

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 14 December 2022

Time: 1.00 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors Miss J Burton
D G Foot
M J Ford, JP
Mrs C L A Hockley
S Ingram
P Nother
Mrs S M Walker

Deputies: Ms C Bainbridge
F Birkett
S Dugan
Mrs K K Trott



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 16)

To confirm as a correct record the minutes of the Planning Committee meeting held on 9 November 2022.

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 17)

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

ZONE 1 - WESTERN WARDS

(1) **P/19/0870/FP - LAND OFF ROOKERY AVENUE WHITELEY (Pages 20 - 51)**

(2) **P/21/1780/RM - LAND ADJACENT TO 125 GREENAWAY LANE WARSASH SO31 9HT (Pages 52 - 74)**

(3) **P/22/1312/FP - 14 MARINERS WAY WARSASH SO31 9FN (Pages 75 - 80)**

ZONE 2 - FAREHAM

(4) **P/19/0437/FP - FAREHAM POINT WICKHAM ROAD PO16 7FN (Pages 83 - 97)**

(5) **P/22/0867/RM - WELBORNE LAND NORTH OF FAREHAM (Pages 98 - 117)**

(6) **P/22/1020/RM - WELBORNE LAND NORTH OF FAREHAM (Pages 118 - 131)**

ZONE 3 - EASTERN WARDS

(7) **P/22/1012/FP - ASSHETON COURT CASTLE STREET PORTCHESTER PO16 9PT (Pages 133 - 163)**

(8) **P/22/1253/FP - CAMS HILL SCHOOL SHEARWATER AVENUE (Pages 164 - 185)**

(9) Planning Appeals (Pages 186 - 192)

7. Local Information Requirements (Pages 193 - 227)

To consider a report by the Director of Planning and Regeneration on the proposed changes to the local information requirements.



P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
06 December 2022

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
Tel:01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 9 November 2022

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors: Miss J Burton, D G Foot, M J Ford, JP, Mrs C L A Hockley,
S Ingram, P Nother and Mrs S M Walker

**Also
Present:**



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 5 October 2022 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements made at this meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

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

Name	Spokes person representing the persons listed	Subject	Supporting or Opposing the Application	Item No/ Application No/Page No	Dep Type
ZONE 1 – 3.30pm					
Mrs Hilary Megginson	Save Warsash	LAND WEST OF LOCKSWOOD ROAD WARSASH – OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 62 DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS & ACCESS FROM LOCKSWOOD ROAD	Opposing	6(1) P/18/0590/OA PG 12	Written
Ms Katherine Richards (Agent)		-DITTO-	Supporting	-Ditto-	In Person (3 mins)

Mr R Megginson		LAND ADJACENT TO 125 GREENAWAY LANE – SUBMISSION OF DETAILS IN RELATION TO CONDITION 5 (CONSTRUCTION TRANSPORT MANAGEMENT PLAN) OF P/19/0402/OA (OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 100 DWELLINGS, ACCESS FROM GREENAWAY LANE, LANDSCAPING, OPEN SPACE AND ASSOCIATED WORKS	Opposing	6(2) P/19/0402/DP/ B Pg 40	Written
Mrs Christine Callaghan		SWEETHILL FARM 260 BOTELY ROAD SO31 1BL – DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF FOUR DETACHED 4-BED DWELLINGS	Opposing	6(3) P/22/0608/FP Pg 48	In Person (3 mins)
Mr Vivian Holt	Burrige & Swanwick Residents Associaition	-DITTO-	-Ditto-	-Ditto-	In Person (3 mins)
Ms Louise Cutts (Agent)		-DITTO-	Supporting	-Ditto-	In Person (3 mins)
Mr Matthew Holmes (Agent)		377 HUNTS POND ROAD FAREHAM PO14 4PB – CONSTRUCTION OF TWO DETACHED DWELLINGS ON LAND TO THE REAR OF 377 HUNTS POND, WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING	Supporting	6(4) P/22/0913/FP Pg 82	In Person (3 mins)
ZONE 3 – 5.00pm					
Mr Marshall	The Fareham Society	LAND SOUTH OF 16 & 17 GLETHRONE CLOSE FAREHAM – OUTLINE PLANNING APPLICATION FOR ERECTION OF NINE LIVE/WORK (RESEARCH/DEVELOPMENT/INDUSTRIAL/RESID	Opposing	6(6) P/22/0337/OA Pg 107	Written

		<p>ENTIAL – CLASS F(G), F.1(A) AND C3) HANGAR BUILDINGS FOR AVIATION SECTOR, OPEN SPACE, WITH MATTERS RELATING TO ACCESS, LAYOUT AND SCALE SOUGHT (APPEARANCE AND LANDSCAPING RESERVED)</p>			
--	--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Regeneration on the development control matters, including information regarding new appeals and decisions.

(1) P/18/0590/OA - LAND WEST OF LOCKSWOOD ROAD SO31 1BX

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

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

Representations:

An additional representation has been received however it does not raise any new issues.

Recommendation:

Amend condition 19 as follows:

*Full details of all necessary ecological mitigation and compensation measures (to be informed as necessary by an up-to-date reptile survey) shall be submitted for approval to the Local Planning Authority in the form of a Biodiversity Mitigation Strategy with each reserved matters application. Such details shall be in accordance with the outline ecological mitigation and compensation measures detailed within the approved: ~~Reptile Survey & Proposed Mitigation Ecosupport dated June 2018; Bat Surveys Ecosupport dated July 2018; Initial Ecological Appraisal Ecosupport dated 2019; Ecology Addendum Ecosupport dated November 202; Badgers and Bats in Trees Report dated 13th July 2021; Biodiversity Net Gain Report fpcr dated 19th January~~ **July 2022**. Any such approved measures shall thereafter be implemented in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.*

REASON: To provide ecological protection and compensation in accordance with Wildlife & Countryside Act 1981.

The Planning Office also provided the following verbal update: -

Condition 4 – amended document to read ITB1370-GA-005 Rev B.

Upon being proposed and seconded the officer recommendation to grant outline planning permission, subject to: -

- i) The receipt of comments from Natural England in response to consultation on the Council's Appropriate Assessment
- ii) Delegate to the Head of Development Management to make any minor modifications to the proposed conditions or any subsequent minor changes arising after having had regard to those comments;
- iii) The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
 - a) To secure the timely delivery of the areas of open space and the option for these spaces to be adopted by Fareham Borough Council,
 - b) To secure the provision of an Open Space Management and Enhancement Plan,
 - c) To secure the necessary open space commuted maintenance sums prior to adoption by the Council; or
 - d) In the event that the Council does not adopt the delivered open space, then the creation of a management company to maintain the open space in perpetuity including detail of how that management and maintenance of the open space in perpetuity,
 - e) To secure a financial contribution towards a locally equipped area of play;
 - f) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
 - g) To secure 40% of the proposed units as on-site affordable housing; the type size, mix and tenure to be agreed to the satisfaction of Officers;
 - h) To secure pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity and a financial contribution towards the maintenance and associated lighting of the pedestrian and cycle link;
 - i) To secure a financial contribution towards primary and secondary education provision;
 - j) To secure a financial contribution towards highway improvements;
 - k) To secure a travel Plan and related monitoring cost and bond;
 - l) To secure a sustainable travel contribution to be used towards offsite improvements;
 - m) To secure the provision of ecological buffers along the north, east and south boundaries;
 - n) To secure a financial contribution for the maintenance of trees; and
 - o) To secure the preparation and provision of the off-site reptile translocation area;
- iv) The amendments to Conditions 4 and 19 as set out in the Update Report and Officer's verbal update

Was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to: -

- i) The receipt of comments from Natural England in response to consultation on the Council's Appropriate Assessment
- ii) Delegate to the Head of Development Management to make any minor modifications to the proposed conditions or any subsequent minor changes arising after having had regard to those comments;
- iii) The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
 - a) To secure the timely delivery of the areas of open space and the option for these spaces to be adopted by Fareham Borough Council,
 - b) To secure the provision of an Open Space Management and Enhancement Plan,
 - c) To secure the necessary open space commuted maintenance sums prior to adoption by the Council; or
 - d) In the event that the Council does not adopt the delivered open space, then the creation of a management company to maintain the open space in perpetuity including detail of how that management and maintenance of the open space in perpetuity,
 - e) To secure a financial contribution towards a locally equipped area of play;
 - f) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
 - g) To secure 40% of the proposed units as on-site affordable housing; the type size, mix and tenure to be agreed to the satisfaction of Officers;
 - h) To secure pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity and a financial contribution towards the maintenance and associated lighting of the pedestrian and cycle link;
 - i) To secure a financial contribution towards primary and secondary education provision;
 - j) To secure a financial contribution towards highway improvements;
 - k) To secure a travel Plan and related monitoring cost and bond;
 - l) To secure a sustainable travel contribution to be used towards offsite improvements;
 - m) To secure the provision of ecological buffers along the north, east and south boundaries;
 - n) To secure a financial contribution for the maintenance of trees; and
 - o) To secure the preparation and provision if the off-site reptile translocation area;

- iv) The amendments to Conditions 4 and 19 as set out in the Update Report and Officer's verbal update.
 OUTLINE PLANNING PERMISSION be granted.

**(2) P/19/0402/DP/B - LAND ADJACENT TO 125 GREENAWAY LANE
 WARSASH SO31 9HT**

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

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

Additional Representations

Further representations from a resident have been received which raise the following issues:

- *The ecologist's updated comments aren't available to view online*
- *The ecologist's comments are based on the understanding that there were previous structures located where the proposed car park will be positioned*
- *Concern re impact of parking on hedge*

Updated Ecology Response

I now understand that the car parking area is located on the existing track/areas already compacted, which lead to the old green houses and not located within the area of the old greenhouses. This knowledge will not change my previous comments.

Regarding the impact of the car parking on the hedge, from the photos provided and based on the Ecological Appraisal by Lindsay Carrington Ecological Services Limited (September 2020), this hedge is intensively managed and a species-poor (privet hedge). Considering that any parking of cars will be set back from the hedge by at least 1m, I do not consider there to be any direct or indirect impacts on this hedge.

Officer comment

Section 8.9 of the report is be amended as follows with the bold replacing the words with a line struck through them:

*The car parking is positioned on the location of an existing track and is **leading to** the location of old greenhouses where there is no existing notable habitat and the area is already compacted.*

Conclusion

The car parking area is compacted due to the location of the track with no existing notable habitat. The proposed car parking would not have any impact on the hedge which has limited ecological value.

The Committee noted that the deputation included a request that the decision be deferred to give more time for residents to read and comment on the updated ecology responses, which have not been published on the Planning Portal 5 clear working days before the meeting. Members were advised that they could if they wished agree to defer the application to allow more time for this.

