

# FAREHAM

BOROUGH COUNCIL

## AGENDA PLANNING COMMITTEE

**Date:** Wednesday, 13 December 2017

**Time:** 2.30 pm

**Venue:** Collingwood Room - Civic Offices

**Members:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors  
B Bayford  
T M Cartwright, MBE  
P J Davies  
K D Evans  
M J Ford, JP  
Mrs K Mandry  
R H Price, JP

**Deputies:**  
S Cunningham  
Mrs C L A Hockley  
L Keeble  
Mrs K K Trott



**1. Apologies for Absence**

**2. Minutes of Previous Meeting (Pages 1 - 11)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 15 November 2017, and the Special Planning Committee meeting held on 17 November 2017.

**3. Chairman's Announcements**

**4. Declarations of Interest**

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct.

**5. Deputations**

To receive any deputations of which notice has been lodged.

**6. Five Year Housing Land Supply Position (Pages 12 - 19)**

To consider a report by the Director of Planning and Regulation on the five year housing land supply position.

**7. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 20)**

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

**ZONE 1 - WESTERN WARDS**

- (1) **P/17/0681/OA - LAND EAST OF POSBROOK LANE TITCHFIELD FAREHAM PO14 4EZ (Pages 22 - 41)**

**ZONE 2 - FAREHAM**

**ZONE 3 - EASTERN WARDS**

- (2) **P/17/0679/FP - LIDL STORE AND 10 - 23 APEX CENTRE SPEEDFIELDS PARK NEWGATE LANE FAREHAM PO14 1TL (Pages 44 - 56)**

- (3) **P/17/1298/FP - 54 CORNAWAY LANE PORTCHESTER PO16 9DD (Pages 57 - 66)**

- (4) **P/17/1354/FP - 5 MOODY ROAD FAREHAM PO14 2BP (Pages 67 - 69)**

- (5) **Planning Appeals (Pages 70 - 72)**



P GRIMWOOD  
Chief Executive Officer  
Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
5 December 2017

**For further information please contact:  
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# FAREHAM

BOROUGH COUNCIL

## Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 15 November 2017

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

**Councillors:** B Bayford, T M Cartwright, MBE, P J Davies, K D Evans,  
M J Ford, JP, Mrs K Mandry and R H Price, JP

**Also Present:** Councillor Mrs K K Trott (Item 6)



**1. APOLOGIES FOR ABSENCE**

The were no apologies of absence.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 11 October 2017 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

The Committee received a deputation from the following in respect of the applications indicated and thanked accordingly.

| Name                   | Spokesperson representing the persons listed | Subject  | Supporting or Opposing the Application | Minute Application No/Page No |
|------------------------|--|--|--|-------------------------------|
|                        |  |  |  |                               |
| <b>ZONE 1 – 2.30pm</b> |  |  |  |                               |
|                        |  |  |  |                               |
| <b>ZONE 2 – 2.30pm</b> |  |  |  |                               |
| Mr J Boswell (Agent)   |  | HUNTERS LODGE CARE HOME 39 KILN ROAD FAREHAM PO16 7UQ – EXTENSION TO EXISTING CARE HOME TO FRONT AND REAR TO PROVIDE A NET INCREASE IN BED SPACES OF 12 AND ADDITIONAL DAY SPACE; EXPANSION OF VEHICULAR PARKING AND WIDENING OF SITE ENTRANCE | <b>Supporting</b>                      | 8(1)<br>P/17/1030/FP<br>Pg 22 |
| <b>ZONE 3 – 2.30pm</b> |  |  |  |                               |

|          |  |  |                 |                                |
|----------|--|--|-----------------|--------------------------------|
| Ms E Cox |  | 64 HILL ROAD<br>FAREHAM PO16 8JY –<br>SIDE AND REAR<br>EXTENSION,<br>INCLUDING REAR<br>BALCONY | <b>Opposing</b> | 8 (2)<br>P/17/0505/FP<br>Pg 32 |
|          |  |  |                 |                                |

**6. HOW PROPOSALS FOR RESIDENTIAL DEVELOPMENT SHOULD BE CONSIDERED IN THE CONTEXT OF THIS COUNCIL'S CURRENT 5 YEAR HOUSING LAND SUPPLY POSITION**

The Committee considered a report by the Director of Planning and Regulation on how proposals for residential development should be considered in the context of this Council's current 5 year housing land supply position.

At the invitation of the Chairman, Councillor Mrs K K Trott addressed the Committee on this item.

RESOLVED that the content of the report be noted.

**7. CONSULTING WITH HAMPSHIRE FIRE AND RESCUE SERVICE ON PLANNING APPLICATIONS**

The Committee considered a report by the Director of Planning and Regulation on proposals to consult with Hampshire Fire and Rescue Service on planning applications.

Councillor R H Price JP proposed that the recommendation to be voted on by the Planning Committee be amended as follows:

- (a) the Council consult with Hampshire Fire and Rescue Service on planning applications for Schools, Hotels, High Risk Office Blocks, High Rise Housing, Large Development Sites and National Health Buildings. with immediate effect; and
- (b) the Council write to the local government association and the secretary of state for the department for the communities and local government recommending that existing legislation should be changed to make it mandatory for local authorities to consult with fire authorities on the application types set out in paragraph (a) above.

RESOLVED that the Committee recommends to Council for approval that:

- (a) the Council consult with Hampshire Fire and Rescue Service on planning applications for Schools, Hotels, High Risk Office Blocks, High Rise Housing, Large Development Sites and National Health Buildings. with immediate effect; and
- (b) the Council write to the local government association and the secretary of state for the department for the communities and local government

recommending that existing legislation should be changed to make it mandatory for local authorities to consult with fire authorities on the application types set out in paragraph (a) above.

## **8. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS**

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters including the information on Planning Appeals. An Update Report was tabled at the meeting.

### **(1) P/17/1030/FP - HUNTERS LODGE CARE HOME 39 KILN ROAD FAREHAM PO16 7UQ**

The Committee received the deputation referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information: -

*Representations:*

*One further representation has been received on the amended plans from a third party. There has also been additional correspondence with the immediate neighbour who raised several questions about the Committee Report. These have been addressed by return of email.*

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

### **(2) P/17/0505/FP - 64 HILL ROAD FAREHAM PO16 8JY**

The Committee received the deputation referred to in Minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission was voted on and CARRIED.

(Voting: 7 in favour; 2 against)

RESOLVED that PLANNING PERMISSION be granted.

### **(3) Planning Appeals**

The Committee noted the information in the report.

**(4) UPDATE REPORT**

The Update Report was tabled at the meeting and considered with the relevant agenda items.

(The meeting started at 2.30 pm  
and ended at 4.07 pm).



# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Friday, 17 November 2017

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

**Councillors:** T M Cartwright, MBE, K D Evans, M J Ford, JP, Mrs K Mandry, R H Price, JP and L Keeble (deputising for B Bayford)

**Also Present:** Councillor J S Forrest (items 5 (1), (2), (3) and (4))



**1. APOLOGIES FOR ABSENCE**

There were no apologies of absence.

**2. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

**3. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct the following declarations were made at this meeting:

Councillor A Mandry declared a non-pecuniary interest in items 5(1) and 5(2) – IFA2 Daedalus Airfield as the depute representing Hill Head Residents Association is known to him as he is also a resident of Hill Head.

Councillor Mrs K Mandry declared a non-pecuniary interest in items 5(1) and 5(2) – IFA2 Daedalus Airfield as the depute representing Hill Head Residents Association is known to her as she is also a resident of Hill Head.

**4. DEPUTATIONS**

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

| <b>Special Planning Committee – 17 November 2017 – DEPUTATION LIST</b> |   |  |  |  |
|--|---|--|--|--|
| <b>NAME</b>  | <b>5 (1) – IFA2</b>   | <b>5 (2) – IFA2</b>  | <b>5 (3) – IFA2</b>  | <b>5 (4) – IFA2</b>  |
|  | National Grid,<br>Land At<br>Daedalus<br>Airfield, Lee-<br>On-The-Solent,<br>Po13 9ya –<br>The Converter<br>Station<br>Buildings And<br>Site<br>Infrastructure:<br>Details Of The<br>Access,<br>Appearance,<br>Landscaping,<br>Layout And<br>Scale,<br>Pursuant To<br>Hybrid<br>Planning<br>Permission<br>Reference<br>P/16/0557/OA.<br>Details<br>Pursuant To<br>Conditions 07<br>(Levels), 20 | National Grid,<br>Land At<br>Daedalus<br>Airfield, Lee-<br>On-The-Solent,<br>Po13 9ya –<br>Public Open<br>Space On Land<br>To The North<br>Of The IFA2<br>Converter<br>Station: Details<br>Pursuant<br>Relating To<br>Access,<br>Appearance,<br>Landscaping,<br>Layout And<br>Scale Pursuant<br>To Hybrid<br>Planning<br>Permission<br>Reference<br>P/16/0557/OA<br>And Details<br>Pursuant To<br>Condition 35 | National Grid,<br>Land At<br>Daedalus<br>Airfield, Lee-<br>On-The-Solent,<br>Po13 9ya –<br>Details<br>Pursuant To<br>Conditions 10<br>(Scheme Of<br>External<br>Lighting); 11 &<br>12 (Audible<br>Noise<br>Assessment);<br>14 (Radio<br>Frequency<br>Interference);<br>22<br>(Construction<br>Traffic<br>Management<br>Plan) & 23<br>(Construction<br>Environmental<br>Management<br>Plan) Of Hybrid | National Grid,<br>Land At<br>Daedalus<br>Airfield, Lee-<br>On-The-Solent,<br>Po13 9ya –<br>Details<br>Pursuant To<br>Conditions 9<br>(Converter<br>Station<br>Drainage) And<br>Condition 28<br>(Tv And Radio<br>Reception) Of<br>Approved<br>Hybrid Planning<br>Application<br>P/16/0557/OA. |

|  |  |  |                                   |            |
|--|--|--|-----------------------------------|------------|
|  | (Construction Access) And 21 (Operational Access) Of Hybrid Planning Permission Reference P/16/0557/OA | (Hard Landscaping) Of The Hybrid Planning Permission Reference P/16/0557/OA. | Planning Permission P/16/0557/OA. |            |
| Mr W Hutchison (Hill Head Residents Association) | Objecting  | Objecting  |                                   |            |
| Mr D Luetchford (National Grid)                  | Supporting   | Supporting   | Supporting                        | Supporting |

## 5. DEVELOPMENT MANAGEMENT

The Committee considered a report by the Director of Planning and Regulation which set out the background to the Reserved Matters applications and the submission of details required by a number of the planning conditions imposed under the Hybrid Planning Permission Reference P/16/0557/OA.

RESOLVED that the content of the report be noted.

### (1) P/17/0835/RM - IFA2 NATIONAL GRID LAND AT DAEDALUS AIRFIELD LEE-ON-THE-SOLENT PO13 9YA

Councillor A Mandry declared a non-pecuniary interest in this item as the depute representing the Hill Head Residents Association is known to him as he is also a resident of Hill Head.

Councillor Mrs K Mandry declared a non-pecuniary interest in this item as the depute representing the Hill Head Residents Association is known to her as she is also a resident of Hill Head.

The Committee received the deputations referred to in Minute 4 above.

At the invitation of the Chairman, Councillor J S Forrest addressed the Committee on this item.

The Committee's attention was drawn to Update Report which contained the following information:-

#### CONSULTATIONS:

*Environmental health (Contaminated Land): No objection. The necessary details required are addressed in the conditions on the hybrid planning permission.*

*Gosport Borough Council:*

*Notwithstanding the previous concerns raised about the principle of development and the detrimental impact upon the strategic gap, Gosport Borough Council make the following comments:*

*-FBC must give reassurance that the reserved matters and all other details submitted pursuant to planning conditions should not prejudice the on-going operations of existing occupiers or deter potential future employers from locating on the Solent Enterprise Zone.*

*In particular assurance is sought regarding:*

- a) Electromagnetic interference; and/or*
- b) Radio frequency interference associated with the interconnector or the cables.*

*-FBC must also give assurance that noise from the development will not cause harm to:*

- a) users of the open space; or*
- b) the occupiers or neighbouring residential and industrial properties.*

**RECOMMENDATION:**

*A further condition is included to provide for the approval of materials:*

*02. Details of the final specific finish and colours of cladding and roofing to be used in the construction of the converter station buildings hereby permitted shall be submitted to and approved by the local planning authority in writing prior to their installation on the buildings. The development shall be carried out in accordance with the approved details.*

*REASON: To secure the satisfactory appearance of the development.*

Upon being proposed and seconded the officer recommendation to approve the reserved matters and details pursuant to conditions 7, 20 and 21 of the Hybrid planning permission, subject to the conditions in the report and update report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to the conditions in the report and update report, the reserved matters and details pursuant to conditions 7, 20 and 21 of the hybrid planning permission be APPROVED.

**(2) P/17/0834/RM - IFA2 NATIONAL GRID LAND AT DAEDALUS AIRFIELD LEE-ON-THE-SOLENT PO13 9YA**

Councillor A Mandry declared a non-pecuniary interest in this item as the depute representing the Hill Head Residents Association is known to him as he is also a resident of Hill Head.

Councillor Mrs K Mandry declared a non-pecuniary interest in this item as the depute representing the Hill Head Residents Association is known to her as she is also a resident of Hill Head.

The Committee received the deputations referred to in Minute 4 above.

At the Invitation of the Chairman, Councillor J S Forrest addressed the Committee on this item.

The Committee's attention was drawn to the Update Report which contained the following information: -

**CONSULTATIONS:**

*Environmental Health (Contaminated Land):*

*No objection. The necessary details required are addressed in the conditions on the hybrid planning permission.*

*Gosport Borough Council:*

*Notwithstanding the previous concerns raised about the principle of development and the detrimental impact upon the strategic gap, Gosport Borough Council make the following comments:*

- *FBC must give reassurance that the reserved matters and all other details submitted pursuant to planning conditions should not prejudice the on-going operations of existing occupiers or deter potential future employers from locating on the Solent Enterprise Zone.*

*In particular assurance is sought regarding:*

- a) *electromagnetic interference; and/or*
  - b) *radio frequency interference associated with the interconnector or the cables.*
- 
- *FBC must also give assurance that noise from the development will not cause harm to:*
    - a) *users of the open space; or*
    - b) *the occupiers or neighbouring residential and industrial properties.*

Upon being proposed and seconded, the officer recommendation for approval of reserved matters and details pursuant to condition 35 of the hybrid planning application, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, the reserved matters and details pursuant to condition 35 of the hybrid planning application be APPROVED.

**(3) P/16/0557/DP/A - IFA2 NATIONAL GRID LAND AT DAEDALUS AIRFIELD LEE-ON-THE-SOLENT PO13 9YA**

The Committee received the deputation referred to in Minute 4 above.

At the invitation of the Chairman, Councillor J S Forrest addressed the Committee on this item.

Upon being proposed and seconded, the officer recommendation for approval of details pursuant to conditions 10, 11, 12, 14, 22 and 23 of the hybrid planning permission P/16/0557/OA subject to the receipt of satisfactory

additional details regarding the submission for condition 23, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that subject to the receipt of satisfactory additional details regarding the submission for condition 23 the details pursuant to conditions 10, 11, 12, 14, 22 and 23 of the hybrid planning permission P/16/0557/OA be APPROVED.

**(4) P/16/0557/DP/B - IFA2 NATIONAL GRID DAEDALUS AIRFIELD LEE-ON-THE-SOLENT**

The Committee received the deputation referred to in Minute 4 above.

At the invitation of the Chairman, Councillor J S Forrest addressed the Committee on this item.

Upon being proposed and seconded, the officer recommendation for approval of details pursuant to conditions 09 and 28 of hybrid planning permission P/16/0557/OA subject to the receipt of satisfactory additional details regarding the submission for condition 09, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that subject to the receipt of satisfactory additional details regarding the submission for condition 09 the details pursuant to conditions 09 and 28 of hybrid planning permission P/16/0557/OA be APPROVED.

**(5) UPDATE REPORT**

The Update Report was tabled at the meeting and considered with the relevant agenda item.

(The meeting started at 2.00 pm  
and ended at 3.24 pm).

**FAREHAM**  
BOROUGH COUNCIL

**Report to**  
**Planning Committee**

**Date**            **13<sup>th</sup> December 2017**

**Report of:**      **Director of Planning and Regulation**

**Subject:**        **FIVE YEAR HOUSING LAND SUPPLY POSITION**

**SUMMARY**

At their meeting on the 9<sup>th</sup> October 2017, the Executive received a report providing an overview of the recent Cranleigh Road, Portchester, planning appeal decision and the implications for the Council's 5 Year Housing Land Supply (5YHLS) position.

The Executive resolved that Officers present a report to the Planning Committee on the Council's current 5 Year Housing Land Supply position on a regular basis.

The following report follows from the Executive resolution on the 9th October.

**RECOMMENDATION**

That the Committee: -

- (i) note the content of the report and the current 5 Year Housing Land Supply Position; and
- (ii) that the Five Year Housing Supply Position set out in the attached report (which will be updated regularly as appropriate) is a material consideration in the determination of planning applications for residential development.

## INTRODUCTION

At their meeting on the 9<sup>th</sup> October 2017, the Executive received a report providing an overview of the recent Cranleigh Road, Portchester, planning appeal decision and the implications on the Council's 5 Year Housing Land Supply (5YHLS) position.

The Executive noted the Cranleigh Road appeal decision and this Council's current 5-year housing land supply position. The Executive further resolved that Officers present two separate reports to the Planning Committee.

