscape management plan RPS ref JSL 3218

*Proposed layout vehicle tracking review Drawing no. RDG XX ST PL C 2201 Rev M*

*Section 38 agreement plan Drawing no. RDG XX ST PL C 0702 Rev H*

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

The following additional condition to be included (as requested by Hampshire County Council Highways):

21. The main spine road from Brook Lane to the southern boundary of the site (between plots 54-57 and 58) shall be designed and built to adoptable standards and shall be retained in accordance with the approved details thereafter.

REASON: To ensure the main road through the site is of an appropriate construction.

(3) P/20/0507/RM (SARISBURY WARD)

Land to the rear of 274 Botley Road, Burridge

Since the publication of the Committee Report, the Council has received a response from Natural England to the updated Habitat Regulations Assessment/Appropriate Assessment. Natural England has raised no objection, subject to the appropriate mitigation being secured and conditions imposed.

(4) P/20/1313/FP (SARISBURY WARD)

200 Bridge Road

1. Impact on Heritage Assets

The application site is adjacent to the Sarisbury Green Conservation Area. Paragraph 199 of the NPPF and policy DSP5 state that great weight should be given to the conservation of designated heritage assets. The report explains that the proposed development will because of its position, existing vegetation and the gradient within the site, only be partially visible from within the public realm. Notwithstanding the limited visibility of the development from within the public realm, the development is considered to be of a high quality of design that will preserve the character of the Sarisbury Green Conservation Area in accordance with the NPPF and Policy DSP5.

2. Updated response from Natural England

No objection subject to the proposed mitigation being secured.

(5) P/21/0693/FP (PARK GATE WARD)

Brookfield Community School.

**Representations:**

Two further letters of objection has been received:

- The 5 sites identified for a 3G pitch through consultation in The Fareham Borough Playing Pitch Strategy 2020 are:
  - Cams Alder Sports Ground
  - Fareham Leisure Centre
  - Wicor Recreation Ground
  - Crofton School
  - Seafield Park.
- I suggest that these sites were selected through consultation, due to their suitable locations that will not impose unnecessary disturbance to local residents.
- Brookfield Community School was identified as having opportunities to improve the grass pitches.
- I suggest that the 5 original sites are the best locations for the 3G pitches and Brookfield Community School is best placed for youth provision in the form of multiple youth size grass pitches with secured provision.
- Placing the 3G pitch at Brookfield Community School does not meet the Playing Pitch Strategy, it will cause a noise nuisance to neighbours who would be exceptionally close to the pitch, even after limiting the operating hours
- Fareham's own pitches only open till 8pm presumably to keep the noise down so why does the school need the pitch till 9pm when that isn't suitable for Council-run pitches

### **Consultations:**

#### Hampshire County Council (Highways):

- No further comments to make on the amendments

#### Environmental Health (Pollution):

- No objection to the amended documents subject to conditions

### **Planning Considerations:**

The additional third party comments refer to the fact that the site is not identified in the Playing Pitch Strategy. The five sites listed in the representation are listed in the Strategy as potential opportunities to address the identified need; It does not read as an exhaustive list. Furthermore the Strategy continues, after these opportunities are identified, to refer to the FA produced Local Football Facilities Plan (LFFP) for Fareham which similarly concludes on the deficit of Artificial Grass Pitches and lists Brookfield Community School as an option in the west of the Borough.

The Strategy concludes with recommendations; These recommendations set out that Brookfield Community School is one location where a pitch could be provided.

The Environmental Health consultation response to the amended documents continues to raise no objection subject to:

- The pitch closing at 21.00 – as per condition 07;
- A restriction on the use of whistles after 20.00 – as per condition 12; and

- That the Noise Management Plan should also, within its review provisions, provide a mechanism for the school to engage with the Council on any further noise mitigation measures should it be deemed necessary in the future as a result of the Review process or the receipt of complaints.

As a result of the Environmental Health comments it is considered appropriate to secure the Noise Management Plan as a standalone document, the subject of its own condition, rather than as part of the Community Use Agreement (Condition 11). The recommendation is adjusted accordingly.

**Recommendation:**

Condition 11 is amended as follows:

*11. Prior to first use of the Artificial Grass Pitch a community use agreement prepared in consultation with Sport England must be submitted to and approved in writing by the Local Planning Authority, The agreement shall apply to the Artificial Grass Pitch, any ancillary accommodation and the car park, and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities, a noise management plan and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement. REASON: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with development plan policy.*

Additional condition 13 as follows:

*13. Prior to first use of the Artificial Grass Pitch a Noise Management Plan shall be submitted to and approved in writing by the Local planning Authority. The Noise Management Plan shall include:*

- *A method to inform users of unacceptable language not being tolerated and such behaviour will result in users being asked to leave and even banned;*
- *A reporting facility for neighbours to report excessive noise or anti-social behaviour to enable complaints to be dealt with quickly;*
- *Noise investigation processes / action plan so that complaints are dealt with swiftly;*
- *A complaints log;*
- *Maintenance regime to ensure that fence panels do not become loose and rattle excessively;*
- *A review mechanism; and*
- *To engage with the relevant department(s) of the Council on any further mitigation measures should it be deemed necessary as a result of the review mechanism or noise complaints received by the Council.*

*The development shall not be used otherwise than in strict compliance with the approved management plan.*

*REASON: In the interest of the amenity of neighbouring properties*

(6) P/21/1738/CU (SARISBURY WARD)

231a Swanwick Lane, Swanwick

Since the publication of the Committee Report, the Council has received a further comment from a third party relating to concerns about highway safety along Swanwick Lane.

A further response has been received from Environmental Health who raise no objections to the proposed development.

### **ZONE 3 – EASTERN WARDS**

(7) P/20/0092/FP (HILL HEAD WARD)

Meon View Farm

The applicant has now paid the contribution towards the council's interim solution regarding the impact of recreational disturbance on the New Forest. The recommendation is therefore updated as follows:

GRANT PLANNING PERMISSION, subject to

- i) The following conditions;