A motion to (a) not defer determination of the application and (b) to accept the officer recommendation, subject to the conditions in the report, was proposed and seconded. This was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, APPROVAL OF DETAILS in relation to Condition 5 be granted.

(3) P/22/0608/FP - SWEETHILL FARM 260 BOTLEY ROAD SO31 1BL

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

The Planning Officer provided a verbal update to the Committee which referred to a typo in 8.54 of the report which should read"....with the Council's adopted **residential** car parking standards....."

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to: -

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

- ii) The conditions in the report.

Was voted on and CARRIED.
(Voting: 7 in favour; 2 against)

RESOLVED that, subject to: -

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

- ii) The Conditions in the report.

PLANNING PERMISSION be granted.

(4) P/22/0913/FP - 377 HUNTS POND ROAD FAREHAM PO14 4PB

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

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

Following receipt of an amended landscape plan showing replacement planting along the northern boundary, conditions 2 and 9 have been reworded as follows;

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

- i) Location and Block Plan 6133-WLA-ZZ-XX-DR-A-0012 Rev B*
- ii) Proposed Site Plan 6133-WLA-ZZ-XX-DR-A-0013 Rev B*
- iii) Proposed House Type Elevations 6133-WLA-ZZ-XX-DR-A-0111 Rev C*
- iv) House Type Plans 6133-WLA-XX-ZZ-DR-A-0110 Rev D*
- v) Street Scene 6133-WLA-A-0016 Rev A*
- vi) Site Section 6133-WLA-XX-ZZ-DR-A-0018*
- vii) Proposed Car Port 6133-WLA-ZZ-XX-DR-A-0031 Rev A*
- viii) Preliminary Ecological Appraisal (dated June 2022)*
- ix) Landscape Plan LANDP001 Rev 003*

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

9. The landscaping scheme shall be implemented in accordance with the approved Landscape Plan ref.LANDP001 Rev 003 and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

In addition, condition 5 has been amended to include a roof light which would serve the ensuite bathrooms. The condition would read as follows;

The roof light and first-floor windows, which would serve an ensuite bathroom, bathroom and a stairwell, proposed to be inserted into the north and south elevations of plots 1 and 2 shall be:

- a) Obscure-glazed; and*
- b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;*

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.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to: -

- i) The conditions in the report;

- ii) The amended conditions 2, 5 and 9 as set out in the Update Report; and
- iii) The amendment of condition 6 to state that car ports shall be retained, without being enclosed or fitted with doors, at all times so they are available for the designated purpose.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to: -

- i) The conditions in the report;
- ii) The amended conditions 2, 5 and 9 as set out in the Update Report; and
- iii) The amendment of condition 6 to state that car ports shall be retained, without being enclosed or fitted with doors, at all times so they are available for the designated purpose.

PLANNING PERMISSION be granted.

(5) P/22/1277/FP - 31 ROSSAN AVENUE WARSASH SO31 9JQ

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

(Voting: 6 in favour; 3 against)

RESOLVED that PLANNING PERMISSION be granted.

(6) P/22/0337/OA - LAND SOUTH OF 16/17 GLENTHORNE CLOSE PO14 2NP

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

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

Representations:

The applicant has provided a further rebuttal to third party comments:

- *Glenthorne Close will remain a residential/light cul-de-sac even with the development;*
- *None of the users use large vans or have deliveries like normal businesses;*
- *The road doesn't require any changes as the traffic generated is minimal;*
- *The TRICS data does not take account of "live/work" units and nor does it account for customers flying into the Airport;*
- *The TRICS estimate, therefore, is a massive overestimate to the actual traffic;*

- *There is no agreement with Frontier Estates but the Care Home operator (Barchester Healthcare) and Highwood (the contractor) are both amenable to access through their site;*
- *Hardstanding will use a pervious surface and rain water harvesting system in underground tanks so there is no issue with water runoff.*

The applicant has also issued a rebuttal to reasons for refusal in the committee report and in response to the outstanding consultations. Whilst the applicant disagrees with the conclusions Officers have drawn, there are no new issues or material considerations raised other than those already in the application submission plus those summarised above and in the main agenda.

Consultations:

Environmental Health: Comments:

- *The applicant has submitted a noise statement but does not provide any assessment of the current noise climate or the noise levels likely to be introduced through the development.*
- *We would require a BS4142 type assessment in order to understand the impacts, and the mitigation proposed, where this is required, to ensure these are acceptable in preventing disturbance.*
- *In addition, the following matters should also be considered:*
 - *Permitted delivery times for the commercial elements of the proposal so as to prevent disturbance.*
 - *Operating hours for the commercial units.*
 - *Noise impacts on outdoor living areas (for the development and existing domestic properties).*
- *Currently and without further information it would seem likely that future occupiers of the application site and neighbouring residential premises may be impacted by the proposals.*

Planning Considerations:

Amenity of future occupants and neighbouring properties:

As set out in the main report (para 8.143 onwards, page 146) it is unclear that the proposal will provide for an acceptable living environment for the future residents of the development.

The submitted Noise Statement is not a technical report taking account of the existing noise climate at the site and it is not possible, therefore, to conclude on the likely implications on residential amenity of bringing a domestic use onto an active airport.

The applicants Noise Statement indicates that the residential first floor of the building will be constructed with triple glazing and high specification insulation to combat noise. The Statement also assumes that because the occupants will be engaged in aviation businesses that residents will not be concerned at noise because they choose to live there.

The noise issue is unlikely to just be the consequence of bringing a residential use into the active airport and having a residential use closer to moving aircraft at the airport. The noise issue would also arise as a result of the layout and the

proximity of each unit to its neighbour. The arrangement is such that the starting and moving of an aircraft at close quarters may have an unacceptable impact upon the amenity of other residents of the proposal as well as those adjoining the application site plus the other noise associated with a residential use being located on an active airport.

Policy DSP2 sets out that development should not, alone or cumulatively, have a significant adverse impact upon neighbouring development, adjoining land or the wider environment by virtue of noise. Advice in the NPPF is that decisions should aim to prevent "...new and existing development from...being adversely affected by unacceptable levels of...noise pollution." (para 174e).

Noise limits for commercial uses are determined based on the measured noise survey data in accordance with the relevant British Standard (BS4142) and the requirements of the Local Authority. As per the Environmental Health consultation comments; no such noise assessment has been undertaken.

In this case the application has adequate information submitted to enable the Planning Authority to conclude that the development would not have a significant adverse impact by virtue of noise for either the proposed residents or those of the adjoining area. An additional reason for refusal is added to the recommendation accordingly.

Affordable Housing:

Paragraph 8.169 (page 150) onwards in the main report sets out the development plan requirements for affordable housing from a development of this type.

The application submission sets out that, based on a standard developers profit of 17.5% of the Gross Development Value (GDV) the scheme shows a deficit – based on the applicants assumptions on land value, sales prices and build costs etc. The applicants Viability Report concludes, as a result, that in the absence of any surplus profit that the development cannot support any affordable housing provision whether on site or as an off site contribution.

Given the specialist nature of the proposed units, delivery as affordable housing would not be appropriate as Fareham Housing has indicated that, if viability allows, a contribution towards off site provision should be secured.

In terms of the viability inputs, there is agreement that the sales values for the proposed residential component of the scheme are fair and reasonable. With regard to the commercial element of the proposed units, the Council's consultant is of the view that the applicant has attributed a value that is too low to this part of the proposal. The Council's consultant also attributes a lower build costs for the units than those proposed by the applicant.

The Council's consultant has attributed a greater value to the CIL contribution and other mitigation such as nitrate credits than that of the applicant.

Within the applicant's submission, as set out above, the developer seeks 17.5% profit. The Council's review of the scheme suggests that 17.5% would

be reasonable for the residential component part but that 15% would be appropriate for the hangars.

There is a difference in the valuation of the land and its value with the applicant's report concluding that the land value is significantly higher than the conclusion of the Council's consultant.

When the Council's consultant adds their inputs to the industry standard viability model, the output shows a development surplus of over £1.6m. This is in marked contrast to the applicants viability report which indicates a significant deficit from the development of some two hundred and fifty eight thousand pounds. At this level of deficit the developer would need to take a commercial view as to whether or not a lower run of return should be accepted for the site to come forward on a viable basis and without any contribution towards the 2.7 affordable homes required by the development plan.

It is clear that there are a number of assumptions in the applicant's viability report that are challenged by the review of the submission by the Council's consultant. It is clear that if the assumptions and inputs are adjusted that the application would be in profit to the extent that some affordable housing contribution can be secured and the scheme would still remain viable.

As such, it is considered that the proposal can provide for a contribution towards offsite affordable housing as required by policy CS18 of the Core Strategy and the emerging policy HP5 of the Fareham Local Plan 2037. In the absence of such a contribution a further reason for refusal is added to the recommendation as set out below.

Recommendation:

The comments of Environmental Health and the Councils Viability Consultant have been received and are considered above.

As such parts i), ii) and iii) of the recommendation in part 9 of the main agenda are no longer required and the application is recommended for refusal as per the reasons in the agenda plus the following additional reasons:

- 12) Inadequate information has been submitted in order for the Local Planning Authority to conclude that the development would not have a significant adverse impact by virtue of noise for either the proposed residents or those of the adjoining area. The proposed development is therefore considered contrary to policy DSP2 of the Development Sites and Policies Plan and policy D2 of the emerging Fareham Local Plan 2037.***
- 13) In the absence of a legal agreement to secure an off-site affordable housing contribution the scheme fails to assist the Borough in addressing its current housing need. The proposal is therefore considered contrary to policy CS18 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy HP2 of the emerging Fareham Borough Local Plan 2037.***

The Planning Officer also gave the Committee the following Verbal Update: -

He provided a further update to 8.101 of the report and confirmed that the applicant has requested that the application be deferred until the outcome of judicial review is decided. He also informed the Committee that since the agenda had been published, the applicant had applied to the Courts for an injunction to prevent the Committee from considering this application at this meeting. The outcome of the court hearing was released during the course of the meeting and the Court had refused to grant an injunction.

Members were advised that they could lawfully determine the application today, and it was for them to decide if they wished to defer the determination of the application pending the outcome of the judicial review application.

A motion to (a) not to defer the application and (b) to accept the officer recommendation for refusal was proposed and seconded. This was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

1. The proposal is not considered employment-led and would provide for inadequate levels of employment and would prejudice the future delivery of the wider Swordfish Business Park (of which the site is a part) which is allocated for large scale employment use. The proposed development is therefore contrary to policy CS12 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy E3 of the emerging Fareham Local Plan 2037.
2. The proposed access is not taken from Gosport Road and the development of the application site in an isolated fashion would prejudice the future delivery of the wider Swordfish Business Park (of which the site is a part) which is allocated for large scale employment use. The proposed development is therefore contrary to policy CS12 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy E3 of the emerging Fareham Local Plan 2037.
3. The proposed development represents new residential development outside the defined settlement boundary for which there is no overriding need or justification. The proposal is therefore considered to be contrary to policy CS14 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy DS1 of the emerging Fareham Local Plan 2037.
4. The proposal would, by virtue of the access, scale and layout, fail to respond positively to or be respectful of the local character and nor would it integrate well with the surrounding settlement. Furthermore, the proposal is not considered to be deliverable in the short term. The proposal is contrary to policy CS17 of the Core Strategy, parts (ii), (iii) and (iv) of policy DSP40 of the Development Sites and Policies Plan and policies D1 and H2 of the emerging Fareham Local Plan 2037.