The first of these reports was to outline how proposals for residential development should be considered in the context of the Cranleigh Road Portchester, appeal decision (i.e. lack of 5 Year Housing Land Supply), the NPPF, relevant case law and policies considered up-to-date in the Local Plan. This report was presented to the Planning Committee for information on the 15<sup>th</sup> November, and highlighted the implications of this Council's housing land supply position in determining planning applications.

The second report the Executive requested be presented to the Planning Committee, is one setting out the Council's current 5 Year Housing Land Supply Position. In establishing the 5YHLS Position, Officers have had careful regard for Government advice along with the approaches adopted by the Planning Inspector in the recent Cranleigh Road appeal decision.

In deciding the planning appeal at Cranleigh Road, the Inspector determined that the 5YHLS calculation should be made in reference to the Strategic Housing Market Assessment's calculation of Objectively Assessed Housing Need. Therefore, it should use the 2016 update of the Partnership of Urban South Hampshire produced Strategic Housing Market Assessment (PUSH SHMA) which requires delivery of 420 new homes per annum in Fareham Borough between 2011 and 2036.

The Inspector concluded that a 5% buffer was applicable to the overall housing requirement (as opposed to the 20% buffer sought by the Appellant). This arises from the principle that the Council did not persistently under-deliver on the known housing target at a given time.

There are two established methods in addressing any shortfall in the delivery of new homes that may have accumulated since 2011 (the start of the housing need base period). These methods are known as the 'Liverpool' method (with the shortfall to be met (i.e. spread) over the remaining plan period) and the 'Sedgefield' method (with the shortfall to be addressed in the five year period).

Although the Inspector on the Cranleigh Road appeal case was not prescriptive of the approach he used to address the shortfall in housing delivery since 2011, his findings of a supply figure of 'marginally over 2 years' would indicate the Liverpool approach was applied.

The 5 Year Housing Land Supply Position which follows will be updated regularly as appropriate and will represent a material consideration in the determination of planning applications.



## **CONCLUSION**

That the Committee note the content of the report and the current 5 Year Housing Land Supply Position.

That the Five Year Housing Supply Position set out in the attached report (which will be updated regularly as appropriate) is a material consideration in the determination of planning applications for residential development.

## **RISK ASSESSMENT**

There are no significant risk considerations in relation to this report

**Background Papers:** Planning Inspectorate appeal decision on Cranleigh Road Portchester (Appeal reference APP/A1720/W/16/3156344)

### **Enquiries:**

For further information on this report please contact Lee Smith (Ext 4427)

# Fareham Borough Council

## Five Year Housing Land Supply Position

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November 2017

### 1.0 INTRODUCTION

- 1.1 The National Planning Policy Framework (NPPF) requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites to provide five years supply of housing against their requirements. The NPPF also requires an additional buffer of 5% (or 20% in the case of persistent under-delivery) to ensure choice and competition in the market for land.
- 1.2 This document has been prepared to provide the latest position on the 5 Year Housing Land Supply (5YHLS) in Fareham Borough. It will be updated at regular intervals to ensure the most accurate and up-to-date position is available. Updates will be provided to the Planning Committee when relevant and will also be advised on the Council's website.
- 1.3 This document is iterative/live and will only provide the most accurate position of 5YHLS at the time of publication. It is possible that sites will be omitted from the 5YHLS and then subsequently when circumstances change they may feature in a future iteration of the 5YHLS position (and vice versa).

### 2.0 THE PROCESS

- 2.1 The current position outlined in this paper takes account of new dwellings completed up until 31<sup>st</sup> March 2017 and commitments up until 31<sup>st</sup> October 2017. The monitoring of net dwelling completions and outstanding planning permission data to each 31<sup>st</sup> March year end is provided annually by Hampshire County Council. Additional monitoring of permissions and resolutions to grant planning permission will be kept regularly up-to-date by Officers at Fareham Borough Council.

#### **Planning Permissions**

- 2.2 An update on each current planning permission (on sites of 5 units or more) has been sought from relevant Officers and in some instance site landowners or developers, to further inform the projections.
- 2.3 The National Planning Policy Framework (NPPF) states that 'sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within the five

years'. Where there is some indication that a planning permission will not be implemented then the site has been omitted from the 5YHLS on a precautionary basis. However, this may change if subsequent information comes to light to suggest the development will take place in the five year period.

### **Other Sites**

- 2.4 Officers have undertaken a review of the residual allocations from the current adopted Local Plan in order to provide more robust evidence on housing projections from these sites to inform the 5YHLS position. This has been based on direct correspondence with the site landowner or developer.
- 2.5 Officers have tested the robustness of the information provided, in light of Government guidance in the National Planning Policy Framework (NPPF). The NPPF is clear that for a site to be considered deliverable, it should be:
- available now;
  - offer a suitable location for development now;
  - be achievable with a realistic prospect that housing will be delivered on the site within five years; and
  - development of the site should be viable
- 2.6 In instances where Officers have gathered information on the timing and delivery rates from site landowners or developers, the Council have in some instances taken a more precautionary approach to delivery than may have been proposed by the site landowner or developer. This could be, for example, if they failed to allow sufficient time for planning permissions to be secured, or if the delivery rates were considered too optimistic. It is important that the Council has a robust basis for its 5YHLS calculations, as adopting a set of unrealistic assumptions may result in a 5YHLS figure that may not be accepted by an appeal Inspector.
- 2.7 This process of liaison with site promoters and developers will be ongoing to ensure a robust and evidenced position on 5YHLS can be demonstrated.

### **Calculating the 5YHLS**

- 2.8 In summary the 5YHLS position in this paper is based on the following: -
- Using the Objectively Assessed Need figure of 420 dwellings per annum from 2011-2036
  - Using data on net new dwelling completions provided by Hampshire County Council as at 31<sup>st</sup> March 2017 and previous figures outlined in the Council's Authority Monitoring Reports (AMRs).
  - Using outstanding planning permission data provided by Hampshire County Council up until 31<sup>st</sup> March 2017 and Fareham Borough Council records from 1<sup>st</sup> April 2017 until 31<sup>st</sup> October 2017
  - Using a variety of sources to ensure a robust understanding of delivery projections. A summary of the sites that make up the supply is provided. In many instances this is underpinned by more detailed liaison with site land owners or developers (particularly for larger development sites)
  - Presenting the 5YHLS using the Liverpool approach to address the shortfall with a 5% buffer (recognising the findings of the appeal decision at Cranleigh Road).

### 3.0 THE FIVE YEAR HOUSING LAND SUPPLY POSITION

3.1 The following table provides a summary of the Council's current 5YHLS position as per the date of this paper.

|   |   |      |                   |
|---|---|------|-------------------|
|   | <b>Housing Requirement (including buffer)</b>                                 |      |                   |
| a | Objectively Assessed Need (OAN) per annum 2011-2036                           | 420  |                   |
| b | Objectively Assessed Need (OAN) 5 year requirement (a x 5)                    |      | 2100              |
|   | <b>Shortfall in housing delivery since 1<sup>st</sup> April 2011:</b>         |      |                   |
| c | OAN requirement since 1 <sup>st</sup> April 2011 (a x 6*)                     | 2520 |                   |
| d | Completions 1 <sup>st</sup> April 2011 – 31 <sup>st</sup> March 2017          | 1859 |                   |
| e | Shortfall/undersupply since 1 <sup>st</sup> April 2011 (c – d)                | 661  |                   |
| f | Proportion of shortfall to be met in 5 year period (Liverpool) ((e/19**) x 5) |      | 174               |
| g | Total Requirement (OAN plus shortfall) (b + f)                                |      | 2274              |
| h | OAN 5 year requirement including 5% buffer (g x 1.05)                         |      | 2388              |
|   | <b>Housing Supply</b>   |      |                   |
| i | Current Projected 5 Year Supply   |      | 1728              |
| j | <b>Shortfall (represented as number of homes) (h – i)</b>                     |      | <b>660</b>        |
| k | <b>Supply in Years (i / (h/5))</b>  |      | <b>3.62 years</b> |

(\*The number of years of housing completions since 2011 \*\*The number of remaining years over the plan period)

3.2 The above table shows how the Council currently have 3.6 years of housing supply against the 5YHLS requirement. In numerical terms the shortfall is 660 dwellings.

3.3 The full detail behind the projected five-year supply of 1,728 dwellings is provided in Section 4.

#### 4.0 Details of Projected Supply in the 5 Year period

|   | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Total | Notes for 5Y Position   |
|---|---------|---------|---------|---------|---------|-------|---|
| <b>Outstanding Planning Permissions (small 1-4 dwellings) (as at 1st April 2017) (10% discount)</b> | 50      | 50      | 50      |         |         | 150   | Total outstanding small site (1-4 dwellings) permission at 1 April 2017 with 10% reduction rate applied.  |
| <b>Outstanding Planning Permissions (5 dwellings+) (as at 1st April 2017)</b>                       |         |         |         |         |         |       |   |
| 84 Fareham Park Road, Fareham (13/0059/OA)  |         | 7       |         |         |         | 7     | Nothing to indicate that the site will not be developed in the 5 year period at this stage.   |
| Former Wavemar Electronics Ltd Building, Middle Road, Fareham (16/0914/FP)                          |         |         | 9       |         |         | 9     | Nothing to indicate that the site will not be developed in the 5 year period at this stage.   |
| 10-20 Land to rear of Tewkesbury Avenue (16/1333/FP)  | 7       |         |         |         |         | 7     | The development is currently under construction (Nov17)   |
| Cold East Hospital, Cold East Way, Sarisbury Green (03/1867/RM)                                     | 30      |         |         |         |         | 30    | Site under construction (HCC outstanding data 2017) and confirmed by Case Officer.  |
| Land at Cold East Hospital, Sarisbury Green (12/0299/FP)  | 2       |         |         |         |         | 2     | Site is understood to have completed in the early part of the 2017/18 year.   |
| Land at Cold East Hospital, Sarisbury Green (15/0351/FP)  | 12      |         |         |         |         | 12    | Site under construction (HCC outstanding data 2017) and confirmed by Case Officer.  |
| 16 Botley Road, Park Gate (03/1439/FP)  | 18      |         |         |         |         | 18    | Development commenced (HCC outstanding data 2017)   |
| New Park Garage, Station Road, Park Gate (09/0672/FP)   |         | 14      |         |         |         | 14    | Case Officer has advised (Nov.17) that the site is under construction.  |
| 122 Leydene Nursery, Segensworth Road (06/0907/RM)  | 3       |         |         |         |         | 3     | Nothing to indicate that the site will not be developed in the 5 year period at this stage.   |
| 70 Trinity Street, Fareham (07/0848/FP)   |         | 23      |         |         |         | 23    | Case officer has advised (Nov. 17) that the site is under construction.   |
| 3-33 West Street, Portchester (07/0042/FP)  |         |         | 16      |         |         | 16    | Planning permission has been started. Staircases to serve flats in place.   |
| <del>324-326 Brook Lane, Sarisbury Green (09/1001/FP)</del>   |         |         |         |         |         | 0     | The majority of this permission has been implemented but 4 dwellings remain outstanding. However, it is currently unclear as to if these will be developed in the five year period.   |
| Swanwick Marina, Bridge Road (15/0424/VC)   |         |         | 25      | 25      |         | 50    | There is an outstanding permission for 50 dwellings at this site. Discussions underway pursuant to a possible revised layout. Nothing to indicate at this time that development will not occur within the 5 year period.  |
| Peters Road, Locks Heath (Parcel B) (14/0638/FP)  | 9       |         |         |         |         | 9     | Site under construction (HCC outstanding data 2017)   |
| Land to South of Peters Road, Locks Heath (12/0717/FP)  | 51      |         |         |         |         | 51    | Site under construction (HCC outstanding data 2017)   |
| <del>Land to rear of The Red Lion Hotel, Fareham (13/0408/FP)</del>                                 |         |         |         |         |         | 0     | Outstanding permission for 55 dwellings at the site but there has been an indication the development may not proceed at present. Remove from 5YHLS at this time but this could be subject to change if liaison with the site promoter/developer indicates otherwise.  |
| Fareham College, Bishopsfield Road (15/0690/RM)   | 70      | 28      |         |         |         | 98    | Site under construction (HCC outstanding data 2017)   |
| <del>142-144 West Street, Fareham (14/0509/OA)</del>  |         |         |         |         |         | 0     | Outstanding permission for 17 dwellings. However, at present there are some indications that the site may not be developed in the 5-year period. Therefore, it will be removed from the 5YHLS at this time but, subject to any correspondence with the site promoter/developer, this position could change. |
| Land adj. The Navigator, Swanwick (16/0398/RM)  | 37      |         |         |         |         | 37    | Site under construction (HCC outstanding data 2017).  |
| The Meadows, Hamilton Road, Sarisbury Green (15/0626/FP)  | 20      | 51      |         |         |         | 71    | Development has commenced and the site is under construction (Nov. 17).   |
| Land off Cartwright Drive, Titchfield (14/0741/FP)  | 40      | 46      |         |         |         | 86    | Development has commenced and the site is under construction (Nov. 17).   |
| 100 Wickham Road, Fareham (14/1252/FP)  |         | 13      |         |         |         | 13    | Nothing to indicate that the site will not be developed in the 5 year period at this stage.   |
| 153-155 West Street, Fareham (16/0760/FP & 15/1056/FP)  |         | 12      |         |         |         | 12    | Site under construction (HCC outstanding data 2017).  |
| Land at Furze Court, Wickham Road (15/1261/FP)  | 33      |         |         |         |         | 33    | Site under construction (HCC outstanding data 2017). Confirmed by case officer that site is under construction.   |
| 4-14 Botley Road, Park Gate (16/0295/FP)  |         | 40      |         |         |         | 40    | The site is under construction (Nov17)  |
| Land at Windmill Grove, Portchester (14/0033/FP)  |         | 24      |         |         |         | 24    | The site is under construction and understood to almost be complete (Nov17).  |
| <del>69 Botley Road, Park Gate (09/1024/FP)</del>   |         |         |         |         |         | 0     | Outstanding permission for 5 dwellings at the site. However, a new application has now been submitted for the site (Nov.17) so this specific permission is not expected to be implemented.  |
| Former Catholic Church of our Lady of Walsingham, Portchester (16/0905/FP)                          |         | 8       |         |         |         | 8     | This site is under construction.  |
| 123 Bridge Road, Sarisbury Green (15/0391/FP)   |         |         | 5       |         |         | 5     | This site is owned by FBC and estates advise it will complete within 5 year period.   |
| 100 Locks Road, Locks Heath (15/0576/FP)  | 1       |         |         |         |         | 1     | Development largely completed in the 16/17 year. Understood to now be completed with one dwelling showing as 17/18 completion.  |
| Land to rear of 94,96,98,100 and 102 Southampton Road (16/1147/FP)                                  | 6       |         |         |         |         | 6     | Case officer has advised (Nov. 17) that the site development is nearly complete.  |
| <del>Fareham Ambulance Station, Highlands Road (17/0046/OA) (Now superseded by newer pp)</del>      |         |         |         |         |         | 0     | There is another permission on this site. The yield is now reflected in permissions since 1 April 2017.   |

|  |            |            |            |            |            |             |  |
|--|------------|------------|------------|------------|------------|-------------|--|
| <b>New Planning Permissions (5 dwellings+) (1st April 2017 - October 2017)</b> |            |            |            |            |            |             |  |
| 189-199 West Street, Fareham (P17/0293/PC)                                     |            | 8          |            |            |            | 8           | Nothing to indicate that the site will not be developed in the 5 year period at this stage.  |
| 132 Highlands Road, Fareham (P/17/0366/FP)                                     |            |            | 5          |            |            | 5           | One discharge of condition application has been submitted. Understood that more will follow. Expected to be developed in 5-year period.  |
| Hope Lodge, 84 Fareham Park Road (P/16/1178/FP)                                |            |            | 7          |            |            | 7           | The site is understood to be under new ownership with construction due to commence soon.   |
| Fareham Ambulance Station, Highlands Road (P/17/0213/FP)                       |            |            | 10         |            |            | 10          | A demolition notice has been approved at the site. Development expected to commence soon.  |
| Land to rear of 405 & 409 Hunts Pond Road (P/16/1251/FP)                       |            |            | 10         |            |            | 10          | Discharge of condition applications submitted and site preparations underway.  |
| Land to rear of 184 Bridge Road (P/17/0697/FP)                                 |            | 8          |            |            |            | 8           | It is understood that adjacent land has been secured to provide material storage during construction. The site is expected to deliver in 5-year period.  |
| 1 Station Industrial Park, Duncan Road, Park Gate (P/17/1219/PC)               |            |            |            | 15         |            | 15          | No construction on site at present but this is a recent permission that is expected to deliver in the 5-year period.   |
| <b>Windfall allowance</b>  |            |            |            | 37         | 37         | 74          | As per the 2017 Windfall background paper  |
| <b>Welborne Projections</b>  |            |            |            | 140        | 200        | 340         | Based on background/evidence papers to the Draft Local Plan  |
| <b>Draft Allocations Fareham Town Centre (expected to deliver in 5YHLS)</b>    |            |            |            |            |            |             |  |
| FTC6 Magistrates Court   |            |            |            | 40         |            | 40          | Site owner (HCA) has advised that pre-application discussion expected in early 2018 with outline submission summer 2018. Site is in single ownership. For caution FBC have pushed projections back by one year compared to site owners to allow for any slippage.  |
| FTC9 Wykeham House School (P/17/0147/FP)                                       |            | 15         |            |            |            | 15          | It is understood that development is expected to progress shortly.   |
| <b>Draft Allocations (LP2 carry forward) (expected to deliver in 5YHLS)</b>    |            |            |            |            |            |             |  |
| HA9 Heath Road, Locks Heath (LP2 H11)  |            |            | 20         | 20         | 30         | 70          | Hampshire County Council (owner) has advised that they intend to submit an outline planning application in late 2017. This is expected to be done with a third party. An outline application has now been received (Nov17)   |
| HA22 Wynton Way (LP2 H3)   |            |            |            |            | 18         | 18          | Ecological studies due to take place before an application can be submitted. Acquisition of site from HCC is agreed in principle but subject to negotiation. Pre-app has taken place and concept design agreed in principle. Expected to realistically delivery toward the latter part of 5-year period.                       |
| HA23 Stubbington Lane, Hill Head (LP2 H12)                                     |            |            |            | 12         |            | 12          | Site is owned by FBC. Ecological survey to take place in 2018 before planning application is finalised. Pre-app has taken place and a concept design has been agreed in principle. Site is expected to deliver in the 5 year period.   |
| HA24 335-337 Gosport Road, Fareham (LP2 H4)                                    |            |            |            | 12         |            | 12          | Site is currently owned by HCC and is expected to be acquired by FBC. Pre-app has taken place and a concept design has been agreed in principle. Ecological studies are due to take place in 2018. This together with site acquisition will mean the site is likely to be developed in the mid-late part of the 5-year period. |
| HA25 Sea Lane, Hill Head (LP2 H13)   |            |            |            | 8          |            | 8           | Site is owned by FBC. Ecological survey to take place in the summer 2018. Planning application expected once ecological findings have been considered. Site is expected to deliver in the 5 year period  |
| <b>Other Commitments/Brownfield specific</b>                                   |            |            |            |            |            |             |  |
| HA21 Hampshire Rose (SHLAA Ref. 1056)  |            |            | 21         |            |            | 21          | The site will be subject to acquisition costs and a business plan before being progressed. Site owner expects the site to deliver during the 5-year period.  |
| HA6 (Cranleigh Road, Portchester) (Appeal allowed) (APP/A1720W/16/3156344)     |            | 55         | 65         |            |            | 120         | Delivery projections as informed by the site promoter (2017)   |
| HA7 Warsash Maritime Academy   |            |            |            | 50         | 50         | 100         | Southampton Solent University is currently preparing a disposal strategy. Further updates expected shortly with more specific information on likely delivery.  |
| <b>Totals</b>  | <b>389</b> | <b>402</b> | <b>243</b> | <b>359</b> | <b>335</b> | <b>1728</b> |  |

# FAREHAM

## BOROUGH COUNCIL

### Report to Planning Committee

**Date:** 13 December 2017

**Report of:** Director of Planning and Regulation

**Subject:** PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

#### SUMMARY

This report recommends action on various planning applications and miscellaneous items

#### RECOMMENDATION

The recommendations are detailed individually at the end of the report on each planning application.

