

**SUPPLEMENTARY AGENDA
PLANNING COMMITTEE**

Date: Wednesday, 9 October 2013

Time: 2:30 pm

Venue: Collingwood Room - Civic Offices

6. Planning applications and Miscellaneous Matters - Update Report

To consider an Update Report by the Director of Planning and Environment on development control and miscellaneous matters.

(22) Update Report (Pages 1 - 8)

P GRIMWOOD
Chief Executive Officer

Civic Offices
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1 October 2013

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for Committee Meeting to be held on 9 October 2013

NONE

(20) **N/13/0011** **PORTSMOUTH**
TRAFALGAR WHARF HAMILTON ROAD PORTSMOUTH HANTS PO6 4PX

The following additional consultee comments have been received:

Director of Planning & Environment (Highways):

There are concerns over the detail contained in the Transport Assessment (TA) relating to the use of the Paulsgrove Ward as the basis for the estimated trip distribution given that the socio-economic profile of residents living on the site and the attraction to Portchester, rather than Portsmouth, may differ from that of existing residents in the Ward. Ward data is often used to predict travel mode and distribution although, in the case of this site, it would be more appropriate to combine this with Portchester East ward data, given the position of the site almost on the boundary between the two wards. This would better predict the likely impacts to ensure that the supporting information is precise and accurate enough to inform the Local Planning Authority's decision. There is also an absence of accident data provided in the TA for the section of A27 East Street, west of Portsdown and thus no indication of an intrinsic highway safety problem along this section, including the Castle Trading Estate signalised junction. In essence, therefore, the assessment has largely concentrated on the impact upon Portsmouth with no real account being taken of the attractions of Portchester or Fareham etc. to the west.

With regard to the effect on the immediate surrounding highway network to the west of the site, the TA predicts a 16% increase in inbound vehicles into the Trading Estate in the morning peak and an 11% increase in outbound vehicles in the afternoon peak. Having taken these increases into account, it is considered that the existing signalised junction layout with the Trading Estate Road and East Street will still be capable of dealing with the increased flows. The Trading Estate Road provides the most direct route for not only motorists but also pedestrians and cyclists travelling between the southern half of the site and Portchester, including the nearest railway station and, further westwards, Fareham. Given the anticipated increase in vehicle movements, an associated increase in cycle journeys and pedestrians is also likely to occur and given the poor condition of the pavements along the Trading Estate Road and the lack of cycle lane provision to link up with that on the A27, it is considered that highway improvements should be sought in this regard to improve sustainable transport links.

It is recommended that a holding highway objection should be raised to the application until a more comprehensive transport assessment is completed and measures have been secured to improve accessibility to the west of the site.

Eastern Solent Coastal Partnership:

We have had the opportunity to review the revised Flood Risk Assessment for the above site following our holding objection response of 24 October 2012 to the previously submitted outline application 12/00998/OUT.

We can confirm that we are now in a position to support the proposal subject to a number of conditions that we propose to the PCC planning team around scheme delivery.

We consider that the proposal and associated onsite flood defences in combination with the financial contribution towards a wider scheme offer a real opportunity to improve the flood and coastal erosion risk management assets and standard of protection that they offer to people and property within the locality.

We can also confirm that the coastal defence proposals are in line with the recommendation of Hold The Line - Improve, from the Portchester Castle to Emsworth Draft Coastal Flood and Erosion Risk Management Strategy. This Coastal Strategy has also now been approved and adopted by both Portsmouth City Council and Fareham Borough Council. Through securing of contributions from this development it will also be possible to deliver a standard of protection over and above that proposed in the Coastal Strategy.

The flood defence work identified as being needed by the Portchester to Emsworth Flood & Coastal Erosion Risk Management Strategy to reduce the risk of flooding to the existing community between Paulsgrove and Portchester Castle would not currently score highly enough for it to become a national priority and secure Flood Defence Grant in Aid funding in whole. A significant external financial contribution is therefore considered necessary to increase the score to a level which would secure FDGiA. Without this contribution the coastal defence scheme is unlikely to go ahead.