5. The proposal would adversely affect the existing and future potential general aviation operation of the airfield. The proposed development is therefore considered to be contrary to policy CS12 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy E3 of the emerging Fareham Local Plan 2037.
6. It is considered that the level of additional traffic activity and the type of commercial vehicles visiting the application site would have a harmful impact upon the character of Glenthorne Close as a residential close affecting the amenity and environment of the Glenthorne Close Residents. As such the proposal is considered to conflict with the requirements of policy DSP40 (v) of the Development Sites and policies Plan and policy D2 of the emerging Fareham Borough Local Plan 20237.
7. In adequate information has been submitted in order for the Local Planning Authority to conclude that the development would not have an unacceptable level of flood risk through appropriate management of surface water. The proposed development is therefore considered contrary to policy CS15 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy CC2 of the emerging Fareham Local Plan 2037.
8. The proposal would have likely adverse effects on the integrity of habitat sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation. The proposal is therefore considered contrary to policy CS4 of the Fareham Borough Local Plan Part 1 (Core Strategy), policy DSP13 and criterion (v) of policy DSP40 of the Fareham Borough Local Plan Part 2 (Development Sites and Policies) and policy NE4 of the emerging Fareham Local Plan 2037.
9. The proposal would have likely adverse effects on the integrity of habitat sites in combination with other developments due to the loss of part of a secondary support site habitat and the lack of appropriate and appropriately secured mitigation. The proposal is therefore considered contrary to policy CS4 of the Fareham Borough Local Plan Part 1 (Core Strategy), policies DSP13, DSP14 and criterion (v) of policy DSP40 of the Fareham Borough Local Plan Part 2 (Development Sites and Policies) and policy NE5 of the emerging Fareham Local Plan 2037.
10. Inadequate survey information has been submitted in order for the Local Planning Authority to conclude that the development would not have an adverse impact upon protected species. The proposed development is therefore considered contrary to policy CS4 of the Fareham Borough Local Plan Part 1 (Core Strategy), policy DSP13 of the Fareham Borough Local Plan Part 2 (Development Sites and Policies) and policy NE1 of the emerging Fareham Local Plan 2037.
11. In the absence of a legal agreement to secure such, the proposal fails to appropriately secure mitigation of the likely adverse effects on the integrity of protected habitat sites which, in combination with other developments, would arise due to the impacts of recreational disturbance. The proposal is therefore considered contrary to policy CS4 of the Fareham Borough Local Plan Part 1 (Core Strategy), policy DSP13 and criterion (v) of policy DSP40

of the Fareham Borough Local Plan Part 2 (Development Sites and Policies) and policy NE3 of the emerging Fareham Local Plan 2037.

12. Inadequate information has been submitted in order for the Local Planning Authority to conclude that the development would not have a significant adverse impact by virtue of noise for either the proposed residents or those of the adjoining area. The proposed development is therefore considered contrary to policy DSP2 of the Development Sites and Policies Plan and policy D2 of the emerging Fareham Local Plan 2037.
13. In the absence of a legal agreement to secure an off-site affordable housing contribution the scheme fails to assist the Borough in addressing its current housing need. The proposal is therefore considered contrary to policy CS18 of the Fareham Borough Local Plan Part 1 (Core Strategy) and policy HP2 of the emerging Fareham Local Plan 2037.

Notes for Information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point 11) 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.

(7) Planning Appeals

The Committee noted the information in the report.

(8) UPDATE REPORT

The Update Report was circulated prior to the meeting and considered along with the relevant agenda item.

(The meeting started at 3.30 pm
and ended at 7.27 pm).



**Report to
Planning Committee**

Date: 14 December 2022

Report of: Director of Planning and Regeneration

Subject: PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

SUMMARY

This report recommends action on various planning applications.

RECOMMENDATION

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

AGENDA

The meeting will take place on Wednesday 14th December 2022 in the Collingwood Room, Civic Offices, Civic Way, Fareham, PO16 7AZ.

Agenda Annex

<p>ZONE 1 – WESTERN WARDS</p> <p>Park Gate</p> <p>Titchfield</p> <p>Sarisbury</p> <p>Locks Heath</p> <p>Warsash</p> <p>Titchfield Common</p>

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/19/0870/FP SARISBURY	LAND OFF ROOKERY AVENUE WHITELEY FAREHAM RESIDENTIAL DEVELOPMENT OF 32 DWELLINGS, PARKING, AND A MEANS OF ACCESS FROM ROOKERY AVENUE FOLLOWING DEMOLITION OF 2 DWELLINGS, GLASSHOUSES AND ASSOCIATED OUTBUILDINGS	1 PERMISSION
P/21/1780/RM WARSASH	LAND ADJACENT TO 125 GREENAWAY LANE WARSASH FAREHAM SO31 9HT RESERVED MATTERS APPLICATION PERTAINING TO LAYOUT, SCALE, APPEARANCE AND LANDSCAPING FOR THE CONSTRUCTION OF 80 DWELLINGS TOGETHER WITH ASSOCIATED PARKING, OPEN SPACE, LANDSCAPING AND OTHER INFRASTRUCTURE AND DEVELOPMENT WORKS, PURSUANT TO OUTLINE PLANNING PERMISSION P/19/0402/OA AND APPROVAL OF DETAILS REQUIRED BY CONDITIONS 7 AND 18 (BIODIVERSITY & ENHANCEMENT MITIGATION STRATEGY) AND 9(I) ARCHAEOLOGY OF P/19/0402/OA.	2 APPROVE

P/22/1312/FP	14 MARINERS WAY WARSASH	3
WARSASH	SOUTHAMPTON SO31 9FN	PERMISSION
	RAISE RIDGE HEIGHT, EXTERNAL ALTERATIONS TO INCLUDE FRONT EXTENSION, REAR BALCONY, FIRST FLOOR SIDE EXTENSION AND SECOND FLOOR LOFT CONVERSION WITH FRONT/REAR DORMERS, RENDER, CLADDING AND FENESTRATION INSTALL.	

Agenda Item 6(1)

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

P/19/0870/FP
FOREMAN HOMES LTD

WARD: SARISBURY GREEN
AGENT: FOREMAN HOMES LTD

RESIDENTIAL DEVELOPMENT OF 32 DWELLINGS, PARKING, AND A MEANS OF ACCESS FROM ROOKERY AVENUE FOLLOWING DEMOLITION OF 2 DWELLINGS, GLASSHOUSES AND ASSOCIATED OUTBUILDINGS

LAND OFF ROOKERY AVENUE, WHITELEY

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

- 1.1 This application was first reported to the Planning Committee on 2 March 2022. At that meeting Members resolved to grant planning permission for the development subject to conditions and the prior completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990.
- 1.2 Since Members resolved to grant planning permission, there have been some material changes in circumstances which require further consideration by Members of the Planning Committee. These changes in circumstance are set out below.
- 1.3 There have been changes to the advice provided by Natural England in respect of the likely significant effects of residential development on Habitat Sites. As a result, and as set out within the relevant section of the report below, additional nitrate mitigation is required to mitigate the impact of the development on water quality and Habitat Sites within The Solent. It is also necessary to secure an additional financial contribution to mitigate the likely significant effect of the development on The Solent SPAs and the New Forest Habitat Sites by virtue of recreational disturbance.
- 1.4 In addition, since the March 2022 planning committee, the examination hearings of the emerging Fareham Local Plan 2037 have concluded and is currently out for Main Modifications consultation. The advanced stage of the emerging Plan means that its draft policies carry significant weight in the consideration of planning applications. Further consideration of the emerging Fareham Local Plan 2037 is set out in this report.

1.5 There have been no other changes to the nature of the proposed development since its consideration by the Planning Committee in March 2022.

2.0 Site Description

2.1 The application site is located to the southern side of Rookery Avenue, to the east of Botley Road and comprises an area of 2.2 hectares of land, currently forming the residential curtilages of two dwellings (a dwelling known as 'Wind Ruff' and 114 Botley Road), their gardens and a collection of redundant glasshouses and other former horticultural buildings. The site is within the designated countryside for planning purposes. The site slopes gently down to the south and east and is bounded by the M27 to the south, woodland to the east and north and the curtilage of 112 Botley Road to the west.

2.2 This part of Rookery Avenue (known as Rookery Avenue West) is a cul-de-sac road also serving residential estates at Caspian Close, Shetland Rise and Castilian Way, which are all located on the northern site of Rookery Avenue. The woodland to the east of the site is a designated Ancient Woodland known as Gull Coppice. The site would be connected to Rookery Avenue at the northwest corner, across the existing highway verge. The site is classified as Grade 4 agricultural land.

2.3 Botley Road (A3051) is located approximately 220 metres to the west of the site and provides direct access to Swanwick Railway Station and Park Gate, which provides a wide range of services and facilities.

3.0 Description of Proposal

3.1 Full planning permission is sought for the construction of 32 dwellings together with associated car parking, landscaping and means of vehicular access from Rookery Avenue. The application has been modified significantly since its original submission, resulting in a reduction in the number of residential units from 36 to 32, the removal of a B1 office building and the relocation of the development area southwards, in order to protect the existing woodland area between the site and Shetland Rise/Castilian Way to the north.

3.2 The dwellings comprise a mix of residential units, including detached, semi-detached, terraced and flats, set within a landscaped environment.

3.3 The application has been supported by a number of technical reports including a Planning Statement, Design and Access Statement, Ecological Surveys and Mitigation Reports, Arboricultural Impact Assessment, Transport Statement and Travel Plan, Contaminated Land Assessment, Economic Viability Assessments, Flood Risk and Drainage Strategy, Air Quality Assessment and Noise Impact Assessment.