#### AGENDA

The meeting will take place at the Civic Offices, Civic Way, Fareham, PO16 7AZ.

- (1) Items relating to development in the Western Wards: Sarisbury, Warsash, Park Gate, Titchfield, Titchfield Common and Locks Heath will be heard from 2.30pm.
- (2) Items relating to development in Stubbington, Hill Head, Portchester East and Portchester West will not be heard before 3.00pm

**ZONE 1 - WESTERN WARDS**

Park Gate  
 Titchfield  
 Sarisbury  
 Locks Heath  
 Warsash  
 Titchfield Common

**Reference**

**Item No**

**P/17/0681/OA**  
**TITCHFIELD**

LAND EAST OF POSBROOK LANE TITCHFIELD FAREHAM  
 HAMPSHIRE PO14 4EZ  
 OUTLINE PLANNING APPLICATION FOR SCOUT HUT, UP TO  
 150 DWELLINGS, COMMUNITY GARDEN, ASSOCIATED  
 LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS  
 FROM POSBROOK LANE

**1**  
**REFUSE**



# Agenda Item 7(1)

**P/17/0681/OA**

**TITCHFIELD**

FOREMAN HOMES LTD.

AGENT: FOREMAN HOMES LTD.

OUTLINE PLANNING APPLICATION FOR SCOUT HUT, UP TO 150 DWELLINGS, COMMUNITY GARDEN, ASSOCIATED LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS FROM POSBROOK LANE

LAND EAST OF POSBROOK LANE TITCHFIELD FAREHAM HAMPSHIRE PO14 4EZ

## ***Report By***

Richard Wright - direct dial 01329 824758

## ***Introduction***

The Council's position on 5-year housing land supply was challenged by way of planning appeal at a site in Cranleigh Road Portchester (Ref: APP/A1720/W/16/3156344) in April this year with the appeal decision issued in August.

In deciding that planning appeal the Inspector concluded that the Council's housing requirements should be based upon Objectively Assessed Housing Need, not the housing requirements set out in Local Plan Parts 1 and 2. On this basis the Inspector concluded that the Council's housing land supply position was little more than 2 years.

Finding that Fareham Borough Council does not have a 5YHLS represents a significant material change in planning circumstances. The most significant implication of the Council's current position on 5YHLS is that the approach that the Council must take in determining applications for residential development will have to be altered until the Council can robustly demonstrate that it has a 5YHLS. The approach which will need to be undertaken was set out in detail in the report titled 'How proposals for residential development should be considered in the context of this Council's 5 year housing land supply position' presented to the Planning Committee on the 15th November 2017.

This report sets out all the relevant planning policies and considerations and applies the planning balance (often referred to as the 'tilted balance') as required by National Planning Policy Framework and established planning case law.

A separate report is included on this Agenda setting out this Council's current 5-year housing land supply position.

## ***Site Description***

The application site comprises a field located to the south of the Bellfield housing estate and public open space on the south side of Titchfield. The site measures approximately 6.6 hectares in area.

The policies maps of the adopted local plan identifies the land as being outside of the defined urban settlement boundaries. The site is therefore considered for planning purposes to lie within the countryside. It is designated as a strategic gap (The Meon Gap) within the local plan. Furthermore, as defined in the local plan, the site is an "Uncertain" Brent Geese and Wader Site.

The field is currently used for the grazing of horses. Two pedestrian public rights of way (Footpaths 34 & 39) cross the site.

The western edge of the site runs alongside Posbrook Lane where there is a mature hedgerow with a field gate set within it. Two dwellings set in large plots and agricultural land lie on the opposite side of the lane. Approximately 300m to the north is the junction of

Posbrook Lane with Coach Hill/Common Lane from where Titchfield village centre lies to the east, Warsash to the west and access on to the A27 via St Margaret's Lane to the north.

In the opposite direction to the south of the site Posbrook Lane leads to the coast and Hill Head.

At the south-western edge of the site is a row of substantial and mature trees along the boundary with a cluster of dwellings at Posbrooke House, Great Posbrooke and Barn Close.

The houses of Great Posbrooke and the barn are Grade II\* Listed Buildings. Some other houses in Barn Close are locally listed (on the Council's Local List of Buildings of Special Architectural or Historic Interest).

The land slopes away gently from west to east towards the Titchfield Canal and River Meon.

The adjacent field to the east of the red-edged application site is shown on the submitted location plan to also be within the applicant's control as indicated by being edged blue. This field lies at a lower level again than the eastern edge of the application site and occupies the land between the site and the Titchfield Canal to the east. A line of trees stretches along the western bank of the canal whilst a public right of way (Footpath 48) runs alongside the other side of the canal. Beyond that is the floor of the Meon Valley before the land rises again on the opposite side of the River Meon towards Titchfield Road (B3334).

### ***Description of Proposal***

Outline planning permission is sought for up to 150 dwellings on the site. The means of access to the development is sought for approval with all other matters proposed to be reserved for consideration at a later date in the event outline permission was granted.

Also proposed is a scout hut and a community garden along with areas of landscaping and open space.

The application is accompanied by an illustrative site plan to demonstrate how 150 dwellings and the other elements of the proposed development might be laid out on the site.

This is for illustrative purposes only and the actual physical layout of the site remains a reserved matter not for consideration when determining this particular application.

The means of access to the development (a matter which is to be considered) is proposed via a new bell mouth junction off the eastern side of Posbrook Lane approximately equidistant between the north and south edges of the site. Detailed drawings have been submitted to show how the access would be constructed and to demonstrate the available visibility splays and pedestrian footway provision.

The application is supported by a range of reports and studies covering various aspects of the development. These documents set out how the applicant proposes to address certain issues and where necessary provide mitigation measures accordingly. Of particular note is the submitted proposal for a Bird Conservation Area on the blue-edged land to the east of the site.

### ***Policies***

The following policies apply to this application:

#### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change  
CS16 - Natural Resources and Renewable Energy  
CS17 - High Quality Design  
CS18 - Provision of Affordable Housing  
CS20 - Infrastructure and Development Contributions  
CS21 - Protection and Provision of Open Space  
CS22 - Development in Strategic Gaps

### **Approved SPG/SPD**

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

### **Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

### **Development Sites and Policies**

DSP1 - Sustainable Development  
DSP2 - Environmental Impact  
DSP3 - Impact on living conditions  
DSP5 - Protecting and enhancing the historic environment  
DSP6 - New residential development outside of the defined urban settlement boundaries  
DSP8 - New Leisure and Recreation Development Outside of the Defined Urban Settlement  
DSP13 - Nature Conservation  
DSP14 - Supporting Sites for Brent Greese and Waders  
DSP15 - Recreational Disturbance on the Solent Special Protection Areas  
DSP40 - Housing Allocations

### ***Representations***

Two hundred and sixty two letters of objection have been received in response to the application being publicised raising the following points of concern:

- Increase in traffic / effect on highway safety
- Parking problems
- Impact on wildlife / ecology / canal / nature reserve
- Brownfield sites should be developed first before allowing development in countryside
- Impact on doctors / schools / dentists in local area
- Poor public transport links
- Loss of open land / agricultural land
- Loss of footpath
- Visual impact on character of countryside, historical setting of site and strategic gap
- Noise and disruption
- Loss of privacy / outlook
- The proposal for a scout hut is an underhand tactic
- Flooding / surface water drainage
- Welborne fulfills housing demand
- Potential blockage of sewers
- Impact on trees
- Impact on Titchfield village conservation area
- Too little affordable housing
- Air and water pollution

- Effect on utilities (water supply, sewers)
- Inadequate archaeological assessment

## **Consultations**

### INTERNAL

#### Conservation Planner -

This application has implications for the landscape character of the Meon Valley, the wider setting of Titchfield Village and the group of historic buildings at Great Posbrook. The wider Meon Valley has historic associations with the village of Titchfield (designated a conservation area in 1969) and also Titchfield Abbey which is situated further north. Titchfield lies on the western side of the Meon Valley just to the north of the proposed development site. Recorded in the 'Domesday Survey' it developed from a Minster Church and medieval core into a medieval port and market town making use of the river estuary. The manor of Titchfield, including Titchfield Abbey which was founded in 1232, was owned by the Bishops of Winchester. Post dissolution the Wriothesley family converted the abbey into a residence 'Place House' and in the early 17th century the third Earl constructed one of the earliest canals in the country which follows the valley southwards from the village to the sea through a sea lock at Meon Shore (a listed building). The river estuary was blocked with a shingle bank and a sluice gate used to control the river flow at Titchfield haven. The canal provided drainage and irrigation of the land in the valley for agriculture as well as transport of goods to and from the village.

Although the application site does not directly adjoin the conservation area boundary the undeveloped valley and its historic association with the development of the village contributes to its wider setting. The encroachment of further development into the open rural land south of the village and partly down the valley side, which would be particularly noticeable in views across it from the east, would be harmful to the surviving rural character of the landscape of the valley as a whole and consequently the wider setting of the historic village. Titchfield Conservation Area Character Appraisal and Management Strategy recognises the importance of the Meon Valley to the wider setting of the village.

The proposed housing would wrap around the site of the historic group of buildings at Great Posbrook. These comprise the Southern Barn at Great Posbrook Farm and Great Posbrook House itself, both of these important buildings are listed grade II\* ; there are also 3 surviving agricultural buildings of local interest on the site. Some carefully designed modern houses also sit on this site which were permitted as an exception to adopted planning policy as 'enabling development' in connection with the barn's restoration in 2006. Historically the site was one of three farms in the locality established by Titchfield Abbey. Great Posbrook is a large residence sitting in a substantial gardens and the barn is a substantial aisled timber framed building. The impact of housing development on the immediate setting of Great Posbrook and its gardens could be mitigated by ensuring retention of existing tree screening and maintenance of an adequate undeveloped buffer before the start of new buildings. However, in terms of its wider setting the barn, as part of the former Great Posbrook farmstead, is viewed and experienced for some distance in a rural landscape, particularly when viewed from the South across the flat agricultural land. This proposal would change the existing rural character of adjacent land to the north and east to one of suburban housing, affecting the wider rural setting of the barn, its relationship with the open land of the valley and how it is experienced in the landscape as an important designated heritage asset.

#### Leisure and Environmental Services -

Ideally any new open space i.e. community garden, proposed should be adjoining the

existing Bellfield play area to provide a much larger area for both existing residents and potentially new residents. Additional play equipment should be included for all ages as well as outdoor gym equipment.

The large field which is proposed as 'accessible green spaces' is within flood zones 2 & 3, the field apparently floods making it unusable at certain times of the year.

Who will have responsibility for attenuation pond and proposed swale?

There will be possible pressure in the future for the removal of the eastern buffer strip due to residents wishing to improve their views across the field, canal and Titchfield Haven.

The provision of a scout hall doesn't appear to be large enough and therefore its use maybe limiting, and doesn't not take into account the extra children that this development might bring to the village. The building doesn't have any storage provision and therefore there maybe pressure in the future for permission to have external storage containers, which might look unsightly.

Environmental Health - No objections

Contaminated Land - No objections subject to contamination condition

Trees -

In principle there are no arboricultural objections to the proposed layout subject to more detailed information on tree protection measures and new landscaping, particularly tree planting within any hard surfacing.

The proposed layout provides a significant area of retained green space, more detail will be required in terms of how this land will be paid out and managed to maximize the landscape, ecological and arboricultural benefits these areas can potentially provide.

## EXTERNAL

Fareham & Gosport Clinical Commissioning Group (CCG) - NHS

Whilst we recognise that not all of the occupants of the proposed dwelling will be new to the area, we make the Heath Care planning assumption that this application will generate up to 360 additional residents (proposed no. of dwellings at 2.3 persons per dwelling).

The resulting growth in the locality population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; NHS services in primary, community and secondary care settings.

Our estimate of the level of additional demand that will be placed on NHS primary care does not in our view warrant the commissioning of an additional GP surgery. The increased demand will be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development, however additional capacity within the premises will be required.

The CCG considers that the application should be required to make an appropriate financial contribution to the capital investment that the NHS will make in this regard.

The proposed contributions formula for developments under 2000 dwellings is:  
 $150 \text{ No. of dwellings} \times 2.3 \text{ divided by average list size (1800)} \times 16 \text{ (size of a consultation)}$

room (m<sup>2</sup>) x £375 (cost of rent and other additional expenses with regard to premises) x 20 (number of years expected on a lease)

This means that Fareham and Gosport CCG will be looking for a contribution of £23,000 for planning gain for health.

The Fareham and Gosport CCG Strategic Estates Plan (2015) identifies Jubilee Surgery as a site for investment and this building application will be one of a number of expected developments that will impact on the premises capacity of this GP surgery.

Southern Water -

No objection, subject to condition. Advice provided on details of approved site layout, SUDs strategy and further assessment of proposed means of surface water drainage.

Natural England -

No objection subject to appropriate mitigation being secured.

Natural England has no objection to the development proposals provided the following mitigation measures are secured with any planning approval:

- Solent Recreation Mitigation Partnership (SRMP) contribution for the residential development
- The detailed design, long term management and associated costs of the Bird Conservation Area are agreed with Hampshire and Isle of Wight Wildlife Trust and secured
- The application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist.

Hampshire County Council - Ecology

No objection, subject to conditions.

Hampshire County Council - Countryside Access Officer

Subject to the applicant agreeing to the following, the Rights of Way Improvements Plan and the proposed Bird Conservation Area may be acceptable in principle.

- In addition to the proposed 2m path widths, 0.5m grassy verges (which are free of planting) should be provided on either side of the paths to assist in users passing each other, as well as conserving the rural character of these routes. The inclusion of additional planting beyond these verges is supported.
- A developer contribution towards resurfacing 1.5km of Footpath 48 should be sought. Costings for this can be provided in due course.
- A developer contribution towards 500m of additional dog fencing on Footpath 48, and 3 additional dog steps into the canal, in addition to a contribution towards the increased maintenance of 2km of stock fencing to mitigate for increased dog walking should be sought. Costings for this can be provided in due course.
- Should it be expected that HCC Countryside Service would take on the proposed Bird Conservation Area, it is requested that further discussions on the design of this area take place.

Hampshire County Council - Highways

No objection. The provision of additional information has satisfactorily addressed the issues previously raised, subject to conditions (Construction Traffic Management Plan) and

mitigation through a Section 106 legal agreement (improvements to cycle route south of the site and off-site highway improvement works, Travel Plan).

Hampshire County Council - Minerals and Waste Planning Policy

No objection, subject to condition.

Hampshire County Council - Flood and Water Management Team

No objection. The general principles for the surface water drainage proposals are acceptable - further information on the proposals should be submitted as part of a more detailed design phase (recommended condition).

Hampshire County Council - Archaeologist

In the absence of a substantive archaeological site, no objection subject to a condition relating to residual archaeological potential.

### ***Planning Considerations - Key Issues***

- a) Implication of Fareham's current 5-year housing land supply position
- b) Residential development in the countryside
- c) - g) Policy DSP40
- h) Impact on heritage assets
- i) Public rights of way, open space provision and community facilities
- j) Local infrastructure
- k) Other matters
- l) Planning balance

### **A) IMPLICATION OF FAREHAM'S CURRENT 5-YEAR HOUSING LAND SUPPLY POSITION**

As set out in the Introduction to this report, the Cranleigh Road Planning Appeal Inspector concluded that the Council's housing requirements should be based upon Objectively Assessed Housing Need (OAHN), not the housing requirements set out in Local Plan Parts 1 and 2. Officers accept this position.

