

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 23 May 2018

Time: 2.30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

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

Deputies: S Cunningham
S Dugan
Mrs C L A Hockley
Mrs K K Trott



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 4)

To confirm as a correct record the minutes of the Planning Committee meeting held on 25 April 2018.

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. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 5)

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/17/0998/OA - LAND TO THE EAST OF BROOK LANE AND WEST OF LOCKSWOOD ROAD WARSASH SO31 9FG** (Pages 7 - 29)

(2) **P/17/1500/FP - CONIFER RISE THE AVENUE FAREHAM PO14 3QR** (Pages 30 - 36)

(3) **P/18/0072/FP - 23 BURRIDGE ROAD BURRIDGE SO31 1BY** (Pages 37 - 42)

(4) **P/18/0182/VC - 44 THORNTON AVENUE WARSASH SO31 9FJ** (Pages 43 - 47)

(5) **P/18/0235/FP - LAND TO SOUTH OF ROOKERY AVENUE/ADJACENT TO 112 BOTLEY ROAD SWANWICK** (Pages 48 - 63)

(6) **P/18/0246/D4 - LOCKS HEATH MEMORIAL HALL 122 LOCKS HEATH PARK ROAD SO31 6LZ** (Pages 64 - 69)

(7) **P/18/0317/OA - LAND OFF SOPWITH WAY SWANWICK SO31 7AY** (Pages 70 - 85)

ZONE 2 - FAREHAM

ZONE 3 - EASTERN WARDS

- (8) P/16/0557/DP/K - NATIONAL GRID IFA2 LTD ROOM 25/26 FAREHAM INNOVATION CENTRE MERLIN HOUSE METEOR WAY PO13 9FU (Pages 88 - 92)**
- (9) P/17/1519/FP - 7 FRANCIS PLACE FAREHAM PO14 2RX (Pages 93 - 98)**
- (10) P/18/0154/CU - 55 CONDOR AVENUE FAREHAM PO16 8PP (Pages 99 - 104)**

7. Planning Appeals (Pages 105 - 108)



P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
15 May 2018

**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, 25 April 2018

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

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

**Also
Present:**



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor P J Davies.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 21 March 2018 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that this would be the last meeting for Councillors Bayford and Mandry as they were retiring at the end of this municipal year. He thanked them both for their services to the Committee over the years and wished them well in their retirement.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct Councillor T M Cartwright declared a non-pecuniary interest in item 6(1) – Drift House, Brook Avenue, as one of the deputies is known to him.

5. DEPUTATIONS

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

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No
ZONE 1 – 2.30pm				
Mr R Reay (Agent)		DRIFT HOUSE BROOK AVENUE WARSASH – ERECTION OF REPLACEMENT DWELLING (ALTERNATIVE TO P/16/1415/FP) INCLUDING TEO DETACHED DOUBLE GAREGE WITH FIRST FLOOR ACCOMMODATION ABOVE, HARD & SOFT LANDSCAPING, AND RETROSPECTIVE ALTERATIONS TO GROUND LEVELS	Supporting	6 (1) P/18/0247/FP Pg 22

		AND INSTALLATION OF RAINWATER HARVESTING SYSTEM		
Mrs E Osborne	Mr & Mrs McInnes Mr & Mrs Cameron The Owner of Hambles Edge	-Ditto-	Opposing	-Ditto-
Mrs Clapperton	The Fareham Society	-Ditto-	-Ditto-	-Ditto-
ZONE 2 – 2.30pm				
ZONE 3 – 2.30pm				

6. 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.

(1) P/18/0247/FP - DRIFT HOUSE BROOK AVENUE WARSASH SO31 9HN

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

Councillor Cartwright declared a non-pecuniary interest in this item as one of the deputees is known to him.

Upon being proposed and seconded the officer recommendation to refuse planning permission, subject to the first reason for refusal additionally referring to the inadequacy of the proposed landscaping scheme and an additional reason for refusal as follows:

- (i) On the basis of the limited information provided in relation to the proposed rainwater harvesting system, the Local Planning Authority is not satisfied that the system will not lead to increased surface water problems on neighbouring properties, to the detriment of the enjoyment of those properties.

Was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposed development is contrary to Policies CS14 and CS17 of the adopted Fareham Borough Core Strategy and Policies DSP2 and DSP6 of the Fareham Borough Local Plan Part 2: Development Sites and Policies and is unacceptable in that:

- i) By virtue of the height, design, width, resultant bulk and proximity of the proposed dwelling to the site boundaries, and the inadequate landscaping proposed within the site, the proposal would fail to respond positively to and be respectful of the key characteristics of the area including its landscape, scale, form and spaciousness. The proposal would therefore be detrimental to the character of the area when viewed from the River Hamble, the opposite side of the river, the public footpath on the eastern side of the river and Brook Avenue; and
- ii) On the basis of the limited information provided in relation to the proposed rainwater harvesting system, the Local Planning Authority is not satisfied that the system will not lead to increased surface water problems on neighbouring properties, to the detriment of the enjoyment of those properties.

(2) Q/0087/18 - IFA2 NATIONAL GRID LAND AT DAEDALUS AIRFIELD LEE-ON-THE-SOLENT PO13 9YA

Upon being proposed and seconded the officer recommendation that the National Grid enters into a Deed of Variation to the legal agreement completed under planning permission P/16/0557/OA, on terms drafted by the Solicitor to the Council, to allow:

- . National Grid to layout and deliver the western open space to the satisfaction of the Council by no later than 18 months from the completion of the new agreement.
- . To pay a financial contribution of £110,000 for the provision of the play area.
- . The play area financial contribution is to be paid no later than one month from the completion of the new agreement and is to be index linked back to the signing of the original agreement for the IFA2 hybrid planning permission.

was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

RESOLVED that the National Grid enters into a DEED OF VARIATION to the legal agreement completed under planning permission P/16/0557/OA on terms drafted by the Solicitor to the Council, to allow:

- . National Grid to layout and deliver the western open space to the satisfaction of the Council by no later than 18 months from the completion of the new agreement.
- . To pay a financial contribution of £110,000 for the provision of the play area.
- . The play area financial contribution is to be paid no later than one month from the completion of the new agreement and is to be index back to the signing of the original agreement for the IFA2 hybrid planning permission.

7. PLANNING APPEALS

The committee noted the information in the report.

(The meeting started at 2.30 pm
and ended at 3.46 pm).

Report to Planning Committee

Date: 23 May 2018

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 and development in Fareham Town: Fareham South, Fareham North, Fareham North-West, Fareham East and Fareham West 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 5.00pm

Agenda Annex

ZONE 1 - WESTERN WARDS

Park Gate
Titchfield
Sarisbury
Locks Heath
Warsash
Titchfield Common

Reference		Item No
P/17/0998/OA WARSASH	LAND TO THE EAST OF BROOK LANE AND WEST OF LOCKSWOOD ROAD WARSASH SOUTHAMPTON SO31 9FG OUTLINE APPLICATION FOR UP TO 157 DWELLINGS WITH ACCESS FROM BROOK LANE AND LOCKSWOOD ROAD, ASSOCIATED OPEN SPACE, SUSTAINABLE DRAINAGE AND LANDSCAPING.	1 OUTLINE PERMISSION
P/17/1500/FP TITCHFIELD	CONIFER RISE THE AVENUE FAREHAM PO14 3QR SINGLE AND TWO STOREY SIDE EXTENSIONS, RAISE RIDGE AND EAVES HEIGHT, DORMER WINDOWS, CANOPY PORCH, EXTERNAL FLUE TO SERVE LOG BURNER AND ALTERATIONS TO FENESTRATION	2 REFUSE
P/18/0072/FP SARISBURY	23 BURRIDGE ROAD BURRIDGE SOUTHAMPTON SO31 1BY REPLACEMENT 4-BEDROOM DETACHED DWELLING	3 PERMISSION
P/18/0182/VC WARSASH	44 THORNTON AVENUE WARSASH SOUTHAMPTON SO31 9FJ VARIATION OF CONDITION 2 OF APPLICATION FBC.2369/7 (CHANGE OF USE OF VACANT LAND TO PRIVATE GARDEN) TO ENABLE PERMITTED DEVELOPMENT RIGHTS ON THE LAND	4 PERMISSION
P/18/0235/FP SARISBURY	LAND TO SOUTH OF ROOKERY AVENUE/ADJACENT TO 112 BOTLEY RD SWANWICK SOUTHAMPTON RESIDENTIAL DEVELOPMENT OF 6NO. DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS FROM ROOKERY AVENUE.	5 PERMISSION
P/18/0246/D4 TITCHFIELD COMMON	LOCKS HEATH MEMORIAL HALL 122 LOCKS HEATH PARK ROAD LOCKS HEATH SOUTHAMPTON SO31 6LZ OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED FOR DEMOLITION OF EXISTING COMMUNITY CENTRE AND CONSTRUCTION OF SINGLE CHALET STYLE BUNGALOW	6 PERMISSION
P/18/0317/OA SARISBURY	LAND OFF SOPWITH WAY SWANWICK SOUTHAMPTON SO31 7AY ERECTION OF UP TO 42 DWELLINGS WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING AND SURFACE WATER DRAINAGE (OUTLINE APPLICATION CONSIDERING ACCESS ONLY) RESUBMISSION	7 REFUSE

Agenda Item 6(1)

P/17/0998/OA

LAND & PARTNERS LTD

WARSASH

AGENT: BRYAN JEZEPH
CONSULTANCY

OUTLINE APPLICATION FOR UP TO 157 DWELLINGS WITH ACCESS FROM BROOK LANE AND LOCKSWOOD ROAD, ASSOCIATED OPEN SPACE, SUSTAINABLE DRAINAGE AND LANDSCAPING.

LAND TO THE EAST OF BROOK LANE AND WEST OF LOCKSWOOD ROAD
WARSASH SOUTHAMPTON SO31 9FG

Report By

Jean Chambers - Direct dial 01329 824355

Amendments

Since the original submission of this application, the proposed number of dwellings have been reduced from up to 185 dwellings to up to 157.

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 last 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.

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. An update of the Council's 5-year housing land supply position was presented to the Planning Committee on 21 March 2018.

On the 24 January 2018 the Planning Committee resolved to grant outline planning permission subject to the completion of Section 106 legal agreements for the following three planning applications, which are in close proximity to the application now before Members:

P/17/0746/OA up to 85 dwellings, Taylor Wimpey.

P/17/0845/OA up to 180 dwellings, Foreman Homes

P/17/0752/OA up to 140 dwellings, Bargate Homes

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.

Site Description

The application site comprises of various parcels of land which have historically been in horticultural use; some areas of horticultural activity remain on site. Currently there are glass houses (some in disrepair) and polytunnels on parts of the site as well as areas of hardstanding and overgrown grassland. The site measures approximately 6.60 hectares in size. In the southeast corner of the site, most of the trees are the subject of a Tree

Preservation Order. Residential and commercial premises adjoin parts of the perimeter boundaries of the site.

The site is identified within the policies maps of the adopted local plan as being outside of the defined urban settlement boundary and therefore for planning purposes designated as countryside. The site is located to the northeast of Warsash Village Centre. It fronts both Lockwood Road to the east and parts of Brook Lane to the west.

Description of Proposal

Outline planning permission is sought for the construction of up to 157 dwellings on the site. All matters are reserved apart from the means of access to the site which is proposed from Book Lane and Lockwood Road.

A number of supporting documents, including, ecological reports, transport assessments, Contamination Desk Study and Preliminary Risk Assessment, Flood Risk Assessment and Surface Water Drainage Strategy, Tree report have been submitted. A master plan has been submitted for illustrative purposes only to show how the site might be laid out.

The proposal incorporates the provision of 5 self-build dwellings within the southeast corner 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

Development Sites and Policies

- DSP1 - Sustainable Development
- DSP2 - Environmental Impact
- DSP3 - Impact on living Conditions
- DSP4 - Prejudice to adjacent land
- DSP6 - New residential development outside of the defined urban settlement boundaries
- DSP13 - Nature Conservation
- DSP15 - Recreational Disturbance on the Solent Special Protection Areas
- DSP40 - Housing Allocations

Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne) 2015

Planning Obligation SPD for the Borough of Fareham (excluding Welborne) (April 2016)

Residential Car and Cycle Parking Standards (2009)

Relevant Planning History

None

Representations

One hundred and seventy-nine objection comments have been received and three of support. Of the objection comments, eleven persons have commented more than once from the same email address. Eighteen of the letters of objection have provided an incomplete or no postal address.

Contrary to Local Plan

The site is designated countryside

Loss of gap between Locks Heath and Warsash

Reduction in green space

Welborne is about to start so this housing is not needed

Loss of agricultural land

Dangerous precedent

Overdevelopment of the village

Density out of character with village

Loss of privacy

Loss of light and overshadowing

Noise and air quality issues, light pollution

2.5 - 3 storey buildings should be challenged

The new chalet bungalow fronting Brook lane should not have primary windows on its north elevation

Social problems due to percentage of affordable housing

Antisocial behaviour

Development rear of 81 Warsash Road should be sympathetic

The use of the boundary land between 52 & 56 Brook Lane is unclear - additional pedestrian access is not needed

Additional traffic on local roads

Impact on highway safety

Adequate visibility should be maintained for the new estate road and adjacent private accesses

Impact upon the access to and from 4 Barnes Lane

Proximity to railway station not suitable for cycling

Impact on infrastructure and amenities

Warsash is not designed to cater for extra residents

Local doctors, dentists and schools cannot cope

Amenity tip will not be able to cope

Bus service is poor in the village

Can gas, electric and other services cope

Major risk of flooding

Who will pay for sewer upgrades

A small number of dwellings have legal rights over the track onto Warsash Road

The track between Greenaway Lane and Warsash Road should be closed to through traffic

Potential for an increase in pedestrian, cycle and motor cycles using the track between Greenaway Lane and Warsash Road

Increased security risk as there is no CCTV along the dark private lane between Greenaway Lane and Warsash Road

The recent consultation showed a nursing home but this has been removed

Impact on wildlife

Bird and bat boxes are welcomed but there are not enough

Impact on existing property value

Comments from Warsash Victory Hall Management Committee:

The trustees object to the application for the following reasons:

The proposal is contrary to planning Policy

The development will have an adverse effect on the landscape and character of Warsash
Creeping urbanisation and loss of green space will ruin the rural look and feel of the village
We are concerned about the number of vehicles reaching the already congested pinch points along Brook and Barnes Lane

Local infrastructure is stretched to capacity

None of the applications provide any form of integrated street planning and ignores other developments

Supporting comments:

Not against more affordable housing to help youngsters to be able to afford to live in Warsash.

The photos submitted by a third-party objector (in respect of congestion) are not connected to Warsash.

Arguments about infrastructure of roads, doctors, dentists and traffic are not valid points for refusal

Not too much in the way of disturbance to most local people.

Land not largely being used for agriculture and much of land and buildings left to decay beyond economical refurbishment

Most of the new buildings would not have any visual impact in the area, wildlife been catered for, open spaces very pleasing

PETITION (signed by 2,390 people)

Members attention is also drawn to the fact that a petition has been received in response to the draft local plan consultation. It is titled "STOP the building of 1500 new homes in Warsash, Locks Heath, Park Gate and Titchfield Common" and includes the following Statement:

We the undersigned petition the council to Stop the building of 1500 new homes in Warsash, Locks Heath, Park Gate and Titchfield Common. Whilst it is appreciated that the task is not an easy one, there are many sites that we believe the council should be looking at that are more suitable than Warsash and the Western Wards, such as Newlands Farm. We also request that FBC look at SHLAA Ref 3127 and the surrounding area of Fareham north and east of the town centre. This appears to be a prime location as it already has direct access to the motorway and easy access to the public transport links in Fareham town centre and three senior schools. Fareham centre is also an ideal place for leisure facilities, and has space for doctors etc. to service the needs of any new houses. It would inject a new lease of life into what is already an established but underused town that is essentially being allowed to slide into disrepair.

Justification:

Below are the sites that we are protesting about.

HA1 - North and South of Greenaway Lane, Warsash - 700 dwellings

HA3 - Southampton Road, Titchfield Common - 400 dwellings

HA7 - Warsash Maritime Academy, Warsash -100 dwellings

HA9 - Heath Road, Locks Heath- 71 dwellings

HA11- Raley Road, Locks Heath- 49 dwellings

HA13- Hunts Pond Road, Titchfield Common- 38 dwellings

HA14 -Genesis Community Youth Centre, Locks Heath - 35 dwellings

HA15 -Beacon Bottom West, Park Gate -30 dwellings

HA17 -69 Botley Road, Park Gate -24 dwellings

Traffic in this area is already at a gridlock during peak hours and since the new Strawberry Fields, Hunts Pond and Coldeast developments it has doubled the time for people to get to work. Improvements on major roads and motorways will try and ease congestion but it's not satisfactory as residents will not be able to actually get to these major roads. Local roads such as Brook Lane, Osborne Road, Warsash Road and Barnes Lane cannot be made wider, they were built to service the traffic and community of small villages and the resulting influx of 3000+ cars in such a small square area will lead to more accidents. Warsash specifically is on a peninsular and the only roads in and out are Brook Lane and Warsash Road. Emergency vehicles will be unable to ensure safe response times - during rush hour it is likely they will not have space to get to their destination. The consequences will be catastrophic. Flooding is inevitable especially with recent climate changes; residents in local back garden developments are already experiencing this. Fareham is presently in trouble for poor air quality due to the amount of rush hour traffic. Bring another 3000+ cars in to the Western Wards and there will be more cases of asthma, lung disease and related illnesses - all for the surgeries with not enough resources to treat. Doctors, schools, hospitals and emergency services are already stretched to breaking point. If the plans go ahead there will be hundreds of children needing school places. New schools might take pressure off the overcrowded ones - then the influx of new children will put it back on again. Children walking to Brookfield already face a perilous journey due to the amount of traffic on Brook Lane. Brook Lane, Lockswood, Jubilee and Whiteley surgeries struggle to cope with the amount of patients they have. They wait an unacceptable amount of time for routine appointments (1 month plus) and often have very long waits when they get to there (30 minutes plus). Emergency appointments are becoming harder to book as there are not enough doctors or time. The very young, elderly and chronically ill are already vulnerable and bearing the brunt of this - add another 1,500 homes and these overstretched surgeries will be at crisis point. There will be an increased need for care homes, for which there is just no space. Residents' health will be at risk and possibly their lives. Warsash is a place of outstanding natural beauty and home to precious wildlife such as badgers, bats and deer. The greenfield land proposed as the area for development also provides a defined strategic gap from neighbouring villages. Residents have the right to breathe clean air, have facilities, space and sufficient infrastructure and the assurance that emergency vehicles have access and can meet response times in life threatening situations. We genuinely fear for the health and safety of people in the Western Wards.

Consultations

EXTERNAL

Natural England - advise that the site is within 5.6km of the Solent and Southampton Water Special Protection Area (SPA) and will lead to a net increase in residential accommodation. Natural England is aware that Fareham Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP) and advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure.

Natural England also recommends that this application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by the Hampshire County Council (HCC) Ecologist.

Natural England also encourage the incorporation of Green Infrastructure into the development.

Ecological Networks

Fareham Borough Council has identified that the block of largely undeveloped land which extends east of Brook Lane supports habitats which function as ecological stepping stones which support established designated sites within the local area. The maintenance and enhancement of networks which buffer and link established sites whilst also enabling species to disperse and adapt to climate change is supported by Policy CS4 Green Infrastructure, Biodiversity and Geological Conservation of the Fareham Local Plan. In addition, Policy DSP13: Nature Conservation states that development may be permitted where it can be demonstrated that the proposal would not prejudice or result in the fragmentation of the biodiversity network.

Ongoing dialogue with the applicant has resulted in the inclusion of a number of SUDS features and hedgerow planting in the central area of the site to ensure ecological networks/badger corridors connectivity in a north-south direction which is considered acceptable. Further information has been provided in respect of Ecological Networks/Badger corridors along the boundaries and in the central section of the site which has overcome the Ecology officer original concerns. The Ecology Officer has requested that 3m corridors along all boundaries are secured through a Section 106 agreement to ensure that they are provided at the reserved matters application stage.

Badgers

No badger setts have been recorded within the application site, however, evidence of foraging and territorial behaviour have. The Ecology officer agrees that much of the existing site is composed of buildings and hard standing, therefore the proposal is unlikely to result in a net loss of foraging habitat. The original concern over the loss of opportunity for badgers to move through the site and access adjacent resources and the corridors have been addressed as above.

Bats

The Ecology officer is satisfied with the survey effort and conclusions.

Reptiles

A medium population of slow-worm and a low population of common lizard have been recorded within the site. The application is supported by a detailed and professional reptile mitigation strategy which proposes the translocation of the identified populations to Land South of Dibles Road SINC which is managed by FBC. This is an appropriate strategy for the site and the Ecology officer recommends that the provision of two additional hibernacula detailed within the submitted strategy is suitably secured.

Solent SPAs

The development will result in a net increase in residential dwellings within 5.6km of the Solent Special Protection Areas (SPAs). This distance defines the zone identified by recent research where new residents would be considered likely to visit these sites. The SPAs support a range of bird species that are vulnerable to impacts arising from increases in recreational use of the sites that result from new housing development. To address this issue, Fareham Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues.

The Ecology officer has therefore raised no objection subject to planning conditions and a Section 106 legal agreement.

Hampshire County Council (Archaeology) - The response largely endorses the submitted archaeological desk based assessment which indicates a moderate potential to encounter archaeological remains. However, the archaeological potential should also include the potential to encounter settlement or funerary remains as the Iron Age ditch to the north was regarded as likely to be associated with settlement, and Bronze Age cremations have been found to the north, east and south east. Recommends archaeological planning conditions should be attached to secure a preliminary archaeological survey using trenching and appropriate mitigation recording for archaeological remains.

Hampshire County Council (Lead Flood Authority, LFA) - Following the submission of further information with regard to surface water drainage, the LFA are satisfied that the general principles are acceptable and recommend that further information be submitted as part of a more detailed design phase.

Hampshire County Council - Highways - Accesses are proposed from both the eastern side of Brook Lane and the western side of Lockwood Road; the Transport Assessment and Transport Plan have been reviewed in addition to an addendum transport assessment.

Accident Data - Updated accident data has been provided. Whilst accidents are apparent on the surrounding network, measures are already in place through Hampshire County Council's safety engineering programme to mitigate these. In addition, mitigation at key junctions such as the A27 Brook Lane roundabout which suffer from accident patterns are subject to improvement through financial contribution as a result of the development. It is therefore considered that suitable accident mitigation measures have either already been provided, or can be provided by the development.

Sustainable travel improvements - A commitment has been made that during the reserved matters application a suitable route through the site for cyclists would be incorporated within the design. A condition should be placed on any planning permission requiring a direct and safe cycle route between Lockwood Road and Brook Lane to be provided within the site layout. Drawing number 020.0211.007 Rev D has been provided demonstrating a footway connection from the site to Warsash Road and to Greenaway Lane.

Public Transport - The closest bus stop to the site is approximately 250m from the south of the site entrance along Brook Lane and 350m to the eastbound bus stop. From significant parts of the site the walking distance will be in excess of the recommended 400m. The nearest railway station is Swanwick, located approximately 3.5km from the site which is within the 5km maximum cycle distance for commuting trips but in excess of the 2km recommended walking distance. Additional bus stop provision has been agreed with the service provider.

The submitted Travel Plan meets the minimum standards and is acceptable as a framework travel plan. A commitment has been made for the travel plan coordinator to undertake liaison with the bus companies regarding frequency and routing. This measure is welcomed and should be taken forward within the full travel plan to increase service provision if commercially viable.