4.0 Policies

4.1 The following policies apply to this application:

Adopted 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 the Western Wards and Whiteley
CS14:	Development Outside Settlements
CS15:	Sustainable Development and Climate Change
CS16:	Natural Resources and Renewable Energy
CS17:	High Quality Design
CS18:	Provision of Affordable Housing
CS20:	Infrastructure and Development Contributions
CS21:	Protection and Provision of Open Space

Adopted Development Sites and Policies

DSP1:	Sustainable Development
DSP2:	Environmental Impact
DSP3:	Impact on Living Conditions
DSP4:	Prejudice on Adjacent Land
DSP6:	New Residential Development Outside of the Defined Urban Settlement
DSP13:	Nature Conservation
DSP15:	Recreational Disturbance on the Solent Special Protection Areas
DSP40:	Housing Allocations

Fareham Local Plan 2037 (emerging)

4.2 The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of modifications to the Plan. The proposed modifications will be the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

DS1:	Development in the Countryside
DS3:	Landscape

H1:	Housing Provision
HA27:	Housing Allocation Policy – Rookery Avenue
HP1:	New Residential Development
HP4:	Five Year Housing Land Supply
NE1:	Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE2:	Biodiversity Net Gain
NE3:	Recreational Disturbance on the Solent SPAs
NE4:	Water Quality Effects on the Special Protection Area (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of The Solent
NE6:	Trees, Woodland and Hedgerows
NE9:	Green Infrastructure
TIN2:	Highway Safety and Road Network
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
D4:	Water Quality and Resources
D5:	Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

5.1 There is no recent planning history related to this site. Planning permission was granted on the land immediately to the west of the site for 6 dwellings in October 2018. That planning permission has however lapsed/not been implemented.

6.0 *Representations*

- 6.1 There have been 134 representations received regarding this application, including two from The Fareham Society.
- 6.2 Fifty-nine letters from 55 households were submitted following the publicising of the planning application as first submitted for 36 dwellings along with an office building. A further 75 letters were received from 66 households following the re-publishing of the amended 32 dwelling scheme, although at this stage the proposed office building was retained.
- 6.3 Comments were also received from the Southampton Hospitals NHS Trust, and consideration of those comments are set out in paragraphs 8.66-8.73 of the report below.

6.4 The main issues raised within the representations can be summarised as follows:

- Loss of woodland trees;
- Impact on adjacent ancient woodland;
- Impact on wildlife and ecology;
- Nitrates issue;
- Parking and access issues;
- Highway safety concerns;
- Pedestrians in road causing highway issues;
- Poor streetlighting in Rookery Avenue;
- Increased congestion on Botley Road;
- No improvement to cycle network;
- No consideration of smart motorway works;
- Health risks for future occupiers due to proximity to M27;
- Impact on local services;
- Impact on the character of the area;
- Loss of privacy;
- Increase in crime;
- Noise impact for existing occupiers;
- Office in residential area is unacceptable.

7.0 Consultations

EXTERNAL

Hampshire County Council (HCC) Highways

7.1 No objection, subject to planning condition.

Natural England

7.2 No objection, subject to comments from the Council's Ecologist. No objection to the Council's Appropriate Assessment.

Southern Water

7.3 No objection, subject to planning condition.

Hampshire County Council (HCC) Lead Local Flood Authority

7.4 No objection, subject to planning condition.

Hampshire County Council (HCC) Archaeology

7.5 No objection.

Hampshire County Council (HCC) Children's Services

7.6 No objection – forecasts suggest pupil yield from development can be accommodated within proposed schools being built in Whiteley.

Hampshire Fire and Rescue Services

7.7 No objection, subject to compliance with Building Regulations.

INTERNAL

Ecology

7.8 No objection, subject to conditions.

Affordable Housing Strategic Lead

7.9 No objection, subject to the affordable housing being secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990.

Recycling Co-ordinator

7.10 Comments regarding provision of bin collection points and confirmation from the Transport Planner on access for refuse vehicles.

Urban Designer

7.11 No objection.

Environmental Health (Noise/Pollution)

7.12 No objection regarding air quality or noise, subject to conditions regarding compliance with the recommendations and conclusions of the submitted Noise Impact Assessment.

Environmental Health (Contaminated Land)

7.13 No objection, subject to conditions.

Recycling Co-ordinator

7.14 No objection.

8.0 *Planning Considerations*

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

- a) Implication of Fareham's current 5-year housing land supply position
- b) Residential development in the countryside
- c) Fareham Local Plan 2037 (emerging)
- d) Impact on Habitat Sites
- e) Policy DSP40 (Housing Allocations)
- f) Other Matters
- g) The Planning Balance

i. **Implication of Fareham's current 5-year housing land supply position**

- 8.2 An update report on the Council's five year housing land supply position was presented to the Planning Committee on 6th July 2022. The report set out this Council's local housing need along with the Council's current housing land supply position. The report concluded that the Council had 5.01 years of housing land supply against its five year housing land supply (5YHLS) requirement.
- 8.3 Following the publication of that position the Council's housing supply was considered during several recent appeals held during August and October in the proposed residential development at Land East of Cartwright Drive, Land East of North Wallington and Land East of Newgate Lane East. At those appeals it was put to the Council that the evidence available suggested that several housing sites identified in the Council's supply as having outline planning permission would deliver fewer dwellings now reserved matters submissions had been made. For example, the reserved matters application for Land adjacent to 125 Greenaway Lane (ref: P/21/1780/RM) proposed 80 dwellings rather than the 100 dwellings for which outline planning permission was given (a net reduction of 20 homes from the Council's housing supply). In evidence it was also identified that, for a small number of other sites, the number of dwellings being delivered would be less than previously stated. At the appeals the Council accepted that the evidence on this matter was clear and that the resultant reduction in the five year housing land supply meant that the position stood at 4.88 years. At the time of writing this report, Officers are of the view that 4.88 years is correct and that the Council does not have a five year supply of housing.
- 8.4 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".*
- 8.5 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.
- 8.6 Paragraph 60 of the NPPF seeks to significantly boost the supply of housing.

8.7 Paragraph 74 of the NPPF states that Local Planning Authorities should identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement including a buffer. Where a Local Planning Authority cannot do so, and when faced with applications involving the provision of housing, the policies of the local plan which are most important for determining the application are considered out-of-date.

8.8 Paragraph 11 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". It states (in part):

"For decision-taking this means:

- c) Approving development proposals that accord with an up-to-date development plan without delay; or*
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - i) The application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."**

8.9 Footnote 7 to paragraph 11 reads:

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitat sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; and designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change."

8.10 Footnote 8 to paragraph 11 reads:

"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph

74); or where the Housing Delivery Test indicated that the delivery of housing was substantially below (less than 75% of) the housing requirements over the previous three years.”

- 8.11 This planning application proposes new housing outside the defined urban settlement boundaries and the Council cannot demonstrate a five-year housing land supply. Footnote 8 of the NPPF paragraph 11 is clear that in such circumstances those policies which are most important for determining the application are to be considered out-of-date, meaning that the presumption in favour of sustainable development in paragraph 11(d) is engaged.
- 8.12 Taking the first limb of NPPF paragraph 11(d), there are specific policies in the NPPF which protect areas or assets of particular importance, namely habitat sites which are specifically mentioned in Footnote 7. Where such policies provide a clear reason for refusing the proposed development, then this should be the case. The key judgement in regard to the second limb of NPPF paragraph 11(d) is whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole (the so called ‘tilted balance’) and this will only apply if it judged that there are no clear reasons for refusing the development having applied the test at limb 1.
- 8.13 Paragraph 182 of the NPPF states that: *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*
- 8.14 The wording of this paragraph clarifies that the presumption in favour of sustainable development set out in paragraph 11 does not apply unless an appropriate assessment has concluded that the proposal would not adversely affect the integrity of the habitat sites subject to mitigation.
- 8.15 In the absence of a five-year supply of deliverable housing sites, Officers consider that Policy DSP40 is the principal development plan policy that guides whether schemes will be considered acceptable. The following sections of the report assess the application proposal against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

ii. **Residential Development in the Countryside**

- 8.16 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. Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.
- 8.17 Policy CS14 (Development Outside Settlements) 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.'*
- 8.18 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). However, new residential development will be permitted in instances where either it has been demonstrated that there is an essential need for a rural worker to live there permanently, it involves a conversion of an existing non residential building or it comprises one or two new dwellings which infill a continuous built-up residential frontage. Officers can confirm that none of these exceptions apply to the application proposal.
- 8.19 Draft Policy H1 sets out the housing requirement for the Borough between 2021 and 2037, and draft Policy DS1 seeks to ensure that development in the countryside requires to be within a countryside location. Draft Policy HP1 allows for the provision of new dwellings in the countryside where it relates to the conversion of an existing non-residential building or is a replacement dwelling.
- 8.20 The site is located outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy, Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan, and draft Policies DS1 and HP1 of the Fareham Local Plan 2037 (emerging).

iii. Fareham Local Plan 2037 (emerging)

- 8.21 National planning policy allows Council's to give appropriate weight to relevant policies in emerging plans according to the stage of preparation of the plan, the extent to which there are unresolved objections and the degree of consistency with the NPPF (para 48 NPPF). Members will be aware that the

Revised Publication version of the Fareham Local Plan which addresses the Borough's development requirements up until 2037 has been examined by the Planning Inspector and the modifications were recently subject to public consultation (consultation period ending on 12 December 2022).

- 8.22 The site of this planning application is a proposed allocated site for residential development (Policy: HA27 – Rookery Avenue) within the emerging Fareham Local Plan. The proposed allocation sets out an indicative yield of 32 dwellings, and site-specific requirements include that the development should front the woodland and have a primary vehicular access from Rookery Avenue, be limited to two storeys and have regard to its siting adjacent to Sites of Importance for Nature Conservation, and Ancient Woodland designations (Gull Coppice).
- 8.23 It is considered that the proposed application has fully complied with the requirements of the emerging Local Plan policy, and this carries significant weight in the overall consideration of the development proposal.

iv. Impact on Habitat Sites

- 8.24 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced. Draft Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network confirms that development will only be permitted where international, national and local sites of nature conservation value, priority habitats and the Ecological Network are protected and enhanced.
- 8.25 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.
- 8.26 In light of their importance, areas within The Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).

- 8.27 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated HS or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated HS. This is done following a process known as an Appropriate Assessment (AA). The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.28 To fulfil the requirements under the Habitat Regulations, Officers have carried out an AA in relation to the likely significant effects on the HS which concludes that there would be no adverse effects on the integrity of protected sites subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.
- 8.29 In respect of Recreational Disturbance, the development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. Draft Policy NE3: Recreational Disturbance on the Solent SPAs confirms that development will only be permitted where the financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP) has been made. The applicant has agreed to make the appropriate financial contribution towards the SRMP and therefore, the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the HS as a result of recreational disturbance in combination with other plans or projects on the Solent SPAs. The mitigation contribution will be secured by a section 106 legal agreement.
- 8.30 In addition, the development lies within 13.8km of the New Forest Special Protection Area (SPA), New Forest Special Area of Conservation (SAC) and the New Forest Ramsar site. Research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest's designated sites will result in a marked increase in use of the sites and exacerbate recreational impacts. It was found that the majority of visitors to the New Forest designated sites on short visits/day trips from home originated from within a 13.8km radius of the sites referred to as the 'Zone of Influence' (ZOI).
- 8.31 The Council has produced an Interim Mitigation Solution to address this newly identified likely significant effect of development in Fareham within the ZOI. The Interim Mitigation Solution was approved by the Council's Executive on

7th December 2021. The Interim Mitigation Solution was prepared in consultation with Natural England. The mitigation comprises a financial contribution from the developer to mitigate against impacts through improvements to open spaces within Fareham Borough and a small financial contribution to the New Forest National Park Authority. The applicant has made this contribution, which has been secured by an agreement pursuant to Section 111 of the Local Government Act 1972.