The Flood Risk Assessment (FRA) proposes a package of measures to manage risk to an acceptable level. The most significant of these is the construction of an on-site tidal flood defence wall, and a financial contribution towards the off-site tidal flood defences that are required to address flood flow routes originating from outside the site boundary. Further measures are proposed to manage the residual risk of tidal flooding, and to manage the risk of flooding from other sources.

The off-site flood defences are likely to be delivered either by the Eastern Solent Coastal Partnership or the Environment Agency as a 'lead' authority. We have worked in partnership with the Environment Agency and used the best available information to determine the amount of central government Flood Defence Grant in Aid for which this scheme is likely to be eligible. The contribution offered by the developer equates to the best estimate of the sum of money that would be needed to supplement and secure the proportion of FDGiA available, and meet the full cost of the off-site flood defence scheme across 100 years.

It should be noted, however that competition for the limited amount of available FDGiA varies from year to year and there cannot therefore be certain over funding for the off-site scheme in any given year. We are, however, confident that the proposed contribution would offer a good likelihood of enabling the off-site scheme to be delivered.

It should be noted that the off-site flood defence scheme is to be delivered in 2 phases. The level of necessary contribution has been calculated based on the assumption that a proportion of the contribution will be held to accrue at a standard rate, to be sufficient in value to unlock the required FDGiA when the second phase of work is required. This will therefore need to be administered by the relevant Authority.

If a contribution and funding can be secured, the scheme will reduce the risk of flooding to 410 existing homes and bring nearly £84million of benefits. As approximately 80% of the homes that will benefit from an improved standard of protection lie within Fareham Borough, the community in Fareham will enjoy nearly £67million of the total £84million benefits. The remaining benefits are found in Portsmouth.

Benefits are counted against a number of 'outcome measures', included within this are properties protected and the costs of them not flooding. In this instance it is purely coincidence that there is an

£8.4m cost and £84m in benefits.

Director of Planning & Environment (Ecology):

The application is supported by various ecological information contained within the ES. I would recommend that Portsmouth City's attention is drawn to the previous comments of their ecologist, and any comments which are made in respect of this new submission. It would appear that various concerns raised previously are still not addressed by this application and therefore remain outstanding.

For example, the ecological assessment does not appear to fully address impacts to the Solent European designated sites, and assess the full extent of the proposals including the flood defence works. There also appear to be outstanding protected species issues. The ES states (12.86) that the scheme will contribute to upgrades to the flood defences around Portsmouth Harbour which will be implemented by the Environment Agency, and that the full details of the flood defences will be presented in an Environmental Management Plan. As far as I am aware this EMP has not yet been provided but would appear to contain information required for the determination of this application. The proposal still appears potentially to rely partially on the EA's Medmerry habitat creation project in West Sussex as mitigation, which Portsmouth's ecologist raised concerns about in the previous application.

Fareham's interests:

We previously highlighted that it had been identified there would be a permanent minor adverse effect on nearby SINC's through the increase in recreational use. Castle Shore SINC and Urchins Copse SINC both lie outside of the development boundary and within the borough of Fareham. Our previous concern related to the fact that whilst the application suggested that footpath improvements would encourage visitors to walk around the edge of the Castle Shore park, there was no evidence to support this and detailed information (including relating to flood defences) was not provided. My concern is that there is still a lack of details about the proposed works and the impacts of those, inconsistency regarding what is actually proposed as part of this scheme, and finally lack of demonstration of how the works and associated funding will be secured through this application.

The current application (ES Non-technical summary, paragraph 97) mentions the upgrade of the footpath which leads from the site to the [Castle Shore] SINC. I have been unable to locate any details of this. Similarly it mentions a path associated with the new flood defences which will encourage visitors to walk around the edge of the park, away from more sensitive areas. I have not been able to locate details of this, and would highlight to Portsmouth City that the impact of this proposed path will need to be assessed with regards to impacts upon the European designated sites. My understanding is that the previously proposed footpath upgrades within the Castle Shore Park and surrounding areas are no longer planned, presumably due to the applicant having no control over the relevant land. The timing of provision of a new footpath alongside the SINC, relative to progression of development, appears not to have been set out.