Access from Lockwood Road - (Drawing 020.0211.007 Rev D) A safety audit for the access works has been provided and the principle of this access arrangement is agreed. Visibility splays at 120m to the north and 70m to the south with a set-back of 4.5m are deemed acceptable.

Access from Brook Lane - (Drawing 020.0211.014 Rev C). The access would provide 59m visibility splays. It has been confirmed by the applicant within the Addendum TA that the existing driveway access to the north of the proposed access will be closed off. A safety audit for the access works has been provided and has not raised any issues for consideration. The revised tracking drawings are deemed acceptable.

No further assessment has been undertaken regarding existing on street parking and the Addendum TA does not make reference to this matter. There is a potential need for a Traffic Regulation Order to ensure visibility splays are maintained; this should be secured via a legal agreement.

Trip Generation and distribution - Further information was provided during the course of the application; this is considered acceptable.

Junction Mitigation - Brook Lane/Barnes Lane junction improvements. Outside of this application, work has been undertaken to identify appropriate schemes to mitigate the impact of the development within this area. It is considered appropriate that this development contributes a proportionate amount to off-site highway improvements to effectively mitigate the impact of the development traffic on the network. A contribution is therefore sought from the applicant to mitigate the impact at the following junctions:

- Barnes Lane/A27 junction
- Brook Lane/Lockwood Road Roundabout
- Brook Lane/A27 junctions
- Brook Lane/Barnes Lane

The Highway Authority have no objection to this application subject to a Section 106 legal agreement and planning conditions to secure:

Delivery of site access works to Brook Lane and Lockwood Road via S278 agreement as shown in drawings 020.0211.014 Rev C and 020.0211.007 Rev D.

Transport contribution towards improving access to the A27 from the development site based on the impact of the development.

Submission (by the developer) and approval (by the Highway Authority) of a Travel Plan in accordance with the HCC 'Developer related travel plan guidance' prior to commencement.

Payment (by the developer) of HCC fees in respect of approval (£1500) and monitoring (£15,000) of the Framework Travel Plan prior to commencement;

Provision of a bond, or other form of financial surety, in respect of the measures within the Travel Plan.

Payment towards a TRO on Brook Lane and Lockwood Road to install parking controls if necessary.

Hampshire County Council - Education - The development area lies within the catchment area of Hook with Warsash Primary School. This school is full as are others in the area. This development coupled with others in the locality will lead to a demand in excess of one form of entry (210 places) and as such a strategic expansion programme is required to meet this demand, namely a one form of entry (210 places) expansion of a local school.

Discussions have taken place with Sarisbury Infant and Junior Schools and Hook with Warsash Primary School; it is planned that one of these schools is expanded. Further

discussion will take place to establish which school should be expanded. It is possible that consideration will be given to a half form expansion (105 places) between the schools. In terms of Section 106 agreements then both sets of schools should be named. The wording on the S106 should state about investment in infrastructure at the schools rather than specifically focus on additional places so flexibility will exist in being able to respond to the most appropriate accommodation need. For clarity of likely costs and accommodation provided: A one form of entry expansion would provide the following accommodation, albeit further viability work is needed with the schools to establish a full accommodation brief.

- 7 classrooms
- Additional toilets
- Specialist teaching space could be required such as music/drama
- Small group rooms for teaching
- Plant and server rooms
- Circulation space
- Additional external provision for had play, access paths etc.
- Additional landscaping
- Additional car parking

A financial contribution should be secured towards the provision of these educational improvements.

Southern Water Services - No objection subject to condition and informative

Crime Prevention Design Officer - Provided comments and recommendations in respect of the layout of the development and vulnerability of the properties to crime and anti-social behaviour.

With regard to the apparent aspiration to provide a north / south pedestrian / cycle route from Greenaway Lane to Warsash Road, with part of the route running through this development, the Crime Prevention Design officer advised that such routes do increase the opportunities for crime and anti-social behaviour. To reduce the opportunities for crime and anti-social behaviour it is important that such footpaths / cycle routes are well overlooked by the nearby dwellings, any planting adjacent to the footpath is kept low so as to provide for visibility along the footpath and to ensure that the planting does not provide a place in which a person might lay in wait.

There appears to be little natural surveillance of a number of rear parking courts; it is recommended that all parking is within curtilage or that good natural surveillance of the parked vehicles is provided from overlooking dwellings to include appropriate lighting of car parks during the hours of darkness.

With regard to dwellings which appear to have access to the rear garden via a rear access footpath or from a parking area, the consultee advised that proportionate security measures should be a central consideration to the planning and delivery of new developments and therefore recommended rear garden access gates be fitted with a key operated lock that operates from either side of the gate and that for the safety and security of residents and visitors, appropriate lighting installed.

Officers advise that these matters would be considered as part of a future reserved matters application.

INTERNAL

Transport Planner - Advised that the internal layout must conform with the principles of Manual for Streets and the Residential Parking Standards SPD. The consultee advised that

the southern section of the private track, linking to Warsash Road, should be closed off to pedestrians and to vehicles other than those associated with existing dwellings.

Consideration should be given in the site layout to the need for an emergency/bus link between the two parts of the development.

Trees - Detail will be required in terms of a resilient and sustainable tree planting and landscaping scheme for the public realm and private amenity spaces. Raises no objection. Officers advise that the landscaping of the site would be the subject of a future reserved matters application.

Refuse and waste - The developer will need to have regard to the Council's waste and recycling collection guidance.

Environmental Health (Contamination) - No objection subject to planning condition.

Head of Housing and Benefits - No objection but requests it to be noted that approximately one third of the 3 and 4 bedroom affordable rented dwellings should be constructed to Part M4 Category 3 of the Building Regulations standards which relates to wheelchair user dwellings.

Planning Considerations

- a) Implication of Fareham's current 5-year land supply housing supply position (5YHLS)
- b) Residential development in the countryside
- c) - g) Policy DSP 40
- h) Local Infrastructure
- i) Other matters
- j) The planning balance

A) IMPLICATION OF FAREHAM'S CURRENT 5 YEAR HOUSING LAND SUPPLY POSITION (5YHLS)

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 resolutions to grant planning permissions, planning permissions and the residual allocations from the adopted local plan in order to provide robust evidence to inform the current 5YHLS position. An update on the figures was reported to the Planning Committee on 21 March 2018 which advised that Fareham Borough Council currently has 4.39 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).

On the basis that SPA mitigation can be secured and there would be no adverse impact under the Birds and Habitats Directive, Officers can confirm that subject to appropriate mitigation, none of the 'specific policies' listed in the preceding paragraph apply to this site. Taking account of the current housing supply shortage, paragraph 14 of the NPPF is engaged and it is for the decision taker to attribute the appropriate weight to the material considerations of the case.

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

Local Policy DSP40 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 considered further below.

C) POLICY DSP40 (i)

Members will note from the 5 Year Housing Land Supply Position that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of 291. The proposal for up to 157 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 application site is in close proximity to the defined settlement boundary of Warsash and to leisure and community facilities, schools and shops.

The illustrative masterplan demonstrates that the overall layout and form of the development could be designed to be sympathetic with the existing properties and commercial premises which adjoin the site and development located further to the east of

Lockswood Road, to the south in Warsash Road and the wider landscape beyond. Up to 157 houses are proposed which equates to an average net density of 35 dwellings per hectare. The detailed reserved matters application would need to demonstrate and ensure that the scheme complies with the Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne). This would ensure appropriate amenity for future occupiers and existing neighbouring property occupiers.

Subject to the layout of the site and design form and how it might relate to the surrounding built form, officers consider that the development of up to 157 units could be accommodated on this site.

In terms of the sustainability of the site, the Highway Authority are satisfied with the location of the site and that measures to improve connectivity (cycling and walking) and a Travel Plan can be secured through the imposition of a Section 106 legal agreement and planning condition.

It is therefore considered that the development would be sustainability located and can be well integrated with the neighbouring settlement in accordance with point ii) above.

E) POLICY DSP40 (iii)

The third test 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".

The site is not located with a designated strategic gap. It is however located within designated countryside where Policy CS14 of the adopted Fareham Borough Core Strategy confirms that built development will be strictly controlled to protect it from development which would "adversely affects its landscape character, appearance and function".

In assessing the impact on the landscape character of the area, due regard has been given to The Fareham Landscape Assessment 2017 (which is part of the evidence base for the published draft Fareham Local Plan 2036). The site lies within the Lower Hamble Valley (LCA2), Warsash Nurseries. In respect of sensitivity to development, the assessment states that " the abandonment of many glasshouses suggests that such enterprises are in decline, and the evidence of dereliction and lack of management of buildings and land has an adverse effect upon the quality and condition of the landscape. The character and quality of the landscape has already been affected by urban influences and landscape value is relatively low and, therefore, tolerant of change. The presence of a good structure of woodland, hedgerows and trees provides opportunities for integration of new buildings within the existing field pattern, without significant adverse effects upon landscape resources."

The site is currently viewed from adjoining residential and commercial properties in Brook Lane and a track located to the east of the site which runs north to south from Greenaway Lane to Warsash Road. The reduction in the proposed number of units would result in a proposal of 35 dph which has improved the spaciousness of the scheme and would allow for appropriate landscaping. Where possible valuable landscape features would be retained and the development could be further mitigated by reinforcing green corridors of vegetation and greenspace.

It is acknowledged that there will be a change in the character of the site when viewed from the immediate vicinity and particularly from the proposed new access formations and that the outlook from adjoining properties would change if the proposal were to go ahead.

Officers consider that the site does not currently make a significant contribution to the setting of the area and that the change in character would primarily have a localised visual impact which can be sensitively designed to minimise any adverse impact. The visual impact from longer distance views would be limited due to existing built form and vegetation.

The proposal would therefore satisfy point iii) of Policy DSP40 and comply with policies CS17 and DSP1.

F) POLICY DSP40 (iv)

In terms of delivery, it is anticipated that 20 - 25 units could be constructed in 2019/2020, 35-45 in the following years. However, the planning agent has requested that the Council consider a 2 year timescale within which to submit the reserved matters applications with the development to then commence within one year of the date of the last of the approved reserved matters. This is due to the applicant needing to sell the site to a developer.

In taking account of DSP40 and the current 5-year housing land supply position, officers recommend that the timescale for the submission of reserved matters should be 18 months with the development implemented within 12 months of the last of the approved reserved matters.

G) POLICY DSP40 (v)

The final test of Policy DSP40: "The proposal would not have any unacceptable environmental, amenity or traffic implications" is discussed below:

LOSS OF AGRICULTURAL LAND

Parts of the site are classified as Grade 1, Grade 2, and Grade 3b agricultural land which CS16 seeks to prevent the loss of. Parts of the site are not classified. Paragraph 112 of the National Planning Policy Framework advises that the economic and other benefits of the land should be considered and that where significant development is demonstrated to be necessary, the use of poorer quality land should be used in preference to that of a higher quality.

The conflict with Policy CS16 needs to be considered in context with advice within the NPPF which does not place a bar on the development of best and most versatile agricultural land. Therefore the development opportunity needs to be balanced against the potential harm. It is acknowledged that much of the site comprises hard surfaced areas and polytunnels and that the scale of permanent loss would be limited. The loss of agricultural land will be discussed further in the planning balance section of this report.

ECOLOGY

As evidenced within the comments received from Natural England and the Ecology Officer, sufficient information has been submitted to assess the impacts of the proposal on biodiversity matters and the consultees raise no objection subject to the imposition of planning conditions and appropriate mitigation.

If planning permission is granted, officers are satisfied that the proposal would be acceptable from an ecological perspective subject to planning conditions and a Section 106 planning obligation in accordance with Core Strategy policy CS4, CS20, and policies DSP13, DSP15, DSP40 (v), of Local Plan Part 2.

AMENITY

The proposal is in outline form with matters of scale, appearance and layout reserved for consideration later. At the reserved matters stage, the detailed layout and scale would need to be policy compliant to ensure no unacceptable adverse impact on the amenity of neighbouring residents. Officers are satisfied that the development would be acceptable in accordance with Core Strategy policy CS17 and Local Plan Part 2 policies DSP40 (v) and DSP3.

HIGHWAYS

In relation to traffic generation and highway implications; sufficient information has been submitted to consider the proposal. Officers are therefore satisfied that subject to appropriate mitigation and planning conditions, the development of this site would be acceptable from a Highway perspective.

Taking account of the above, Officers are satisfied that the proposal would not have any unacceptable amenity or traffic implications and would therefore comply with criterion v of Policy DSP40 of Local Plan Part 2 and Policy CS5 of the Core Strategy.

H) LOCAL INFRASTRUCTURE

The strength of local concern relating to the impact of the development on schools, doctors, dentists and other services in the area is acknowledged. The Education Authority have requested a contribution towards school provision which can be covered by a Section 106 legal agreement.

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. Therefore, a refusal on these grounds would be unsustainable.

I) OTHER MATTERS

PROVISION OF SELF-BUILD AND CUSTOM HOUSES:

The application proposes 5 self build houses. The Council has a requirement under the Self-build and Custom Housebuilding Act 2015 to provide a continuous provision of self and custom built houses, and to maintain a register of those within the Borough who wish to undertake such a project. There are 97 people on the register and over a three year rolling period, the Council has a requirement to provide 35 dwellings by October 2019. Currently there is permission in place for four plots plus a resolution to grant a further seven. The proposed self build houses would contribute to this requirement.

To accord with the requirements of the Self-build and Custom Housebuilding Act 2015 each plot must be provided with appropriate services to enable the individuals to build out their plots without having to undertake expensive infrastructure development.

AFFORDABLE HOUSING

The proposal incorporates 35% (55) on site affordable housing dwellings which includes wheelchair accessible dwellings to meet the requirement of some applicants on the Council's housing waiting list. Policy CS18 of the Core Strategy sets out the Council's approach to the provision of affordable housing. For a site of this size, it is expected that 40% affordable units should be provided.

The Council's Housing and Benefits Manager supports the 35% provision as it would include 5 wheelchair accessible 3 bedroom dwellings and 2 wheelchair accessible 4 bedroom dwellings. Officers are satisfied that the proposed mixture of dwelling types, sizes and tenures reflects the identified housing needs of the local population. This can be secured via a Section 106 legal agreement.

GREEN INFRASTRUCTURE, CONNECTIVITY AND NATURE CONSERVATION

The provision of public open space and a Local Equipped Area for Play to meet the needs of the occupants and associated maintenance costs can be secured via a Section 106 Legal Agreement to comply with Policies CS21 of the Core Strategy and the adopted Planning Obligation SPD.

Officers are satisfied that the development of this site would not be prejudicial to the development of adjoining land. On 24 January 2018, the Planning Committee resolved to grant outline planning permission on land to the immediate south of this site for up to 140 dwellings subject to the completion of a Section 106 legal agreement. In accordance with Policy CS5, CS17 of the Core Strategy and DSP4 of Local Plan Part 2, officers recommend that appropriate vehicular, pedestrian and cycle connectivity is secured via a Section 106 legal agreement. In addition, the inclusion of ecological corridors will be secured in accordance with Policy DSP13 of Local Plan Part 2.

OTHER THIRD-PARTY CONCERNS

With regard to comments about legal rights over the track onto Warsash Road, this would be a civil matter. In terms of concern over an increased security risk due to potential users of the track, this would be a police matter.

Subject to the imposition of planning conditions, no objection has been raised from consultee responses in respect of archaeological issues, surface water and drainage issues, contaminated land matters.

DRAFT LOCAL PLAN

Members will also be aware that the Draft Local Plan which addresses the Borough's development requirements up until 2036, was subject to consultation between 25th October 2017 and 8th December 2017. In due course, this plan will replace Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Development Sites & Policies).

The site of this planning application is proposed to be allocated for housing within the draft local plan. A number of background documents and assessments support the proposed allocation of the site in terms of its deliverability and sustainability which are of relevance. However, at this stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of this planning application.

J) THE 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. The proposal would result in the loss of BMV agricultural land, contrary to policy CS16 of the Core Strategy.

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 and conflicts between policies; the development of a greenfield site weighted against the criteria set out in Policy DSP40 as discussed above, officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall and can be delivered in the short term. The site is well related to and can be integrated with the urban settlement boundary.

It is acknowledged that the proposal would have an urbanising impact through the introduction of housing and related infrastructure onto the site and introduce a degree of change in character. Officers consider that the impact would not be substantial and that the proposal can be designed to minimise any adverse impact on the Countryside.

In respect of environmental, amenity and traffic implications, and subject to appropriate planning conditions and mitigation, officers are satisfied that these issues can be appropriately addressed through the design of the scheme and planning conditions. When assessing the loss of BMV agriculture land in the context of the NPPF and 5YHLS position, the scale of loss is not considered to be significant.

In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, the proposal would deliver up to 157 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.

The conflict with development plan policy CS14 would ordinarily result in this proposal being considered unacceptable. In light of the Council's lack of a five-year housing land supply and the engagement of development plan policy DSP40, officers consider that more weight should be afforded to this policy than CS14 and CS16 such that, on balance when

considered against the development plan as a whole, the scheme should be approved.

Furthermore, when taking account of the five-year housing land supply and paragraph 14 of the NPPF, officers have not found any adverse impacts from the scheme to significantly and demonstrably outweigh the benefits meaning that the Government policy position is that permission should be granted.

Officers therefore recommend that the planning application should be permitted subject to the imposition of appropriate planning conditions and the prior completion of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990.

Recommendation

1) 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 the Council to secure:

- Financial contribution to secure satisfactory mitigation of the 'in combination' effects that the increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.
- Financial contribution towards highway improvements to the highway network resulting from the impacts of the development
- Travel Plan and related monitoring cost and bond.
- Payment towards a Traffic Regulation Order on Brook Lane and Lockswood Road to install parking controls
- The provision of open space, to the Council, including provision for its maintenance;
- A financial contribution towards the delivery of a play area and associated maintenance
- The provision of ecological corridors and subsequent maintenance arrangements;
- The provision of two additional hibernacula on the receptor site (Warsash Common LNR).
- Vehicular, pedestrian and cycle access connectivity to adjoining land
- The delivery of 35% of the permitted dwellings as affordable housing.
- Education contribution.

2) Delegate to the Head of Development Management in consultation with the Solicitor to the Council to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification which may include the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions.

GRANT OUTLINE PLANNING PERMISSION:

1. Details of the appearance, scale, layout and landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as

approved.

REASON: To comply with the procedures set out Section 91 of the Town and Country Planning Act 1990.

2. Applications for approval of all reserved matters shall be made to the local planning authority not later than 18 months beginning with the date of this permission.

REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of 12 months from the date of the approval of the last of the reserved matters.

REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents: Site Location Plan 121510/LP Rev C; Brook Lane Access 020.0211.014 Rev C; Lockwood Road Access 020.0211.007 Rev D.

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

5. Other than initial site preparation, no development shall commence until details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, to include all relevant horizontal and longitudinal cross sections showing the existing and proposed ground levels, together with details of street lighting (where appropriate), the method of disposing of surface water, and details of a programme for the making up of roads and footways have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

6. No development shall proceed beyond damp-proof course level until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

7. No development shall commence until a preliminary archaeological survey using trenching and Written Scheme of Investigation (WSI) has been undertaken in order to recognize, characterize and record any archaeological features and deposits that exist and submitted to and approved in writing by the Local Planning Authority.

Based on the results of the WSI, no development shall take place, until the applicant has secured and implemented an archaeological mitigation strategy in accordance with details that have been submitted to and approved in writing by the local planning authority.

Following completion of archaeological fieldwork, a report will be produced and submitted to the LPA in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

REASON: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets and mitigate and record the effect of the associated works upon any heritage assets.

8. Prior to the construction of the dwellings, details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and to assess the impact on nearby residential properties.

9. No development shall commence until details of the measures to be taken to prevent spoil and mud being deposited on the public highway by vehicles leaving the site during the construction works have been submitted to and approved in writing by the local planning authority. The approved measures shall be fully implemented upon the commencement of development and shall be retained for the duration of construction of the development.

REASON: In the interests of highway safety and the amenity of the area.

10. No development shall commence until details have been submitted and approved by the LPA of how construction traffic will access the site, how provision is to be made on site for the parking and turning of operatives and delivery vehicles and the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the permitted development. The areas and facilities approved in pursuance to this condition shall be made available before construction works commence on site (other than construction of the site access) and shall thereafter be kept available at all times during the construction period, unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of highway safety and to ensure that the residential amenities of the occupiers of nearby residential properties is maintained during the construction period.

11. No part of the development shall be occupied/brought into use until the access junctions and visibility splays have been constructed in accordance with the approved details. 020.0211.014 Rev C; 020.0211.007 Rev D. The visibility splays shall thereafter be kept free of obstruction at all times.

REASON: In the interest of highway safety.

12. No development shall proceed 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 in writing by the local planning authority. 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.

13. The landscaping scheme, submitted under Condition 1 shall be implemented 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.

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

approved specification, programme and details.

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

15. No development shall commence until an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources has been undertaken and submitted to and approved in writing by the Local Planning Authority (LPA). Should contamination be found at the site a scheme for decontamination shall be submitted to and approved by the LPA in writing and the scheme as approved shall be fully implemented and completed before any dwelling hereby permitted is first occupied.

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

16. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered. 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.

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

17. Prior to the occupation of the dwellings hereby permitted the contamination remediation scheme shall be fully implemented and shall be validated in writing to the local planning authority by an independent competent person.

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

18. No work 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.

19. No development shall commence on site until details of foul sewerage and surface water drainage works to serve the development hereby permitted have been submitted to and approved in writing by the local planning authority. Where possible a Sustainable Urban Drainage System (SUDS) shall be used and full details of predicted flows, responsibilities and future management provided. None of the dwellings shall be occupied until the drainage works have been completed in accordance with the approved details.

REASON: In order to ensure adequate drainage is provided to serve the permitted development.

20. No development shall take place until a Biodiversity Enhancement and Management Plan, to be informed as necessary by up-to-date survey and assessment has been submitted to and approved in writing by the Local Planning Authority. Such details shall be in accordance with the outline ecological mitigation, compensation and enhancement measures detailed within the submitted reports including the Revised Ecological Assessment Report Rev 6 (Prime Environment, November 2017, updated February 2018) and subsequent updating ecological reports. Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To provide ecological protection, compensation and enhancement.

21. Development shall proceed in accordance with the measures set out in Section 4 of the revised Ecological Assessment report, Rev 6 (Prime Environment, November 2017) and the Reptile Mitigation Strategy (Prime Environment, August 2017 Rev 03).

REASON: To avoid impacts to protected species.

22. No development shall commence until an Arboricultural Impact Assessment Report and Method Statement for tree/hedgerow protection has been submitted to and approved in writing by the LPA and the approved scheme implemented. The tree/hedgerow protection shall be retained through the development period until such time as all equipment, machinery and surplus materials have been removed from the site.

REASON: To ensure protection of important trees and hedgerows.

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

REASON: In the interests of the living conditions of the occupiers of neighbouring properties.

24. Not to carry out the development of the proposed five self build dwellings unless as a self build/custom build development and by:

a) individuals

b) associations of individuals; or

c) persons working with or for individuals or associations of individuals'

on the plots to be occupied by anyone else other than by those same individuals for a continuous period of not less than three years starting from the date of first occupation.

REASONS: To ensure that the self build/custom build dwellings are occupied as such for which permission has been granted.