Officers have undertaken a review of current planning permissions and the residual allocations from the adopted local plan in order to provide robust evidence to inform the current 5YHLS position. A separate report setting out Fareham Borough Council's 'Five Year Housing Land Supply Position' is reported earlier on this agenda. Fareham Borough Council presently has 3.6 years of housing supply against its OAHN 5YHLS requirement.

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

"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".

In determining planning applications there is a presumption in favour of the policies of the extant Development Plan, unless material considerations indicate otherwise. Material considerations include the planning policies set out in the NPPF, and this contains specific guidance in paragraphs 47, 49 and 14 for Councils unable to demonstrate a 5YHLS.

Paragraph 47 of the NPPF seeks to boost significantly the supply of housing, and provides

the requirement for Councils to meet their OAHN, and to identify and annually review a 5YHLS including an appropriate buffer. Where a Local Planning Authority cannot do so, paragraph 49 of the NPPF clearly states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites."

Paragraph 14 of the NPPF then clarifies what is meant by the presumption in favour of sustainable development for decision-taking, including where relevant policies are "out-of-date". For decision-taking (unless material considerations indicate otherwise) this means:

Approving development proposals that accord with the development plan without delay; and Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- 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; or

- specific policies\* in this Framework indicate development should be restricted. (\*for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

The key judgement for Members therefore is whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies taken as a whole.

The following sections of the report assesses the application proposals 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.

## B) RESIDENTIAL DEVELOPMENT IN THE COUNTRYSIDE

Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban areas. Policies CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. The application site lies within an area which is outside of the defined urban settlement boundary.

Policy CS14 of the Core Strategy states that:

'Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.'

Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).

The site is clearly outside of the defined urban settlement boundary and the proposal is



therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

Policy DSP40: Housing Allocations, of Local Plan Part 2, states that

"Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

- i. The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall;
- ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;
- iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;
- iv. It can be demonstrated that the proposal is deliverable in the short term; and
- v. The proposal would not have any unacceptable environmental, amenity or traffic implications.

Each of these five bullet points are worked through in turn below.

#### C) POLICY DSP40(i)

The first test of Policy DSP40 is that: "The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall".

Members will note from the 5 Year Housing Land Supply Position report elsewhere on this Agenda that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of 660. The proposal for up to 150 dwellings is relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

#### D) POLICY DSP40(ii)

The second test of Policy DSP40 is that: "The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement".

The site is located on the edge of the urban settlement boundary of Titchfield village. Local services and facilities such as doctors, shops and cafes are to be found in the village centre a reasonable distance from the application site. Access to bus services, play areas and greenspace is also reasonably good. However, whilst the application site physically abuts the urban area along a section of its northern boundary (adjacent to housing on Ransome Close and Hewett Close), no part of the remaining site boundary does so. The proposed development would continue the outward urban sprawl of the Bellfield Estate (a later more modern addition to the historic core of Titchfield village), and the disruption of the traditional settlement form of Titchfield. The new development would be far removed from the 'heart' of the village and would do little, if anything, to contribute to its specific character and identity.

For these reasons it is considered that development on the site would be poorly integrated

with the existing urban area and the proposal fails to accord with point ii).

#### E) POLICY DSP40(iii)

The third test of Policy DSP40 is that: "The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps".

As referred to above, the site lies outside of the defined urban settlement area within the countryside where Policy CS14 of the adopted Fareham Borough Core Strategy states built development will be strictly controlled to protect it from development which would "adversely affect its landscape character, appearance and function".

The following section of this report discusses the impact of the development on the landscape character of the Meon Valley and area surrounding the application site. In doing so Officers have had regard to a number of documents submitted by the applicant including the Landscape Design Statement, Design and Access Statement and, in Chapter 7 of the submitted Environmental Statement, the Landscape and Visual Impact Assessment (LVIA).

A good practice approach to assessing the visual impact on landscape character is to consider the issue in terms of the landscape effects of the development (that is the effects of the proposals on the landscape of the application site and the surrounding area as a resource in its own right) and the visual effects of the development (that is the effect of the proposals on the views available to people and their visual amenity).

Officers are of the view that the landscape effects of the development have been substantially underplayed by the applicant's assessment, particularly with respect to the effects on the essential character and qualities of the site itself (both western and eastern parcels). The Applicant's assessment concludes that there will be only Neutral or Minor beneficial effects on landscape resources. In contrast Officers consider that there will be significant, long-term Moderate to Substantial adverse effects on the wider Meon Valley Landscape Character Area (LCA), the character of the site itself and some of the features within it.

This difference has evidently arisen from a significant under-valuing by the Applicant of the importance of the Meon Valley as a landscape resource within the Borough context (within which the site is an integral part) and a lack of assessment of effects on landscape character and quality at the site level. Officers consider that the Meon Valley is one of the defining landscape features of Fareham Borough. The Fareham Landscape Assessment 2017 (one document published as part of the evidence base to the recently published draft Fareham Local Plan 2036) acknowledges the overall character of the valley as being one of a rural, intact landscape with a distinctive topographic unity and sense of place, based around the diverse landscape features of the valley and the strong relationship between the valley floor and the gently sloping agricultural landscape beyond. It is therefore of high value as part of the Borough's landscape resource and as such Officers consider it to be a 'valued landscape' for the purposes of assessment under paragraph 109 of the National Planning Policy Framework (NPPF). Paragraph 109 of the NPPF states that "The planning system should contribute to and enhance the natural and local environment by:... protecting and enhancing valued landscapes, geological conservation interests and soils".

The different conclusions drawn on this issue also appear to stem from a fundamental difference in opinion regarding the degree of harm caused to the valley landscape by the existing intrusion of development on the edge of Titchfield, and the extent to which the introduction of further built development would mask this edge and thereby lead to longterm landscape 'enhancement'. Officers consider that the damage to the landscape resources

as a result of this development would significantly outweigh any improvements to the visual appearance of the existing urban edge that may arise from new planting along the site boundaries or incorporation of this 'harsh' urban edge within a more extensive area of residential development.

Officers further consider that the visual effects of the development have been underestimated by the applicant and the positive effects of mitigation and benefit to the appearance of the landscape over-estimated. It is considered that the applicant's visual assessment has not been carried out in accordance with best practice guidance nonetheless there is agreement on the significant adverse visual effects which will be experienced by users of Footpath 34.

In addition, there would be significant adverse effects experienced by users of Footpath 39 and the track running along the southern edge of the site and also by users of Footpath 48 along the Titchfield Canal. The applicant contends that there will be a minor beneficial residual effect to Footpath 48 as a result of the long term effect of the proposed landscape buffer planting in screening the new development from low-level views and softening the visual intrusion of the existing urban edge of Titchfield. However, Officers are of the view that any mitigation would not be so effective as to screen all views of the new development, especially on the upper slopes. Users of this popular route are likely to continue to be aware of the altered views along the valley side as a result of the encroachment of development and would experience a moderate adverse effect.

Similarly, on the western edge of the site, the removal of hedgerow to create the site access from Posbrook Lane and the presence of built development a relatively short distance behind the hedgerow would have a significant adverse effect on views experienced by users of the lane. Whilst much of the hedgerow is proposed to be retained neither it or planting behind the frontage hedgerow could screen all views of the development. Furthermore, on the northern edge of the site residents living adjacent would experience a fundamental change in outlook and view from their homes and users of the adjacent existing open space and play area a similar effect.

As referred to earlier in this report, the site lies within The Meon Gap, a strategic gap between Fareham/Stubbington and the Western Wards including Titchfield. Policy CS22 of the adopted Core Strategy states that "Development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements".

Officers acknowledge that the physical separation between Titchfield and Fareham would not be diminished as a result of the proposed development but the distance between the built up settlement area of Titchfield and Stubbington/Hill Head to the south-east would. The Fareham Landscape Assessment (2017) describes the contribution that the Lower Meon Valley landscape makes to the settings and character of settlements in the local area.

It concludes that the Meon Valley has "a crucial role in defining the natural limits to growth of settlements in the north and east, preventing further sprawl into open countryside to the west of Stubbington and south of Titchfield and Fareham'. It concludes that the area "retains a strongly rural character with few urban influences or 'fringe' characteristics, and has an important role in maintaining the distinction between urban and countryside areas. This rural character extends right up to the edge of the settlements of Titchfield and Stubbington and acts as an important buffer between the urban edge and the highly sensitive environment of the valley floor. The clear distinction between town and countryside, and the integrity of the valley landscape as a whole, would be compromised by significant development extending into the area beyond the existing urban edge. As a strong topographic feature, the Meon Valley acts as a natural 'limit to growth' and a 'natural setting for the urban areas on either side'." It concludes that "there is very limited capacity

to accommodate development without a significant impact on the integrity of the area's rural, unspoilt character and the role that it performs in maintaining the separate identity and character of the settlements and their landscape settings".

The application site occupies part of the valley sides and is an integral part of the Meon Valley landscape unit, a coherent topographic feature which has had an important role in shaping the pattern, form and character of Titchfield and remains as the defining element of its setting. The medieval core of the village was established on the western valley side, next to the river with a small port and mill (the river was formerly navigable). The adopted Titchfield Conservation Area Character Appraisal charts the subsequent expansion of the settlement, which remained relatively contained between East Street in the north and Coach Hill/Bridge Street in the south until around the 1930s when the Bellfield Estate extended the settlement along the valley sides to the south of Coach Hill, disrupting the typically compact form of the settlement. The development proposals would effectively continue this outward sprawl along the valley side and subsume the cluster of buildings at Great Posbrook Farm, and the nearby group of houses along Posbrook Lane, within the extended settlement boundary.

In summary, the proposed development would result in a range of significant adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area contrary to Policies CS14 & CS17 of the adopted Core Strategy. Furthermore the development would fail to protect and enhance this valued landscape contrary to Paragraph 109 of the NPPF. The development would also significantly affect the integrity of the strategic gap and the physical and visual separation of Titchfield and Stubbington/Hill Head contrary to Policy CS22 of the adopted Core Strategy.

The proposal fails to satisfy point iii) of Policy DSP40 in that the development would not be sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside.

#### F) POLICY DSP40(iv)

The fourth test of Policy DSP40 is that: "It can be demonstrated that the proposal is deliverable in the short term".

The applicant has not provided any information on the timescale for delivery of the development should planning permission be granted. The applicant has been invited to do so but at present no such detail has been received by Officers. The test set out at point iv) of the policy has not been met.

#### G) POLICY DSP40(v)

The fifth and final test of Policy DSP40 is that: "The proposal would not have any unacceptable environmental, amenity or traffic implications".

The applicant has provided surveys and ecological assessments with regards dormouse, bats, reptiles, wintering and breeding birds. Also submitted is an outline proposal for a Bird Conservation Area on the land edged blue to the east of the application site.

The final comments provided by Natural England dated 17th November in response to the application raise no objection to the development proposals subject to certain mitigation measures being carried out.

Firstly, Natural England reiterate the requirement for the proposal to provide mitigation for

the 'in combination' effects of the net increase in residential accommodation on the Solent and Southampton Water Special Protection Area. This requirement is set out in Policy DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies. This matter could be addressed by the applicant entering into a Section 106 legal agreement to secure a contribution towards the Solent Recreation Mitigation Project (SRMP) specifically set up to deliver such mitigation.

Secondly, Natural England suggest that the design, long term management and associated costs of the Bird Conservation Area be agreed with Hampshire and Isle of Wight Wildlife Trust (HIWWT) and secured through a Section 106 legal agreement. Officers have sought confirmation from HIWWT via Natural England that they would in principle be prepared to take on the ownership and management of the Bird Conservation Area in order to deliver this mitigation subject to the detail being provided at a later date. Notwithstanding, such a legal agreement could be worded such that it enabled any suitable body in the opinion of the Council and Natural England to take on the Bird Conservation Area.

Thirdly, Natural England suggest that a Biodiversity Mitigation and Enhancement Plan (BMEP) be secured by planning condition.

No objection has been raised to the development by Hampshire County Council Ecology group subject to planning conditions being imposed in relation to prevention, mitigation and compensation measures in relation to protected species and their habitat.

In their role as the lead local flood authority, Hampshire County Council Flood and Water Management team have raised no objection to the proposal. They consider that the general principles of the surface water drainage proposals are acceptable. Officers are aware of reports in the recent past of flooding and surface water drainage issues with nearby residential properties to the north of the site. Had the proposal been acceptable in all other regards Officers would have looked to ensure that further detail on the SuDS strategy proposed by the applicant including the mechanism for its long-term maintenance was secured by imposing appropriate planning conditions. Those details would have been expected to include how surface water run-off from the site into adjacent properties to the north would be satisfactorily addressed.

The application is accompanied by a report on the effects on agriculture of the proposed development (Kernon Countryside Consultants - May 2017). The report concludes that the majority of the red-edged application site as well as the adjacent blue-edged land is likely to comprise 'best and most versatile agricultural land' (BMV) of Grade 1 and Grade 2 quality (of the agricultural land classification system as published by the Ministry of Agriculture, Fisheries and Food and Natural England).

Policy CS16 of the adopted Fareham Borough Core Strategy states that "New development will be expected to safeguard the use of natural resources by [amongst other things]... preventing the loss of the best and most versatile agricultural land (Grades 1, 2 or 3a of the Natural England Agricultural Land Classifications System)".

Paragraph 112 of the National Planning Policy Framework (NPPF) advises that "Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality".

The issue of the loss of BMV agricultural land was considered by the Planning Inspector in determining the recent appeal by Persimmon Homes South Coast concerning land at Cranleigh Road, Portchester (PINS appeal reference APP/A1720/W/16/3156344). In that

instance the Inspector noted that, given the site area of 5.5ha, the development was not significant so as to necessitate the 'sequential approach' set out in the NPPF.

In the current application the application site east of Posbrook Lane is 6.6ha with another 5.8ha within the blue edged area (approximately 12.4ha overall). The applicant's consultant suggests that a reasonable measure of 'significance' for the purposes of determining whether the sequential approach is engaged is the threshold at which local planning authorities are supposed to formally consult Natural England on this issue. That threshold is currently development resulting in the loss of 20ha or more of BMV agricultural land, well above the land area to be lost in this case. Furthermore, it should be noted that whilst Natural England have been consulted their response has not raised commented on the loss of BMV agricultural land. In this regard Officers agree that the proposed development is not significant in this respect and does not trigger the sequential approach of Paragraph 112 of the NPPF.

The development would result in the loss of BMV agricultural land and therefore is contrary to Policy CS16 as a result. The consultant's report advises that the land has been used for the past ten years by a tenant for the grazing of horses and concludes that there will be no significant effects upon agriculture as a result of the development. Nonetheless, the permanent loss of BMV agricultural land contrary to local plan policy weighs against granting planning permission in the balance of issues.

For the reason above the proposal is considered to fail the fifth test of Policy DSP40 as a result of having unacceptable environmental implications.

In relation to residential amenity, the development is unlikely to have an unacceptable impact on the amenity of neighbouring residents, notwithstanding the fact that the proposal is presented in outline form with matters of scale, appearance and layout reserved for consideration at a later date should planning permission be forthcoming.

In relation to traffic generation and highway matters in general; the application has been submitted accompanied by a Transport Assessment and Travel Plan. Following initial feedback from the highway authority Hampshire County Council the applicant produced a further addendum, a rebuttal and finally a technical note to address the issues raised.

The final comments received from Hampshire County Council Highways dated 17th November raise no objection to the proposed development. In their view the work done by the applicant to undertake sensitivity testing has demonstrated that, even in the worse case scenario allocating all of the split traffic down each of the surveyed routes and respective junctions, there would be no severe impact on the highway network. This view is subject to minor improvement works being carried out at three of the surveyed junctions and the applicant entering into a Section 106 legal agreement to fund those works. The junctions requiring improvement are Warsash Road/Common Lane, B3334 (Titchfield Road)/Bridge Street and St Margaret's Lane/Common Lane. The response also recommended that a full Travel Plan and mechanism to ensure its implementation be secured through the legal agreement along with a financial contribution towards improvements to the cycle route south of the site access.

Notwithstanding the acceptability of the scheme in terms of residential amenity and highways issues, the loss of best and most versatile agricultural land is an unacceptable environmental implication which fails the fifth and final test of Policy DSP40.

#### H) IMPACT ON HERITAGE ASSETS

The application site lies on the edge of the settlement of Titchfield, the historic core of which

is a designated Conservation Area within the adopted local plan. Under planning law there is no statutory duty to preserve or enhance the setting of conservation areas. However, paragraph 128 of the NPPF is clear that the contribution the setting of a conservation area can make to the significance of a heritage asset is a consideration for decision makers. Policy DSP5 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies is also clear that development should preserve a conservation area's setting.

The comments supplied by the Council's Conservation Planner are provided in full earlier in this report and explain the historic development of Titchfield. They follow by commenting that "Although the application site does not directly adjoin the Titchfield Village Conservation Area boundary the undeveloped valley and its historic association with the development of the village contributes to its wider setting". The importance of this historic context is acknowledged as an important consideration in the above assessments of the respective impacts of the development on landscape character and integrity of the strategic gap. Nonetheless, the impact on these heritage assets in their own right should also be considered. In this instance Officers do not consider the impact on the setting of the conservation area would be materially harmful contrary to the advice provided in the NPPF or local plan.