However, the ES (section 12.129) states that although only minor adverse impacts are predicted on Castle Shore Park and Urchins Copse SINC's, a contribution will be made to Hampshire County Council to undertake measures to manage the additional visitors and associated impacts. Prior to the first inhabitant moving into the site, an information board will be installed at the northern entrance to Castle Shore Park (which will describe the interest features of the parts and of Portsmouth Harbour and to encourage people to keep to the footpaths, avoid disturbing waterbirds and keep their dogs on a leash). It is stated that annual funding would be provided for fifteen years for vegetation management. The funding would cover the costs of reseeding areas of the park that become degraded with grasses more tolerant of trampling. Similarly funding would be provided to control the encroachment of scrub into the more diverse grassland habitats. To combat the

problems created by an increase in domestic dogs, two new dog waste bins will be provided along the main paths and funding would be provided for these to be emptied on a regular basis for 15 years.

These measures sound reasonable, and Hampshire County Council Countryside team, as owners and managers of the site, are best placed to comment on the proposed measures and their likely success in mitigating anticipated impacts.

However, it is noted that at Appendix E6 of the ES it is stated that it has been agreed that upgrading the permissive path, path 114, providing dog bins and interpretation boards in the park should be sufficient to offset the impacts of the scheme on the [Castle Shore] SINC and that the paths, bins and boards would need to be maintained for 15 years. This differs from what is set out in the main body of the ES and as such it remains unclear as to what works are actually proposed. This is surprising considering we provided detailed feedback previously on what information would be required. Further to this, the email correspondence from HCC Countryside contained within Appendix E6 suggests various other measures, including relating to other Countryside sites within Fareham Borough, should be provided. It is unclear whether these form part of the proposals.

Ultimately, measures will be required associated with at least the Castle Shore Park SINC, in order to mitigate for the anticipated impacts. Prior to determination of any application it will be necessary for the applicant to make clear what these proposals include, how the works will be carried out (taking into account any mitigation required for those works themselves, e.g. timing, methodology), and that the amount of funding secured through a S106 is sufficient to deliver those measures. My understanding is that a S106 will need to be prepared prior to determination of this application.

Officer comments:

In light of the above response from the Council's Ecologist, Officers consider that the previous objection has not been satisfactorily addressed in relation to the matter raised concerning the impact of the development on nearby protected habitats and species. An additional point of objection should therefore be included and the revised Officer recommendation is set out in full below for members consideration.

Recommendation:

Fareham Borough Council objects to the proposed development on the grounds that:

- a) it would, by virtue of the inclusion of a ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;
- b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network;
- c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options;
- d) the development would fail to protect and enhance nearby designated protected habitats and species.

Fareham Borough Council requests that Portsmouth City Council formally reconsult this authority if any further information is received in respect of points a) to d) above.

The agent has submitted a letter on behalf of his client making some key observations relating to the committee report:

The last two grounds for rejection have been put forward to Members without the advice of the Director of Planning and Environment (Highways). Discussions have taken place between the applicant, Hampshire County Council and Portsmouth City Highways and it is agreed there will be no adverse impact on the strategic highway network. Furthermore, there are no safety issues as there is no impediment for anyone wishing to walk or cycle along the length of the A27.

The scheme is the submission of an amended scheme following discussions in several cases with officers of Fareham and in all cases with officers of Portsmouth city Council;

It is unnecessary to repeat parts of the report which are factually correct but suffice to say the first reason for objecting is no doubt a typing error as the body of the report recognises that the previously designed twelve storey building has been reduced to just ten. It is a matter of judgement but having discussed the matter with officers at Portsmouth and accepting that English Heritage raised no objections to the twelve storey structure, it is considered that a ten storey building makes a positive contribution to the regeneration of the area and, in combination with the mixed form of commercial, industrial and residential development the scheme raises the quality of this entire area, creating the type of employment opportunities that the City requires and perhaps most important of all provides flood defences to a much wider area around Portchester and the harbour area which currently does not exist and for which otherwise there is no funding;

In summary, the applicant has taken on board the comments from both Fareham BC's planning Committee and officers at the City Council in respect of the now withdrawn application. The result of this new proposal will attract enormous economic and social benefits to the local community including new housing, major flood defence works and a range of employment opportunities.