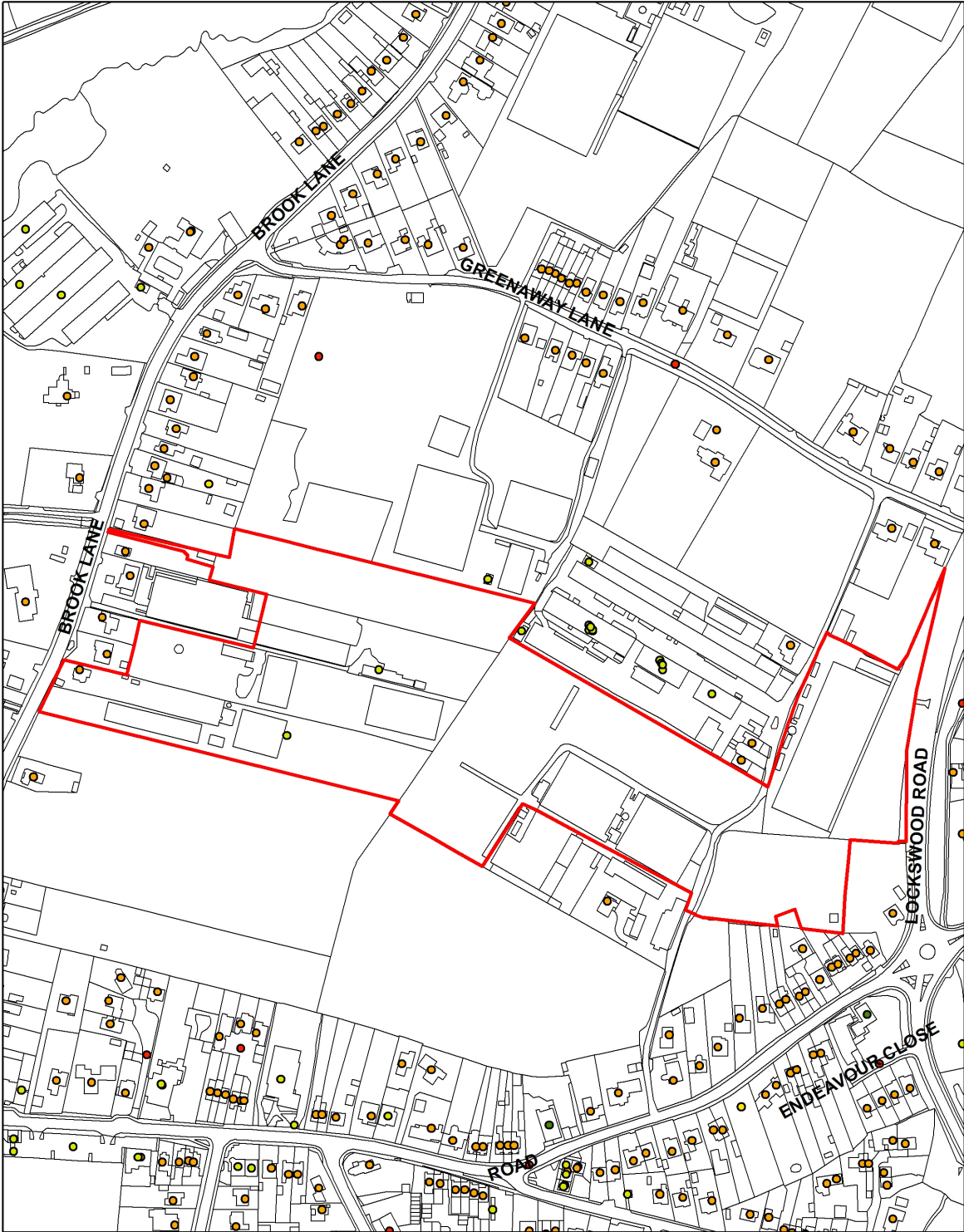
Informative:

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".

Applicants should be aware that, prior to the commencement of development, contact must be made with Hampshire County Council, the Highway Authority. Approval of this planning application does not give approval for the construction of a vehicular access, which can only be given by the Highway Authority. Further details regarding the application process can be read online via <http://www3.hants.gov.uk/roads/apply-droppedkerb.htm> Contact can be made either via the website or telephone 0300 555 1388.(II))

FAREHAM

BOROUGH COUNCIL



Land to the East of Brook Lane and
West of Lockwood Road
Scale: 1:3,300



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Agenda Item 6(2)

P/17/1500/FP

MR R COLLIER

TITCHFIELD

AGENT: P M G BUILDING
DESIGN & CONSULTANCY LTD

SINGLE AND TWO STOREY SIDE EXTENSIONS, RAISE RIDGE AND EAVES HEIGHT, DORMER WINDOWS, CANOPY PORCH, EXTERNAL FLUE TO SERVE LOG BURNER AND ALTERATIONS TO FENESTRATION

CONIFER RISE THE AVENUE FAREHAM PO14 3QR

Report By

Arleta Miszewska 01329 824666

Site Description

The existing dwelling is located within the easternmost part of the application plot. The application site slopes upwards towards the east making the dwelling prominent from numerous vantage points, including Mill Lane and the A27.

The eastern boundary of the application site is adjacent to a row of dwellings located at the western end of Mount Drive. These dwellings are modest in size, single storey, detached bungalows with first floor accommodation provided within flat roof dormer windows. Consequently, when viewed from vantage points towards the east, Conifer Rise is seen in the background of the properties within Mount Drive.

Description of Proposal

Negotiations have taken place in an attempt to revise the current proposal, however, the applicant has requested the application is considered based on the originally submitted plans.

Planning permission is sought for two and single storey extensions to create first floor accommodation. The extensions and alterations would increase the number of bedrooms from 4 to 6.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS14 - Development Outside Settlements

CS17 - High Quality Design

CS22 - Development in Strategic Gaps

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP3 - Impact on living conditions

DSP5 - Protecting and enhancing the historic environment

DSP13 - Nature Conservation

Relevant Planning History

The following planning history is relevant:

FMU.5103/4 - Erection of agricultural dwelling adjoining The Mount, Southampton Road,

Titchfield. APPROVED with conditions.

When this dwelling was first granted planning permission, a condition was imposed to restrict its use in the following way:

The occupier of the dwelling should be a person employed at the Mount, or employed or last employed in agriculture, as defined by Section 221(1) of the Town and Country Planning Act, 1962, or in forestry, or the dependent of such a person (direction of the Minister of Transport).

Representations

Objections from 4 households have been received raising the following concerns:

- Overlooking of Fairview, Mount Drive;
- Impact on conservation area;
- Agricultural tie;
- Impact on wildlife;
- Storing of caravans, new access road has been created within the site;
- The proposal is larger than the existing house;
- Will set a precedent to build in the area ruining the open space around Titchfield and The Abbey;
- Does storing of caravans require consent?

One letter of support has been received in support of the extensions and the storage of caravans on site.

Consultations

Tree Officer - no objections. The development proposals will have no significant adverse impact on the contribution of the trees to the public amenity or the character of the wider setting as long as adequate precautions to protect the retained trees are implemented in accordance with the submitted tree protection method statement.

Environmental Health (Contaminated Land) - no objection subject to informative.

Ecology - The application is accompanied by an Extended Phase I Habitat Survey report (Ecosupport Ltd. September 2016). The report concludes that the residential building to be affected holds negligible ecological value to roosting bats and nesting birds. As such, the ecology officer has no concerns that this development would adversely affect any statutory or locally designated sites of wildlife importance, or any legally protected or notable habitats or species.

Conservation Planner - The application site lies in the south eastern corner of the Titchfield Abbey Conservation Area which was designated in 1994 to preserve the character and appearance of the Meon Valley north of Titchfield Village. The conservation area provides a setting for a number of important scheduled ancient monuments and listed buildings. The existing dwelling is a bungalow that occupies a location in the southern corner of the conservation area near the top of the eastern valley slope. The site sits to the rear of the houses on Mount Drive which are higher up the valley side and is seen in the context of this group of buildings in longer views from the west. Views of the site from Titchfield Hill and north from the valley floor are limited by existing trees and planting.

The application proposes extensions to increase the size and height of the existing building. Due to its position and proximity to existing buildings, a larger building in this particular location would not result in harm to the established character and appearance of the conservation area in respect of longer views across the valley or the wider setting of the

listed buildings and scheduled monuments. The choice of materials however should aim to keep the building visually recessive.

Planning Considerations - Key Issues

IMPACT ON THE COUNTRYSIDE AND MEON STRATEGIC GAP

The application site lies within area designated as countryside and the Meon Gap, Strategic Gap. Therefore, Policy CS14 and Policy CS22 of the adopted Core Strategy apply.

Policy CS14 restricts development within the countryside which would "adversely affect its landscape character, appearance and function".

The existing dwelling is located within the eastern part of the plot, which stretches to the north, north-west and west of the dwelling. The eastern boundary of the plot is also the boundary of the area designated as countryside and Meon Gap.

The dwelling is situated in a close proximity to a row of dwellings located at the western end of Mount Drive, which are located outside of the above allocations. Given the siting of the dwelling, close to this group of dwellings, the proposed development would not cause an adverse impact on the landscape character, appearance and function of the countryside.

The application seeks planning permission for domestic extensions to an existing residential property. Consequently, the proposal would not have a significant impact on the integrity of the Meon Gap and the physical and visual separation gap between Titchfield and Fareham.

The proposed development is considered to comply with the provisions of Policy CS14 and Policy CS22 of the adopted Core Strategy.

DESIGN

Policy CS17 of the adopted Core Strategy promotes development of high quality and prevents development which would not "respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials".

Conifer Rise is presently a modest size dwelling, although its footprint is larger than the footprint of the dwellings located to the rear. Due to the sloping nature of the plot, the frontage of the dwelling consists of two and single storey elements and so the height of the ridge of the roof varies between 5.2m and 6.9m. The overall width of the dwelling is approximately 20m, including a side conservatory (3.5m wide) with a pitched roof of a maximum height of 3.65m. The roof of the dwelling is hipped on both sides, with the ridge length of just under 8m.

The proposal is to extend the footprint of the dwelling to the south and create first floor accommodation within dormer windows at the front and two storey gabled end front projections to both sides of the dwelling. When viewed from the rear, the dwelling would be of a two storey height. The main roof of the house would have gable ends.

The extensions would result in the increase of the length of the main ridge from approximately 8m to 22.1m. The height of the ridge would increase by approximately 2.95m.

The proposed scale and added bulk of the dwelling would result in a development form which would appear out of proportion and out of scale within its context, namely the existing dwelling and group of modest size dwellings located to the east.

Therefore, the proposal would be contrary to the expectations of Policy CS17 which expects development to "respond positively to and be respectful of the key characteristics of the area", including scale and form.

IMPACT ON THE TITCHFIELD ABBEY CONSERVATION AREA

Turning to impacts on the character and appearance of the Titchfield Abbey Conservation Area. The Council's Conservation Planner was consulted and raised no objection to this proposal.

When viewed from public vantage points within the Conservation Area, in particular along Mill Lane, the proposed development would be seen in the background of the houses at rear. Moreover, the views from within the Conservation Area include residential properties which are located closer to the Titchfield Abbey than the application site dwelling. These properties are also of varying sizes. The application site itself is located near to the boundary of the Conservation Area and a substantial distance away from the Titchfield Abbey.

As a result, the proposal would not alter the open spaces, landscaping, trees and important views within the Titchfield Abbey Conservation Area which form its overall character.

Consequently, the proposal is considered to meet the requirements of Policy DSP5 of the adopted Fareham Local Plan Part 2: Development Sites and Policies which seeks, as a minimum, to preserve the character, setting and appearance of conservation areas. The proposals have been considered in the light of National Guidance contained in the NPPF and the provisions of the Planning (Listed Building and Conservation Areas Act) 1990.

IMPACT ON LIVING CONDITIONS

Policy DSP3 of the adopted Fareham Local Plan Part 2: Development Sites and Policies seeks to ensure that development would not have an unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy. More detailed design standards for domestic extensions safeguarding living conditions of adjacent neighbouring properties are outlined in the adopted Design Guidance SPD.

The existing dwelling is located on a sloping land and consists of two and single storey elements. The lower ground accommodation of the existing dwelling consists of an integral garage and a study. The ground floor accommodates a living room, dining, bath, WC and four bedrooms.

The height of the ridge of the dwelling varies. The frontage of the house measures between 5.2m and 6.9m. From the rear, the dwelling appears more levelled and the height of the entire ridge line of the house is 4.8m and the pitch of the conservatory is 3.65m high.

The proposal is to extend the footprint of the dwelling to the south and create first floor accommodation within dormer windows at the front and two storey gabled end front projections to both sides of the dwelling. When viewed from the rear, the dwelling would be two storey in height. The main roof of the house would have gable ends.

The proposal would result in the increase of width of the house from 20m to over 25m. The two storey part of the house would be 22m wide, the ridge height would be 7.2m and eaves height 5.2m. There would be five windows inserted in the rear elevation at first floor level serving both habitable and non-habitable rooms.

The proposed extension would stretch alongside the entire rear boundary of Fairview, Mount Drive. This is a single storey dwelling with rooms within the roof. It benefits from a conservatory to rear and a rear patio decking with outdoor seating. When standing in the garden of this property, it is possible to see the sloping roof of the main house of the application site. The windows within the rear elevation of the application site are screened by the existing landscaping within the garden of Fairview, Mount Drive. Consequently, the garden offers a good degree of privacy.

Whilst the rear windows of the application dwelling can be seen from within the inside of Fairview, due to them being located at a lower level than the windows at Fairview, these windows do not currently create a sense of overlooking.

It is acknowledged that the proposed windows would be located in excess of the 22m set out in the Council's Design Guidance SPD. However, due to the specific spatial characteristics of the site, as described above, and the number of windows to be introduced at first floor level, stretching alongside the entire rear boundary of Fairview, the proposal would result in the loss of privacy and creation of a sense of being overlooked within the rear garden and inside the dwelling at Fairview to the detriment of the living conditions of its occupiers.

Moreover, given the increase in width and height of the proposal, and its location directly opposite the garden and the windows of the dwelling at Fairview, the proposal would result in an unneighbourly and overbearing form of development, detrimental to the outlook from the windows and the garden of this neighbouring property.

Consequently, the proposal would be contrary to the expectations of the Council's Policy DSP3 which seeks to prevent development which would have an unacceptable adverse impact upon living conditions within adjacent properties.

IMPACT ON PROTECTED TREES

There are a number of protected trees located on the eastern boundary of the application site, within close proximity to the proposed development.

The application is accompanied by a Tree Protection Method Statement. The statement demonstrates that the proposed development could be carried out without causing harm to these protected trees.

The Council's Tree Officer was consulted on this application and having reviewed the submitted information concluded that, subject to the precautions specified in the Statement, the development would have no significant adverse impact on the contribution of the trees to the public amenity or the character of the wider area.

ECOLOGY

Concerns have been raised over the impacts of the proposed development upon the local wildlife.

The Council's Ecologist has been consulted and concluded that the development would not adversely affect any statutory or locally designated sites of wildlife importance, or any legally protected or notable habitats or species. Consequently, no objection has been raised.

OTHER MATTERS

Concerns have been raised over caravan storage and associated activities taking place at the application site. Officers are currently investigating this matter and separate discussions are taking place with the landowner.

A concern has been raised that granting planning permission for this development would set a precedent for similar developments in the area harming the open space around Titchfield and The Abbey.

Each planning proposal is assessed on its own merits, the impacts on the area has been considered above.

Summary

The proposal is contrary to the provisions of Policy CS17 of the adopted Fareham Borough Core Strategy and Policy DSP3 of the adopted Fareham Local Plan Part 2: Development Sites and Policies.

Recommendation

REFUSE PLANNING PERMISSION

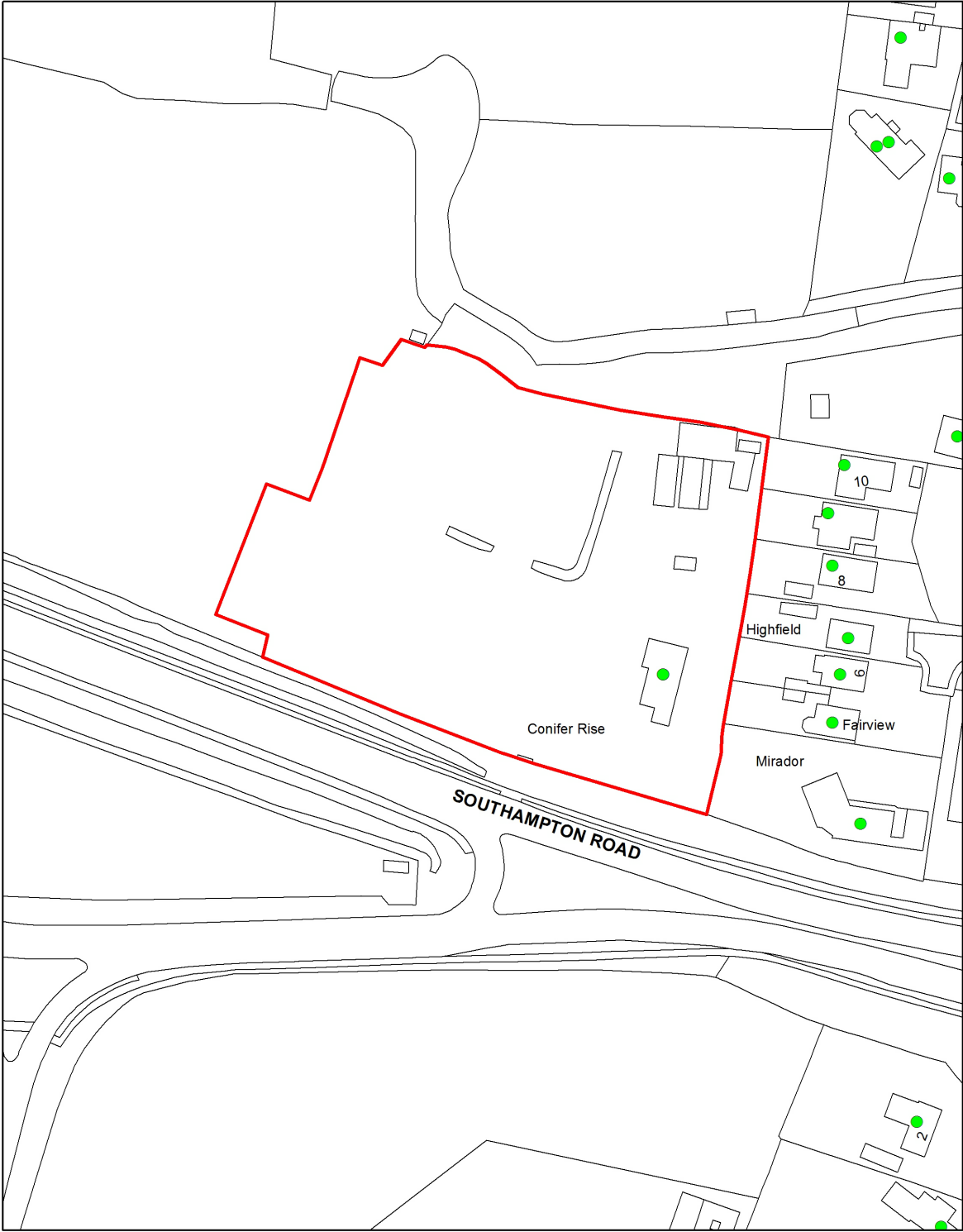
Reasons:

The development would be contrary to Policy CS17 of the Adopted Fareham Borough Core Strategy 2011 and Policy DSP3 of the adopted Local Plan Part 2: Development Sites and Policies and advice contained within the Fareham Borough Design Guidance Supplementary Planning Document 2015: and is unacceptable in that:

1. The proposed development would, due to its siting and the number of windows proposed at first floor level result in the loss of privacy and overlooking of Fairview, Mount Drive, to the detriment of the amenities of the occupiers of this property.
2. The proposed development, due to its width, height and siting directly opposite the garden and windows of the neighbouring property at Fairview, Mount Drive, would result in an unneighbourly and overbearing form of development, detrimental to the outlook from the windows and the garden of this property.
3. The proposed development, due to its scale, bulk and form, would result in a development form which would appear out of proportion and scale with the group of modest size dwellings located immediately to the east to the detriment of the character and appearance of the area.

FAREHAM

BOROUGH COUNCIL



Conifer Rise The Avenue
1:1,250



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Agenda Item 6(3)

P/18/0072/FP

SARISBURY

MR PATRICK ESSON

AGENT: THORNS YOUNG LTD

REPLACEMENT 4-BEDROOM DETACHED DWELLING

23 BURRIDGE ROAD BURRIDGE SOUTHAMPTON SO31 1BY

Report By

Peter Kneen - direct dial 01329 824363

Introduction

The application is presented to the planning committee due to the number of third party comments received to the application, comprising two letters of objection and four letters of support.

Site Description

The application site is located on the southern side of Burridge Road, and lies within the designated countryside. The site forms one detached property in a ribbon of residential development on the western side of Botley Road. The site currently comprises a small, detached chalet bungalow set back approximately 13m from the road frontage, and currently comprises a 31.5m long rear garden. To the east of the site is an access track providing access to two residential properties to the rear of the site. The site is set up on a slight elevation above the road, with the general topography of the land sloping from east to west. The large, semi-detached two storey properties to the east of the site are set at a higher elevation making them particularly prominent in the street scene. The neighbouring properties to the west comprise other low level chalet bungalows.

Burridge Road is characterised by a wide mix of residential properties, predominantly set at the road frontage (with only a few exceptions). The properties benefit from long rear gardens which generally open up to the wider countryside beyond.

Description of Proposal

This application seeks planning permission for the construction of one, four bedrooed detached dwelling to replace the existing low-level, flat roofed dormer bungalow. The application has been subject to amendments since its original submission in order to reduce the overall height of the building, particularly where it relates to the neighbouring property at 25 Burridge Road.

The proposed dwelling would include a large open plan kitchen/family area, living room and study at ground floor level, with four bedrooms and three bathrooms at first floor level. The proposed dwelling would be set approximately 1.5 metres further forward than the existing property, although it would remain almost 2 metres behind the existing front elevation of 25 Burridge Road.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS14 - Development Outside Settlements

CS17 - High Quality Design

Approved SPG/SPD

RCPSPG - Residential Car & Cycle Parking Standards (2009)

Design Guidance Supplementary Planning Document (Dec 2015)

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

Relevant Planning History

The following planning history is relevant:

No recent relevant planning history.

Representations

Nine respondents have commented on the proposed development from six addresses. Initially six respondents commented on the original proposal, of which four objected to the proposal and two supported it. Following the amendment, two of the objectors changed their objection to support for the proposal.

Subsequently, two letters of objection remain, and there are four letters of support. All the respondents support the principle of a replacement dwelling, however, the key matters of concern raised were:

- Excessive ridge height;
- Overbearing impact.

Consultations

No consultations undertaken in this case.

Planning Considerations - Key Issues

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

- Principle of the development;
- Impact on the character of the area;
- Impact on living conditions to neighbouring occupiers;
- Design and Appearance of the proposal; and,
- Car Parking Provision.

Principle of the development:

The site is located within the designated countryside where the principle of replacement dwellings is considered acceptable, subject to other material considerations.

Impact on the character of the area:

The site is located within a ribbon of residential properties along Burr ridge Road, which comprises a wide mix of residential property styles and types. 23 Burr ridge Road forms one of a number of chalet bungalows on the southern side of Burr ridge Road all of which comprise relatively low ridgelines with first floor accommodation set within the roofslope. However, to the east of the application site lies 17 and 19 Burr ridge Road, a pair of semi-detached two and a half storey properties, which given their elevated position make them very prominent in the street scene.