- 8.32 In respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted those increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS. Draft Policy NE4: Water Quality Effects on the SPAs, SACs and Ramsar Sites of The Solent confirms that permission will only be granted where the integrity of the designated sites maintained.
- 8.33 A nitrogen budget has been calculated in accordance with Natural England's '*National Generic Nutrient Neutrality Methodology*' (February 2022) ('the NE Advice') and the updated calculator (20 April 2022) which confirms that the development will generate 25.53 kg TN/year. This represents an increase in nitrate credits of 4.28kg TN/year as considered at the March 2022 planning committee (2020 NE Advice). In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be a mixture of urban land and open space. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.34 The applicant has purchased 25.75 kg of nitrate mitigation 'credits' from the Hampshire and Isle of Wight Wildlife Trust (HIWWT) as evidenced by the submission of a notice of purchase. Through the operation of a legal agreement between the HIWWT, Isle of Wight Council and Fareham Borough Council dated 30 September 2020, the purchase of the credits will result in a corresponding parcel of agricultural land at Little Duxmore Farm on the Isle of Wight being removed from intensive agricultural use, and therefore providing a corresponding reduction in nitrogen entering The Solent marine environment.

8.35 The Council's Appropriate Assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects.

8.36 Natural England was consulted on the Council's updated Appropriate Assessment in October 2022 and raised no objection in respect of recreational disturbance on The Solent SPAs, New Forest SPA, SAC and Ramsar Site or on water or air quality implications. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4, DSP13 and DSP15 of the adopted Local Plan, and draft Policies NE1, NE3 and NE4 of the Fareham Local Plan 2037 (emerging).

v. Policy DSP40 (Housing Allocations)

8.37 Policy DSP40 of the 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'.*

8.38 Each of these five points are considered in turn below:

Policy DSP40 (i)

8.39 The proposal for up to 32 dwellings is relative in scale to the 5YHLS shortfall and therefore criteria (i) of Policy DSP40 is satisfied.

Policy DSP40 (ii)

8.40 The urban settlement boundary is located to the immediate north of the application site, along the northern boundary of Rookery Avenue. The site is also within close proximity to schools, employment and retail provisions in

both Whiteley and Park Gate. The site is also a relatively short walk from Swanwick Railway Station. As referenced under the Relevant Planning History, residential development was also considered to be acceptable to the immediate west of the site. Officers consider that the proposal can be well integrated into the neighbouring settlement. The proposal is therefore considered to be in accordance with criteria (ii) of Policy DSP40.

Policy DSP40 (iii)

- 8.41 The site comprises 32 dwellings, of which the majority are detached, with additional semi-detached and terraced properties further into the site, and a single block of four flats. The adjoining residential streets to the north of Rookery Avenue, Shetland Rise and Castillian Way comprise a mixture of detached (principally along Shetland Rise) with semi-detached and terraced houses along Castillian Way, and blocks of flats to the northeast corner of the site.
- 8.42 The application proposal includes a similar design approach, with the main entrance to the site largely comprising the detached dwellings with the semi-detached and terraced proposed further into the site.
- 8.43 The site is bounded to the north by urban development, and the M27 motorway to the south, and only represents a small area of designated countryside. To the east of the site lies Gull Coppice, a Site of Importance for Natural Conservation (SINC) and Ancient Woodland, which as a woodland is a priority habitat, is unlikely to be acceptable as a site for built development.
- 8.44 Given the surrounding features, and the presence of residential development to the north and west, the development of this site has been undertaken in a way to minimise the impact on the countryside, and has been sensitively designed to have regard to its location and the adjacent established residential environment.
- 8.45 Officers consider that the development is in accordance with criteria (iii) of Policy DSP40.

Policy DSP40 (iv)

- 8.46 In terms of delivery, the modest scale of the development ensures that the site is capable of being delivered in the short term and would therefore be in accordance with criteria (iv) of Policy DSP40.

Policy DSP40 (v)

- 8.47 The final test of Policy DSP40 seeks to ensure that the proposal should not have any unacceptable environmental, amenity or traffic implications. These are discussed individually below.

Environmental: *Protected Species*

- 8.48 A Preliminary Ecological Assessment, Bat Survey and Mitigation Strategy, Dormouse Mitigation Strategy and a Reptile Survey and Mitigation Strategy have been provided to support the application. The Council's Ecologist and Natural England have reviewed the proposals and are satisfied that subject to the imposition of appropriate planning conditions and appropriate mitigation, the scheme would not have an unacceptable adverse impact on protected species or designated sites.
- 8.49 Due to the need to translocate a population of reptiles from the site, the applicant consulted directly with Hampshire County Council Countryside Services regarding the use of several of their existing sites for use. The Countryside Services Officer agreed that two of their local sites could be used for reptile translocation (Hook with Warsash Local Nature Reserve and Botley Woods SSSI), subject to a mitigation contribution to upgrades these locations.
- 8.50 This was agreed with the applicant and set out in the Reptile Survey and Mitigation Strategy. The off-site mitigation contribution will be secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990.

Environmental: *Trees / Woodland*

- 8.51 The proximity of the site and the proposed houses to neighbouring woodland and trees have been considered by the Council's Tree Officer, who has reviewed the submitted Arboricultural Method Statement and tree report. Draft Policy NE6: Trees, Woodland and Hedgerows confirms that appropriate measures are in place to ensure the unnecessary loss of non-protected trees and woodland, but where lost, suitable replacements are considered. The adjacent woodland to the east of the site is also designated Ancient Woodland and is therefore subject to additional protection, including the need to provide a suitable 15 metre buffer from the nearest residential properties. This has been achieved, and will be suitably planted, and fenced off to prevent access, to preserve the national importance of this designation. The Tree Officer has raised no objection to the proposal, subject to condition for detailed landscaping and tree planting, and compliance with the recommendations of the submitted supporting documents.

Environmental: *Agricultural Land*

- 8.52 The site is identified as Grade 4 Agricultural Land and is therefore of limited agricultural value. Policy CS16 seeks to prevent the loss of the best and most versatile agricultural land. Grades 1, 2 and 3a are considered to be the best and most versatile agricultural land, and therefore, as Grade 4 land the development of this site would not conflict with Policy CS16. Draft Policy DS1

confirms that development proposals are not on the Best and Most Versatile agricultural land.

- 8.53 It is therefore considered that the proposal complies with policy (v) – environmental issues of Policy DSP40, and policies CS4, CS16 and DSP13 of the Local Plan, or policies NE1 and DS1 of the emerging Fareham Local Plan.

Amenity

- 8.54 In terms of the consideration of the amenity impact on the living conditions of neighbouring occupiers and future occupiers, it is necessary to have regard to the advice in the Council's adopted Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015.
- 8.55 There are no residential properties within the immediate vicinity of the application site. The closest existing property is located approximately 50 metres to the north of the site, at 21 Shetland Rise. This property, like the other nearby properties along Shetland Rise and Castilian Way are separated from the development site by existing woodland, which would be retained and enhanced as part of the development proposal. Whilst there would be an increase in vehicle movements along Rookery Avenue, in light of the low speed of the road, the background noise of the M27 motorway and the distance from nearby houses, this would not cause any unacceptable adverse harm. The proposed development would not result in an unacceptable adverse impact on the living conditions of existing occupiers of the nearby residential estates.
- 8.56 In terms of the living conditions of future occupiers, the development, submitted in full detail has been carefully designed to have regard to its position adjacent to the M27 motorway, including factoring in the alterations which have led to the 'Smart' motorway.
- 8.57 The application has also been supported by a detailed Noise Impact Assessment, which has influenced the orientation of the properties, and the means of noise attenuation within the buildings. These measures include a 5 metre high acoustic fence along the southern boundary of the site, which would have a significant landscaping belt, measuring between 16 metres and 24 metres in depth, between the acoustic fence and the housing. The nearest houses would be located approximately 26 metres from the fence. Additionally, a number of the boundary fences for the rear gardens would incorporate 2 metre high acoustic fencing to reduce noise levels to acceptable levels within rear garden areas.
- 8.58 The Noise Impact Assessment has been considered by the Council's Environmental Health Officers, who have raised no objection. The comments

of the Environmental Health Officer are subject to the development being undertaken in compliance with the recommendations of the Noise Impact Assessment, which would ensure a living environment suitable for future residents.

- 8.59 All the properties would have gardens of at least 11 metres in length, and first floor to first floor direct lines of sight achieve a minimum 22 metres levels of separation for habitable room windows. The houses and flats all meet minimum sizes as set out by the Nationally Described Space Standards.
- 8.60 It is therefore considered that the proposal complies with policy (v) – amenity issues of Policy DSP40, and policies CS17, DSP2 and DSP3 of the Local Plan, and draft Policies D1 and D2 of the emerging Fareham Local Plan.

Traffic

- 8.61 Hampshire County Council as Highway Authority has considered the application and has raised no objection to the proposed works to create the access onto Rookery Avenue and that the internal road layout is acceptable. The scheme would also require the provision of a Traffic Regulation Order, to be secured via a Section 106 Legal Agreement, to include restrictive parking around the site entrance and at the corner with Shetland Rise in the interests of highway safety.
- 8.62 A number of third party comments have commented that the proposed development, and the inclusion of the office will exacerbate the existing situation with access along Rookery Avenue, particularly at the junction with Botley Road. The office element of the proposal has since been removed from the planning application.
- 8.63 The design of the junction was laid out to accommodate a future linking of Rookery Avenue (west) with Rookery Avenue (east) in Whiteley, however this is no longer being considered by the Highway Authority. Whilst the route is safeguarded in the adopted Local Plan, the safeguarded route is not proposed to be included in the emerging Fareham Local Plan 2037. The route would have cut through a large swathe of woodland, which is priority habitat. With the new links created elsewhere along Botley Road at Yew Tree Drive and through the North Whiteley development in Winchester District, the Rookery Avenue link is no longer considered to be necessary.
- 8.64 Other concerns raised by third parties relates to the number of pedestrians walking in the road along Rookery Avenue, rather than using the pavement. The former access into the application site would be retained for use by pedestrians, enabling them to keep off Rookery Avenue for the majority of its length. There is also a new pedestrian link proposed to enable occupiers of

this site to link directly to the pavement on the northern side of Rookery Avenue.