Turning to the listed buildings at and around Great Posbrook; Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas Act 1990 sets out the statutory duty to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest they possess. Officers consider the impact of the proposed development on the character, appearance and features of special architectural or historic interest of the Grade II\* listed buildings is limited by the presence of the substantial band of mature trees separating them from the application site. The wider setting of the buildings however would be affected by the development of the adjacent land to the north and east in terms of the way in which those buildings are experienced in the landscape. Advice has been sought from Historic England on this matter and in relation to whether the proposal satisfies the statutory test and accords with Policy DSP5 of the adopted Local Plan Part 2.

#### I) PUBLIC RIGHTS OF WAY, OPEN SPACE PROVISION AND COMMUNITY FACILITIES

Two public rights of way (Footpaths 34 & 39) cross the site and others nearby would be affected by virtue of the increased use of the rights of way network as a whole.

The applicant has responded to initial comments from Hampshire County Council Countryside Access Officer by proposing a Rights of Way Improvements Plan. The plan includes proposals to replace Footpath 39 with a new route running east-west close to the southern boundary of the site between Posbrook Lane and where it would meet Footpath 34. Footpath 34, which runs north-south through the site, would be resurfaced and planting carried out around it. Financial contributions to improve the wider rights of way network, including Footpath 48, are suggested.

In light of the proposed improvements and subject to them being secured, the County Council have raised no objection to the development. Minor revisions and additional required improvements have been suggested which could be secured through a legal agreement relating to both on-site and off-site improvements accordingly.

The illustrative site plan submitted with the application shows how open space might be laid out on the site. Since however layout is a matter the applicant wishes to reserve consideration of until a later date, and since the proposal is in outline form meaning the exact number of dwellings and bedrooms proposed is unknown, no assessment of the size or nature of the open space has been carried out. Again, the provision of open space,

equipped play facilities and the future management of such could be secured through a legal agreement.

The proposal includes the provision of a scout hut in the south-eastern corner of the site adjacent to the proposed Bird Conservation Area. Whilst the application is made in outline form, full plans and elevations have been provided of the scout hut showing it to be a single-storey building with a monopitched roof. The visual impact of the development as a whole is described in an above section of this report and that assessment is relevant also to this individual building. The applicant's submission suggests the social role of sustainable development is fulfilled by the scout hut as a community use space. However there is nothing in the application to explain why this facility might be needed or how it may be used and managed in the future. The value of the community building is questioned in the comments received by the Council's Leisure and Environmental Services team. As a result, Officers suggest little weight is afforded to this in the planning balance.

## J) LOCAL INFRASTRUCTURE

A number of residents raise concern about the effect 150 further homes would have upon schools, doctors and other services in the area. Officers acknowledge the strength of local concern on these issues.

With regard to schools, comments from Hampshire County Council have been sought and will be reported to Members by way of a written update prior to the Planning Committee meeting to identify whether there is a need in this particular area for additional school places.

In respect of the impact upon doctors/ medical services, the difficulty in obtaining appointments is an issue that is raised regularly in respect of new housing proposals. It is ultimately for the health providers to decide how they deliver health services and should not constitute a reason for refusing this planning application. The Fareham and Gosport Clinical Commissioning Group (CCG) have commented on the application to confirm that in their view the resulting growth in the local population from the development would place additional pressure on existing NHS services. Whilst they do not consider the level of additional demand would warrant the commissioning of an additional GP surgery it would require additional capacity to be provided within existing GP premises. No further explanation has been provided as to what improvements would be required or how any funds would be spent to increase capacity.

As this authority collects the Community Infrastructure Levy (CIL) and health and education facilities are listed on this Council's 'Regulation 123' list, contributions towards such cannot be secured through a Section 106 planning obligation at the present time. This Authority would need to consider whether to provide funding towards school places and improvements to doctors' surgeries from its CIL receipts should a formal request be made by Hampshire County Council or the Fareham & Gosport CCG. Decisions on such requests would be considered by this Council's Executive.

## K) OTHER MATTERS

No objection to the development has been raised from Hampshire County Council in relation to the impact on archaeological or mineral deposits of importance subject to planning conditions being imposed in the event planning permission was granted. Similarly, this Council's Contaminated Land Officer has not raised an objection subject to further investigation of the ground conditions and any required remedial measures being carried out.



The applicant is proposing to deliver 40% affordable homes in accordance with Policy CS18 of the adopted Core Strategy.

## L) PLANNING BALANCE

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".

Paragraph 14 of the NPPF clarifies the presumption in favour of sustainable development in that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- 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; or
- specific policies indicate development should be restricted (for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

The approach detailed within the preceding paragraph, has become known as the "tilted balance" in that it tilts the planning balance in favour of sustainable development and against the Development Plan.

The site is outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture and required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of Local Plan Part 2: Development Sites and Policies Plan.

Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS against objectively assessed housing need.

In weighing up the material considerations Officers have concluded that, whilst the proposal is relative in scale to the demonstrated 5YHLS shortfall (fulfilling the first test of Policy DSP40) the development would be poorly integrated with the existing urban area (thereby failing the second test of the policy).

The third test of Policy DSP40 relates to the impact on the character of the surrounding countryside and strategic gap. In this regard the proposal is considered to have a significant adverse affect materially harmful to the landscape character, appearance and function of the countryside. The site is considered to form part of a 'valued landscape' (the Meon Valley) which the proposed development would fail to protect, enhance, or respect or respond positively to. Furthermore the proposal would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements. As well as failing to meet the requirements of this third test of Policy DSP40 therefore, the proposal is also considered contrary to Policies CS14, CS17 & CS22 of the adopted Core Strategy.

There has been no evidence provided by the applicant that it can be delivered in the short term (failing the fourth test of the policy).

In relation to the fifth and final test of Policy DSP40, Officers do not consider there to be materially harmful implications in relation to residential amenity or traffic. However, in terms of environmental implications the proposal would lead to the loss of best and most versatile agricultural land thereby failing this requirement.

Turning to other issues, Officers acknowledge that the proposal would provide affordable housing at a policy compliant level of 40% of the units, along with the delivery of onsite open space and facilities. Those matters could be secured through an appropriately drafted planning obligation made under Section 106 of the Act as could outstanding issues relating to financial contributions towards off-site highway and public rights of way improvements and ecological matters including details of the proposed Bird Conservation Area.

In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, Officers acknowledge that the proposal could deliver up to 150 dwellings including affordable housing to contribute to the 5-year housing land supply shortage in the Borough. This would provide a significant and material boost/contribution to meeting housing needs within the Borough.

Notwithstanding, given the significant harm identified above to the landscape character, appearance and function of the countryside, which is considered to constitute a "valued landscape" in planning policy terms, along with the harm to the integrity of the strategic gap and loss of best and most versatile agricultural land, the benefits that would arise from the proposal are not considered to outweigh the harm caused by developing this area of land.

Officers therefore recommend that the planning application should be refused.

### ***Recommendation***

Subject to comments provided by Historic England and any additional reasons for refusal they may recommend:

REFUSE

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS16, CS17, CS18, CS20, CS21 and CS22 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan;

And, Paragraph 109 of the National Planning Policy Framework;

and is unacceptable in that:

(a) the application site lies outside the defined urban settlement boundary on land which is considered to form part of a 'valued landscape'. As a result the proposed development would result in a range of significant adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area. In addition the proposed development would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements;

(b) the proposal would result in the loss of best and most versatile agricultural land;

(c) had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its long-term maintenance;

(d) had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of the local plan;

(e) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(f) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

(g) in the absence of a legal agreement to secure such, the proposal fails to provide satisfactory details of the design, long term management and ownership and associated costs of the proposed Bird Conservation Area to the east of the application site. As a result the proposal fails to provide adequate mitigation, compensation and enhancement measures in relation to the effects of the development on qualifying features of the Solent and Southampton Water Special Protection Area (SPA);

(h) in the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met;

(i) in the absence of a legal agreement to secure such, the proposal fails to mitigate against the adverse effects of the development on the safety and operation of the strategic and local highway network in the form of a financial contribution towards off-site highway improvements;

(j) in the absence of a legal agreement to secure the submission and implementation of a full Travel Plan, payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Travel Plan, the proposed development would not make the necessary provision to ensure measures are in place to assist in reducing the dependency on the use of the private motorcar;

(k) in the absence of a legal agreement to secure a financial contribution towards improvements to the local public rights of way network, the proposal fails to mitigate the harm from the increased usage of public rights of way as a direct result of the development.

Note for information:

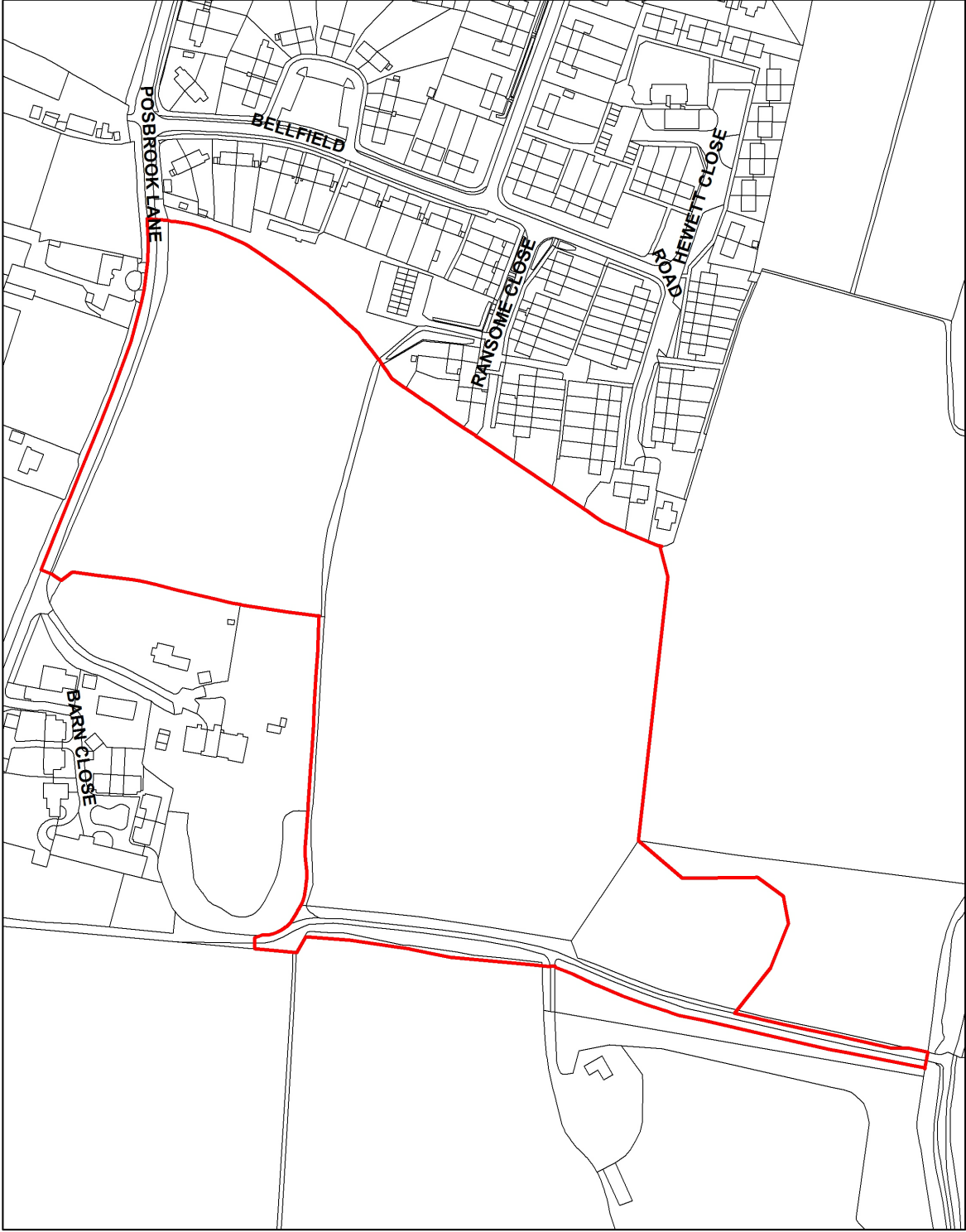
Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point c) above through the imposition of a suitably worded planning condition and points d) - k) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990.

### ***Background Papers***

P/17/0681/OA

# FAREHAM

BOROUGH COUNCIL



Land East of Posbrook Lane  
Scale 1:2500



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# Agenda Annex

**ZONE 3 - EASTERN WARDS**

Portchester West  
 Hill Head  
 Stubbington  
 Portchester East

| Reference                                  |   | Item No                       |
|--|---|-------------------------------|
| <b>P/17/0679/FP</b><br>STUBBINGTON         | LIDL STORE AND 10 - 23 APEX CENTRE SPEEDFIELDS PARK<br>NEWGATE LANE FAREHAM PO14 1TL<br>LIDL FOODSTORE (USE CLASS A1) WITH CUSTOMER CAR<br>PARK, ASSOCIATED LANDSCAPING AND ACCESS WORKS,<br>FOLLOWING DEMOLITION OF EXISTING STORE & 10-23 APEX<br>CENTRE. | <b>2</b><br><b>PERMISSION</b> |
| <b>P/17/1298/FP</b><br>PORTCHESTER<br>EAST | 54 CORNAWAY LANE PORTCHESTER FAREHAM PO16 9DD<br>DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 4<br>DWELLINGS AND PARKING  | <b>3</b><br><b>PERMISSION</b> |
| <b>P/17/1354/FP</b><br>HILL HEAD           | 5 MOODY ROAD FAREHAM PO14 2BP<br>TWO STOREY REAR EXTENSION AND ALTERATIONS TO<br>FENESTRATION/NEW ROOF WINDOWS  | <b>4</b><br><b>PERMISSION</b> |

# Agenda Item 7(2)

**P/17/0679/FP**

**STUBBINGTON**

LIDL UK GMBH

AGENT: LIDL UK GMBH

LIDL FOODSTORE (USE CLASS A1) WITH CUSTOMER CAR PARK, ASSOCIATED LANDSCAPING AND ACCESS WORKS, FOLLOWING DEMOLITION OF EXISTING STORE & 10-23 APEX CENTRE.

LIDL STORE AND 10 - 23 APEX CENTRE SPEEDFIELDS PARK NEWGATE LANE FAREHAM PO14 1TL

## ***Report By***

Kim Hayler - Direct dial 01329 824815

## ***Site Description***

The application site is approximately 1.93 acres (0.78 hectares) in area and is located within Speedfields Park employment area on the eastern side of Newgate Lane.

An existing Lidl store is sited on the western part of the site. To the eastern side of the Lidl store is the Apex Centre (units 10 - 23), comprising two blocks of small business units.

McDonalds restaurant and drive through lies to the west; Asda supermarket is located to the east and B&M discount store to the south.

There are two vehicular access points into the site from Speedfields Park, one providing access to the Apex Centre and the other to the existing store car park opposite the McDonalds restaurant and drive through.

## ***Description of Proposal***

Demolition of the southernmost part of the Apex Centre which consists of 1,456 m<sup>2</sup> (15,672 ft<sup>2</sup>) of business floorspace and the existing Lidl store which measures 1,156 m<sup>2</sup> (12,443 ft<sup>2</sup>).

Erection of a convenience food store (Class A1) with a floor area of 2,294 m<sup>2</sup> (24,692 ft<sup>2</sup>) with 113 total parking spaces including seven accessible spaces and seven parent and child spaces plus bicycle spaces.

A single vehicle access and egress point from Speedfields Park is proposed. Deliveries to the store will be subject to an out of hours delivery restriction.

Pedestrian access will be via existing footpaths along Newgate Lane and there will be defined footpaths leading to the entrance of the store.

A soft landscape scheme has been submitted with the application.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS1 - Employment Provision

CS3 - Vitality and Viability of Centres

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

### **Development Sites and Policies**

DSP1 - Sustainable Development  
DSP17 - Existing Employment Sites and Areas  
DSP37 - Out-of-Town Shopping

### **Non-residential Parking Standards (September 2015)**

NRPS -

#### ***Relevant Planning History***

The following planning history is relevant:

|                            |   |            |
|----------------------------|---|------------|
| <b><u>P/01/0535/FP</u></b> | <b>Erection of Food Retail Store and Associated Car Parking and Servicing</b> |            |
|                            | PERMISSION  | 28/01/2002 |

#### ***Representations***

Twenty eight letters of objection have been received, including five objections from business currently occupying units within the Apex Centre, raising the following concerns:

The loss of the Apex Centre will have a huge impact on businesses;  
A loss of skilled jobs; many more jobs than proposed by the application;  
Contrary to policy, retail not industrial use;  
There are suitable other sites available;  
There is a major traffic problem at the moment which will only get worse with a larger store;  
Increase in emissions in Newgate Lane;  
The proposal will change the character of the area by destroying a number of thriving and diverse businesses;  
The tenants/businesses of the Apex Centre should be compensated;  
The proposal shows a lack of support for the Solent LEP.

One letter of comment received, stating an electric charging point would have been useful.

One letter received supporting the application if it included the finding of similar premises and the costs of relocating those businesses that would be lost. Otherwise there is an objection to the application.

Letter raising a formal opposition to the proposal received from Caroline Dinenage MP, raising the following points:

The expansion of an international chain should not be at the demise of 14 small local businesses;  
The local businesses employ 55 people, many of whom are skilled in manufacturing;  
Economic regeneration is a priority and the planning application is contradictory to the hard work carried out to date;  
There are concerns regarding the increase in traffic.

Three letters of support have been received.

#### ***Consultations***

INTERNAL

Environmental Health (Contamination) - no objection subject to condition.

EXTERNAL



Hampshire County Council (Lead Local Flood Authority) -

No objection subject to a condition.

Hampshire County Council (Highways Development Planning) -

The applicant has amended the proposal removing the eastern service access. A planning condition should be imposed restricting deliveries so that they take place outside of store opening hours to prevent HGV conflict with other vehicles and/or pedestrians visiting the site.