The application proposal has been designed to have regard to both the low-level character of the properties to the west of the site, and the prominence of the properties to the east of the site. The property would include split level ridges with the lower ridge set at 6.52 metres from ground floor level, with an eaves height at 4.5 metres, comparable with the existing chalet bungalow. The second, higher ridgeline is set at 7.5 metres, which would be 1.8 metres higher than the current chalet bungalow roofline. However, this height would remain below that of the height of 17/19 Burr ridge Road, and comparable to the 7.4 metre ridgeline permitted at 29 Burr ridge Road.

It is therefore considered, given the alterations made to the proposal, and the variation in the ridgeline to soften the changes in building heights along this part of Burr ridge Road, that the scheme would not have an adverse impact on the character of the area.

The proposal would therefore accord with the requirements of Policies CS14 and CS17.

Impact on Living Conditions:

The proposed dwelling has been sited and orientated to ensure the impact on the living conditions of neighbouring occupiers are not adversely affected. The applicant has discussed the proposals with the immediate neighbours of which the neighbours to the rear and to the west support the amended scheme. The siting of the first floor windows would remain largely unchanged from the existing situation, ensuring no adverse impact on the living conditions of occupiers to the west. In respect of the properties to the rear, the closest property 21A Burr ridge Road is largely orientated to the west, with no main habitable room windows at first floor level facing northwards to the proposed property. The proposed master bedroom windows would be located approximately 27 metres away from the side elevation of 21A Burr ridge Road, and the proposal therefore complies with the requirements of the Council's Adopted Design Guidance.

19 Burr ridge Road retains an objection to the scheme, due to the impact on their outlook and concern regarding the overbearing character of the proposal on their living conditions. 19 Burr ridge Road comprises a number of large windows on the side (west) elevation facing towards the application site. Following discussions with the occupiers of 19 Burr ridge Road, the applicant re-sited the proposal further forward (northwards) to ensure the outlook from their property is not affected by the scheme. The occupiers of 19 Burr ridge Road did not respond to the re-consultation request, and therefore their original objection remains. Given the relative topography of the area, the ground floor windows of 19 Burr ridge Road are set above the existing 1.8m high fence line on the application site's eastern boundary. In addition, the existing side elevation of 19 Burr ridge Road would be located almost 12 metres away from the proposed side elevation of the dwelling. There is also the driveway serving 21 and 21A Burr ridge Road between the two properties. Given this level of separation, and the elevated position of 19 Burr ridge Road, it is considered that the proposals would not have an adverse impact on the living conditions of these neighbours.

Therefore, having regard to the above, it is considered that the proposals would not have a detrimental impact on the amenities of neighbouring occupiers, and the application complies with and largely exceeds the requirements of the Design Guidance.

Design and Appearance:

The application seeks the erection of a modern, two storey, dwelling with the first floor set partially with the roof space. The property would be finished with bricked, rendered and weatherboarded elevations under a slate tiled roof.

Burr ridge Road comprises a wide mix of property styles and types, including bricked,

rendered and weatherboarded properties. It is considered that proposed design of the property would not appear out of keeping with the mix of properties, and would add to the variety of properties along the street scene.

It is important to highlight that it is the responsibility of the Local Planning Authority to promote good quality design in the granting of planning permission, as advocated in the National Planning Policy Framework and within the Local Plan. It is important to recognise that the provision of modern designed properties, when considered in the context of the local area, can make a significant contribution towards enhancing the local character and street scene.

Car Parking Provision:

The development would result in the loss of a garage on the site, however, the property would be sited 13 metres from the road frontage, and comprises a long driveway capable of providing car parking provision for 3 cars, therefore ensuring compliance with the Council's Adopted Residential Car Parking Standards.

In summary, it is considered that the proposed dwelling accords with the principles of the adopted Design Guidance and Parking Standards, and achieves the requirements of Policy CS17. The levels of separation, siting, design and layout of the property are considered appropriate for the site, and would not therefore be detrimental to the living conditions of neighbouring occupiers or on the character and appearance of the area.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

Recommendation

PERMISSION

Conditions

1. The development shall begin before the expiration of three years following the date of this decision.

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 (Drawing: TQRQM17352151532864);
- b) Block Plan (Drawing: TQRQM17352152223123);
- c) Proposed Floor Plans and Elevations (Drawing: PG 2137.17. Rev A);
- d) Existing Plans (Drawing: PG.2137.17.1); and,
- e) Topographic Plan (Drawing: 6337/01).

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

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

REASON: To secure the satisfactory appearance of the development, in the interests of visual amenity.

4. The construction of the development and associated works shall not take place on

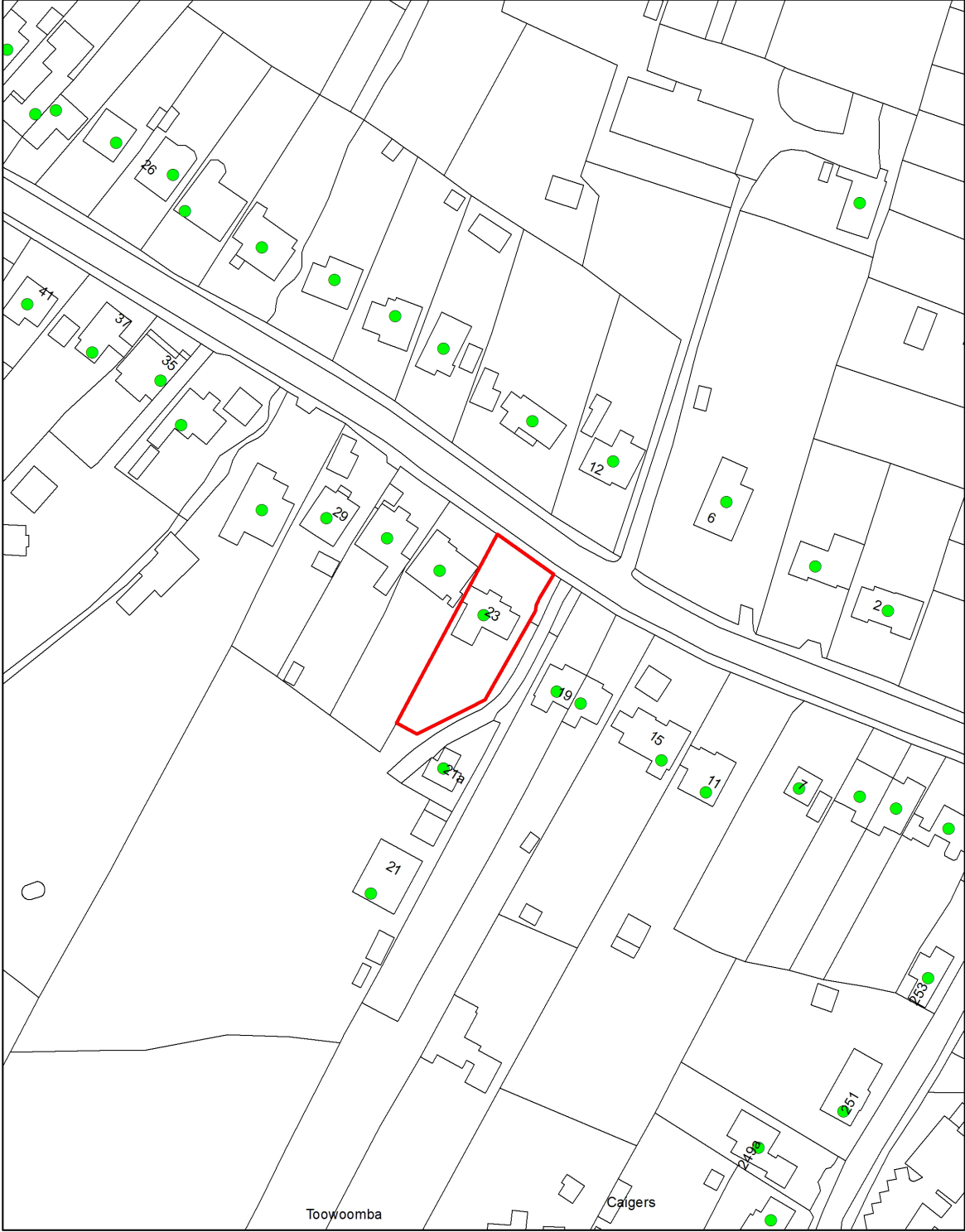
Sundays or Public Holidays or any time otherwise than between the hours of 0800 hours and 1800 hours Monday to Friday and 0800 hours and 1300 hours on Saturday.

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

Background Papers

Application P/18/0072/FP

FAREHAM BOROUGH COUNCIL



23 Burridge Road
1:1,250



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Agenda Item 6(4)

P/18/0182/VC

MR RAY GUSTAR

WARSASH

AGENT: ROBERT TUTTON
TOWN PLANNING
CONSULTANTS

VARIATION OF CONDITION 2 OF APPLICATION FBC.2369/7 (CHANGE OF USE OF VACANT LAND TO PRIVATE GARDEN) TO ENABLE PERMITTED DEVELOPMENT RIGHTS ON THE LAND

44 THORNTON AVENUE WARSASH SOUTHAMPTON SO31 9FJ

Report By

Peter Kneen - direct dial 01329 824363

Introduction

The application is presented to the planning committee following the receipt of four letters of support and one letter of objection to the planning application.

Site Description

The application site is located partially within the designated urban settlement boundary of Warsash, and partly within the countryside. The site forms part of the garden area of 44 Thornton Avenue, which runs down from Thornton Avenue to the River Hamble and footpath 181, which forms part of the coastal path. Passage Lane Open Space is located to the south of the site and a public footpath (PROW 11144) runs between the site and the area of public open space. The public footpath runs for approximately 115 metres along the southern boundary. 55 metres of the northern boundary of the footpath comprises timber screen fencing to the application site, with a further 30 metres (approximately) comprising conifer hedging, and more open vegetation along the remaining 30 metres of the footpath. The eastern boundary with Thornton Avenue is defined by screen walls, and the western and part of the northern boundaries are defined by wire mesh fencing and hedging.

To the north of the site lies the neighbouring property at 42 Thornton Avenue and to the north and west a Local Nature Reserve, which also includes a SSSI, and the Solent and Southampton Waters Special Protection Area (SPA), Special Area of Conservation (SAC) and RAMSAR site.

The site and wider garden area of 44 Thornton Avenue contains a number of outbuildings, including a large detached garage building towards the frontage of the site and a pitched roof pergola and other sheds and greenhouses, some of which appear to have been in situ for a considerable period of time.

The application site and the northern area of the Passage Lane Open Space comprise a number of mature trees, running down towards the River, providing a good level of screening of the site from the adjoining open space. The lower, western part of the site (which has been excluded from this application) comprises less vegetation, and provides more open views towards the River Hamble.

Description of Proposal

This application for variation of condition seeks to partially remove a restriction imposed on the site under application FBC.2369/7, permitted in June 1987 for 'the change of use of vacant land to private garden'. The restriction removed permitted development rights regarding the construction of outbuildings within the residential curtilage of this part of 44 Thornton Avenue without the necessary planning permission. The condition was imposed in order to secure the satisfactory appearance of the development and states:

Notwithstanding the provisions of the Town and Country Planning General Development Order 1977/87, no building, structure, walls or fences or engineering operations of any kind shall be erected or carried out on the land since hatched blue on the approved plan, without the prior written consent of the Local Planning Authority.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS14 - Development Outside Settlements

CS17 - High Quality Design

Development Sites and Policies

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

Relevant Planning History

The following planning history is relevant:

FBC.2369/7	The Change of Use of Vacant Land to Private Garden. PERMISSION	14/06/1987
<u>P/98/0660/VC</u>	Variation of Condition 2 of F.B.C.2369/7 (to enable the erection of 1.8 metre high fence) PERMISSION	09/09/1998
<u>P/00/0139/FP</u>	Installation of Dormer Window to Side Elevation of Existing Garage to form Hobbies Room PERMISSION	06/04/2000
<u>P/16/0662/FP</u>	ERECTION OF FRONT BOUNDARY WALL (MAXIMUM HEIGHT 1.5 METRES) AND DETACHED DOUBLE GARAGE APPROVE	13/07/2016
<u>P/16/1306/FP</u>	Increase height of front boundary wall from 1.5 metres to 1.8 metres APPROVE	07/12/2016

Representations

Five letters have been received regarding the application, comprising four letters of support for the proposal and one letter of objection.

The letter of objection raised concern that further development to the west, beyond the existing building line would impair views of the river Hamble.

Consultations

Parks and Open Spaces Manager: No objections to the proposal.

Planning Considerations - Key Issues

The following matter represents the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issue

comprises the potential impact on the character of the area.

Impact on the character of the area:

The site has changed significantly since the original planning permission for the change of use of the land was granted. From a review of the planning records, it appears that prior to the change of the land to private garden, the width of the land formed a wide open footpath running down from Crofton Way to the rivers edge. Since that time, planning permission has been granted to enclose this land within the defined residential curtilage of 44 Thornton Avenue.

Most notably, permission was granted at the end of 1987 for a large, detached, pitched roof double garage which extends across much of the width of the site. Then in 1998, planning permission was granted to allow the provision of a 1.8 metre high timber fence to be constructed along the southern boundary of the site, adjacent to the public footpath. The fence extends from Thornton Avenue for approximately 55 metres along the length of the public footpath, and along this part of the boundary replaced a permitted chain link fence. The remainder of the rear garden is bounded by the chain link fence.

In 2016 planning permission was granted for a replacement garage building and front boundary wall along the Thornton Avenue road frontage. The wall, originally permitted at 1.5 metres was later revised and approved at 1.8 metres.

There are a number of other ancillary outbuildings within the rear garden which would appear to have been sited on the land for a considerable period of time.

The western 35 metres of the boundary and the narrower, western part of the site would remain except from this variation of condition, whereby planning permission for outbuildings would require consent. However, the area that is the subject of this application has already been largely enclosed by fencing, walls and large permanent structures, which has altered its character since the original imposition of the condition in 1987. The permitted structures, together with the level of vegetation along the boundary and within the area of open space means any structure that could be constructed on the site under permitted development rights would not result in an adverse impact on the character and appearance of the area. The permitted development rights would only allow for structures up to 2.5 metres in height within 2 metres of the site's boundary, and up to 4 metres in height with a pitched roof elsewhere. These limitations, together with the general topography of the site and adjoining open space would enable any views of the Hamble at this point to be retained. Further, the southern area, which contains the viewing seating area would be unaffected by the variation of this condition.

In summary, it is considered that the proposed variation of this condition to enable the provision of Class E (buildings etc incidental to the enjoyment of a dwellinghouse) and Class F (hard surfaces incidental to the enjoyment of a dwellinghouse) development on the site would not have a significant impact on the character and appearance of the site or wider area.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

Recommendation

PERMISSION

Conditions

1. The development hereby permitted shall be implemented in accordance with the following approved documents:

a) Site Layout Variation Application (Drawing: 7)

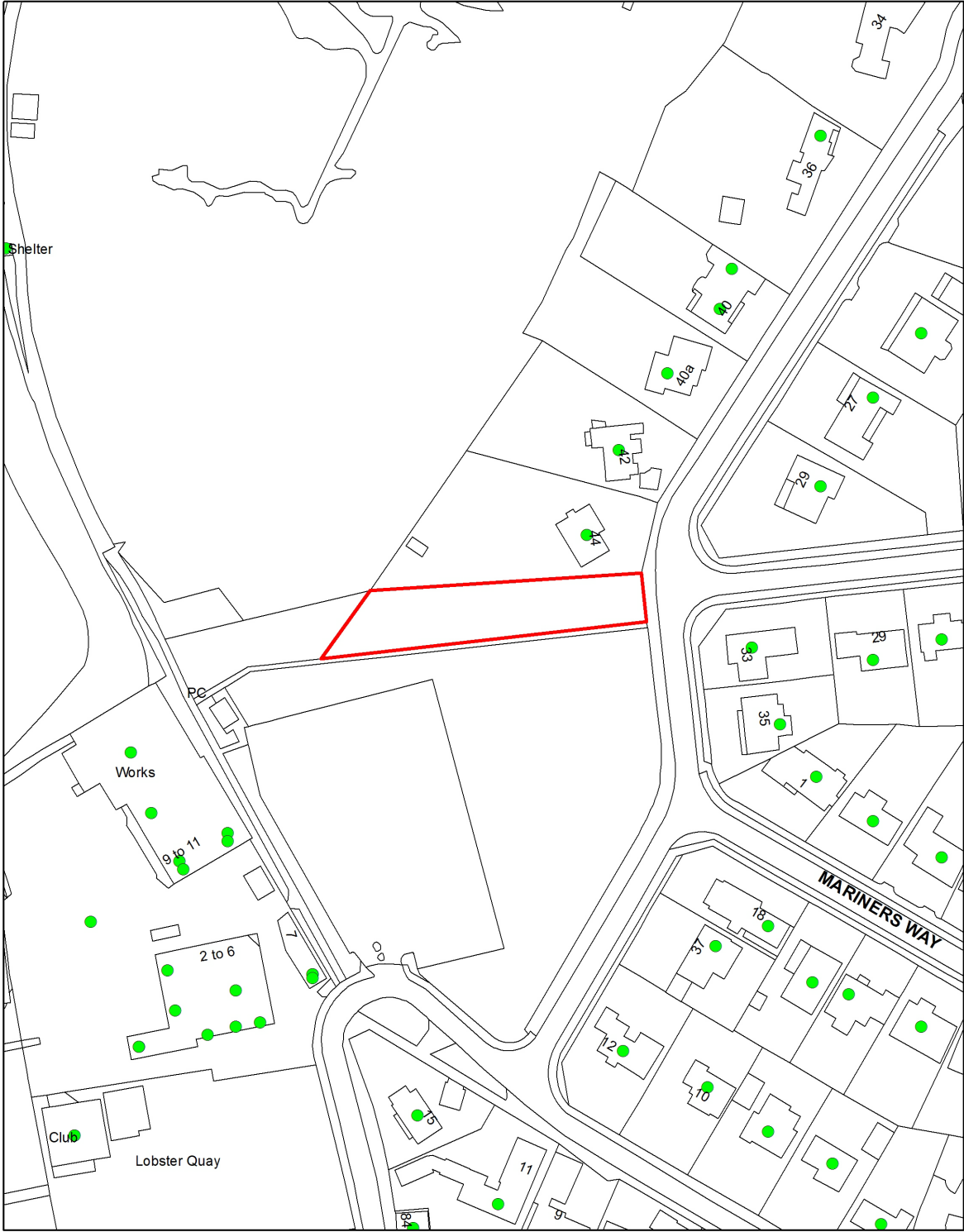
REASON: To avoid any doubt over what has been permitted.

Background Papers

Application file: P/18/0182/VC

FAREHAM

BOROUGH COUNCIL



44 Thornton Avenue
1:1,250



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Agenda Item 6(5)

P/18/0235/FP

SARISBURY

FOREMAN HOMES LTD

AGENT: FOREMAN HOMES LTD

RESIDENTIAL DEVELOPMENT OF 6NO. DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS FROM ROOKERY AVENUE.

LAND TO SOUTH OF ROOKERY AVENUE/ADJACENT TO 112 BOTLEY RD SWANWICK SOUTHAMPTON

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 last 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 was included on the Agenda for the Planning Committee meeting held on 21st March this year setting out this Council's current 5-year housing land supply position.

Site Description

The application site comprises a residential plot on which sits a detached bungalow (112 Botley Road) to the south of Rookery Avenue, Whiteley. The site is entirely within the countryside and outside of the urban settlement boundary.

The site measures approximately 0.56 hectares and slopes gently southwards towards the M27 motorway. Access to the site is provided through improving a section of highway which runs off the south side of Rookery Avenue.

The land to the west of the application site is covered with a group tree preservation order (TPO). To the east are two residential properties, 114 Botley Road and Windruff, accessed from that same road. The properties were once part of a wider commercial nursery use of the site. To the south of those properties lies the M27 motorway.

To the north of Rookery Avenue lie the residential streets of Caspian Close, Shetland Rise and the more recent Castillian Way.

Description of Proposal

Planning permission is sought for the construction of six detached dwellings on the site.

Vehicular access to the site would be provided via the existing road spur off the south side of Rookery Avenue which is part of the adopted highway network. This spur is proposed to be improved in terms of the effective width of the carriageway and the surface.

Pedestrian access would be provided via a new separate footpath running northwards across Rookery Avenue to link with the existing footpath along the north side of the road.

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

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

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

Representations

Sixteen letters of objection have been received raising the following concerns:

- Traffic congestion, parking and highway safety concerns
- The land is not designated for development
- Lack of infrastructure to support development (including schools, etc.)
- A previous application and appeal have already been dismissed
- Loss of trees and countryside
- Impact on wildlife
- No need for luxury properties
- No need for more housing
- Noise from motorway

- Site is a natural buffer between housing and motorway

Consultations

EXTERNAL

Hampshire County Council (Archaeology) - No objection

Hampshire County Council (Ecology) - No objection

INTERNAL

Contaminated Land - No objection

Environmental Health - No objection

Highways - No objection

Trees - No objection

Planning Considerations - Key Issues

- a) Planning history of the site and recent appeal decision
- b) Implication of Fareham's current 5-year housing land supply position
- c) Residential development in the countryside
- d) - h) Policy DSP40
- i) Other matters
- j) Planning balance

A) PLANNING HISTORY OF THE SITE AND RECENT APPEAL DECISION

On 23rd February 2017 this Council refused to grant planning permission for a proposed development on this site and a nearby parcel of land to the north east submitted by Foreman Homes (our reference P/16/1088/OA). The proposed scheme comprised residential development at a density of up to 15 dwellings per hectare - quantified as 22 dwellings - associated landscaping, amenity areas and means of access from Rookery Avenue.

The reasons for refusal were as follows:

"The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS17 & CS18 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP15 & DSP50 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

(a) the proposal represents development outside the defined urban settlement boundary for which there is no justification or overriding need and would adversely affect its landscape character, appearance and function;

(b) the site is not capable of accommodating 22 dwellings without resulting in an unacceptable, cramped layout which would be harmful to the appearance and character of the area and the living conditions of future residents;

(c) the applicant has failed to demonstrate that the proposed means of access into the site can be implemented to the satisfaction of the highway authority without harming trees located on adjacent land;

(d) the applicant has failed to demonstrate that the development would not harm protected species and their associated habitats, adjacent designated sites and sites of nature conservation value or result in the fragmentation of the biodiversity network;

(e) in the absence of a financial contribution or 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;

(f) had it not been for the overriding reasons for refusal the Council would have sought the means to secure a financial contribution towards amending the existing traffic regulation order (TRO) on Rookery Avenue in order to ensure the safe means of access into the site;

(g) had it not been for the overriding reasons for refusal the Council would have sought to secure the transfer of the land edged in blue on the submitted location plan to the Council's ownership in order to safeguard the land required for the remaining section of Rookery Avenue linking the Whiteley Area Distributor Road to Botley Road;

(h) 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.

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 points e - h of the above by the applicant entering into legal agreement with Fareham Borough Council."

An appeal was lodged by Foreman Homes which was determined in a notice issued issued by the Planning Inspectorate on 29th December 2017 (PINS reference APP/A1720/W/17/3182716).

On the issue of character and appearance, the Inspector was concerned about the loss of trees from the eastern parcel of land and the harm to the area's character and appearance. However, in general he was of the view that "whilst this site lies outside a settlement boundary, it is comparatively modest in scale compared with the housing area of fairly recent construction to the north of Rookery Avenue. The site provides some relief to the built development in the area, however, that said I do not consider it has the character or appearance of being open countryside in the widely accepted sense, being a comparatively narrow wedge between a built up area and the M27...". He summarised by saying that "I am therefore not persuaded that this development would harm the landscape character, appearance or functioning of the countryside".