ZONE 1 - WESTERN WARDS

- (2) **P/13/0610/FP** **WARSASH**
44 OSBORNE ROAD WARSASH SOUTHAMPTON SO31 9GG

A plan has been submitted showing one parking space on site. Suggested condition:

Parking space to be laid out before the extensions hereby approved are first brought into use.

- (3) **P/13/0691/FP** **SARISBURY**
SWANWICK MARINA BRIDGE ROAD SWANWICK SO31 1ZL

The River Hamble Board granted Harbour works consent for the proposed development on 27 September 2013.

(7) **P/13/0751/FP** **LOCKS HEATH**

90 PETERS ROAD LOCKS HEATH SO31 6EN

An amended plan has been received showing three car parking spaces on the frontage and correcting the errors relating to boundary and neighbouring property positioning.

ZONE 2 - FAREHAM

(9) **P/13/0651/VC** **FAREHAM EAST**

MANOR LODGE - GOOD MANORS DAY NURSERY - CHURCH PATH FAREHAM PO16 7DT

Informative to applicant: It is advised that a minimum of one week's notice should be given in writing to the occupants of adjacent properties of the upcoming occurrence of an event at the nursery including the date and timing.

ZONE 3 - EASTERN WARDS

(12) **P/09/0892/DP/F** **PORTCHESTER WEST**

PORTCHESTER ROAD - CAMS HALL ESTATE FAREHAM PO16 8AB

For point of clarification this details pursuant application relates to bollard lighting only. The additional lighting mentioned in the second paragraph on page 83 of the officers report refers to the advertisement lighting.

(13) **P/13/0655/AD** **PORTCHESTER WEST**

CAMS MILL PUBLIC HOUSE CAMS HILL FAREHAM PO16 8UP

Members are advised that the amended plans received on the 25th September 2013 were re-advertised and the expiry date for any further comments is the 9th October 2013. An update will be provided if any additional material planning considerations are received.

The comments of the Director of Planning & Environment (Conservation) -

Further to my previous comments I have the following additional comments concerning the amended proposals submitted.

I remain of the view that the pole sign (J) that is proposed to the east end of the car park, close to the entrance to Cams Hall Estate and the gate lodges, is inappropriate. In this location it is isolated from the pub building, prominent in important views, and harmful to the character and appearance of the conservation area and the setting of the Cams Hall and its estate buildings. Its impact is significantly increased owing to its proposed location on top of the earth bund, this will add over 2.5 m to its 3.5m height in relation to the pavement; at over 6m this is taller than the ridge of the gate lodges. Portchester Road also gradually rises from the roundabout to the estate entrance which

increases the height of the sign in relation to the new pub building.

In my view this sign is not acceptable in this location and should be relocated to the west to relate closely to the new pub building it is intended to advertise.

Further comments received from The Fareham Society:

The Society is pleased that most of its concerns and objections to the scale and amount of advertising signage and illumination proposed have been addressed;

However, the Society considers that the height and positioning of the pole mounted sign is unacceptable. It would be the same height as the adjacent lodges and be positioned away from the group of pub buildings;

The advertising associated with the pub should be adequate and low key and not impinge on the setting of the parkland and the long views of Cams Hall and The Creek.

One further comment has been received advising that the Cams Mill is in a light sensitive area and every effort should be made to respect the site and planning restrictions as detailed by the Council.

(14) **P/12/0984/MA/A** **PORTCHESTER EAST**
64 CASTLE STREET PORTCHESTER FAREHAM PO16 9PX

Recommendation: APPROVE

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