A robust assessment has been carried out relating to the number of vehicle trips as a result of the larger store. The applicant has updated the traffic modeling in light of previous comments from the highway authority. Based on the junctions being shown to operate close to capacity in the existing situation during the peak periods, the addition of traffic flow associated with background traffic growth exacerbates this position. This includes an increase of queue length on the Speedfields Park position. However, the assessment shows this is principally attributable to background traffic growth. The minor increase in traffic flow associated the proposed development cannot be considered severe in the context of the National Planning Policy Framework.

No objection is raised, subject to a Travel Plan, together with a Traffic Regulation Order to prevent the loading/unloading of delivery vehicles on the adjacent estate roads secured through a Section 106 Agreement.

Southern Water Services - No objection subject to an informative.

### ***Planning Considerations - Key Issues***

The key planning considerations in the determination of this application are:

Planning Policy & the Principle of Retail Development Outside a Designated Centre  
Sequential Test  
Retail Impact  
Existing Employment Sites and Areas  
Highways  
Building Design

### **PLANNING POLICY AND THE PRINCIPLE OF RETAIL DEVELOPMENT OUTSIDE A DESIGNATED CENTRE:**

Policy CS3 of the Core Strategy identifies the retail hierarchy in the Borough. Policy DSP37 in the Local Plan Part 2 (Development Sites and Policies Plan) states that planning applications will only be permitted for main town centre uses outside of centres where the following criteria are met:

- i) a full sequential test has been carried out demonstrating that there are no more centrally located sites that are available, suitable or viable;
- ii) appropriate levels of parking are provided;
- iii) the site is not located outside the defined urban settlement boundaries and is accessible, particularly by public transport;
- iv) the scale and design of the buildings are appropriate to their surroundings; and

v) the proposal would not have any unacceptable environmental, amenity or traffic implications.

Where a development for main town centre uses is proposed over 500sq m, an impact assessment must be carried out to demonstrate that the proposal will not have an adverse effect on the vitality or viability of nearby centres, nor on any planned centre expansions.

Conditions may be attached to permissions for new out-of-town shopping units to restrict the range of goods sold, and to control the size of units.

The 'Glossary of Terms' within Local Plan Part 2 includes Retail development (including warehouses, clubs, garden centres, and factory outlet centres) within the definition of Main Town Centre Uses.

In addition to the development plan policies the National Planning Policy Framework is also a material consideration. Section 2 of the NPPF is relevant to this proposal, with paragraph 24 noting that:

"Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale".

In relation to the assessment of impact, paragraph 26 notes that applications for retail development outside of town centres should include an assessment of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centre in the catchment area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre, up to five years from the time the application is made. The national policy sets out that when assessing retail impacts, only those impacts that are "significantly adverse" should be refused.

The national policy tests along with the tests of DSP37 are considered further below.

## SEQUENTIAL TEST

The nearest designated centres are Fareham Town Centre; Stubbington Local Centre and Broadlaw Walk. Given the location of the site outside of these centres there is a need under the first criterion of policy DSP37 to consider whether the proposed development complies with the sequential test. It is necessary to assess whether there are any available, suitable and viable sequentially preferable sites within the catchment area of the proposed store.

Sequentially preferable sites would need to be large enough to accommodate a food store of around 2,300 m<sup>2</sup> gross, with customer car parking. A site of at least 0.5 ha would be required to accommodate a store of this size allowing for a suitable degree of flexibility.

In terms of availability, an alternative site would need to be available within a similar timeframe to the proposed replacement store with development completed in 2019/2020.

This timetable rules out sites that are unlikely to be available in the short term.

There are a number of sites identified for mixed use development within the Local Plan, including the Civic Area, Market Quay, Fareham Shopping Centre and Fareham Station East. The suitability and viability of these sites for a relatively low density food store development is however unclear and it is unlikely these sites can be brought forward within the next two years.

The applicant has stated that in this case, the proposal is location specific as the application proposals seeks to improve an existing Lidl store that is a long established retail location; relocating the proposal elsewhere would not provide improvements for existing customers and would result in the loss of Lidl's existing customer base.

Officers accept that presently there are no sequentially more preferable sites which meet the test of being available, suitable and viable.

## RETAIL IMPACT

Guidance contained within the NPPF indicates proposals for sustainable development should be approved unless there are likely to be significant adverse impacts which outweigh the benefits of the proposal. The applicant has prepared a retail impact assessment.

The turnover of the existing store is estimated to be £11.17 million (pre-Lidl store at Portchester). The impact of the new Lidl store at Portchester reduced the turnover to £10.70 million. The turnover of the existing Lidl store is estimated to be £11 million in 2022, slightly lower than the current turnover due to the impact of the new Lidl store at Portchester.

The expected goods turnover of the replacement Lidl store is estimated to be £13.42 million, an uplift of £2.42 million.

Officers have sought independent retail advice on the likely impact of the proposed store upon surrounding retail centres. The Council's retail consultant advises the highest proportional impact in financial turnover will fall on stores outside of district centres such as the Asda store at Speedfields Park (-1.1%), followed by the Lidl store in Portchester (-0.9%) and the Sainsburys at Broadcut (-0.7%). The impact upon other centres is judged to be in the order of the following: Fareham town centre (-0.5%), Portchester District Centre (-0.5%) and Locks Heath District Centre (-0.4%).

The Council's retail consultant has carried out their own impact assessment and concluded there is no evidence to suggest that Aldi and Tesco stores in the Town Centre will be materially harmed and it is unlikely the reduction in convenience goods trade will lead to any shop closures within the town centre.

In cumulative terms, the new Lidl store at Portchester along with the replacement Lidl store proposed here will reduce the convenience turnover of Fareham Town Centre by -0.8%, which is not considered to be significant and will not harm the vitality and viability of Fareham Town Centre.

The Retail Impact is likely to be minor and thus would not conflict with paragraphs 26 and 27 of the National Planning policy Framework, the latter of which suggests that applications should only be refused where there is a likely to be significant adverse impact upon centres.

Officers are satisfied that the proposal will not have an unacceptable adverse effect on the vitality or viability of nearby centres, nor on any planned centre expansions.

## EXISTING EMPLOYMENT SITES AND AREAS

The application site is subject to Policy DSP17 of the adopted Local Plan Part 2 and relates to "Existing Employment Sites and Areas". Policy DSP17 states that:

"The Existing Employment Sites and Areas set out in Appendix B, and shown on the Policies Map, will be protected for economic development uses. Redevelopment, extensions and intensification in these areas that would result in additional economic development floorspace will be supported provided that:

- i. it would not have unacceptable amenity or traffic implications;
  - ii. it would not have an unacceptable impact on neighbouring uses;
  - iii. an appropriate size and range of units is provided (where appropriate);
- and
- iv. appropriate levels of parking are provided.

Within these areas, changes of use between different uses that contribute towards economic development will be permitted provided that the proposed use will supply employment opportunities of similar quantity as those that previously existed.

Any proposals for retail or other 'main town centre uses' (excluding B1 offices) within existing employment areas will only be permitted if they accord with Policy DSP37: Out-of-Town Shopping."

The definition of economic development is 'Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).' Main town centre uses includes, amongst other things 'Retail development'. In principle, Policy DSP17 permits retail uses within designated employment sites and areas subject to Policy DSP37 being satisfied.

Members will be aware from the representations received that considerable concern has been raised at the loss of existing business premises and the potential loss of existing jobs.

As part of the consideration of the application, the Planning Case Officer has visited the site and spoken to a number of the existing occupiers in order to more fully understand the nature of each business and the number of employees. In addition, the landlord for the Apex Centre has provided information relating to the details of the leasing and rental arrangements they have in place with the occupiers of the units.

The Landlord advises that for a number of years the businesses in Units 10 - 23 of the Apex Centre have been granted concessionary rents in return for the introduction of break clauses in their leases; in their view the businesses are effectively being 'compensated' for the eventuality of having to relocate. The landlord has always been open with tenants and prospective tenants about their long term aspirations for the estate and all the tenants have entered into the agreements in full knowledge that the contracts provide the landlord this flexibility.

In terms of the units and the businesses currently operating at the site, they are as follows:

Unit 10 is one of two manufacturing businesses. Unit 10's lease expires in August 2018 and seven staff (three full time) are employed. The landlord does not intend to renew the lease, therefore irrespective of the current planning application, the business would need to relocate to alternative premises before the lease expires in August 2018.

Unit 11 is currently vacant.

Units 12 and 13 have given notice that they are to relocate elsewhere within Fareham Borough at the end of February 2018.

Unit 14, trading as Southcoast Same Day Couriers is let on a tenancy at will basis, meaning the tenant or the landlord can break the arrangement at any time. The unit is used at a base for the storage of parcels which are collected by drivers on a self employed basis at the beginning of each day.

Unit 15, a gear box repair/restoration business, whose lease expires in February 2018 with one employee.

Unit 16, a showroom for loft conversions, whose lease expires on 31 January 2019, with two employees.

Unit 17, a sign and graphics business whose lease expires on 2 May 2024, with two employees; part of this unit is sublet to a car mechanic who works alone.

Unit 18, a national plant hire company whose lease expires in December 2018. The occupier has already confirmed that they will not be renewing their lease and have requested to leave as soon as possible. They intend to combine with another larger unit locally, relocating the two employees.

Units 19 and 20, part of a national company (Rexel UK Limited) whose lease expires on 23 June 2018 and its four employees will be relocated to new premises.

Unit 21, an engineering company who have contracts to deliver and install bus shelters, whose lease expires on 12 November 2018, with five employees, one of whom is permanently based at the unit.

Units 22 and 23, a manufacturing business and the current lease expires on 22 January 2020. Both the landlord and the tenant have the option to break the lease on giving 5 months notice and in return, the rent is at a concessionary level. There are twelve staff employed at the business. The business also has a third unit within Unit 9 located within the northern part of the Apex Centre.

Unit 8 in the northern section of the Apex Centre is currently empty with a view of offering the unit to one of the displaced tenants. There are also a number of upcoming lease events in the northern section of the Apex Centre which may present further opportunities to relocate tenants within the estate.

The applicant has undertaken an assessment of alternative options available within a 10km radius and concluded there are a range of different sized units available to buy or lease. A number of small industrial units of a similar size to the Apex Centre are to be constructed at Daedalus in January/ February 2018 with a view they would be ready for occupation September/October 2018. Other vacant industrial units are also available within the Newgate Lane area.

In summary it appears to Officers that the existing units at the Apex Centre are let at a rent level which reflects the break clauses in their leases. Some units are already vacant and more will become so in the near future. It will be an inevitable requirement for the remaining businesses to relocate should the development be permitted and undertaken. The Landlord advises that they are able to invoke break clauses within the leases requiring businesses to vacate in any event.

The landlord has confirmed in writing to the Council that they are willing to offer additional support to the businesses that will be affected by the proposal. In the event that planning permission is granted the landlord will undertake to pay for the services of a local commercial property agent to represent them in the search and process of acquiring new premises of a comparable size on a rental basis. It is likely that having a professional property agent acting on their behalf in negotiations, will enable them to achieve the best possible terms for a new lease on new premises. This will also take away the burden of what, to the tenants may be a time-consuming process, allowing them to focus on their day to day business.

Furthermore, the landlord is willing to extend the break in the leases to 9 months. If permission were to be granted, it is likely that notice will not be served until late January/February 2018 with 9 months thereafter. This extra time will give an adequate period for the necessary lease negotiations and arranged required moves.

Officers believe that there are alternative business premises available, and from the evidence available do not accept that all the affected businesses at the Apex Centre would be required to close, with the resultant loss of jobs, should the proposals go ahead. Ultimately Officers would have expected businesses to have factored in the costs of fitting out units and any costs associated with relocating, when signing leases. The planning proposals would create the 22 additional jobs in connection with the food retail use. Officers consider that the proposed use will supply employment opportunities of similar quantity to those that presently exist.

In terms of floorspace changes, there would be an overall small reduction in floorspace from 2,612 m<sup>2</sup> (existing Lidl 1,156 m<sup>2</sup> + Apex Centre units 1,456 m<sup>2</sup>) to 2,294 m<sup>2</sup> (proposed Lidl floorspace); an overall loss of 318 m<sup>2</sup>.

Policy DSP17 states that changes of use or redevelopment within existing employment areas that would result in a loss of floorspace for economic development uses will not be permitted unless:

- i. all appropriate alternative forms of economic development have been considered;
- ii. it can be clearly demonstrated that the land or building is not fit for purpose and modernisation or redevelopment for employment uses would be financially unviable; and
- iii. the proposal is accompanied by details of marketing of the vacant site/building covering a period of not fewer than twelve months.

In the view of Officers this element of the policy primarily envisaged situations whereby sites or buildings were no longer considered suitable and viable for economic development uses. This is not the case here; it is however a consequence of the redevelopment proposals that a small reduction in floorspace would arise.

The benefits of the proposal in relation to the improved retail facility have to be weighed up against the small net loss of the employment floor space. There are clear benefits to consumers from the provision of an improved discount food retail at this site. The proposal will not compromise the Council's overall employment strategy and the Borough does not have an identified shortfall of employment floorspace.

Whilst there would be a slight reduction in floorspace for economic development uses and in turn some conflict with Policy DSP17, the harm would be very limited in light of the small amount of floorspace involved, and would be outweighed by the benefits provided by the

improved retail offer at this site.

## Highways

The existing store is accessed via an unnamed service road to the north of the existing site. This road is part of a network of unnamed service roads which provide access through the retail park. The proposed store is to be located on the existing Lidl store site but will include land currently comprising the Apex Centre. The proposed development will be accessed by vehicles via a new proposed access point to the south of the new car park.

It is anticipated that delivery times will be outside of the trading hours and not during the highway peak hours.

The level of new trips on the highway generated by the development is considered to be a minimal increase and the applicant has been working with Hampshire County Council to secure an appropriate Travel Plan.

One hundred and thirteen car parking spaces are proposed to serve the new store which is considered an acceptable level of car parking to serve the development.

The proposed development is not judged to have an unacceptable impact upon the highway network.

## Building design

The existing Lidl store was built in 2002; the applicant advises the store is too small with a dated appearance in comparison to recent new store styles.

The surrounding retail and business properties is predominantly two storey in height; faced in a mixture of red brick and cladding with pitched or flat roofs covered with metal sheets or some tiles. The scale of the proposed foodstore is not dissimilar to the existing buildings surrounding the site.

The proposed new store is a simple single storey building with a mono-pitch roof and a small parapet surround. The glazed building frontage is 36 metres long looking towards the west extending to an overall building length of 70 metres. In terms of massing and volume, the existing buildings neighbouring the site are considered to be similar to that of the replacement store.

The proposed building is designed to be contemporary in form with a glazed shopfront creating an active frontage overlooking the car park, facing towards Newgate Lane.

The main store entrance will be located beneath a modern canopy which provides a covered area for the trolley store. The material palette includes plain rendered walls below higher level metal cladding with shop front glazing wrapping around the corner to the customer entrance.

The proposed building design and materials is considered appropriate for the area and accords with adopted Policy CS17.

## Conclusion

The proposal is an economic development use for the site. This southernmost part of the Speedfields Park Employment Area consists predominantly of retail uses. There are no other sequentially preferable sites that are available, suitable and viable for the application

proposals.

The retail impact upon other centres is not judged to be significantly adverse.

The proposed access and car parking are acceptable and would not cause unacceptable harm to users of the highway.

The building proposed is simple in its architecture and would preserve the character and appearance of the area.

The use proposed upon the site would provide employment opportunities of a similar quantity to those presently existing.

There is not an acute shortage of employment land in the Borough and further employment land is identified within the Draft Fareham Borough Local Plan 2036. The harm arising from the small reduction in employment floorspace is outweighed by the benefits delivered by the scheme.

Officers are satisfied that the proposal accords with National Planning Policy and this Council's adopted planning policy and accordingly recommend that planning permission should be granted subject to the prior completion of a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 and the imposition of appropriate conditions.

### ***Recommendation***

Subject to:

The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to Hampshire County Council to secure a Travel Plan and a Traffic Regulation Order in relation to loading/unloading on the estate road.

PERMISSION, subject to the following conditions:

1. The development hereby permitted shall be begun before three years of the date of this decision notice.

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

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

Location plan - P001 rev B

Existing site plan - P002 rev B

Proposed site plan - P0003 rev F

Elevations - P102 rev H

Floor plans - P100 rev C

Existing and proposed section - P004 rev C

External works plan - 7142-P005 rev D

Trolley Bay and Cycle Stand Detail - P006 rev B

Proposed roof layout - P101 rev B

Proposed surface water drainage strategy - 5767.401 rev A and letter dated 25 September 2017

Landscape plan - PR-011 rev B



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

3. No development shall take place above damp proof course (dpc) until details of all external materials to be used in the construction of the building hereby permitted have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

4. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:

- parking for site vehicles and contractors;
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from demolition and or construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.
- areas for loading and unloading;
- areas for the storage of plant and materials;
- security hoarding position and any public viewing platforms (if necessary);
- site office location;
- construction lighting details;
- wheel washing facilities;
- dust and dirt control measures;
- a scheme for the recycling of construction waste; and
- vegetation clearance details

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

REASON: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety.

5. Prior to work on the building foundations or water services being laid (which ever is the sooner):

Where the site investigation and risk assessment reveals 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.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities.

6. The store hereby approved shall not open until the scheme of remedial measures (pursuant to condition 05 above) have been fully implemented with verification of the installation of the mitigation measures submitted to and approved in writing by the Local Planning Authority prior to first occupation. The verification shall include photographic evidence and "as built" drawings.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities.

7. The site shall be monitored during construction for evidence of previously unidentified contamination. If suspected contamination is encountered then no further development shall be carried out in the affected area(s) until investigation and remediation measures have been agreed in writing by the Local Planning Authority.