The appeal was dismissed with the Inspector concluding that "there would be harm to the character and appearance of the area, the integrity of the SPA [Solent Protection Area] and the wellbeing of protected species".

B) 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, resolutions to grant planning permission 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' was reported to an earlier Planning Committee meeting on 21st March this year. Fareham Borough Council presently has 4.39 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).

With regards to second arm of Paragraph 14 above, Officers can confirm that, subject to the issue of the potential impacts of the development on the Solent Special Protection Area (SPA), there are no further specific policies within the Framework applicable to this site or development.

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.

C) 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.

D) 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 seen by Members at the Planning Committee on 21st March this year that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of 291 homes. This proposal for six dwellings is relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

E) 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 south side of Rookery Avenue. The urban area comprising dwellings within Caspian Close and Shetland Rise lies to the north. Whilst landscaping strips and the highway lie between the urban area and the site Officers consider that the site could reasonably be described as being adjacent to the existing urban settlement boundary.

The provision of a footpath leading from the site northwards across the planting strips to connect with the existing footpath on the north side of Rookery Avenue would assist in connecting the site with the neighbouring settlement. The site is considered to be sustainably located a relatively short distance from Swanwick Railway Station and the services and facilities at Park Gate local centre.

The development is considered to accord with the second test set out at Policy DSP40(ii).

F) 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".

The site is well screened from views from Rookery Avenue by boundary vegetation and mature planting. The proposed layout means that much of this boundary vegetation could remain as part of the northern boundary of the rear gardens of Plots 1 & 2, notwithstanding the removal of some planting to provide the footpath connection with Rookery Avenue. Similarly, sufficient space is shown on the proposed site plan to retain planting along the western and eastern site boundaries. Brief glimpses of the site are possible from the adjacent M27 however the site is not readily visible meaning the proposed development would not appear prominent within the landscape.

As set out in the opening paragraph A) to this section of the report, the Inspector's comments in assessing the previous planning appeal are an important material consideration. In his view the site did not have the character or appearance of open countryside and was a comparatively narrow wedge between the built up area to the north of Rookery Avenue and the M27. He was not persuaded that the appeal scheme, which was of a greater density of housing, would harm the landscape character, appearance or functioning of the countryside. The harm to the area's character and appearance described by the Inspector related to the loss of trees on the eastern parcel of land which does not form part of the current application site.

In general terms the visual impact of the current proposal would be little different to that of the previous appeal scheme. The development comprises two-storey detached houses set in reasonable proportioned plots and arranged in a way to ensure that boundary vegetation could mostly remain intact. In this regard the development is similar to the existing

residential development north of the site and any adverse visual impact on the surrounding area would be minimised. Officers consider the proposed design and layout of the housing accords with the expectations of high quality design as set out in Policy CS17 of the adopted Core Strategy.

Officers consider the proposal satisfies point iii) of Policy DSP40.

G) 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, Foreman Homes, is a regional housebuilder. The construction of six houses is considered deliverable in the short term and the applicant has confirmed they would be happy to accept an implementation period of 18 months. The test set out at point iv) of the policy is therefore met.

H) 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".

Officers do not consider there to be any unacceptable implications in this regard and the proposal meets the policy test at DSP40(v).

ECOLOGY

In dismissing the previous appeal the Planning Inspector found that it had not been demonstrated that populations of protected species would be safeguarded or that the biodiversity of the area would be conserved. He also raised a technical matter concerning the wording of the submitted legal agreement which meant the planning obligation being offered in mitigation of the impact of the development on the Solent Special Protection Area (SPA) was not complete.

The applicant has provided further up to date ecology reports in support of this application. The Council's ecologist has commented to say that there are no concerns over these new proposals from an ecology perspective subject to the recommendations of the various ecology reports being fully implemented.

The issue of the SPA mitigation can be satisfactorily addressed through the applicant making a financial contribution to be secured through an agreement under Section 106 of the Town & Country Planning Act 1990. The financial contribution in this instance would be £4,625 based on the level of contribution set out in the adopted Solent Recreation Mitigation Strategy (SRMS). Such a contribution would provide the required mitigation of the in combination effects of residential development as expected through adopted local plan policy DSP15.

AMENITY

Officers have assessed the likely impact on the living conditions of occupants of adjacent properties. Subject to restrictions relating to the obscure glazing and opening of upper floor windows in certain elevations, there would be no adverse impact on the privacy of neighbours. One window which would not be obscure glazed is a first floor bedroom window (Bedroom 5 in Plot 2) that would face eastwards into the neighbouring property 114 Botley Road. The window would stand approximately 5.5 metres from the common

boundary, notwithstanding Officers consider there would be no material harm to the privacy of the occupiers of 114 Botley Road. The window would be approximately 23 metres from the front of the neighbouring house at 114 Botley Road and would overlook the frontage of the dwelling including the front driveway but not the rear private garden which lies the other side of the plot to the east.

There would be no materially harmful loss of light to or outlook from the properties located to the east (114 Botley Road and Windruff). Given the arrangement of windows and rooms within the southern and eastern elevations of the existing bungalow at 112 Botley Road Officers consider there to be no adverse impact on the amenities of the occupants.

The arrangement of and separation distances between the proposed six dwellings does not raise any concerns in relation to mutual privacy or the provision of adequate sunlight or outlook. Each of the dwellings would be provided with an ample sized rear garden.

The applicant has provided a noise assessment to accompany their application which includes proposals for acoustic fencing around certain boundaries of the site. The noise levels indicated as being likely within private garden areas of houses on the site are within the acceptable range recommended by the Council's Environmental Health team. Internal noise levels meanwhile could be controlled by a suitable planning condition if planning permission were to be granted to require adequate glazing specification to all windows and whole house ventilation systems to all properties.

No objection is raised to the proposal on the basis of motorway noise adversely affecting the living conditions of future occupants of the proposed houses. Similarly, there is no evidence to suggest that removal of trees and vegetation on the site would have a material impact on noise experienced by other properties in the surrounding area.

HIGHWAYS

Officers are mindful of the fact that many of the objections received to this application make reference to the perceived inadequacy of the Botley Road/Rookery Avenue junction. Notwithstanding, Officers are satisfied that the proposed access arrangement and the volume of traffic generated by the development would not be harmful to the safety or operation of the highway.

The improvements proposed relate principally to the road spur off the south side of Rookery Avenue which Officers are satisfied would be effective and without leading to harm to adjacent protected trees. In order to provide the required visibility splays for drivers exiting onto Rookery Avenue an amendment to the existing traffic regulation order (TRO) would be required to have double yellow lines extended along a section of Rookery Avenue to prevent cars from parking either side of the junction with the spur road within those splays. However, the number of vehicle movements generated by the development would have a negligible impact on the operation of Rookery Avenue and the junction with Botley Road.

Officers further note the mention of on-street parking along the south side of Rookery Avenue by those who have commented on the application. Rookery Avenue appears to be heavily parked during the day with residents identifying the issue as being caused by commuters travelling to and from the nearby Swanwick railway station. Notwithstanding, the proposed development of six new dwellings is unlikely to lead to a significant increase in on-street parking along Rookery Avenue. The proposal provides space for three car parking spaces on each plot complying with the Council's adopted Residential Car & Cycle Parking Standards SPD. In addition the proposed site plan shows two visitor car parking spaces further reducing any reliance on the availability of on-street parking in the vicinity.

I) OTHER MATTERS

Planning Practice Guidance issued by central government advises that contributions towards affordable housing provision should not be sought for developments of 10-units or less and which have a maximum combined gross floorspace of no more than 1,000 sq metres.

In this instance the proposal is for a development of six dwellings once more but with a total gross internal floor area of 978 sq metres. Since the scheme falls below both the number of units and the floorspace threshold set out in the PPG, notwithstanding the guidance contained at Policy CS18 of the adopted Fareham Borough Core Strategy, it is not considered necessary for the applicant to make a contribution towards affordable housing provision in this instance.

The site was considered as part of the Council's 'call for sites' during the preparation of the Draft Fareham Local Plan 2036. The Strategic Housing Land Availability Assessment (SHLAA) which forms part of the evidence base for the draft local plan identifies the site as "developable" however it is not one of the sites proposed to be allocated for residential development within the plan.

K) 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 the proposal is relative in scale to the demonstrated 5YHLS shortfall (fulfilling the first test of Policy DSP40).

The site is located in a sustainable location adjacent to the existing urban area with which it is considered to be well integrated (meeting the second test of Policy DSP40).

With regards to the third test of Policy DSP40, it has been found that the proposal is sensitively designed to reflect the character of the neighbouring settlement and minimises adverse impacts on the countryside. This conclusion has been reached taking into account the Planning Inspector's views expressed in dealing with the previous appeal on this site where he found that the development would not harm the landscape character, appearance and functioning of the countryside.

The proposal has also been found to be deliverable in the short term (meeting the fourth test of that policy) and would have no unacceptable environmental, amenity or highway implications (the fifth test).

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 would make a modest contribution towards addressing this Council's 5-year housing land supply shortage in the Borough. A small amount of housing such as this would out provide a significant or material boost to meeting the Borough's housing needs. Nonetheless, provision of the six units is a material consideration weighing in favour of the development. Officers are also mindful that a Planning Inspector has previously found there to be no harm to the character and appearance of the countryside from development on this site and there are no other adverse impacts arising from the proposed housing.

In conclusion, Officers do not consider that there is any material harm which either significantly or demonstrably outweighs the benefits of granting planning permission when assessed against the policies of the NPPF taken as a whole.

The Officer recommendation to the Planning Committee is that planning permission should be granted.

Recommendation

Subject to:

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

a) To secure a financial contribution towards the Solent Recreation Mitigation Strategy (SRMS);

b) To secure a financial contribution towards a traffic regulation order (TRO) to secure adequate visibility at the site access with Rookery Avenue.

PERMISSION

1) The development hereby permitted shall be begun before the expiration of a period of eighteen months from the date of this decision.

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:

- a) Drawing no. 16.070.01C - Location Plan
- b) Drawing no. 16.070.02Q_Site Plan
- c) Drawing no. 16.070.03A - Plots 1, 4 & 5 - Plans and Elevations
- d) Drawing no. 16.070.04A - Plot 2 - Plans and Elevations
- e) Drawing no. 16.070.05A - Plot 3 - Plans and Elevations
- f) Drawing no. 16.070.06A - Plot 6 - Plans and Elevations
- g) Drawing no. 16.070.09C - Street Scenes
- h) Bat Activity Surveys - Revised February 2018
- i) Dormouse Mitigation Strategy
- j) Reptile Mitigation Strategy
- k) Bat Survey - Baseline Trapping Survey
- l) Initial Ecological Appraisal
- m) Arboricultural Impact Assessment
- n) Drawing no. J937.06 - Tree Protection Plan
- o) Phase I and II Geo-Environmental Assessment
- p) Site Investigation to Identify Road Construction and Geotechnical Composition
- q) Noise Assessment
- r) Transport Statement - February 2018
- s) Drawing no. 04430-HYD-XX-XX-DR-TP-2002 Revision P1 - Pedestrian General Arrangement and Visibility Splays
- t) Drawing no. 04430-HYD-XX-XX-DR-TP-2001 Revision P1 - Pedestrian General Arrangement and Visibility Splays

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

3) 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, in order to secure the health and wellbeing of the trees and vegetation which are to be retained at the site and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period.

4) None of the development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing 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.

5) None of the development hereby permitted shall proceed 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 of the development

6) No development shall proceed beyond damp proof course level until a scheme providing alternative means of mechanical ventilation to all dwellings has been submitted to and approved in writing by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details and in accordance with the sound attenuation and noise mitigation measures set out in paragraphs 6.1 - 6.11 of the approved Noise Assessment (Stuart Michael Associates Limited February 2018).

REASON: To prevent avoidable disturbance to residents from noise.

7) 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, provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, and a timetable for the implementation of the scheme 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

8) The landscaping scheme, submitted under Condition 7 shall be implemented and completed within the agreed timetable 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.

9) None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

10) None of the development hereby approved shall be occupied until details of the proposed bin storage areas and bin collection points have been submitted to and approved by the Local Planning Authority and the approved areas fully implemented. The details shall include the siting, design and the materials to be used in construction. The areas shall be

subsequently retained for bin storage or collection at all times.

REASON: To ensure that the character and appearance of the development and the locality are not harmed.

11) None of the development hereby permitted shall be occupied until the visitor parking spaces marked on the approved site plan Drawing no. 16.070.02Q have been provided on site and these spaces shall be subsequently retained at all times.

REASON: The car parking provision on site has been assessed in the light of the provision of visitor parking spaces so that the lack of these spaces may give rise to on street parking problems in the future.

12) None of the development hereby approved shall be occupied until the approved parking and turning areas (where appropriate) for that property have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.

REASON: In the interests of highway safety.

13) None of the development hereby permitted shall be occupied until the improvements to the highway and footpath provision as set out in the approved Transport Statement - February 2018, drawing no. 04430-HYD-XX-XX-DR-TP-2002 Revision P1 and drawing no. 04430-HYD-XX-XX-DR-TP-2001 Revision P1 have been carried out and completed in accordance with those documents.

REASON: To ensure that the roads and footways are constructed in a satisfactory manner; in the interests of highway safety.

14) None of the development hereby permitted shall be occupied until the visibility splays at the junction of the site and Rookery Avenue as shown on the approved plan drawing no. 04430-HYD-XX-XX-DR-TP-1102 Revision P1 at Appendix E of the approved Transport Statement - February 2018 and the visibility splays at the junction of the highway and the development site as shown on approved plan drawing no. 04430-HYD-XX-XX-DR-TP-1101 Revision P1 at Appendix D of the approved Transport Statement - February 2018 have been provided in accordance with the approved details. The visibility splays shall thereafter be kept clear of obstruction (nothing over 0.6m in height) at all times.

REASON: In the interests of highway safety.

15) The development shall be carried out in accordance with the approved Arboricultural Impact Assessment and Drawing no. J937.06 - Tree Protection Plan unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the adequate protection of trees during construction.

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 bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and

disturbance during the construction period.

17) The following windows shall be glazed with obscure glass and be of a non-opening design and construction to a height of 1.7 metres above internal finished floor and shall thereafter be retained in that condition at all times:

- a) The first floor en-suite bathroom window in the western elevation of the dwelling at Plot 2;
- b) The first floor bathroom window in the eastern elevation of the dwelling at Plot 2;
- c) The first floor en-suite bathroom window in the eastern elevation of the dwelling at Plot 3;

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent properties.

18) The development shall be carried out in accordance with the measures set out in Section 5.0 'Recommendations' of the Initial Ecological Appraisal (Ecosupport, April 2018), Dormouse Mitigation Strategy (Ecosupport, Revised February 2018), Reptile Mitigation Strategy (Ecosupport, Revised February 2018) and Section 5.0 'Mitigation' of the Bat Activity Surveys (Ecosupport, Revised February 2018). Thereafter the replacement ecology features (e.g. dormouse and bat boxes) and enhancements shall be permanently maintained and retained in accordance with the approved details.

REASON: To protect wildlife and enhance biodiversity.

Notes for Information

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:

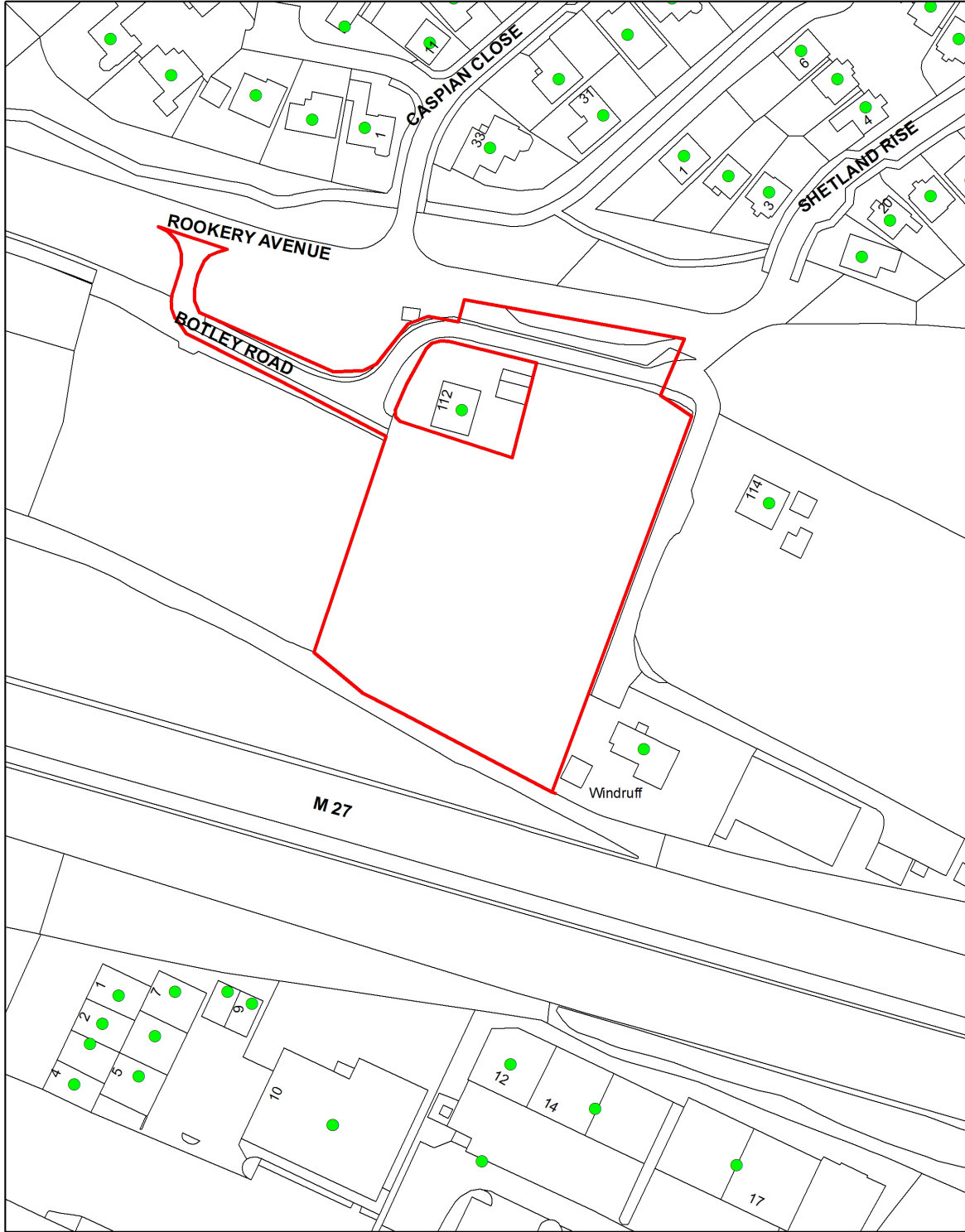
http://www.fareham.gov.uk/planning/local_plan/ciladopt.aspx

Background Papers

P/18/0235/FP

FAREHAM

BOROUGH COUNCIL



Land to the South of Rookery Ave/adj to 112 Botley Road
1:1,250



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Agenda Item 6(6)

P/18/0246/D4

FAREHAM BOROUGH COUNCIL

TITCHFIELD COMMON

AGENT: FAREHAM BOROUGH
COUNCIL

OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED FOR
DEMOLITION OF EXISTING COMMUNITY CENTRE AND CONSTRUCTION OF SINGLE
CHALET STYLE BUNGALOW

LOCKS HEATH MEMORIAL HALL 122 LOCKS HEATH PARK ROAD LOCKS HEATH
SOUTHAMPTON SO31 6LZ

Report By

Susannah Emery - direct dial 01329 824526

Site Description

This application relates to a site within the urban area to the east side of Locks Heath Park Road close to the junction with Church Road. The site is currently occupied by the Locks Heath Memorial Hall which has been vacated and is no longer in use. The Memorial Hall previously contained a pre-school which had a small area of enclosed external space within the north-east corner of the site. There are two large trees on the application site (Oak & Pine) which the Council are in the process of protecting by Tree Preservation Order.

The original build is dated to 1922 and the property was purchased by the Council in 1966. The hall is served by WC's, a small kitchen, storage facilities and the secure outdoor space.

Description of Proposal

Outline planning permission is sought for demolition of the Memorial Hall and erection of a detached chalet style bungalow. The application is submitted to establish whether the principle of replacing the Memorial Hall with a single chalet style property would be acceptable. All matters are reserved so there are no details available on the proposed access to the dwelling, the scale and appearance of the dwelling or layout and landscaping of the site.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Development Sites and Policies

DSP3 - Impact on living conditions

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Representations

Six representations have been received raising the following concerns;

- The community facility should not be lost and should be renovated or re-built
- The Council has not properly explored alternatives to sale
- The area does not need another bungalow but it does need community facilities

- St John's Church & Hall are full and there is a need for additional community space
- Existing trees should be retained
- There is insufficient information presented with the application (ie D&A statement, arboricultural report, ecology assessment, highway assessment)
- An application to list the hall as an Asset of Community Value has been submitted

Consultations

INTERNAL

Trees - The intention is to protect the oak and the pine before the land is disposed of. On the face of it the plot is large enough for a dwelling house, but it is also heavily constrained by the two large mature trees. Erecting a dwelling beneath the canopies of large trees is not viable and I would seek to improve the long term prospects of the trees by virtue of the careful removal of the old building and surfacing, which would reduce the pressure on the tree's rooting opportunities.

Planning Considerations - Key Issues

a) Principle of Development

Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place priority on reusing previously developed land within the defined urban settlement boundaries to provide housing. The site is located within the defined settlement boundary such that the principle of re-development of the land is acceptable subject to an assessment of the impacts.

b) Loss of Community Facility

Locks Heath Memorial Hall is owned by the Council and was previously leased to Locks Heath Community Association. In January 2016, the Council was made aware that the Locks Heath Community Association only had one remaining trustee who wanted to stand down. The implication for this being that the organisation would be in default of the lease and there would be nobody to operate the building. The Association had experienced ongoing issues for several years with its governance arrangements which resulted in limited use of the facility and a deterioration of the internal fabric of the building. A condition survey of the hall was carried out which indicated that in order to bring the building up to a good standard it would require an investment of approx. £60,000.

The Council has an arrangement with One Community, an organisation who provide help and support to community and voluntary organisations. One Community were asked to take on a temporary administrative role in order to keep the facility open. While assisting in this capacity, One Community also sought to recruit new trustees for the Community Association to enable it to continue to function. A meeting was organised with the existing user groups to discuss them standing as trustees, but there was no interest. One Community's Volunteer Centre produced a flyer, asking for volunteers, including the role of secretary and caretaker, but unfortunately nobody came forward.

With no interest in new Trustees the minor user groups were relocated to other community venues within the local area (Priory Park and Abshot Community Centre). The main user group was Jigsaw pre-school and the Council made the commitment to keep the facility open until they relocated to Titchfield Community Centre and they vacated the building in July 2017. As part of their relocation to Titchfield Community Centre Officers are now working with the Titchfield Community Association to implement improvements that will see the pre-school with new and improved facilities.

In addition to this investment, during the period 2016/17 Locks Heath Free Church received

a Matched Funding Grant from the Council towards extending their community facilities. Abshot Community Centre received over £150,000 of investment from the Council, including a new roof, toilets and entrance doors and Lockwood Community Centre had a new lift to enable users groups to access the community rooms on the first floor.

During the period of January 2016, to when the building was closed in July 2017 the Council did not receive any enquiries from anyone wanting to hire the hall for a function or activity. A community facilities assessment was carried out by Officers to help determine what capacity there was within the local area to accommodate new user groups and results indicated that there was capacity.