- 8.65 The new residential dwellings will provide allocated car parking provisions for each property in accordance with the Council's adopted Residential Car Parking Standards, and comprise a mix of both side-by-side and tandem spaces. Additionally, eight visitors' spaces are proposed, which exceeds the minimum standard sought (6.4 spaces).
- 8.66 In summary, it is therefore considered given the above assessment that the proposal fully accords with the requirement of criteria (v) of Policy DSP40, and Policies CS5 and CS17 of the adopted Local Plan, and draft Policy TIN2 of the emerging Fareham Local Plan.

vi. Other Matters

Affordable Housing

- 8.67 The development proposal requires the provision of 12.8 dwellings to be affordable homes in order to comply with the 40% requirement of policy CS18 of the adopted Core Strategy, and draft Policy HP5 of the emerging Fareham Local Plan. The applicant has provided an Economic Viability Assessment, which has been independently verified by the Council's consultants and has agreed that 12 dwellings will be provided on site under a shared ownership tenure, with the remaining 0.8 dwellings provided as an off-site financial contribution. This approach has the support of the Council's Affordable Housing Strategic Lead Officer.
- 8.68 The provision of affordable housing would be secured through the completion of a Section 106 legal agreement.

Effect on Local Infrastructure

- 8.69 The University Hospital Southampton NHS Foundation Trust wrote to the Council to make representations about the application. The Trust is commissioned to provide acute healthcare services to a number of Clinical Commissioning Groups (CCGs) including Fareham and Gosport CCG. The CCGs commission planned and emergency acute healthcare from the Trust.
- 8.70 The Trust commented that they are currently operating at full capacity, and although they have plans to cater for the known population growth, it cannot plan for unanticipated additional growth in the short to medium term. The Trust has requested a financial contribution of £6,779 to provide services needed by occupants of the proposal. They consider that without it the development is not sustainable and should be refused.

- 8.71 The tests for obligations are set out in paragraph 57 of the NPPF and reflect those in Regulation 122 of the Community Infrastructure Levy Regulations 2010. The tests for an obligation are whether they are:
1. *Necessary to make the development acceptable in planning terms;*
 2. *Directly related to the development; and,*
 3. *Fairly and reasonably related in scale and kind to the development.*
- 8.72 There is no specific policy in the adopted Local Plan that relates to hospital infrastructure or contributions towards hospital services. The comments from the Trust refer to Part 8 of the NPPF which seeks to promote healthy and safe communities. The NPPF identifies that decisions should “...enable and support healthy lifestyles, especially where this would address identified local health and well-being needs” and “...take into account and support the delivery of local strategies to improve health...of the community”.
- 8.73 The first point to note in relation to the Trust’s comments is that the UK provides its citizens with healthcare on a national basis regardless of district or county boundaries. The funding is collected via central government taxation and distributed locally to provide healthcare. Whilst delivered locally the service is a National Health Service and as such the government has a system to ensure that each area of the country has enough funds to provide the service on the basis of the population it serves. Regardless of where someone lives, they are entitled to receive healthcare on a national basis.
- 8.74 The Trust’s comments explain the way in which the hospitals are currently funded. The Trust indicate that the residents who will be living in the development at Rookery Avenue are likely to use the hospitals and increase pressure on the hospital service as a result. A formula is provided with an estimated number of the proposed population predicted as being likely to need to use the hospital services. From this estimated number of hospital visits, a cost is attributed and multiplied to provide the suggested contribution.
- 8.75 In considering the request it is noted that the construction of houses does not itself lead to population growth. Officers consider that the need for housing is a consequence of population growth. Further, there is no account in the representations, it seems, for the potential for the residents of the new development to be moving locally around the Borough or adjoining boroughs such that their residence locally is already accounted for by the current services and funding commissioned by the hospital. In addition, the cost attributed to the proposed patient trip to the hospital is not considered to be clearly calculated or justified.

8.76 For the reasons set out above, Officers do not consider that the contribution sought by the trust is necessary to make the development acceptable in planning terms and thus the tests for planning obligations as set out above are not considered to have been met. Further, given the adopted policy framework it is considered that in the absence of the contribution, the application does not fail as a consequence as this issue alone would not justify a reason for refusal, which it must do in order to make the contribution necessary to make the development acceptable in planning terms and meet the tests for a planning obligation.

vii. The Planning Balance

8.77 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications, stating:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

8.78 As set out earlier in the report, paragraph 11(d) of the NPPF clarifies the presumption in favour of sustainable development in that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- 'i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

8.79 An Appropriate Assessment has been undertaken and concluded that the proposal would not adversely affect the integrity of protected Habitat Sites. There is therefore no clear reason to refuse the application on the grounds set out within paragraph 11(d)(i). As the Council is currently unable to demonstrate a 5HYLS the application should be determined in accordance with paragraph 11(d)(ii), applying the presumption in favour of sustainable development.

8.80 This 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.

- 8.81 The site lies outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture or required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy, Policy DSP6 of the Local Plan Part 2: Development Sites and Policies Plan and draft Policies DS1 and HP1 of the emerging Fareham Local Plan 2037.
- 8.82 Officers have carefully assessed the proposals against Policy DSP40 (Housing Allocations) which is engaged as this Council cannot demonstrate a 5YHLS. Officers have also given due regard to the updated 5YHLS position established at recent planning appeals.
- 8.83 In weighing up the material considerations and conflict between policies, the development of a greenfield site weighed against Policy DSP40, Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall, well related to the existing urban settlement boundary such that it can be integrated with the adjacent settlement whilst at the same time being sensitively designed to reflect the areas existing character and minimising any adverse impact on the countryside.
- 8.84 In respect of environmental, amenity and traffic issues (including ecological mitigation), Officers are satisfied that these issues have been appropriately addressed in the submitted application, subject to appropriate conditions and habitat mitigation. Subject to the payment of the habitat mitigation contribution, it is considered that the likely significant effect on The Solent's protected Habitat Sites would be adequately mitigated.
- 8.85 In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage of housing supply, Officers acknowledge that the proposal could deliver a net increase of 30 dwellings in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply is modest, but would make a material consideration in light of the Council's current 5YHLS shortfall.
- 8.86 There is a conflict with Development Plan Policy CS14 which ordinarily would result in this proposal being considered unacceptable in principle. Ordinarily Policy CS14 would be the principal policy such that a scheme in the countryside would be considered contrary to the development plan. However, in light of the Council's lack of a five-year housing land supply, development plan Policy DSP40 is engaged and Officers have considered the scheme against the criterion therein. The scheme is considered to satisfy the five criteria and in the circumstances, Officers considered that more weight should

be given to this policy than CS14 such that, on balance, when considered against the development plan as a whole, the scheme should be approved.

8.87 Additionally, and having regard to the advanced stage of the emerging Fareham Local Plan 2037, draft policy HA27 carries significant weight in the balance. As set out in paragraphs 8.20-8.22 above, the development proposal fully complies with the development criteria outlined in the draft policy and would following adoption of the plan become a housing allocation. The acknowledgment of the status of the emerging Local Plan was also considered by the Planning Committee Members in March 2022 where the same scheme was concluded to be acceptable and resolved to grant planning permission subject to appropriate conditions and S106 legal agreement.

8.88 In the event that Members did not concur with the view of Officers that the development accords with the development plan taken as a whole, Officers have also undertaken a detailed assessment of the proposals against the NPPF and applied the 'tilted balance' to those assessments. Officers consider that:

- i. there are no policies within the National Planning Policy Framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposed, particularly when taking into account that any significant effect upon Special Protection Areas can be mitigated; and,
- ii. any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.

8.89 Applying the 'tilted balance' Officers similarly conclude that planning permission should be granted.

8.90 Having carefully considered all material planning considerations and assessing the proposal against the adopted development plan, the emerging Fareham Local Plan 2037 and the tilted balance, Officers recommend that planning permission should be granted subject to the imposition of appropriate planning conditions, and subject to the prior completion of a Section 106 legal agreement.

9.0 Recommendation

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

- a. Financial contributions to provide for 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 and Southampton Water and Portsmouth Harbour Special Protection Areas;
- b. Hampshire County Council reptile translocation contribution
- c. Traffic Regulation Order (TRO) for parking restriction works to junction of site with Rookery Avenue and Shetland Rise
- d. The delivery of 40% of the permitted dwellings as a mixture of 12 on-site affordable houses and an off-site financial contribution equivalent to 0.8 of a unit.

GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall begin within 18 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 shall be carried out in accordance with the following approved documents:
 - a) Location Plan (Drawing: 19.014.01 Rev E)
 - b) Site Plan (Drawing: 19.014.02 Rev Z)
 - c) Plot 14 (A) Plans and Elevations (Drawing: 19.014.03 Rev D)
 - d) Plots 1, 3, 8 & 10 (B) – Plans and Elevations (Drawing: 19.014.04 Rev F)
 - e) Plots 12 & 20 (Bh) Plans and Elevations (Drawing: 19.014.05 Rev F)
 - f) Single Garage – Floor Plan and Elevations (Drawing: 19.014.11 Rev A)
 - g) Oversized Double Garage – Floor Plan and Elevations (Drawing: 19.014.12 Rev D)
 - h) Parking Schedule and House Type Key Plan (Drawing: 19.014.13 Rev M)
 - i) Boundary Treatment Plan (Drawing: 19.014.14 Rev N)
 - j) Street Scenes (Drawing: 19.014.17 Rev D)
 - k) Eco Areas Plan (Drawing: 19.014.19 Rev E)
 - l) Site Setup Plan (Drawing: 19.014.24)
 - m) Plots 29-32 (Block C) Floor Plans and Elevations (Drawing: 19.014.26 Rev A)
 - n) Plots 16-17 (D) – Floor Plans & Elevations (Drawing: 19.014.27 Rev A)
 - o) Plots 4-5 (E) – Floor Plans and Elevations (Drawing 19.014.28 Rev B)

- p) Plots 6-7 & 21-22 (Eh) – Floor Plans and Elevations (Drawing: 19.014.29 Rev B)
 - q) Plots 25-28 (F) – Plans and Elevations (Drawing: 19.014.30 Rev C)
 - r) Plots 2, 9 & 11 (H) – Floor Plans and Elevations (Drawing: 19.014.32 Rev A)
 - s) Plots 23-24 (I) – Floor Plans and Elevations (Drawing: 19.014.34 Rev A)
 - t) Plot 15 (Ah) – Plans and Elevations (Drawing: 19.014.35 Rev A)
 - u) Plots 13, 18 & 19 (Gh) – Plans and Elevations (Drawing: 19.014.36 Rev D)
 - v) Bin & Bike Store – Plan and Elevations (Drawing: 19.014.37)
 - w) Topographical Survey (Drawing: ENC/130818/3U1A – 1 of 2)
 - x) Topographical Survey (Drawing: ENC/130818/3U1A – 2 of 2)
- REASON: To avoid any doubt over what has been permitted.