REASON: To ensure any land contamination not previously identified is assessed and remediated so as to not present any significant risks to human health or the wider environment.

8. The store hereby permitted shall only be used for a hard discount food store. This is defined as a store which is characterised by; non-food ranges promoted through "weekly specials", dominance of private or "exclusive" labels with few national brands, selling a limited range of products (less than 3,500 product lines which can be demonstrated through the availability of stock keeping records as requested), significantly cheaper products in terms of average price than all other multiple food retailers. No use other than a hard discount food store as outlined above shall occupy the premises unless an express planning permission for an alternative use is granted by the Local Planning Authority.

REASON: In the interest of preserving the vitality and viability of Fareham Town Centre, Stubbington District Centre and Broadlaw Walk.

9. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (or any Order revoking and re-enacting that Order), the discount food store hereby approved shall only have a maximum of twenty five percent (25%) of the total floor space used for the sale of the following goods:

i) Clothing and footwear, fashion accessories including handbags and luggage, watches and jewellery;

ii) Pharmaceutical and personal care products (including perfumes, toiletries, spectacles and contact lenses;

iii) Books, music records and CD's, DVD's and other recorded media; and

iv) Toys

REASON: In the interest of preserving the vitality and viability of Fareham Town Centre and Stubbington District Centre.

10. No materials obtained from site clearance or from construction works shall be burnt on the site.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities.

11. The development shall be constructed in order to achieve a BREEAM 'very good' rating.

REASON: To ensure the development is constructed and operates in a sustainable manner.

12. Deliveries to the store shall take place during out of store opening hours only.

REASON: In the interests of highway safety.

13. The off site highway works as shown in principle on drawing 7142-P003-Rev-D shall be carried out before the new store is first open to customers.

REASON: In the interests of highway safety.

14. No development shall take place until a maintenance regime of the surface water drainage system including SuDS features is submitted to and approved in writing by the Local Planning Authority. The maintenance regime shall include a plan illustrating the organisation responsible for each element of the SuDS features.

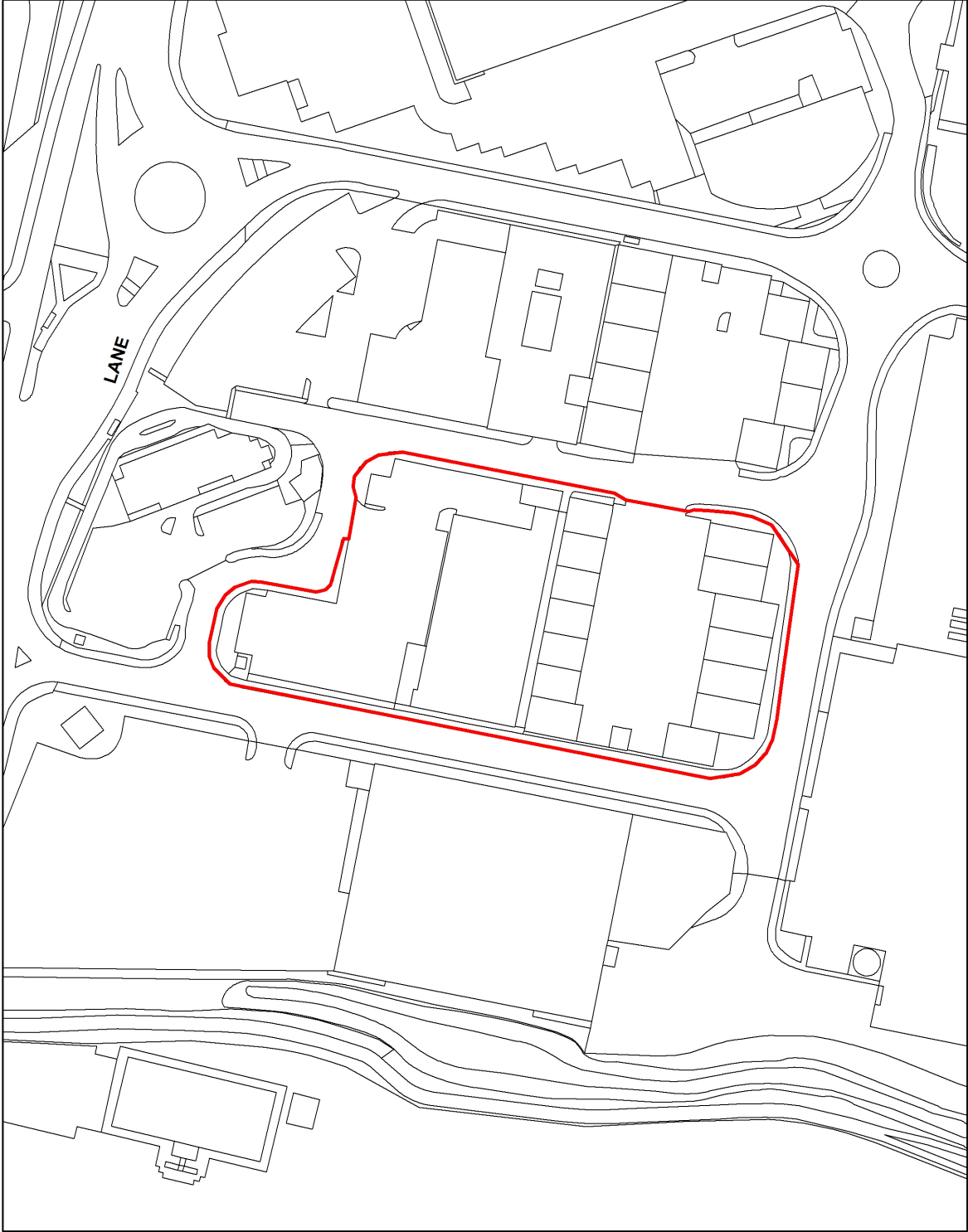
REASON: In order to secure the future maintenance of the surface water drainage system.

### ***Notes for Information***

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

# FAREHAM

BOROUGH COUNCIL



Lidl Store &  
10-23 Apex Centre  
Scale 1:1250



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# Agenda Item 7(3)

**P/17/1298/FP**

**PORTCHESTER EAST**

B R BUILDING SERVICES  
SOUTHERN LTD

AGENT: DAVID NEWELL  
CONSULTANCY LTD

DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 4 DWELLINGS AND  
PARKING

54 CORNAWAY LANE PORTCHESTER FAREHAM PO16 9DD

## ***Report By***

Rachael Hebden - Direct dial 01329 824424

## ***Introduction***

The application has been submitted following the refusal of the previous application for the following reasons:

The proposed development is contrary to Policies CS17, DSP2 and DSP3 of the Local Plan, the advice in the National Planning Policy Framework and the Fareham Residential Design Guidance Supplementary Planning Document and is unacceptable in that:

-by virtue of the height, depth and bulk of the dwelling on plot no. 3 and its proximity to the rear gardens of no's 52 and 52a Cornaway Lane, would represent an overbearing and unneighbourly form of development detrimental to the amenities of these properties.

-the siting of the bin collection point serving plot no's 3 and 4 to the garden of the dwelling in plot 1 would represent an unneighbourly form of development detrimental to the amenities of this property.

-the proximity of the car parking space to the living room window of the dwelling within plot 4 would not constitute high quality design to the detriment of the occupant in plot 4.

## ***Site Description***

The site is level and partially hard surfaced with areas of gravel. The majority of the site is undeveloped, with the exception of a single storey building in the eastern corner and a two storey building at the front (west of the site) which formerly housed Lawnswood Limousines.

There are dwellings to the north, south and east of the site. There are also a number of garages to the east of the site which are accessed via a drive along the south of the site.

## ***Description of Proposal***

The application proposes the demolition of the existing structures and the erection of 4 dwellings. Plot no's 1 and 2 would comprise 1 pair of two and a half storey, semi-detached dwellings fronting Cornaway Lane and would incorporate car parking spaces to the front. Plot no's 3 and 4 would be positioned to the rear of no's 52 and 52a Cornaway Lane and accessed via the drive which currently serves the garages to the east of the site. Plot 3 would contain a detached, chalet style bungalow and plot 4 would contain a detached, two storey dwelling. Parking for plot no's 3 and 4 would also be provided to the front of the proposed dwellings.

## ***Policies***

The following policies apply to this application:

National Planning Policy Framework 2012

Fareham Borough Design Guidance (excluding Welborne) Supplementary Planning

**Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

**Development Sites and Policies**

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

***Relevant Planning History***

The following planning history is relevant:

**P/17/0519/FP**      **CONSTRUCTION OF TWO PAIRS OF 2-STOREY SEMI-DETACHED HOUSES WITH ASSOCIATED CAR PARKING, CYCLE STORAGE, MEANS OF ENCLOSURE AND LANDSCAPING AFTER DEMOLITION OF EXISTING BUILDINGS.**

REFUSE

19/07/2017

**P/17/0110/FP**      **Construction of a two-storey building comprising four 1-bed flats and a two-storey building comprising two 3-bed houses with associated access drive, car parking, means of enclosure and landscaping after demolition of existing building.**

WITHDRAWN

13/04/2017

***Representations***

Letters of support have been received from no's 56 and 66 Cornaway Lane. Specific reference is made to the change of use from commercial to residential as being positive.

Objections from 10 households have been received. The objections raise the following issues:

- Loss of sense of openness at rear of properties in Kenya Road
- Loss of light to 6 Kenya Road
- The amended plans for the property in plot 4 include wider side elevations
- Loss of privacy to properties in Kenya Road
- The proposed access is not wide enough for two vehicles to pass each other or to incorporate a footpath
- The access would not have sufficient visibility to enable cars to enter/exit safely
- The site is only large enough for 3 dwellings
- The provision of dwellings in plot no's 3 and 4 would be out of keeping with the character of the area
- The development is out of keeping with the character of the area
- There is no provision for visitor parking

- The dwelling in plot 3 is too high and too close to no. 52a
- The chalet bungalow in plot no. 3 would stretch the full width of no. 52a's rear boundary and would have an adverse impact on the outlook
- The proposed dwellings (and trees) in plot no's 3 and 4 would result in a loss of light to no. 50
- The provision of bungalows in plot no's 3 and 4 would have less impact on neighbouring properties

### **Consultations**

#### INTERNAL CONSULTTEES

Refuse and Recycling - No objection.

Highways - No objection, subject to conditions.

Environmental Health (Contamination) - No objection, subject to conditions.

### **Planning Considerations - Key Issues**

#### Principle of development

The site, which formerly housed a limousine hire business, is located within the defined urban settlement boundary of Portchester. Policy DSP17 aims to protect existing employment sites, but does not include the site which is the subject of this application. There is therefore no requirement for the site to be retained for commercial purposes.

Policy CS11 states that small scale development will be permitted within the settlement boundaries of Portchester, Stubbington and Hill Head and Titchfield where it:

- protects the setting of the settlement;
- protects their natural, historic, biodiversity and cultural resources;
- contributes to the provision of green infrastructure;
- maintains and strengthens the character, vitality and viability of district and local centres;
- contributes to (in addition to development in other areas) around 60 dwellings in Portchester.

The proposed development of 4 dwellings is therefore acceptable in principle subject to satisfying the criteria of Policy CS11 together with the requirements of the policies listed earlier in this report.

#### Impact on the character of the area

Cornaway Lane is characterised by regularly spaced, detached, semi-detached and terraced dwellings which adhere to a uniform building line. The dwellings in the section of Cornaway Lane in which the site is located are either two or two and a half storeys in height, with on-site parking to the front.

Plots 1 and 2 would contain a pair of semi-detached dwellings which would front Cornaway Lane. They would both be two and a half storeys, with the eaves and ridgeline of a similar height to the properties on either side. The parking for plots 1 and 2 would be provided to the front, with a strip of planting between the parking for plots 1 and 2. Shallow planting beds have also been provided along both side boundaries at the front of plots 1 and 2 and to the front of the dwellings to soften the impact of the hard surfacing. Soft and hard landscaping details can be secured by condition.

The design of plots 1 and 2 is of a similar form to that of the dwellings on either side and would be of a traditional character.

Plots no's 3 and 4 would be positioned to the rear of no's 52 and 52a and the proposed plot no's 1 and 2. Plot no's 3 and 4 would not be visible from within Cornaway Lane.

The dwellings in plots 3 and 4 would both be detached with a chalet style bungalow in plot 3 and a two storey dwelling in plot 4. The proposed chalet style bungalow would have an asymmetric roof with an eaves height of 2.7m on the side next facing no's 52 and 52a and an eaves height of 4.3m on the side next to plot 4. The asymmetric roof has been designed to minimise the impact on the neighbouring properties to the west, with the higher eaves height on the east side providing a transition with the proposed two storey building.

Overall the design is considered to respond positively to and be respectful of the key characteristics of the area as required by policy CS17. The use of appropriate materials can be secured by condition.

#### Impact on neighbouring properties

Plot no. 1 would be directly south of no. 52a Cornaway Lane. The dwelling within plot no. 1 would be in line with no. 52a and would therefore not have an adverse impact on the amenities of no. 52a.

Plot no. 2 would be positioned to the north of no. 56 Cornaway Lane. The proposed dwelling would be visible from within no. 56's rear garden, however it would not appear overbearing or have an adverse impact on no. 56 in terms of privacy or amount of available sunlight as it would be positioned 5.2m north of no. 56 and would not project beyond the rear elevation of no. 56. The owners of no. 56 have written in support of the application.

Plot no. 3 would be positioned directly east of no. 52a. The dwelling within plot no. 3 would be separated from no. 52a's original rear elevation by a distance of 12.9m. Whilst there is a building to building separation distance of 12.5m referred to within the Design Guide SPD, this is relating to the advice on extensions rather than new dwellings. A 12.5m separation distance is considered to be the minimum distance between two buildings, when one is extended, in order to retain a degree of acceptable separation. Minimum separation distances are not prescribed in the design guide for the relationship of a new dwelling to an existing property.

Policy DSP3, however, states that: "Development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy." The supporting text to Policy DSP3 explains that the impact of proposed development on neighbouring sites includes both existing properties and importantly in this case, gardens.

One of the reasons for refusal for the previous application was because of the significant adverse impact that the dwelling in plot no. 3 would have on no's 52 and 52a's gardens in terms of loss of outlook and available sunlight. The dwelling previously proposed within plot 3 was a two storey building with an eaves height of 5m and a ridge height of 7.3m. The dwelling was also a depth of 10.5m meaning that the west elevation would have extended across the full width of no. 52a's rear boundary and almost all of no. 52's rear boundary.

The plans originally submitted for the application currently being considered, proposed a chalet style bungalow in plot 3. The eaves height had been reduced to 3m and the ridge height to 6.2m. The dwelling was a depth of 10m. The amended design was considered to still be too dominant given the proximity to no. 52 and 52a. The applicant subsequently submitted a further set of amended plans and it is these plans which are the subject of this report.

The dwelling proposed in plot 3 would now be a chalet style dwelling comprising three sections with the main section incorporating an asymmetric roof. The section of building closest to no. 52 and 52a Cornaway Lane would be a depth of 6.8m with a fully hipped roof sweeping down to eaves at 2.7m. The front section of the dwelling would be single storey, would also have an eaves height of 2.7m and would be set back from the boundary by 2.8m. The third section of the building would be the tallest, with an eaves height of 4.3m, however it would be set back from the boundary by 4m.

The reduction of the eaves height, together with the incorporation of a hipped roof on the section of the building closest to no's 52 and 52a and the division of the building into 3 sections with 2 sections being set back from the boundary is considered to cumulatively result in a significant reduction in the impact upon no. 52 and 52a's gardens in terms of the impact it would have on the outlook and amount of available sunlight. The dwelling proposed in plot 3 would still affect the outlook and amount of sunlight the garden receives during the morning, however the impact would be significantly less than that of the previously refused application and would not be unacceptably adverse as per the test in policy DSP3. It is considered that the proposal both addresses the previous reason for refusal and would not result in an unacceptably adverse relationship with the neighbouring properties. To ensure the roof next to no's 52 and 52a remains of a hipped form, a condition can be included to remove permitted development rights for alterations to the roof of this dwelling.

The proposed development within plot no's 3 and 4 would be visible from the rear of no's 48, 50 and 50a and neighbours to the north east and east of the site, such as Kenya Road however the separation distances are such that the impact on these properties (and their gardens) would not be significantly adverse.

#### Living conditions

The National Planning Policy Framework (NPPF) states that the Government attaches great importance of the design of the built environment and that Local Plans should develop policies that address the integration of new development into the existing built environment. Furthermore, paragraph 64 indicates that Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed dwellings would satisfy the minimum internal space standards as required by the Design Guidance SPD. The proposed dwellings would also have gardens of adequate size.

Policy DSP2 (Environmental Impact) states that development proposals should not individually, or cumulatively have a significant adverse impact on neighbouring development by way of pollution (including odour). The previous application proposed the bin collection point for the dwellings within plot no's 3 and 4 directly adjacent to the garden of the dwelling within plot no. 1. It was considered that the proximity of the bin collection point to the garden of the dwelling within plot no. 1 would be unneighbourly, particularly during the summer months when the use of the garden could potentially be impacted by odour from the bins. The position of the bin collection point for the dwellings in plot no's 3 and 4 has been re-positioned so that it would be further from the garden serving the dwelling in plot no. 1. This part of the reason for refusal has therefore been satisfactorily addressed.

The previous application also proposed car parking spaces in plot 4 which were directly adjacent to windows serving habitable rooms which is contrary to the recommendations contained within the Residential Design Guidance SPD. The application now incorporates land not previously contained within the refused application site, such that the parking for plot 4 is now adequately separated from the front of the dwelling. It is therefore considered



that this part of the reason for refusal has also been satisfactorily addressed.