On 4 September 2017 the Council's Executive agreed the contents of a report by the Director of Finance and Resources which stated that the Memorial Hall is surplus to the Council's requirements. It was agreed that an outline planning permission be submitted for residential use of the site and subject to planning permission being granted the site would be placed on the open market for disposal.

Policy DSP52 (Community Facilities) of the adopted Core Strategy states that "The loss of community facilities will only be permitted where;

- New or extended facilities of suitable quality are provided on the site or at a suitable alternative location; or
- There is no demand for continued community facilities at the proposed location and that it can be satisfactorily shown that the site has been marketed effectively for such use for at least one year."

Officers consider that the first arm of this policy is satisfied by virtue of the work which has been carried out by the Council's Leisure & Community team in finding user groups suitable alternative premises. The Council has also assisted in improving community facilities nearby, including specifically the new home of Jigsaw pre-school who were previously users of the Locks Heath Memorial Hall. As a result Officers are of the view that the proposal does not conflict with Policy DSP52 and the loss of this community facility does not constitute a reason for refusal of the application being considered.

c) Impact on Character & Appearance of Area

The area is characterised by regularly spaced, detached buildings which adhere to a uniform building line. The dwellings on either side are bungalows and it would be expected that any replacement building would be of a similar height and scale. It is considered that there is potential to construct a chalet bungalow on the site subject to consideration of the proposed dwellings scale and appearance.

d) Other Matters

The impact of the proposal on the living conditions of the neighbouring residential properties, highways and trees would need to be considered when a more detailed scheme is presented.

e) Solent Recreation Mitigation Partnership

Through the work of the Solent Recreation Mitigation Partnership (SRMP) it has been concluded that any net increase in residential development will give rise to likely significant effects on the Solent Coastal Special Protection Areas (SPA's), either 'alone' or 'in combination' with other development proposals. In accordance with Policy DSP15 of the adopted Fareham Borough Local Plan Part 2 all development will be required to mitigate the

negative impact. This is achieved via a financial contribution towards the SRMP.

f) Summary

The loss of the Memorial Hall as a community facility is not considered contrary to local plan policy by virtue of the improved facilities being provided by the Council to meet local demand, including the facilities being invested in for the relocated preschool.

Officers are of the view that outline planning permission should be granted for the erection of a single detached chalet style dwelling on the site with further consideration to be given to more detailed material planning considerations at the later reserved matters stage.

Recommendation

Subjection to receipt of a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);

PERMISSION;

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

i) Site Location Plan

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

2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the procedures set out in the Town and Country Planning (General Development Procedure) Order 1995 and Section 91 of the Town and Country Planning Act 1990.

3. Approval of the access, appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

REASON: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any Order revoking or reenacting that Order).

4. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order.

5. No development shall take place until details of the facing, roofing and hard surfacing materials to be used in the construction of the dwelling hereby permitted, have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

6. The landscaping scheme submitted under Condition 3 above, shall be implemented 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. Unless otherwise first agreed in writing, 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.

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times.

REASON: In the interests of residential amenity; in the interests of the visual amenity of the area.

8. The dwelling shall not be occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the local planning authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety; in accordance with Policies CS5 and CS17 of the Fareham Borough Core Strategy.

9. No work 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.

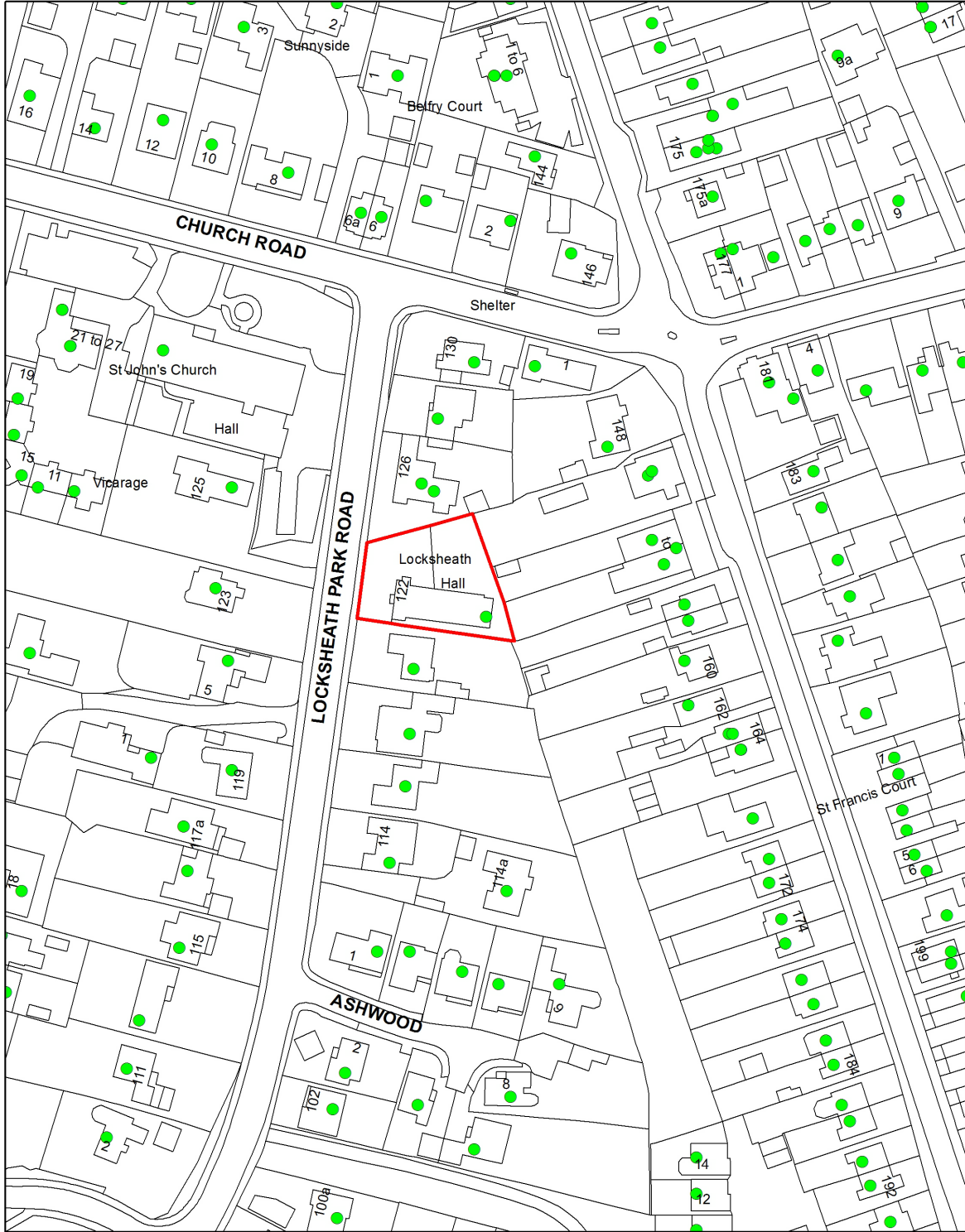
REASON: To protect the living conditions of the occupiers of nearby residential properties.

Background Papers

P/18/0246/D4

FAREHAM

BOROUGH COUNCIL



Locks Heath Memorial Hall
1:1,250



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Agenda Item 6(7)

P/18/0317/OA

SARISBURY

REILLY DEVELOPMENTS LTD

AGENT: BRYAN JEZEPH
CONSULTANCY

ERECTION OF UP TO 42 DWELLINGS WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING AND SURFACE WATER DRAINAGE (OUTLINE APPLICATION CONSIDERING ACCESS ONLY) RESUBMISSION

LAND OFF SOPWITH WAY SWANWICK SOUTHAMPTON SO31 7AY

Report By

Rachael Hebden direct dial 01329 824424

Introduction

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

Site Description

The site is located within the countryside on the corner of Swanwick Lane and Sopwith Way. The site is 2.29 hectares in area and irregular in shape. The site is positioned on a slope with the gradient sloping from the north down to the south. The site is currently grassed and consists of paddocks together with a small barn and stables.

The north boundary of the site is adjacent to the edge of Swanwick Lakes Nature Reserve which is a Site of Interest for Nature Conservation. To the east of the site there are dwellings together with a small parcel of undeveloped land. To the south of the site there are properties in Swanwick Lane and to the west of the site there are properties within Sopwith Way

Description of Proposal

The application has been submitted following the refusal of P/17/0895/OA for the following reasons:

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS9, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14, DSP15 and DSP40 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 provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location. Furthermore, the development would not be sustainably located adjacent to or well integrated with neighbouring settlements;

(b) The density of the proposed development would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;

(c) Insufficient information has been provided to demonstrate that the proposal would not have an unacceptable effect on invertebrates in the site or that adequate compensatory habitat would be provided for great crested newts or that the development would provide adequate north-south connectivity for wildlife;

(d) 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;

(e) 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;

(f) 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;

(g) 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;

(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 a Traffic Regulation Order;

As with P/17/0895/OA, the application now for consideration is also an outline application for up to 42 houses with access from Sopwith Way via the existing vehicular access. The layout, appearance, scale and landscaping are reserved and therefore not for consideration as part of this application. The application is accompanied by an indicative layout plan to demonstrate how 42 houses could be provided within the site.

This application differs from P/17/0895/OA in that the layout incorporates a strip of land

running along the western boundary which contains a hedgerow and a 2m strip of wildflower planting. The ecological benefits that this strip of land would provide is explained in detail in section G of this report.

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

CS9 - Development in Western Wards and Whiteley

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

CS20 - Infrastructure and Development Contributions

CS21 - Protection and Provision of Open Space

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

Relevant Planning History

The following planning history is relevant:

<u>P/17/0895/OA</u>	Erection of up to 42 dwellings with associated parking, access, landscaping and surface water drainage (Outline application considering access only)
----------------------------	---

REFUSE

23/02/2018

Representations

12 objections have been received raising concerns regarding the following issues:

Principle

- The site is not allocated in Fareham's Local Plan
- The site is not within the settlement policy boundary

Location

- The site is not in a sustainable location as occupiers of the proposed dwellings will have to

drive to get to amenities;

Character

-The design, layout and density of the development would be out of character with the surrounding area.

Ecology

- Loss of habitat
- The northern buffer should be a depth of 45m
- Impact on the wildlife habitat within the Nature Reserve.

Impact on Neighbouring Properties

-The proposed development would be visible from properties in New Lane

Highways

- Lack of public transport
- Additional cars will add to congestion, increase pollution and compromise road safety
- Journey distances to amenities are unsustainable
- The traffic survey doesn't take into account additional traffic from recently approved applications

Infrastructure

- Impact on infrastructure including doctor's surgeries
- Impact on local schools

Other issues

- Loss of agricultural land
- Adverse impact on surface water drainage
- Increased noise and light pollution
- The proposal is contrary to several of the NPPF's core planning principles
- Limited local economic benefit
- There must be discussion between local authorities to avoid regional saturation of houses.
- NATS have requested that if the application is approved conditions are attached to ensure that measures are taken to minimise any impact on their operations.

Consultations

INTERNAL

Tree Officer

No objection provided the recommendations in the accompanying tree report are followed.

Housing

The proposed number and tenure of affordable housing is acceptable. No objection.

Environmental Health (Contamination)

No objection subject to conditions requiring a site investigation and risk assessment with

remedial measures provided if necessary.

Highways

Traffic impacts would not materially affect the surrounding highway network. No objection subject to conditions and securing funding for a TRO to prevent on street parking on Swanwick Lane and Sopwith Way.

Refuse and Recycling

No objection

Ecology

No objection, subject to implementation of and adherence to the measures contained within the ecological mitigation, compensation and enhancements report and securing of the funding required to maintain the buffers in perpetuity and contribute to the SRMP.

The linear habitat provided along the western boundary comprising a hedgerow and 2m wildflower buffer addresses the concerns previously raised regarding the capacity of the 15m buffer to take the pressure of the development from the adjacent SINC, whilst also acting as a mitigation area for bats, reptiles and great crested newts. The linear habitat would also provide functional north-south connectivity between southern habitats and the 15m in the north.

The ecological mitigation, compensation and enhancements report that accompanies the application contains appropriate measures required to protect wildlife on site including applying for a bat EPS licence for the demolition of the barn.

EXTERNAL

HCC Education

The site lies within the catchment area of Sarisbury Infant and Junior Schools. These schools are full, as are the other primary phase schools in this area. As such the development will create additional pressure for primary school places.

In line with HCC's Children's Services Developers' Contributions Policy the development should contribute to provision of infrastructure at local schools due to the additional pressure that will be placed on school places. Due to the significant level of proposed housing in the local area investigations are under way as to the requirement for additional places at local schools. To mitigate the impact of this development on school places a contribution should be made.

The pupil yield is likely to be 13 primary age pupils based on 42 dwellings of two beds or more and a pupil yield of 0.3 of a primary age child per dwelling. In line with the policy a contribution of £14,539 per pupil place should be made. This totals £189,007.

HCC Flood and Water Management Team

No objection. Recommend that the maintenance of the surface water drainage proposals is secured.

Hampshire and Isle of Wight Wildlife Trust (HIWWT)

Objection based on the following reasons:

The development falls outside of the urban area and is contrary to policy DSP6. Policy CS4 of the Core Strategy requires development proposals to "provide for appropriate access to greenspace for informal recreation to avoid adverse impacts from recreation and other impacts on European and Ramsar sites and locally important sites." The development proposals only provide a limited amount of open space for recreational purposes.

The development proposals will result in significant increased usage of the adjacent Swanwick Lakes Nature Reserve. The capacity of the Reserve is limited and is already starting to exhibit evidence of increased activity. The Trust should not have to pick up the cost of increased pressure on sensitive habitats and species given their limited resources, particularly when insufficient on-site recreation space for new residents is provided. A contribution of £195,985 is sought to fund a programme of repairs to the site and to contribute towards funding a part time Assistant Reserve Officer. This contribution is based on the calculation of costs over a period of 80 years.

The buffer would have a number of dwellings backing onto it and is therefore vulnerable to fly tipping in the form of garden waste, which would be incompatible with the purpose of the buffer as providing mitigation for invertebrate species. Long term management of the buffer would be required in perpetuity should permission be granted. If the Trust were to be responsible for managing the buffer an additional cost of £3,000 pa would be required.

Natural England

Swanwick Lakes Nature Reserve has a limited capacity and there is already evidence to show that recreational pressure is impacting on the nature conservation value of the site. Appropriate mitigation and compensation is therefore essential to ensure HIWWT has the necessary resources to manage the impacts from additional visitors expected from the proposed development

Planning Considerations - Key Issues

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) Local infrastructure
- i) Affordable housing
- j) Flood Risk and Drainage
- k) Contamination
- l) Draft Local Plan
- m) Planning balance

A) IMPLICATIONS 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. Fareham Borough Council presently has 4.39 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 5-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) - g) Policy DSP40

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".

The present shortfall of dwellings needed to achieve a 5YHLS is in the region of 291. The proposal for up to 42 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 aim of part ii of policy DSP40 is twofold: to ensure developments read as being visibly connected to the existing settlement and to ensure that they are functionally linked to the existing settlement and that future residents can easily access amenities.

In terms of being visibly connected to existing settlements, the site would be approximately 450m from the settlement policy boundary of Lower Swanwick (to the west) and approximately 700m from the settlement policy boundary of Swanwick (to the east.) The development would therefore not be visually connected to either of the existing urban settlements.

In terms of being functionally linked to the existing urban settlements and therefore close to amenities, the closest local services and facilities such as doctors, shops and cafes are to be found in Swanwick to the east, approximately 1.7km from the site. The proposed development therefore fails to accord with part ii of policy DSP40 in terms of being well related to the existing urban settlement boundaries and well integrated with the neighbouring settlement.

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 Fareham Landscape Character Assessment (2017) (hereafter referred to as FLCA), identifies a number of character areas and describes their defining characteristics. The site falls within the 'Swanwick and Burrige Fringes' character area. This area forms the hinterland to the settlements of Swanwick and Burrige and is characterised by a distinctive pattern of small-scale fields, typically occupied by pasture or horticultural land uses. The character of the land in this area is described in the FLCA as being generally intact and unspoilt with degradation limited and localised. The development of the paddock would therefore be out of keeping with the rural character of the area.

The design and access statement relies heavily on the fact that there are houses to the south, east and west of the site and uses this as a justification for the proposed development. It is acknowledged that there is development in the vicinity, however it takes the form of ribbon development with dwellings to the immediate east of the site set within extremely large plots set against a background of farmland and open countryside. The proposed development however would consist of development of a much higher density.

The indicative layout is provided for illustrative purposes only, however it demonstrates that the proposed number of dwellings is at a level that would require the whole of the site to be developed as opposed to just frontage development along Swanwick Lane and Sopwith Way.

The land within the site falls from the north down to the south and as a result the development within the site would be visible beyond that fronting Swanwick Lane and Sopwith Way. The indicative layout also demonstrates that there would not be sufficient space remaining for the provision of woodland planting, as recommended by the FLCA to help the development integrate with the surrounding landscape.

The proposed development of the site would be at odds with the unspoilt nature of the Swanwick and Burrige Fringes Character Area as a whole. Furthermore, the indicative layout demonstrates that the number of dwellings proposed would result in a density that would contrast with the spacious development along Sopwith Way and Swanwick Lane and

have a demonstrably harmful effect on the overall character of the area.

The proposed development would therefore be contrary to Policy DSP40(iii).

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 application has been submitted on behalf of Reilly Development Ltd with Vivid Homes identified as the housing association that would manage the proposed affordable homes. The applicant has confirmed that they would be willing to accept a condition requiring the reserved matters application to be submitted within 12 months with a further condition requiring development to commence within 12 months of the determination of the reserved matters application. The proposed development would therefore be in accordance with the fourth criteria of Policy DSP40.

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".

Environmental Implications

Policy DSP13 states that development may be permitted where it can be demonstrated that the following criteria (i-iv) are satisfied:

i. Designated sites and sites of nature conservation value are protected and where appropriate enhanced

The site is adjacent to Swanwick Lakes Nature Reserve which is a designated Site of Importance for Nature Conservation (SINC) and is managed by the Hampshire and Isle of Wight Wildlife Trust (HIWWT).

The indicative layout incorporates two features designed to protect the Nature Reserve: a buffer and an area of greenspace. The primary purpose of the proposed 15m deep buffer along the northern boundary of the site, would be to absorb the impact of the proposed development for example fly-tipping, light spill, soil compaction and hydrological changes and therefore protect the Nature Reserve. The buffer would be maintained by a management company who would also be responsible for the roads and areas of public soft landscaping within the site. (The provision of a management company could be secured by section 106.) The proposed green space within the centre of the site is designed to be used for informal recreation.

The HIWWT have acknowledged the incorporation of the buffer, but have objected to the application on the grounds that the proposed greenspace is not large enough to fully mitigate the impact on the Reserve. To mitigate the impacts of the increased numbers visiting the Reserve, the Trust has requested a contribution of £195,985. The applicant has acknowledged the concerns raised by the HIWWT and has agreed to provide a contribution of £20,000 to the HIWWT to facilitate improvements to the Reserve.

It is acknowledged that the proposed development is likely to result in increased numbers of people visiting the Nature Reserve on a more regular basis, however it is considered that the incorporation of the proposed buffer along the northern boundary would provide adequate protection from the development and the financial contribution could be effectively

used by the HIWWT to further mitigate the impact on additional numbers of visitors to the Reserve. The incorporation of a greenspace in the centre of the site is also considered to satisfy the requirements of Policy CS4.

The council's ecologist has raised no concerns regarding the impact of the proposed development on the Nature Reserve because of expected increased footfall.

ii. Protected and priority species populations and their associated habitats, breeding areas, foraging areas are protected and, where appropriate, enhanced

The previous application was refused in part because of concern that the proposed buffer along the northern boundary of the site would not have capacity to both absorb impacts from the proposed development and provide appropriate habitat for protected species. This concern has been addressed by the incorporation of a strip of land along the western boundary that would provide functional habitat in addition to the buffer along the north boundary. The land along the western boundary would also provide functional connectivity between the SINC and habitat to the south.

Great Crested Newts and bats are considered to utilise territory within the application site. Great Crested Newts and bats both receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Where developments affect European protected species (EPS), permission can be granted unless:

-the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations, and

-the development is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

The proposed development would potentially require the movement of great crested newts and bats (within the site) which would be a breach of the EU Directive underpinning the Habitats Regulations, therefore if permission were to be granted an EPS licence from Natural England would be required. Given that this report recommends that the application is refused, the three tests that have to be undertaken to assess whether Natural England is likely to grant an EPS licence have not been undertaken.

iii. Where appropriate, opportunities to provide a net gain in biodiversity have been explored and biodiversity enhancements incorporated

The application is supported by an Ecological Mitigation, Compensation & Enhancements Plan which contains appropriate measures that will enhance biodiversity within the site.

iv. The proposal would not prejudice or result in the fragmentation of the biodiversity network.

The proposed buffer along the northern boundary and the strip of hedgerow and 2m wildflower buffer along the western boundary would prevent fragmentation of the biodiversity network.

Amenity Implications

The application is for outline Permission with the layout one of the matters reserved; therefore the layout provided is for indicative purposes only. The illustrative layout does however demonstrate that 42 dwellings could be sited in a manner which meets the

Council's requirements in respect of light and privacy as set out in the recently adopted Fareham Borough Council Design Guidance (excluding Welborne) SPD.

Concerns have been raised regarding the impact on dwellings to the west of the site (on the opposite side of Sopwith Way) and on dwellings to the south of the site (on the opposite side of Swanwick Lane.) The application is for outline permission with access being the only detailed matter, therefore the location of the proposed dwellings is at this stage only indicative. Should outline Planning Permission be granted the layout would be subject to consideration at the reserved matter stage and dwellings would have to meet the minimum separation distances recommended in the Residential Design Guidance SPD.

Traffic Implications

The proposed development would be accessed from Sopwith Way via the existing vehicular access. The highways engineer has confirmed that the junction with Swanwick Lane would be able to cater for the additional traffic that would be generated by the proposed development. Overall the proposed development would not have an adverse effect on the safety of the highway and would be in accordance with Policy CS5, provided elements such as the design of the junction onto Sopwith Way are secured by condition.

H) LOCAL INFRASTRUCTURE

Concerns have been raised regarding the impact of the development on schools, doctors and other services in the area. The Education Authority have requested a contribution towards school provision which can be covered by a Section 106 legal agreement.

The delivery of health services is for the health providers to decide, therefore, a refusal on these grounds would be unsustainable.

I) AFFORDABLE HOUSING

The application proposes 42 dwellings of which 40% (16.8) would be affordable housing. The application proposes 16 affordable houses with the 0.8 provided as a financial contribution within a s106 financial contribution.

The proposed affordable dwellings would include 7 no. 2 bedroom dwellings and 9 no. 3 bedroom dwellings. It is proposed that 8 units would be available for affordable rent with 8 units available for shared ownership. The affordable houses would be split between 2 locations within the site and would be managed by Vivid Homes.

The proposed number, size and tenure of affordable housing addresses the needs of those on the housing waiting list and the Head of Housing and Benefits has raised no objection. The proposal also complies with the requirements of Policy CS18.

J) FLOOD RISK AND DRAINAGE

The application is supported by a flood risk assessment and drainage statement. Hampshire County Council as the Lead Local Flood Authority has confirmed that the general principles for the surface water drainage proposals are acceptable subject to securing their long-term maintenance.

K) CONTAMINATION

The application is supported by a desk top report and a ground investigation report which propose remedial measures. Environmental Health have reviewed the submitted

information and have raised no objection subject to conditions requiring further testing prior to development commencing and for any approved remedial measures to be implemented prior to any of the dwellings being occupied.