3. No development above damp proof course (dpc) level shall commence until details of all proposed external facing and hardsurfacing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To secure the satisfactory appearance of the development.

4. The garage buildings hereby permitted, shall not be used for any purpose other than as private and domestic garages, incidental to the enjoyment of the associated house.
REASON: To accord with the terms of the application and to safeguard proper planning of the area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting or amending that Order) there shall be no alterations or amendments to the permitted car ports, including the provision of doors to the front elevation, without the grant of a separate planning permission from the Local Planning Authority.
REASON: To ensure adequate off-street car parking is retained on the site.

6. Notwithstanding the approved drawings, the following permitted windows proposed to be inserted into the development hereby approved shall be:
- a. Obscure-glazed; and
 - b. Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;

and shall thereafter be retained in that condition at all times.

- a. Stairwell windows for Plots 13, 18, 19 and 20;
- b. First floor East Side Elevation of Plot 14;
- c. First floor South Elevation (Bedroom 2) of Plot 28;
- d. First and ground floor windows on the North Elevation (western end) of the 2 one-bedroom flats

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent property(ies).

- 7. The first floor window proposed to be inserted into the north elevation of Plot 2 of the approved development shall be both obscure-glazed; and of a non-opening design, 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 property at Plot 1.
- 8. 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.

- 9. Prior to the occupation of the development hereby approve, the highway improvements works shown of Drawing: ITB14574-GA-008 as shown in the Transport Statement (prepared by i-Transport, dated May 2020) shall have been completed in accordance with these drawings.
REASON: To ensure adequate access provision for new and existing residents.
- 10. No dwelling, hereby approved, shall be first occupied until the approved parking and turning areas (where appropriate) for that property have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local

Planning Authority following the submission of a planning application for that purpose.

REASON: In the interests of highway safety.

11. None of the development hereby approved shall be occupied until details of the proposed bin storage areas [including bin collection points if necessary] for those plots without garages 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.

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

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

13. None of the dwellings hereby permitted shall be first occupied unless and until details have been submitted to and approved in writing by the Local Planning Authority confirming that the development has been fully implemented in accordance with the Noise Impact Assessment (prepared by ensafe consultants, dated 12 January 2022 (ref: AC107077-1R5). Once implemented, the noise attenuation measures shall be subsequently retained in that condition for the lifetime of the development.

REASON: In the interests of the amenities of future occupiers.

14. No development above damp proof course (dpc) level shall be implemented until detailed elevational drawings showing the finished appearance of the 5 metre high acoustic fence to be erected along the southern boundary has been submitted to and approved in writing by the Local Planning Authority. Once implemented, the acoustic fence shall be subsequently retained in that condition for the lifetime of the development.

REASON: In the interests of visual amenity.

15. The surface water drainage system (SuDS) for the development hereby approved shall be constructed in accordance with the Flood Risk Assessment and Drainage Strategy (ref: 18-321). Details of the long-term maintenance arrangements of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby approved. Once implemented, the drainage system

shall be subsequently retained in that condition for the lifetime of the development.

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

16. No development hereby permitted shall commence until details of the means of foul water drainage from the site have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

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

17. The development hereby permitted shall be implemented in accordance with the submitted 'Dormouse Mitigation Strategy' (prepared by EcoSupport, dated February 2022), 'Bat Survey and Mitigation Strategy' (prepared by EcoSupport, dated June 2020), 'Reptile Survey and Mitigation Strategy' (prepared by EcoSupport, dated November 2020), 'Eco Areas Plan' (Drawing: 19.014.19 Rev E) and 'Outline Planting Schedule' (DD324X01 – prepared by Deacon Design). Thereafter, the replacement protected species measures outlined in the above reports shall be permanently retained in accordance with the approved details.

REASON: To ensure the favourable conservation status of bats, and the protection of dormice on the site.

18. A detailed scheme of biodiversity enhancements and a long-term management strategy to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The measures detailed within this strategy shall be in line with the DEFRA Biodiversity Metric 2.0 calculations, and as outlined in the 'Eco Areas Plan' (Drawing: 19.014.19 Rev E). Development shall subsequently proceed in accordance with any such approved details.

REASON: To enhance biodiversity in accordance with the NPPF and the Natural Environment and Rural Communities Act 2006. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site so that appropriate measures are in place to secure a biodiversity net gain.

19. No development shall commence until the measures of tree and hedgerow protection as stated in the Arboricultural Method Statement included within the Tree Report (prepared by Sapling Arboriculture (ref: J937.07.4, dated May

2020) submitted and approved as part of the planning permission have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.

20. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, 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.

21. The landscaping scheme, submitted under Condition 20, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

22. 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 shall be carried out. Details of the site investigation to be undertaken shall be submitted to and approved in writing by the Local Planning Authority (LPA). Should contamination be found at the site a scheme for remediation and detailed method statement 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. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site to ensure adequate mitigation against land contamination on human health.

23. No development shall take place beyond damp proof course (dpc) level until details have been submitted to and approved in writing by the Local Planning Authority of how and where Electric Vehicle (EV) charging points will be provided with at least one Electric Vehicle (EV) charging point per dwelling with allocated parking provision. The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first occupation of the dwelling to which it serves.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

24. None of the residential units hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day.

The development shall be carried out in accordance with the approved details.
REASON: In the interests of preserving water quality and resources.

25. The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between FBC, IWC and HIWWT dated 30 September 2020 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.

REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the protected Habitat Sites around The Solent.

26. Notwithstanding the details provided on the Site Setup Plan (Drawing: 19.014.24), no development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:

- a. How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
- b. the measures the developer will be implementing to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
- c. the measures for cleaning the wheels and underside of all vehicles leaving the site;

- d. a scheme for the suppression of any dust arising during construction or clearance works;
- e. the measures for cleaning Rookery Avenue to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
- f. the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.

The development shall be carried out in accordance with the approved CMP and areas identified in the approved 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. No construction vehicles shall leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

27. 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.

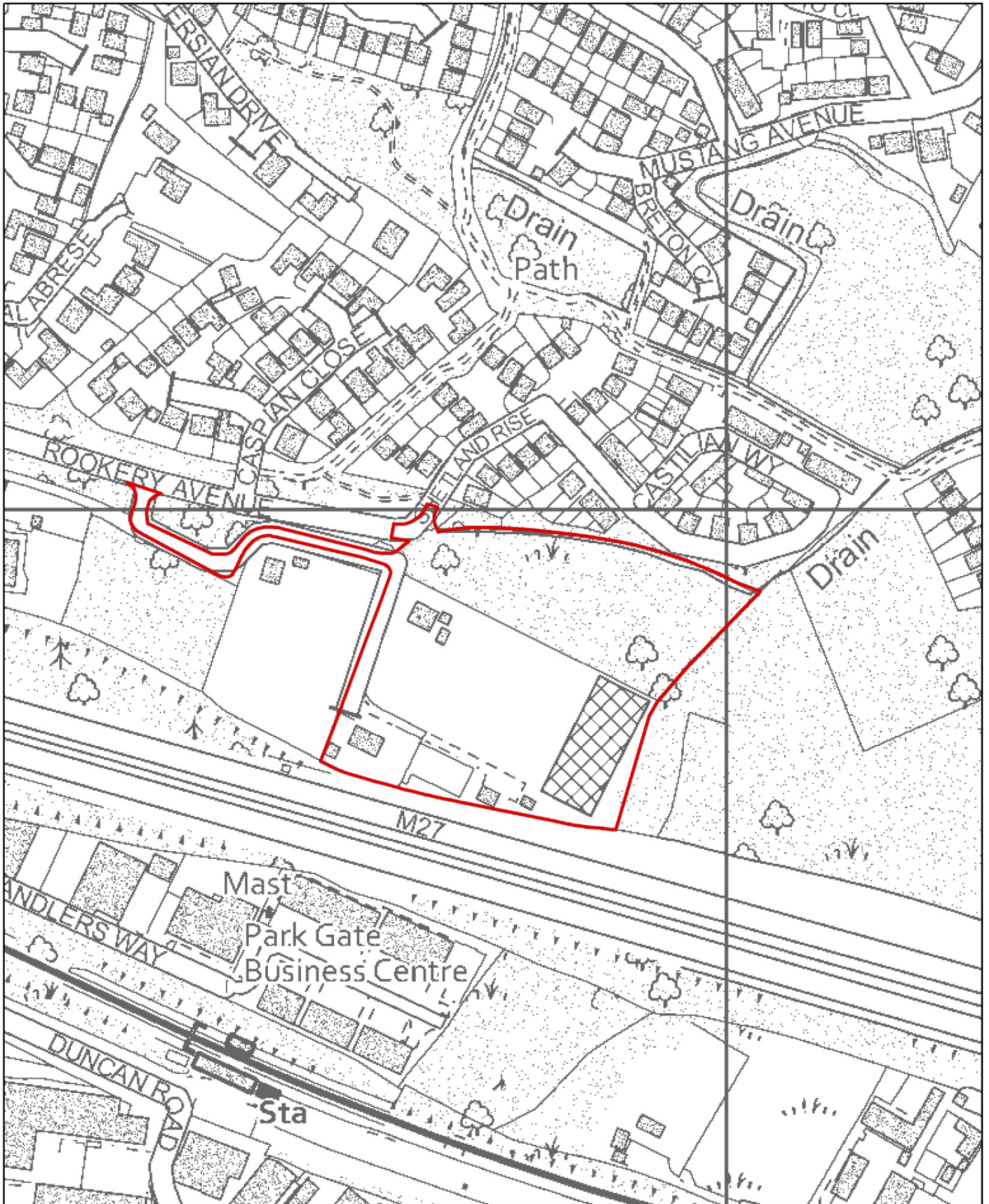
REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Land off Rookery Avenue
Whiteley
Scale 1:2,500



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Agenda Item 6(2)

OFFICER REPORT FOR COMMITTEE

DATE: 14th December 2022

P/21/1780/RM

Bargate Homes & Vivid

WARSASH

AGENT: Pegasus Group

RESERVED MATTERS APPLICATION PERTAINING TO LAYOUT, SCALE, APPEARANCE AND LANDSCAPING FOR THE CONSTRUCTION OF 80 DWELLINGS TOGETHER WITH ASSOCIATED PARKING, OPEN SPACE, LANDSCAPING AND OTHER INFRASTRUCTURE AND DEVELOPMENT WORKS, PURSUANT TO OUTLINE PLANNING PERMISSION P/19/0402/OA AND APPROVAL OF DETAILS REQUIRED BY CONDITIONS 7 AND 18 (BIODIVERSITY & ENHANCEMENT MITIGATION STRATEGY) AND 9(I) ARCHAEOLOGY OF P/19/0402/OA.