## Highways

Neighbours have expressed concerns regarding the number of proposed car parking spaces, however the proposed car and cycle parking satisfies the standards within the Residential Car Parking SPD and are therefore acceptable. The application also incorporates additional land that prevents the need to have to provide tandem spaces at the rear of the site (as previously proposed).

The proposed visibility splays onto Cornaway Lane are also acceptable and would not have an adverse impact on the safety of the highway. The proposed development would therefore be in accordance with Policy CS5.

## Contamination

A desk study and site investigation (provided with the previous application) revealed high levels of heavy metals present in the soil within the areas proposed as gardens. A remediation method statement and a verification report confirming that the remediation has been correctly undertaken can be secured by condition.

## Ecology

The applicant has provided the necessary financial contribution towards the Solent Recreation Mitigation Partnership interim strategy, such that the proposed development is considered to mitigate its impact and would, in combination with other developments, not increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

## Conclusion

The proposed development would provide a small, but nonetheless important contribution towards the supply of housing. The plans have been significantly amended such that the previous reason for refusal is considered to have been addressed and the requirements of the planning policies summarised at the beginning of this report have been satisfied.

## **Recommendation**

PERMISSION, subject to conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this decision notice.

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

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

- Location plan Drawing no. DNC/519/04
- Site plan and elevations Drawing no. DNC/519/01
- Elevations Drawing no. DNC/519/02
- Plans and elevations Drawing no. DNC/519/03

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

3. No development above damp proof course shall take place until details and samples of all proposed external facing materials have been submitted to and approved by the LPA in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

4. No development shall take place beyond damp proof course level until details of the finished treatment and drainage of all areas to be hard surfaced have been submitted to and approved by the local planning authority in writing. The development shall thereafter be carried out in accordance with the approved details and the hard surfaced areas subsequently retained as constructed.

REASON: To secure the satisfactory appearance and drainage of the development

5. Notwithstanding the provisions of Classes A and E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be constructed within the curtilage of any dwelling house hereby approved unless first agreed in writing with the local planning authority following the submission of a planning application.

REASON: To ensure the retention of adequate garden area.

6. Notwithstanding the provisions of Classes B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no development shall take place on the dwelling house in plot 3 hereby approved, unless first agreed in writing with the local planning authority following the submission of a planning application.

REASON: To protect the amenity of the adjacent residents.

7. No development shall take place until a strategy for the decontamination of the site has been submitted to and approved by the Local Planning Authority in writing. The strategy shall nominate an appropriately qualified person to oversee the measures required to decontaminate the site. The development hereby approved shall be carried out in accordance with the approved strategy.

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

8. The approved decontamination strategy (required by condition 7), shall be fully implemented with a verification report from the approved, appropriately qualified person submitted to and approved in writing by the local planning authority, prior to first occupation of the dwellings hereby approved.

The verification report shall include photographic evidence of all of the approved measures.

REASON: To ensure contamination is properly taken into account and remediated where required.

9. If, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, development shall cease on site. Works shall not recommence before an investigation and risk assessment of the identified ground conditions have been undertaken and details of the findings, along with a detailed remedial scheme, if required, have been submitted to and approved in writing by the local planning authority. the development shall be carried out in accordance with the approved details.

10. Prior to the first occupation of the dwellings hereby permitted a validation statement confirming that the remediation scheme has been fully implemented shall be submitted to and approved in writing to the local planning authority.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

11. No dwelling, hereby approved, shall be first occupied until the approved parking areas 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 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.

12. None of the dwellings hereby permitted shall be first occupied until the bicycle storage relating to them, as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all items.

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

13. None of the dwellings hereby permitted shall be first occupied until the bin collection point (in plot 2), as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all items.

REASON: To ensure there is space for the bins to be left in a position where they can be collected for emptying.

14. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hard surfaced, has been submitted to and approved by the local planning authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

15. The landscaping scheme, submitted under Condition 12, 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.

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

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

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

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

#### INFORMATIVE

The development hereby permitted is subject to The Community Infrastructure Levy (CIL). The payment is due before development commences and the parties liable to pay the charge will receive a Liability Notice shortly to explain the amount due and the process thereafter. Further details about CIL can be found on the Council's website on the following link:

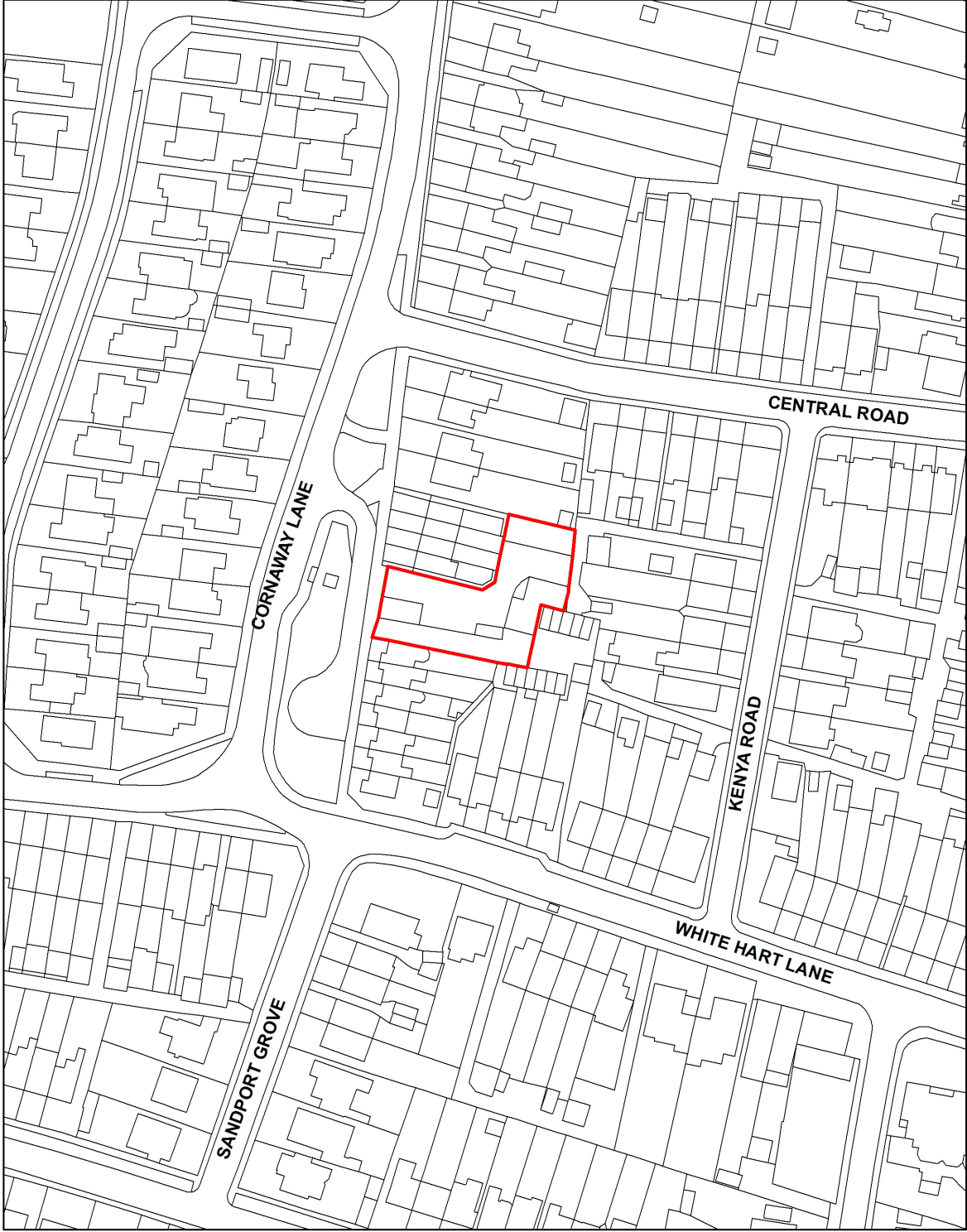
[http://www.fareham.gov.uk/planning/local\\_plan/ciladopt.aspx](http://www.fareham.gov.uk/planning/local_plan/ciladopt.aspx)

#### ***Background Papers***

P/17/1298/FP

# FAREHAM

BOROUGH COUNCIL



54 Cornaway Lane  
Scale 1:1250



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# Agenda Item 7(4)

**P/17/1354/FP**

MR R FRAMPTON

**HILL HEAD**

AGENT: PMG BUILDING  
DESIGN&CONSULTANC

TWO STOREY REAR EXTENSION AND ALTERATIONS TO FENESTRATION/NEW  
ROOF WINDOWS

5 MOODY ROAD FAREHAM PO14 2BP

## ***Report By***

Arleta Miszewska 01329 824 666

## ***Introduction***

This application is referred to this Planning Committee Meeting because the applicant is related to a member of the Fareham Borough Council staff.

## ***Site Description***

This application relates to a detached dwelling located on the north eastern side of Moody Road, nearby the junction with Crofton Lane in Hill Head.

## ***Description of Proposal***

In 2014 planning permission was granted for a two storey rear extension (following demolition of an existing conservatory) and alterations to existing fenestration. The width of this now constructed extension is approximately half the width of the original house. The extension is located near to the boundary with no. 3 Moody Road.

This planning application proposes an extension of a similar height, projection and design, to be located next to the already constructed extension, near the boundary with no. 7 Moody Road.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

### **Development Sites and Policies**

DSP3 - Impact on living conditions

## ***Relevant Planning History***

The following planning history is relevant:

**P/14/0680/FP**

**TWO STOREY REAR EXTENSION (FOLLOWING DEMOLITION OF  
EXISTING CONSERVATORY) AND ALTERATIONS TO EXISTING  
FENESTRATION.**

APPROVE

12/09/2014

## ***Representations***

No letters of representation have been received.

## ***Planning Considerations - Key Issues***

The extension has been designed to be sympathetic to the character and appearance of the host dwelling and the nearby area and therefore does not raise concerns in terms of design.

As to the impact on living conditions of the adjacent neighbours, the extension would be located approximately 3.5 metres away from the boundary with no. 7 Moody Road. This neighbouring property has no windows within the side wall. Furthermore, the projection of the proposed extension would not breach the 45 degree rule, when measured from the nearest to the boundary window within the rear elevation of no. 7 Moody Road. Therefore, the proposed extension would be acceptable in terms of loss of light, outlook and privacy.

When viewed from the other neighbouring property, located at no. 3 Moody Road, the extension would be screened by the already constructed two storey rear extension and therefore it would cause no harm to the living conditions of these neighbours.

Finally, as to the impact on residential amenities of the neighbours located to the rear, the proposed extension would introduce an additional window at a first floor level. However, as the window would serve a bedroom and would be located at the same distance from the boundary as the window in the recently constructed two storey rear extension, it is concluded that the proposed extension would not materially alter the level of privacy currently enjoyed by these neighbours. The extension does not raise concerns over loss of light to and outlook from the properties located to the rear.

### ***Recommendation***

PERMISSION:

Subject to the following conditions:

1. The development shall begin before 14 December 2020.

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

2. The development shall be carried out in accordance with the following approved documents:

a) Location plan (1:1250). Drawing number 003 rev A;

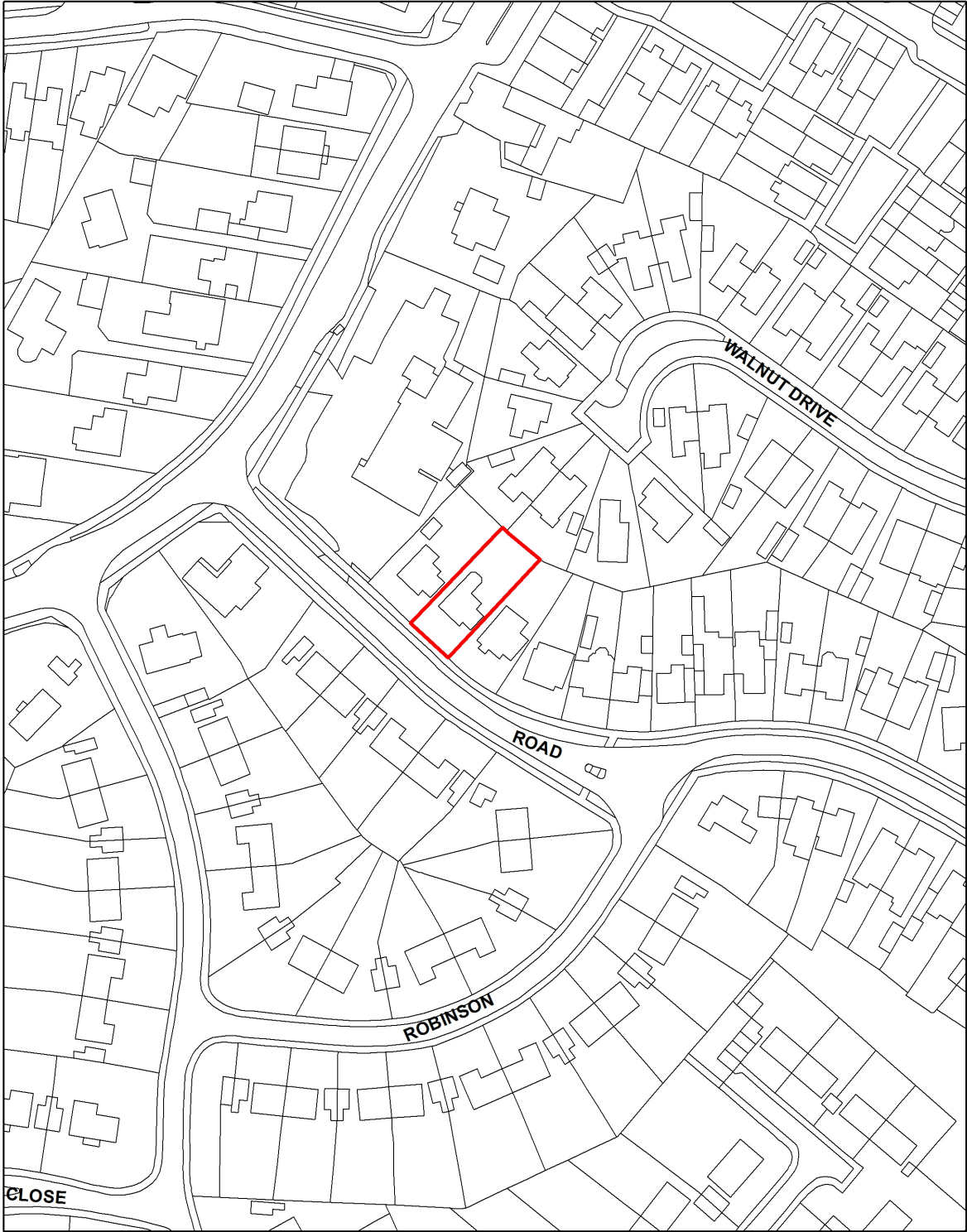
b) Proposed plans. Drawing number 004 rev A;

c) Proposed details & sections. Drawing number 005 rev A.

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

# FAREHAM

BOROUGH COUNCIL



5 Moody Road  
Scale 1:1250



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# Agenda Item 7(5)

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **CURRENT**

#### **P/16/1016/FP**

**Appellant:** MS S SAUNDERS  
**Site:** 82 The Avenue Fareham PO14 1PB  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 10 October 2017  
**Reason for Appeal:** CONSTRUCTION OF TWO-STOREY DETACHED HOUSE WITH ASSOCIATED LANDSCAPING AND CAR PARKING TO THE REAR OF EXISTING DWELLING

#### **P/16/1088/OA**

**Appellant:** FOREMAN HOMES  
**Site:** Land To South & East Of Rookery Avenue Fareham Hampshire  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 25 September 2017  
**Reason for Appeal:** RESIDENTIAL DEVELOPMENT OF UP TO 22 UNITS (15 DWELLINGS PER HECTARE), ASSOCIATED LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS FROM ROOKERY AVENUE

#### **P/17/0405/FP**

**Appellant:** LONDON AND CAMBRIDGE PROPRTIE  
**Site:** 27a Stubbington Green Fareham Hampshire PO14 2JY  
**Decision Maker:** Committee  
**Recommendation:** APPROVE  
**Council's Decision:** REFUSE  
**Date Lodged:** 04 September 2017  
**Reason for Appeal:** Change of Use of First Floor from Snooker Hall (Use Class D2) to 10 Residential Flats (6 x 2 bed and 4 x 1 bed)

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **CURRENT**

#### **P/17/0559/FP**

**Appellant:** Mrs Kimberley Hammonds  
**Site:** 8 The Glade Fareham Hampshire PO15 6EQ  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 01 November 2017  
**Reason for Appeal:** Two storey side extension and single storey rear extension

### **HEARINGS**

#### **P/16/1049/OA**

#### **PUBLIC INQUIRY**

**Appellant:** Taylor Wimpey UK Ltd  
**Site:** Land To The East Of Brook Lane & South Of Brookside Drive Warsash  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 13 July 2017  
**Reason for Appeal:** Outline planning permission with all matters reserved (except for access), for residential development of up to 85 dwellings with public open space, access from Brook Lane, landscaping works, including demolition of existing redundant nursery buildings.

### **DECISIONS**

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **DECISIONS**

#### **P/16/1192/VC**

**Appellant:** MR KEVIN FRASER  
**Site:** The Tithe Barn Mill Lane Titchfield Fareham PO15 5RB  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 01 September 2017  
**Reason for Appeal:** Vary condition 15 of P/15/0786/VC to increase the number of wedding ceremonies and/or wedding functions from 14 to 28 to be held on the application site in any one calendar year - development affecting the setting of the Grade 1 Listed Barn.  
**Decision:** DISMISSED  
**Decision Date:** 28 November 2017