L) DRAFT LOCAL PLAN

Members will also be aware that the Draft Local Plan which addresses the Borough's development requirements up until 2036, was subject to consultation between 25th October 2017 and 8th December 2017. In due course this plan will replace Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Development Sites & Policies).

The site of this planning application was considered as part of the Council's "call for sites" process as part of the review of the local plan. It is not proposed to be allocated for housing within the draft local plan. A number of background documents and assessments explain the site selection process which are of relevance. The Housing Site Selection Background Paper describes the site as being "developable but not preferred". It states that "the site has a reasonable/good SA outcome. However, it is isolated from the main urban area and not as accessible when compared to other developable sites". However, at this stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of this planning application.

M) 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. In this regard, the proposal is considered to have a significant adverse effect materially harmful to the landscape character, appearance and function of the countryside. It is therefore recommended that Planning Permission is refused.

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. Those matters could be secured through an appropriately drafted planning obligation made under Section 106 of the Act as could outstanding issues relating to securing a contribution towards: improving educational facilities in the area; the funding of a Traffic Regulation Order to prevent on street parking on Swanwick Lane; the maintenance of roads and open space within the site and ecological matters including details of the management of the proposed Buffer with the Swanwick Lakes Nature Reserve.

In balancing the objectives of adopted policy which seeks to restrict development within the countryside against the shortage in housing supply, Officers acknowledge that the proposal could deliver up to 42 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 these matters, the contribution the proposed development would provide towards the Borough's 5-year housing land supply, Officers consider that the impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. Officers therefore recommend that the planning application should be refused.

Reasons For Refusal

Recommendation

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS9, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan;

And, Paragraphs 17, 34, 35 and 55 of the National Planning Policy Framework; and is unacceptable in that:

(a) The provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location. Furthermore, the development would not be sustainably located adjacent to or well integrated with neighbouring settlements;

(b) The density of the proposed development would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;

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

(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 within a legal agreement;

(e) had it not been for the overriding reasons for refusal the Council would have sought to secure 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 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;

(h) 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 a Traffic Regulation Order;

(i) in the absence of a legal agreement securing the provision of funding towards Education facilities, the educational needs of residents of the proposed development would not be met.

Note for information:

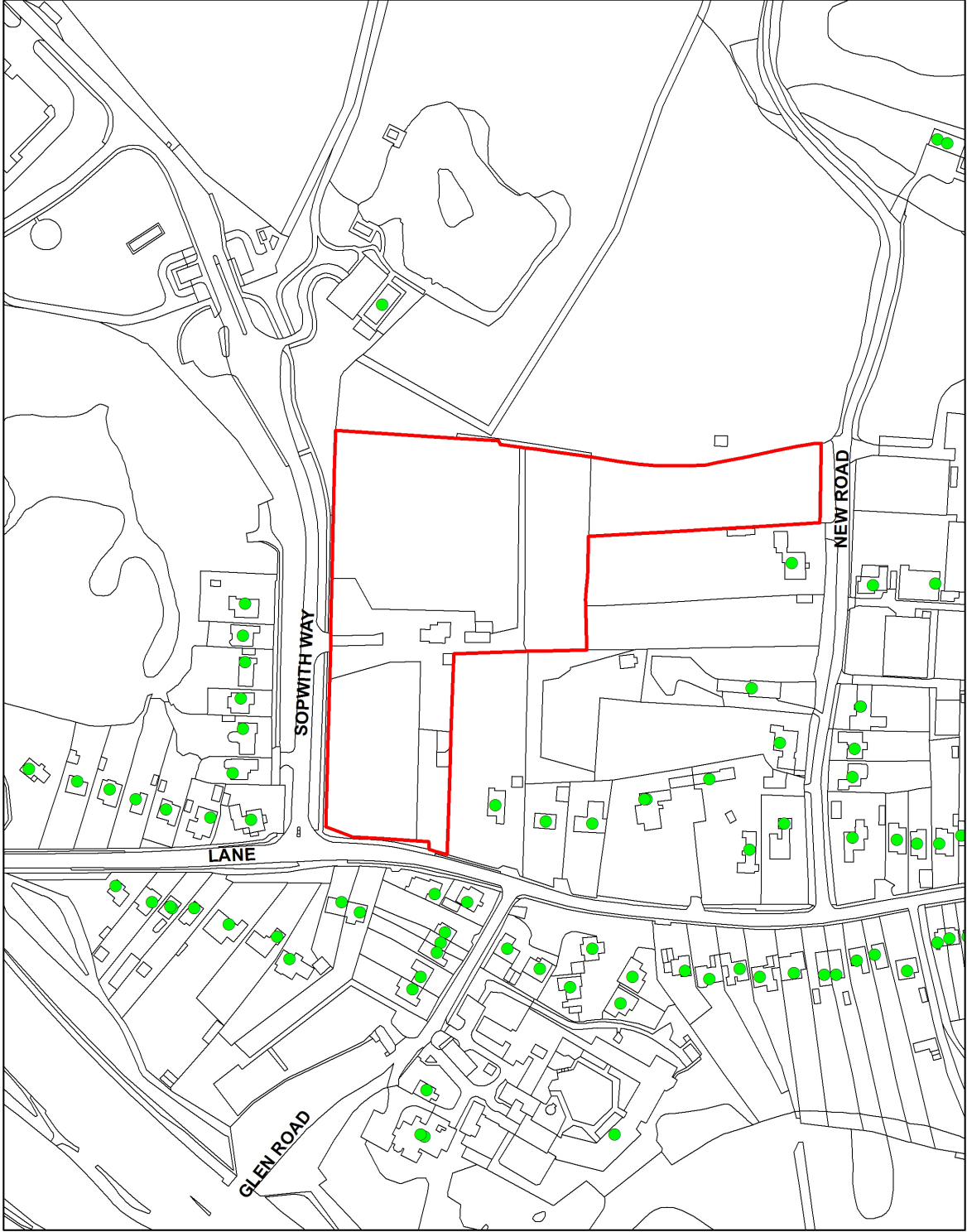
Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address points c) - i) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990.

Background Papers

P/18/0317/OA

FAREHAM

BOROUGH COUNCIL



Land off Sopwith Way
1:2,500



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Agenda Annex

ZONE 3 - EASTERN WARDS

Portchester West
 Hill Head
 Stubbington
 Portchester East

Reference		Item No
P/16/0557/DP/K STUBBINGTON	NATIONAL GRID IFA2 LTD ROOM 25/26 FAREHAM INNOVATION CENTRE MERLIN HOUSE, METEOR WAY PO13 9FU DETAILS PURSUANT TO PLANNING CONDITION 48 (ALTERNATING AND DIRECT CURRENT CABLES AND COMPASS DEVIATION AT AIRFIELD TAXIWAY CROSSINGS) OF PLANNING PERMISSION P/16/0557/OA.	8 APPROVE
P/17/1519/FP STUBBINGTON	7 FRANCIS PLACE FAREHAM PO14 2RX ERECTION OF DETACHED BUNGALOW TO REAR OF EXISTING DWELLING & ADDITION OF FRONT PORCH TO EXISTING DWELLING	9 PERMISSION
P/18/0154/CU PORTCHESTER WEST	55 CONDOR AVENUE FAREHAM PO16 8PP CHANGE OF USE OF ADDITIONAL LAND FROM AGRICULTURE GROUND TO CARAVAN STORAGE	10 PERMISSION

Agenda Item 6(8)

P/16/0557/DP/K

STUBBINGTON

NATIONAL GRID IFA2 LTD

AGENT: NATIONAL GRID PLC

DETAILS PURSUANT TO PLANNING CONDITION 48 (ALTERNATING AND DIRECT CURRENT CABLES AND COMPASS DEVIATION AT AIRFIELD TAXIWAY CROSSINGS) OF PLANNING PERMISSION P/16/0557/OA.

NATIONAL GRID IFA2 LTD ROOM 25/26 FAREHAM INNOVATION CENTRE MERLIN HOUSE, METEOR WAY PO13 9FU

Report By

Mark Wyatt. Direct dial (01329) 824704

Introduction

When considering the Hybrid Planning application for the IFA2 project the Planning Committee requested that the details submitted to satisfy the requirements of condition 48 were to be reported back to the Planning Committee for a determination as to their acceptability. This application is that proposal.

Description of Proposal

For this proposal the Planning Committee is being asked to consider the detail submitted pursuant to condition 48. The condition in full is as follows:

No development in relation to the installation of cables on Daedalus Airfield shall take place until details of the way in which the cables will be arranged below ground along with the depth at which the cables will be laid has been submitted to and approved by the local planning authority in writing to achieve the following:

- a) Alternating Current magnetic fields directly above the cables not more than 10 microTesla when measured at ground level at each taxi-way crossing of the cables;
- b) Direct Current magnetic fields directly above the cables not more than 10 microTesla when measured 1.5 metres above ground level at each taxiway crossing of the cables;
- c) Compass deviation not more than 1 degree when 12 metres or more away from the Direct Current cables, measured at 1.5m above ground level at each taxi-way crossing of the cables

The installation of the cables on Daedalus Airfield shall be undertaken in accordance with the approved details.

REASON: To ensure that Alternating and Direct Current cables at the site will not materially impact upon aviation use and safety at the site.

Policies

The following policies and guidance apply to this application:

Approved Fareham Borough Core Strategy

CS12 - Daedalus Airfield Strategic Development Allocation

Relevant Planning History

The following planning history is relevant:

P/16/0557/OA Hybrid Planning application for an electrical interconnector with an

approximate capacity of 1000 megawatts (MW) extending from Tourbe, Normandy (France) to Chilling, Hampshire.

Outline planning permission is sought at Daedalus for:

- 1. The erection of converter station buildings (to a maximum height of 22 metres) with associated, vehicular accesses and roads, security fencing, landscaping and temporary construction compounds;**
- 2. Creation of public open space and associated facilities, grassland planting and tree planting.**

Full Planning permission is sought at Hill Head and Stubbington for:

- 3. Installation of cables between Mean Low Water Springs and the converter station in the north eastern corner of Daedalus Airfield.**

Full Planning Permission is sought at Chilling for:

- 4. The Installation of cables between the Mean Low Water Springs and the existing cable sealing end compound at Chilling Lane**

APPROVE

10/04/2017

Representations

Eight comments have been received in response to the proposal. However seven do not comment on matters that are material to the consideration of the details pursuant to condition 48 and are matters that have been previously addressed through the Hybrid Planning application and the subsequent Reserved Matter Approvals or are not material planning considerations.

The one representation making comments material to the consideration of the application was received from the Hill Head Residents Association. The letter objects to the proposal for the following reasons:

- Given the unique nature of the development it is astonishing how little interest the Civil Aviation Authority is taking in the possible consequences for aircraft safety.
- Attention is drawn to an Air Accident Investigation which details the effects on aircraft's magnetic compasses of buried, or nearby, cast iron bollards, railway lines and piles at London City Airport. National Grid suggest that the magnetic fields at London City Airport were vastly greater than at Solent Airport but they are not much different.
- We suggest that the CAA should be taking a far closer interest in IFA2 at Solent Airport
- As far as we can tell from the practical tests organised by National Grid, the screening will meet the 10 microTesla magnetic field strength planning constraints for AC and DC cables where they cross the taxiways and that the 1° deviation at 12 metres from the cable will also be achieved.
- However with no screening the maximum compass deviation would be 13°. Screening will only cover the small area where the cables cross the taxiways and the rest of the 320,000V DC and 400,000V AC cables crossing the airfield will be unscreened.
- If the AC screening failed who would know and what would be done and in what timescale?

- Is the CAA content with a maximum 13° unscreened compass variation?
- If the CAA want to apply conditions should they not do so now rather than once the cables are live?
- It would be dangerous for FBC to conclude that National Grid has fulfilled Condition 48 simply because the practical tests went well.
- In our view the condition is not satisfied.

Consultations

Airport Manager - Response Awaited

Gosport Borough Council: No comment

Planning Considerations - Key Issues

During the consideration of the hybrid planning application concern was expressed by residents and airport tenants that the cables running through the airport and in close proximity to the taxiways and main runway would have an adverse effect on onboard aircraft equipment as aircraft prepare for departure from the airport.

The cable run is parallel to the main runway in the grass strip between the runway and the western taxiway. This taxiway links to the runway in four locations such that the cable run crosses the taxiway four times.

The applicant has, since the grant of the hybrid planning permission, undertaken three distinct pieces of work which culminate in the submission for this application.

- First, above ground measurements were performed on a number of existing National Grid cables around the country. This verifies the basic concept that calculations do reproduce the fields that are actually present for underground cables.
- Second, measurements were performed on samples of the proposed IFA2 cable arrangements laid out and energised at ground level at the Prysmian test facility in Bishopstoke, Eastleigh. This verifies that the calculations work for the actual cable arrangement in question, but does not test at the actual burial depth.
- Third, measurements were performed on samples of the proposed IFA2 cables buried at the approximate final depth on Solent Airport. This verifies the calculations for as close to the actual final layout as possible. The tests at Solent Airport also involved taxiing various aircraft over the energised cables to demonstrate that the maximum fields the cables could produce do not interfere with aircraft systems and give confidence that the planning condition is indeed set at an appropriate level.

A) ALTERNATING CURRENT MAGNETIC FIELDS DIRECTLY ABOVE THE CABLES NOT MORE THAN 10 MICROTESLA WHEN MEASURED AT GROUND LEVEL AT EACH TAXI-WAY CROSSING OF THE CABLES

The HVAC cables would be laid in two trenches. The proposed cable laying method for the AC cables is that each trench comprises three cables, installed in 200mm plastic ducts in a trefoil arrangement. The spacing of the cables is therefore determined by the diameter of the ducts. Screening is provided by four bundles of cables connected to form loops. The proposed depth of burial is to be 1.35 m to the top of the duct. This equates to the same as the Solent Airport test.

For the AC cables, the maximum AC magnetic field at the depths proposed from the field test at Solent Airport was 7.8 microTesla.

As was the case with the Hybrid Planning Application the Local Planning Authority has commissioned TUV-SUD to review and comment on the applicants submission. On review of the detail for criterion a) of the condition, the TUV-SUD advice is that the applicant's submission is acceptable.

B) DIRECT CURRENT MAGNETIC FIELDS DIRECTLY ABOVE THE CABLES NOT MORE THAN 10 MICROTESLA WHEN MEASURED 1.5 METRES ABOVE GROUND LEVEL AT EACH TAXIWAY CROSSING OF THE CABLES;

The HVDC cables are laid in one trench. The DC trench comprises two cables, installed in 200 mm plastic ducts in a horizontal arrangement. The spacing of the cables is therefore determined by the diameter of the ducts. Screening is provided by a 500 mm diameter low-carbon steel tube. The proposed depth of burial is 1.2 m to the top of the steel tube. This equates to the same depth as the Solent Airport test.

For the DC cables during the Solent Airport test the total field was 2.4 microTesla. This is less than the planning constraint of 10 microTesla.

The TUV-SUD advice is that the applicant's submission is acceptable for criterion b) of the condition.

C) COMPASS DEVIATION NOT MORE THAN 1 DEGREE WHEN 12 METRES OR MORE AWAY FROM THE DIRECT CURRENT CABLES, MEASURED AT 1.5M ABOVE GROUND LEVEL AT EACH TAXI-WAY CROSSING OF THE CABLES:

It was set out within the Hybrid Planning application that aircraft 12 metres away from the direct current cables will experience very limited compass deviation errors. At this distance a degree of deviation was predicted to be one degree and this is the figure within the condition.

For the compass deviation, it is demonstrated through the applicant's submission that even with no screening to the cables, the compass deviation falls below 1° at 9.7 m from the cables, which is less than the planning condition requirement of 12 m. For the screened cabling (described earlier for the HVDC cables), as demonstrated in the Prysman and Solent Airport tests, the compass deviation falls below 1° at 6.4 m, thus meeting the planning condition by a larger margin.

The TUV-SUD advice is that the applicant's submission is acceptable for part c) of the condition.

The third party comments make reference to the application documents that set out that unscreened the compass deviation could be as high as thirteen degrees. The data presented in graphical form in the submission indicates that this unscreened compass deviation of thirteen degrees occurs within 2-3m of the cable. The condition, the subject of this application, requires a deviation not more than 1 degree when 12 metres or more away from the Direct Current cables, measured at 1.5m above ground level. The condition sets no minimum deviation at distances less than 12m from the cables. In any event the deviation is less than the required 1 degree at 12m from the cables whether it is screened or unscreened such that the requirements of the condition would be met anyway.

OTHER MATTERS:

The Committee was advised when considering the Hybrid application that Aerodrome safeguarding responsibility rests with the aerodrome licence holder/operator according to the CAA Guidance on Planning Consultation requirements. Accordingly, the CAA advice is

that any Local Planning Authority enquiry concerning a development of this nature that might have aerodrome safeguarding implications should be forwarded directly to the relevant aerodrome licence holder/operator. Members will note the comments of the airport manager are awaited and will be provided in the written update to the Committee.

Concern is raised through the representations as to what would happen if the screening failed after the installation of the cables. Condition 49 of the Hybrid Planning Permission requires further testing of the cables following their installation and subsequent energization with results confirming the levels approved under condition 48 within one month of the interconnector first being used.

In the event that the something should happen to the cables or the screening after this completion test pursuant to condition 49 then this would likely be identified and resolved through the land deal arrangements and actioned accordingly.

There are no impacts that have been identified which indicate that the IFA2 project is incompatible with the airport in so far as there would be "adverse effects" on the airport operations as required by policy CS12.

CONCLUSIONS:

It is noted that the proposal sets out how the applicant intends to ensure that the laying of the cables through the airport can be undertaken in compliance with the requirements of the planning condition. Furthermore the application documents go a step further and indicate that the applicant will seek to attempt to further reduce the electromagnetic fields from the cables and the extent of compass deviation such that the installed proposal will possibly better the outcomes within this submission which all sit within the requirements of the condition.

In light of the fact that the requirements of the condition have been met and the specialist advice to the Local Planning Authority endorses the applicant's submission the proposal is considered to be acceptable for approval.

Recommendation

APPROVAL OF DETAILS pursuant to condition 48 of hybrid planning permission P/16/0557/OA as submitted within application P/16/0557/DP/K.

1) The development is to be carried out in accordance with the finally amended and approved plans and documents as follows:

- Document Titled Technical Note: Tests to verify ability to comply with planning conditions on Electric and Magnetic Fields for IFA2 cables at Solent Airport, reference IFA2-IJV-CAB-TTR-0003, dated March 20178, prepared by National Grid.
- Document Titled Technical Note: Tests of Aircraft in Electric and magnetic fields from IFA2 cables at Solent Airport, reference IFA2-IJV-CAB-TTR-0004, dated March 2018, prepared by National Grid.
- Document Titled Technical Note: Electric and Magnetic Field analysis for final cable design of IFA2 cables at Solent Airport, reference IFA2-IJV-CAB-TTR-0005, prepared by National Grid.

Background Papers

See relevant planning history section above

Agenda Item 6(9)

P/17/1519/FP

STUBBINGTON

MR D JACOBS

AGENT: INNOVATE 4

ERECTION OF DETACHED BUNGALOW TO REAR OF EXISTING DWELLING &
ADDITION OF FRONT PORCH TO EXISTING DWELLING

7 FRANCIS PLACE FAREHAM PO14 2RX

Report By

Susannah Emery - direct dial 01329 824526

Site Description

This application relates to a site within the urban area which is currently occupied by a detached two storey dwelling. The property has a large garden which extends to the rear and to the east of the dwelling. There is currently a garage and garden summerhouse located within the south-eastern corner of the garden. The property shares a boundary with properties to the east on East House Avenue, to the south on Leviathan Close and No.6 Francis Place to the north.

Description of Proposal

Planning Permission is sought for the erection of a detached 3-bed bungalow within the garden of the existing dwelling. It is proposed that the existing garage and outbuilding on the application site would be demolished. Vehicular access would be provided along the existing drive to the eastern side of No.7 Francis Place. Car parking would be provided on site for both properties along with an area of private amenity space.

The front door to the existing dwelling would be relocated to the front elevation and a front entrance porch would be erected.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Development Sites and Policies

DSP3 - Impact on living conditions

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Representations

Five representations have been received raising the following concerns;

- Why was the removal of a mature oak granted?
- Solar panels proposed on south elevation unattractive
- Concerns over presence of window in south elevation and potential for overlooking
- Increased surface water run-off and drainage issues
- The proximity of dwelling to adjacent garden would be imposing

- Loss of light and views of skyline
- Increased Noise
- Disruption to boundary
- Concerns boundary shown on plan does not reflect deeds
- Increased on-street parking which causes congestion
- Garden outbuilding should be removed before building works start

The neighbour notification period has been extended to 23 May 2018 to allow any comments regarding the amended proposal to be submitted. Any additional comments subsequently received will be reported to the planning committee within the updates.

Consultations

Highways - No objection

Planning Considerations - Key Issues

Principle of Development

Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place priority on reusing previously developed land within the defined urban settlement boundaries to provide housing. The National Planning Policy Framework (NPPF) excludes private residential gardens from being defined as previously developed land but sets out there should be a strong presumption in favour of sustainable development. It is recognized that garden sites can assist in meeting housing needs provided that the proposed development is acceptable in all other respects.

Impact on Character and Appearance of Surrounding Area

The plot of the existing dwelling is currently far larger than those within the surrounding area. It was therefore considered by Officers that there was scope to erect a detached bungalow on the plot however amended plans have been sought to reduce the footprint of the dwelling so that it would be more respectful of the size of the plot and would not result in excessive site coverage. As a result of this amendment it is officer's opinion that the dwelling would not appear cramped on the plot and would be provided with an appropriate private rear amenity space measuring between 11.5-13.5m in length. The existing dwelling would retain a generous rear garden measuring 18m in length which would be in keeping with neighbouring properties.

The proposed bungalow would not be easily visible within the streetscene of Francis Place but would be visible to the occupants of surrounding residential properties. The ridge height of the bungalow has been kept to a minimum to reduce visual intrusion. The proposal would result in the removal of two sizeable outbuildings on the application site which are sited adjacent to the rear boundary of properties on East House Avenue. It is not considered that the proposal would be harmful to the character or appearance of the area.

Impact on Living Conditions of Neighbouring Properties

It is not considered that the proposal would have a detrimental impact on the living conditions of the occupants of the neighbouring residential properties in terms of loss of light, outlook or privacy. The design of the roof of the bungalow has been amended since originally submitted to reduce the impact on neighbouring residential properties. The roof was initially shown with north and south facing gables but this has been amended to a fully hipped design to reduce the bulk of the roof structure. The bungalow has also been sited further away from the rear of No.6 Francis Place, to which it would have the closest relationship, and the length of the northern elevation adjacent to the boundary has been reduced.

The bungalow would be sited primarily to the rear of Nos 14 and 15 Leviathan Close with a separation distance in excess of 14m between the rear wall of these properties and the flank wall of the bungalow. Whilst sitting slightly closer to the rear of No.12 Leviathan Close at 10.5m the bungalow would not span the entire width of this plot. There would be only one window within the south (side) elevation facing towards properties on Leviathan Close and this would serve a bathroom. Although officers do not consider that overlooking would be a significant issue from a ground floor window a planning condition would be imposed to ensure that this window is obscure glazed and fixed shut up to 1.7m above internal finished floor level. The solar panels originally shown on the south facing roof slope have been removed. It is considered that given the level of separation the proposal would not adversely affect outlook from the properties to the south and furthermore given that the bungalow would be sited to the north of these properties there would also be no adverse impact on light.

Highways

Both properties would have adequate space to enable vehicles to turn on site and enter the highway in forward gear. Car parking would be provided in accordance with the Council's Residential Car & Cycle Parking SPD. There are no highway concerns.

Trees

A large oak tree was felled on the site prior to the submission of the planning application. This tree was not covered by a TPO and therefore consent was not required for this felling. It is understood that the tree needed to be removed due to poor health.

Solent Recreation Mitigation Partnership

Through the work of the Solent Recreation Mitigation Partnership (SRMP) it has been concluded that any net increase in residential development will give rise to likely significant effects on the Solent Coastal Special Protection Areas (SPA's), either 'alone' or 'in combination' with other development proposals. In accordance with Policy DSP15 of the adopted Fareham Borough Local Plan Part 2 all development will be required to mitigate the negative impact. This is achieved via a commuted payment which would be secured under section 111 of the Local Government Act 1972.

Summary

In summary it is not considered that the proposal would have any detrimental impact on the character or appearance of the surrounding area, the living conditions of neighbouring residential properties or highway safety.

The proposal accords with Policies CS2, CS5, CS6, CS11, CS15, CS17, and CS20 of the adopted Fareham Borough Core Strategy and Policies DSP3 and DSP15 of the Fareham Local Plan Part 2: Development Sites and Policies and is considered acceptable.

Recommendation

Subject to;

- i) consideration of any further representations received by 23 May 2018 in response to the amended proposal raising further material planning considerations;
- ii) the applicant making the necessary financial contribution towards the Solent Recreation Mitigation Project (SRMP) through an agreement made under Section 111 of the Local Government Act 1972;

PERMISSION, subject to the following conditions;

1. The development shall begin within 3 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 shall be carried out in accordance with the following approved documents:

- a) Site & Location Plan - drwg No.101 Rev E
- b) Main House Existing Plans & Elevations - drwg No.202
- c) Main House Existing Elevations - drwg No. 203
- d) Main House Proposed Plans & Elevations - drwg No.204
- e) Proposed Plans & Elevations - drwg No.104 Rev C
- f) Proposed Elevations - drwg No. 105 Rev C
- g) Construction Management Plan - drwg No. 110
- h) Materials Schedule dated 23/02/2018

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

3. The development shall be carried out in accordance with the approved materials schedule unless otherwise agreed in writing with the local planning authority.

REASON: To secure the satisfactory appearance of the development.

4. The approved boundary treatment (drwg No.101 Rev E) shall be completed before the dwelling is first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of residential amenity; in the interests of the visual amenity of the area.

5. The dwelling hereby approved shall not be occupied until the approved parking and turning areas for both properties have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles of the properties as indicated at all times unless otherwise agreed in writing by the local planning authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety; in accordance with Policies CS15 and CS17 of the Fareham Borough Core Strategy.

6. The ground floor bathroom window proposed to be inserted into the south elevation shall be glazed with obscure glass and be of a non opening design and construction to a height of 1.7 metres above internal finished floor and shall thereafter be retained in that condition at all times.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent properties.

7. Notwithstanding the provisions of Classes A, B or E of Schedule 2, Article 3, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof alterations shall be carried out to the dwelling hereby permitted and no outbuildings shall be erected within the curtilage of the dwelling unless first agreed in writing with the local planning authority following the submission of a planning application for that purpose.

REASON: In the interests of residential amenity; in the interests of the character and appearance of the area.

8. The development shall be carried out in accordance with the approved construction management plan (drwg No. 110). The areas and facilities shown shall be made available

before construction works commence on site and shall thereafter be kept available at all times during the construction period, unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of highway safety and the living conditions of adjacent residential properties.

9. No work 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.

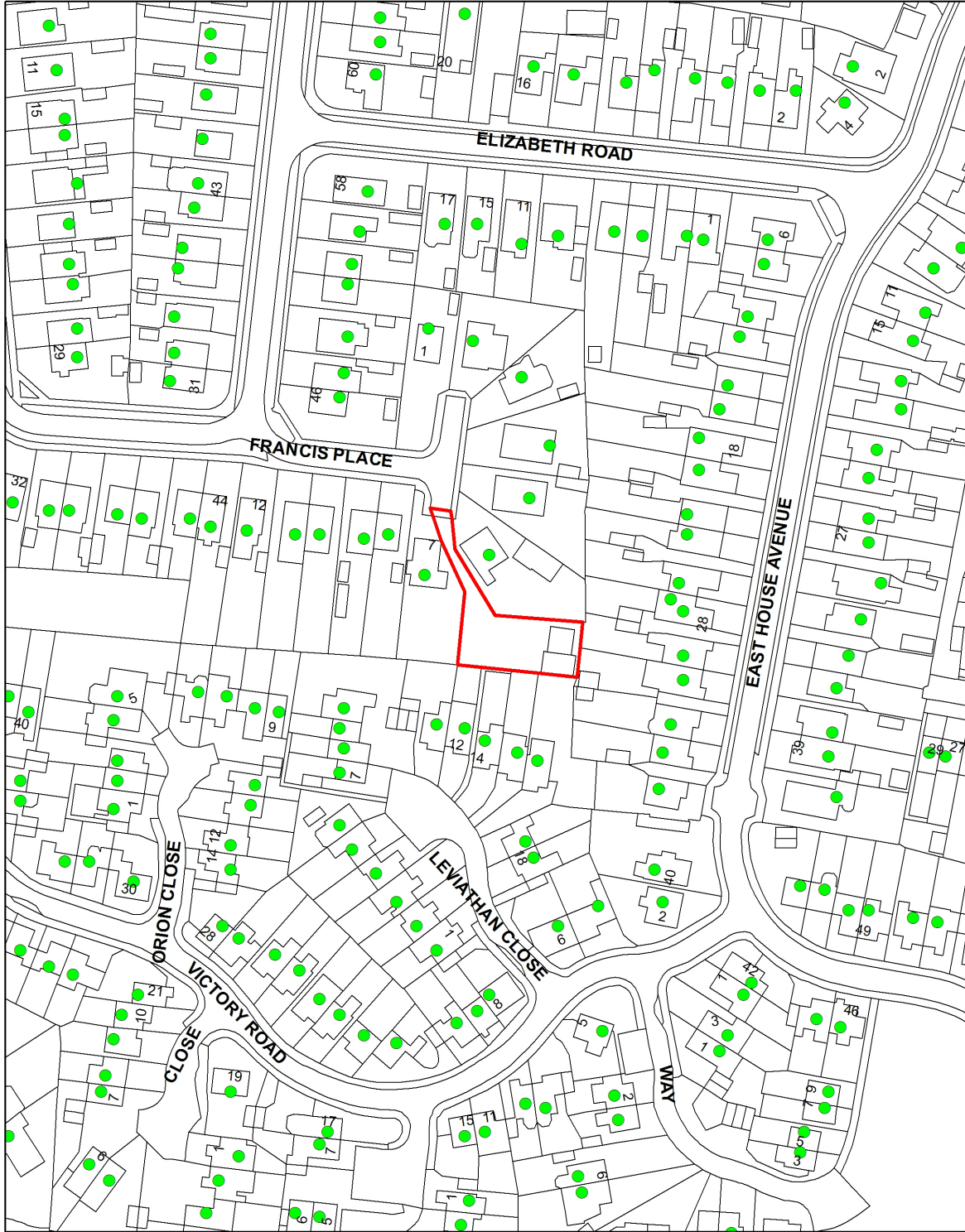
REASON: To protect the living conditions of the occupiers of nearby residential properties.

Background Papers

P/17/1519/FP

FAREHAM

BOROUGH COUNCIL



7 Francis Place
1:1,250



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Agenda Item 6(10)

P/18/0154/CU

MR MARK FEHRENBACH

PORTCHESTER WEST

AGENT: MR MARK
FEHRENBACH

CHANGE OF USE OF ADDITIONAL LAND FROM AGRICULTURE GROUND TO
CARAVAN STORAGE

55 CONDOR AVENUE FAREHAM PO16 8PP

Report By

Arleta Miszewska 01329 824 4666

Site Description

This application relates to an area of land situated immediately beside and to the south of an existing area of caravan and boat storage at Condor Farm, just beyond the southern end of Condor Avenue, Fareham.

The application site comprises grass paddocks set within low embankments that have some existing planting upon them. To its west and south are open fields and more enclosed paddocks to the east.

The application site would be accessed from the existing access to the site at the end of Condor Avenue. Condor Avenue is accessed from the A27.

Description of Proposal

It is proposed to change the use of land from agricultural to caravan storage.

The proposal would result in the storage of an additional 20 caravans raising the total number of caravans to 60.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS14 - Development Outside Settlements

CS17 - High Quality Design

Development Sites and Policies

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP14 - Supporting Sites for Brent Greese and Waders

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

The following planning history is relevant:

P/11/0356/CU

**CHANGE OF USE OF ADDITIONAL AGRICULTURAL LAND FOR THE
STORAGE OF CARAVANS**

PERMISSION

20/09/2011

<u>P/07/1482/CU</u>	CONTINUED USE OF LAND FOR THE STORAGE OF CARAVANS AND BOATS	
	PERMISSION	14/01/2008
<u>P/05/1101/CU</u>	The Mixed Use of the Land for Agriculture and for the Storage of Caravans and Boats	
	TEMP PERMISSION	11/10/2005
<u>P/04/1880/CU</u>	Use of Small Area of Land for the Storage of Caravans/Boats	
	REFUSE	01/02/2005

Representations

Six letters of representation have been received, including five letters of support and one letter of objection.

Concerns raised are as follows:

- Noise
- Traffic
- Property devaluation

Supporting comments include:

- No extra visual impact and will not detract from existing views at the rear of my property
- Rarely see other caravan owners and caravans using Condor Avenue
- The additional bunds and hedging provide a perfect sheltered habitat for wildlife
- Will have little visual impact compared to the current view
- Many houses in the area have no room to store/park a large object like this, so a storage facility that is secure is a necessity for the area
- A good use of the land.

Consultations

Transport Planner - It is shown that, typically, caravans are taken out three times per season. This would suggest that 60 caravans stored would be likely to generate some 360 'towing' movements and around 360 movements by owners during a year. Averaged over a year, this level of activity would be the equivalent of only some two movements per day, albeit activity at weekends would be expected to be somewhat greater. The increase in the storage level would be expected to increase activity by less than one vehicle movement per day. It is considered that the standard of Condor Avenue is adequate to accommodate the projected increase in vehicular activity. Therefore no highway objection is raised.

Ecology - No ecological information accompanied the application. The consultee has therefore carried out a desk-based assessment. Due to the grazed nature of the field, the ecology officer has no concerns that this development would adversely affect any legally protected species such as reptiles and nesting birds.

Review of the records from the Hampshire Biodiversity Information centre (HBIC) indicates that the Solent Waders & Brent Geese Strategy site F22 is located within the application site. The F22 site has recently been classed as a "Low Use" site with only redshank recorded within the arable field to the south. Natural England should be consulted on this scheme for further comment in respect of the waders and Brent geese.

The site is located approximately 250m north of Portsmouth Harbour SPA (Special

Protection Area), Ramsar and SSSI (Site of Special Scientific Interest) which are notified for important populations of overwintering Brent goose and the presence of mudflats and cord-grass *Spartina* marshes. Due to the distance and nature of the proposed works, no direct impact is anticipated and any indirect impacts on over wintering birds is discussed in the paragraph above.

Natural England - raise no objection and advise that the wider site is identified within the forthcoming Solent Wader and Brent Goose Strategy as a low use site. They have reviewed the scale of the development and the records for the site and have no further comments for consideration.

Environmental Health (Contamination) - no objection.

Planning Considerations - Key Issues

PRINCIPLE OF DEVELOPMENT IN THE COUNTRYSIDE

The principle of the proposed development is considered in light of the aims of Policy CS14 of the adopted Fareham Borough Core Strategy.

Policy CS14 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."

Condor farm is a 21.5 acre smallholding owned by Hampshire County Council. The applicant has been the County's tenant for 23 years. In the past, the farm was used for growing rhubarb, strawberries and pumpkins. However, this was not sustainable so the farm was diversified to include the storage of caravan business.

The submitted planning statement explains that the farm is currently used for growing barley, however, this also does not prove to be viable due to an uncertain grain market. Hence, this application seeks planning permission to expand the existing caravan storage business in order to support the agricultural use of the farm.

It is considered that the proposed development would be an acceptable form of development within the countryside.

VISUAL IMPACTS

The application relates to the expansion of an existing caravan storage site located within the designated countryside. The extended storage area would be filled with crushed concrete, topped with granite chippings, similar to the existing storage area. It is proposed to create a bund around the perimeter of the site using the excavated top soil. The height of the bund would match the height of the existing bund which has been created around the existing caravan storage area and so would be approximately 1500mm high. It is also proposed to grow a hedge on the bund in order to further screen the site. The site would be partially screened by hedging and other vegetation to the south of the application site.

In light of this and, given the separation distance between the additional storage area and places from which views into the site are possible, the proposal would not have unacceptable visual impacts.

Therefore, the proposal is considered to meet the expectations of Policies CS14 which

prevents development which would have an unacceptable impact on the countryside landscape character or appearance.

ECOLOGY

The site is located nearby the Portsmouth Harbour SPA (Special Protection Area), Ramsar and SSSI (Site of Special Scientific Interest) which is notified for important populations of overwintering Brent goose and the presence of mudflats and cord-grass *Spartina* marshes.

The impact of the proposal on the Portsmouth Harbour SPA has been considered. The Council's Ecologist has concluded that, due to the separation distance and nature of the proposed works, no direct and indirect impacts are anticipated and that the proposed development would not adversely affect any legally protected species such as reptiles and nesting birds.

Turning to impacts on Brent Geese and Waders, the site is not designated as an 'important' or 'uncertain' site in the current Solent Waders and Brent Goose Strategy (2010). The emerging revised Strategy classifies the site as 'Low Use' with only redshank recorded within the arable field to the south of the site. Natural England did not raise an objection in respect of the site being allocated in the emerging Solent Waders & Brent Goose Strategy.

For the reasons set out above, the proposal is considered to be compliant with Policy DSP14 and DSP15.

AMENITY IMPLICATIONS

Concerns have been raised over noise created by caravans and their users. The Council's Environmental Health Officers were consulted on this proposal and raised no objections.

TRAFFIC IMPLICATIONS

Concerns have been raised over the additional traffic created by the proposal. The Council's Highway Officer commented that, on average, caravans are taken out three times per season meaning that 60 caravans stored would be likely to generate some 360 'towing' movements and around 360 movements by owners during a year. It is recognised that activity at weekends would be expected to be greater. Given that the standard of Condor Avenue is adequate to accommodate the projected increase in vehicular activity, the proposal is considered to be acceptable in highway terms.

OTHER MATTERS

A concern has been raised that the proposal would undervalue a property price. However, this is a private matter and not a material planning consideration.

SUMMARY

The proposal accords with Policy CS5, CS14 and CS17 of the adopted Fareham Borough Core Strategy and Policies DSP2, DSP3, DSP13, DSP14 and DSP15 of the adopted Fareham Local Plan Part 2: Development Sites and Policies.

Recommendation

GRANT PLANNING PERMISSION

Conditions:

1) The development shall begin before 23 May 2021.

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) Proposed caravan storage, site plan 1:2500;

b) Proposed site layout plan, 1:500;

c) Planning statement.

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

3) The additional caravan storage use hereby permitted at Condor Farm shall be confined solely to that area edged red on the approved plan.

REASON: To minimise the impact of the storage use upon the character and appearance of this countryside, local gap and urban fringe location and in the interests of highway safety.

4) No caravan shall be moved upon, off and/or into that caravan storage area edged red on the approved plan at any time outside 07:00 hours to 22:00 hours.

REASON: To protect the amenities of the occupiers of the nearby residential properties.

5) No development shall take place until a detailed landscaping scheme identifying all existing vegetation together with the species, planting sizes, planting distances, density, numbers and provision for future maintenance of all new planting, including the material composition, height and positioning of bunding works, has been submitted to and approved in writing by the local planning authority in writing.

REASON: In order to secure the satisfactory appearance of the development; to minimise the impact of the storage use upon the character and appearance of this countryside.

6) The landscaping scheme, submitted under Condition 6 above, shall be implemented 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. Unless otherwise first agreed in writing, 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.

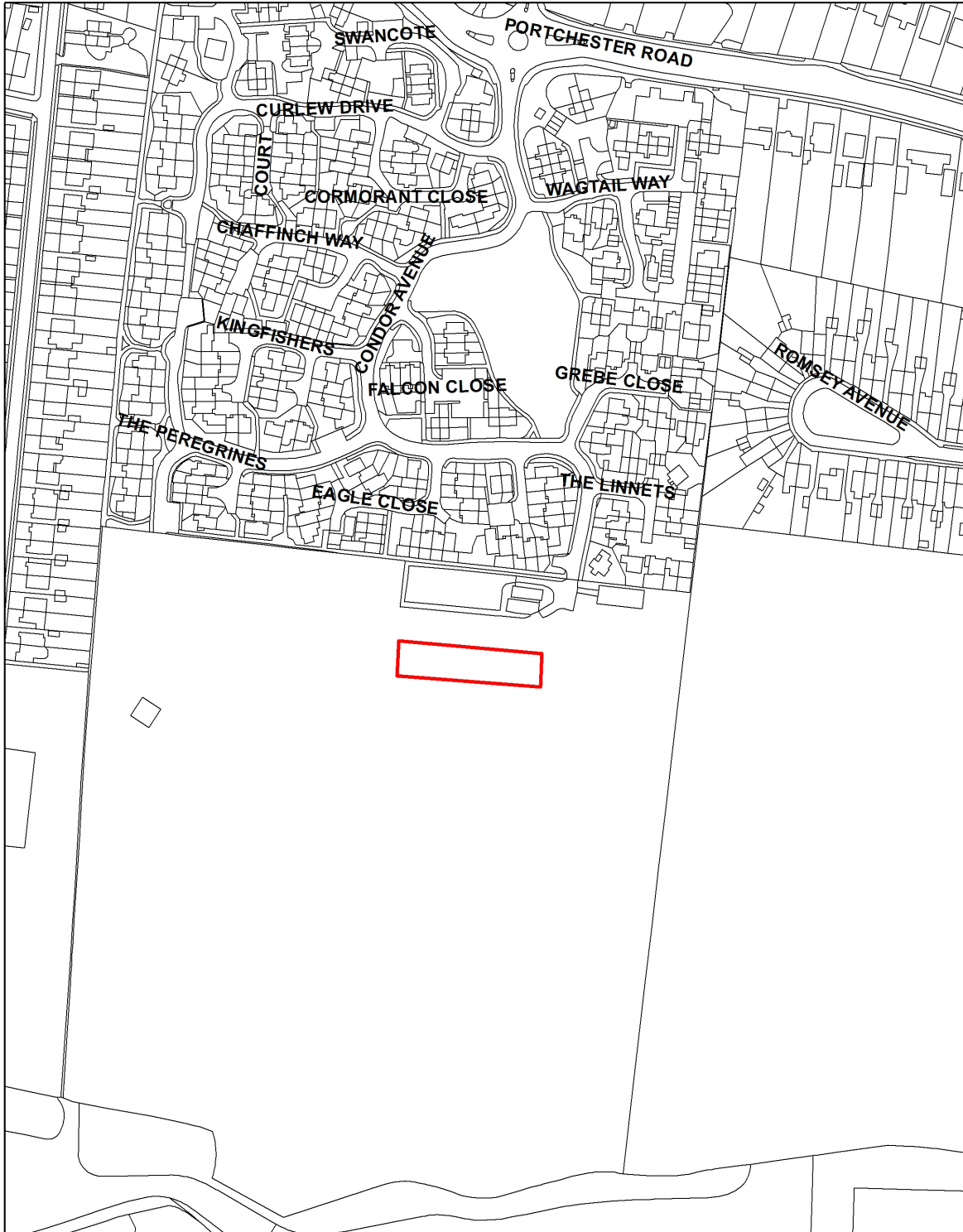
REASON: To ensure the provision, establishment and maintenance of a standard of landscaping and to minimise the impact of the storage use upon the character and appearance of this countryside.

INFORMATIVE TO APPLICANT

Storage comprising no more than 60 caravans only shall occur at any time across the additional caravan storage area edged red on the approved plan and in combination with the existing storage site which was previously granted planning permission under planning application reference P/07/1482/CU and P/11/0356/CU.

FAREHAM

BOROUGH COUNCIL



55 Condor Avenue
Scale 1:2,500



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PLANNING APPEALS

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

CURRENT

P/16/1049/OA

HEARING

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.

P/17/0412/FP

Appellant:

J H E Developments

Site:

Laurel Nursery 20 Green Lane Warsash Southampton Hampshire
SO31 9JJ

Decision Maker:

Officers Delegated Powers

Recommendation:

Council's Decision:

REFUSE

Date Lodged:

23 January 2018

Reason for Appeal:

One replacement and two infill detached dwellings

P/17/0610/CU

Appellant:

Mr & Mrs S. Church

Site:

23 Cyprus Road Fareham PO14 4JY

Decision Maker:

Committee

Recommendation:

REFUSE

Council's Decision:

REFUSE

Date Lodged:

11 April 2018

Reason for Appeal:

Use of outbuilding as a holiday-let.

PLANNING APPEALS

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

CURRENT

P/17/0681/OA

Appellant: FOREMAN HOMES LTD.
Site: Land East Of Posbrook Lane Titchfield Fareham Hampshire PO14 4EZ
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 20 April 2018
Reason for Appeal: OUTLINE PLANNING APPLICATION FOR SCOUT HUT, UP TO 150 DWELLINGS, COMMUNITY GARDEN, ASSOCIATED LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS FROM POSBROOK LANE

P/17/0996/TO

Appellant: Mr Keith Brooks
Site: 27a Catisfield Road Fareham PO15 5LT
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 06 December 2017
Reason for Appeal: Horse chestnut protected by TPO 23: Fell

P/17/1124/VC

Appellant: Mr Paul Selby
Site: 31 Firecracker Drive Locks Heath Southampton Hampshire SO31 6BW
Decision Maker: Officers Delegated Powers
Recommendation:
Council's Decision: REFUSE
Date Lodged: 29 January 2018
Reason for Appeal: Variation of conditions 19 & 20 of P/12/0717/FP to enclose a part of the car port (retrospective application)

PLANNING APPEALS

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

CURRENT

P/17/1130/FP

Appellant: Mr & Mrs Hughes
Site: 5 Burrige Road Burrige Southampton Hampshire SO31 1BY
Decision Maker: Officers Delegated Powers
Recommendation:
Council's Decision: REFUSE
Date Lodged: 19 February 2018
Reason for Appeal: First floor side extension

P/17/1451/OA

Appellant: BARGATE HOMES
Site: Land West Of Old Street Stubbington Fareham
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 04 May 2018
Reason for Appeal: Outline application with all matters reserved (except for access) for the construction of up to 150 residential dwellings, access from Old Street, landscaping, open space and associated works.

P/18/0160/FP

Appellant: Ms J Costidell
Site: 52 Longmynd Drive Fareham PO14 1SS
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 23 April 2018
Reason for Appeal: Boundary wall with trellis

DECISIONS

PLANNING APPEALS

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

DECISIONS

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)
Decision: DISMISSED
Decision Date: 03 April 2018

P/17/0943/FP

Appellant: Mr A Wells
Site: 84 Merton Avenue Fareham PO16 9NH
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 19 February 2018
Reason for Appeal: Proposed construction of a barn-hipped pitched roof over detached building.
Decision: DISMISSED
Decision Date: 13 April 2018