LAND ADJACENT TO 125 GREENAWAY LANE, WARSASH, SOUTHAMPTON

Report By

Rachael Hebden – direct dial 01329 824424

1.0 Introduction

1.1 This application was previously considered at the Planning Committee on 21st September 2022 and Members resolved to grant Planning Permission subject to the completion of a legal agreement to secure:

- i) the creation of a management company (funded by a residents' service charge) to maintain and manage the open space, sustainable urban drainage features and ecology buffers in perpetuity;
- ii) a mechanism for securing appropriate funding of the management company for the lifetime of the development;
- iii) a mechanism for ensuring collection and enforcement of the funding stream provided in ii) above to fund the monitoring and management of the communal areas of the development for the lifetime of the development

1.2 The "layout" of the application provides an additional ecological buffer along part of the eastern boundary over and above what was secured by the outline planning application, in lieu of a pedestrian and cycle link. The merits of an additional ecological buffer along part of the eastern boundary over a pedestrian and cycle link are set out below in the Planning Consideration section of this report.

1.3 The following report is an updated and amended version of the Officers' Report which was presented to the Planning Committee in September 2022. This

report reconsiders the application for reserved matter approval as a whole along with an amended recommendation which now includes the provision of an additional ecological buffer in lieu of the pedestrian and cycle link that was secured by the legal agreement alongside the outline planning permission (in addition to the items previously included in the recommendation).

- 1.4 Whilst this latest report leaves the vast majority of the planning application considered in September 2022 unaltered, from a planning law perspective the whole planning application is now presented back to Members for consideration (Members must determine the application as a whole). In the opinion of Officers there have been no material changes in national planning law, government guidance or policy since September 2022 that would in themselves alter the previous resolution of Members to grant Approval of the reserved matters.
- 1.5 The key relevant parts of this report which have been updated since the previous meeting are set out in paragraphs 8.11- 8.12 and focus on the change of the pedestrian cycle link to an ecological buffer

2.0 Site Description

- 2.1 The application site is located to the south of Greenaway Lane and comprises 3.4 hectares of land. There are glasshouses and buildings on the site which reflect the sites' former horticultural use. The site is generally flat with the northern half of the site mostly consisting of open grassland. Trees and scrub in the south-western corner of the site extend along the western and southern boundaries. The eastern boundary is lined with trees which are located within the adjoining site and are covered by a tree preservation order. There is a telecommunication mast within the south-eastern corner of the site. The site is classified as predominantly Grade 3b agricultural land.
- 2.2 Residential properties are located on the northern side of Greenaway Lane, to the western boundary of the site and north-eastern corner of the site. Beyond the southern boundary is a nursery with fields and glasshouses. Commercial businesses are located beyond the eastern boundary together with agricultural land.
- 2.3 Existing access to the main part of the site is from Greenaway Lane with an additional access track located further to the east which leads to the telecommunication mast. Greenaway Lane connects to Brook Lane located a short distance to the west.

3.0 Description of Proposal

- 3.1 The application is for those reserved matters relating to the appearance, landscaping, layout and scale of the approved outline planning application for

up to 100 dwellings. Access to the dwellings (the only matter approved as part of the outline planning permission) would be via Greenaway Lane.

- 3.2 Forty percent of the dwellings are affordable housing with the remainder being open market housing. The dwellings are a mixture of detached, semi-detached and terraced buildings with two blocks of flats in the south of the site. There is an area of open space in the centre of the site which runs from the north to the south of the site in line with the masterplan contained within policy HA1 of the Revised Publication Local Plan. There are ecology buffers proposed around the south, east and west of the site.

4.0 Policies

- 4.1 The following policies and guidance apply to this application:

National Planning Policy Framework (NPPF)

Adopted 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

Adopted 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

Revised Publication Fareham Local Plan 2037

DS1:	Development in the Countryside
DS3:	Landscape
H1:	Housing Provision
HA1:	North and South of Greenaway Lane

HP1:	New Residential Development
HP5:	Provision of Affordable Housing
CC2:	Managing Flood Risk and Sustainable Drainage Systems
NE1:	Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE2:	Biodiversity Net Gain
NE3:	Recreational Disturbance on the Solent Special Protection Areas (SPAs)
NE4:	Water Quality Effects on the SPAs, SACs and Ramsar Sites of the Solent
NE6:	Trees, Woodland and Hedgerows
NE9:	Green Infrastructure
TIN2:	Highway Safety and Road Network
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
D3:	Co-ordination of Development and Piecemeal Proposals
D4:	Water Quality and Resources
D5:	Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
 Planning Obligation Supplementary Planning Document for the Borough of Fareham (excluding Welborne) (April 2016)
 Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

5.1 The following planning history is relevant:

P/19/0402/OA: OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 100 RESIDENTIAL DWELLINGS, ACCESS FROM GREENAWAY LANE, LANDSCAPING, OPEN SPACE AND ASSOCIATED WORKS. Permission 22nd April 2021

P/21/0770/FP: TEMPORARY CONSTRUCTION ACCESS ONTO GREENAWAY LANE TO SERVE DEVELOPMENT PROPOSED UNDER P/19/0402/OA. Permission 14th October 2021

P/19/0402/DP/B SUBMISSION OF DETAILS IN RELATION TO CONDITION 5 (CTMP) OF P/19/0402/OA (OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 100 RESIDENTIAL DWELLINGS, ACCESS FROM GREENAWAY LANE, LANDSCAPING, OPEN SPACE AND ASSOCIATED WORKS. Permission 10.11.22

6.0 Representations

6.1 Representations have been received from 15 households which raise the following issues:

- This location is not acceptable in principle
- No weight should be attributed to policies within the Revised Publication Local Plan
- A construction traffic management plan is required
- Request that an additional 55 swift boxes are provided
- Concerns regarding impact on ecology and proposed mitigation
- Loss of privacy to 125
- Incursion onto land owned by 125
- Inappropriate design
- Impact of development on the character of Greenaway Lane
- Lack of information
- Plans aren't to scale
- Environmental impact
- The proposed layout differs from that in the outline application
- Disruption caused by the construction process
- Lack of sports pitch provision
- Unattractive sub-station included
- Lack of car parking
- Connectivity between sites within the Warsash cluster should be for pedestrians and cyclists only
- An appropriate assessment is required
- Inadequate sewage infrastructure
- Concerns regarding water efficiency
- Proximity to neighbouring dwellings
- Concerns regarding proposed alterations to the access
- Concerns regarding Southern Water's capacity relate to the capacity of infrastructure in terms of water supply and disposal

7.0 Consultations

EXTERNAL

Natural England

7.1 No objection subject to securing the required mitigation.

Hampshire County Council – Highways

7.2 No objection subject to car parking being secured prior to occupation

Hampshire County Council – Lead Local Flood Authority

7.3 No objection

Hampshire County Council – Archaeology

7.4 No objection

Southern Water

7.5 No objection

Designing Out Crime Officer

7.6 Gates to rear gardens and the ecology buffers should be fitted with locks Areas of open space should be enclosed with boundaries of at least 1m. Car ports should be redesigned as garages to provide greater security. Boundary hedges should be supplemented with metal railings. Lighting should conform to BS 5489-1:2020

INTERNAL

Ecology

7.7 No objection

Fareham Housing

7.8 No objection

Trees

7.9 No objection.

Public Open Space

7.10 No objection, subject to open space being managed and maintained by a private management company due to the presence of sustainable urban drainage features.

Environmental Health

7.11 No objection

Environmental Health - Contamination

7.12 No objection

8.0 *Planning Considerations*

8.1 The principle of the development of up to one hundred houses with access from Greenaway Lane has already been established under the outline planning permission granted under reference P/19/0402/OA.

8.2 The following matters represent the key planning considerations which need to be assessed to determine the suitability of the development proposal:

- a) Layout;
- b) Appearance;
- c) Scale;
- d) Landscaping;
- e) Ecology including Habitats Regulation Assessment;
- f) Other Issues

a) Layout

8.3 Access to the site is from the northwest corner of the site from Greenaway Lane; the location of which was secured by the outline planning permission. The main route into the site runs from the north to the south and is overlooked by properties fronting onto it on both sides. There are two roads running off the main route which run into the east of the site. These two roads split the central section of the site into three blocks: the northern block comprises plots 1-5 facing northwards with plots 6-12 backing onto them; the central block comprises plots 42-46 facing northwards with plots 47 to 53 backing onto them; the southernmost block comprises plots 54-69. The northern and central block comprise detached and semi-detached dwellings fronting onto the road with car parking provided to the front or side of the dwellings. The southernmost block comprises detached and semi-detached properties which also incorporate car parking to the front and side together with a block of flats (plots 54-60) that incorporate a small car parking court tucked into the centre of the block.

8.4 In the centre of the site there is a large, linear area of public open space that runs from the north to the south and will connect with public open space to be secured on land further south within the 'Warsash Cluster'. Properties adjacent to the open space incorporate windows that face onto the public open space to ensure natural surveillance.

8.5 There is a pedestrian and cycle route that runs the length of the open space which will connect to the land to the south together with connecting routes to the areas of housing to the east and west of the open space. There is also a drainage ditch that runs through the centre of the site, within the identified open space, and connects to the sustainable urban drainage feature in the south of the site. There is a road running east to west that crosses the open space and provides vehicular access to the eastern part of the site.

8.6 The eastern part of the site comprises plots 13 and 31-35 which front onto the central area of open space. The remainder of the dwellings in this section are positioned to front onto the road, with the exception of plots 25-30 and 36-37 which

front onto the secondary area of open space in the south-east of the site. Plots 25-33 and 37-38 incorporate car parking courts tucked back from the main road with the remainder of the dwellings in the eastern section of the site incorporating car parking to the front or side.

- 8.7 There are ecology corridors of at least 5 metres in depth that run along all of the south and west boundaries of the site together with a section of the east boundary. The section of ecological corridor that is proposed along the eastern boundary was not secured at the outline stage and is provided instead of a pedestrian cycle link. The ecological corridors will be designed to allow the movement of wildlife for example by incorporating spaces for animals to move at the bases of fences however they will not be accessible to members of the public.
- 8.8 The position of dwellings within the site has been designed to ensure there are regular gaps to retain the existing sense of spaciousness that characterises the area and to provide glimpses of the open space in the centre of the site.
- 8.9 In addition to the central area of open space that runs from north to south through the site, there is a soft landscaped area fronting onto Greenaway Lane which respects the semi-rural character of the lane. There are also a number of much smaller soft landscaped areas provided throughout the site to facilitate the provision of street trees. All of the houses have access to private gardens which satisfy the requirements of the Fareham Residential Design Guidance (Excluding Welborne) SPD. The two blocks of flats benefit from being adjacent to the main area of linear open space, and they also each have access to their own communal gardens.
- 8.10 Concerns have been raised regarding the proposed level of car parking; Officers can confirm that the level of car parking is in accordance with the Residential Car Parking Supplementary Planning Document. Residents have requested that the garages are replaced with car ports to encourage their use for parking rather than for storage. The garages are provided in addition to the required car parking spaces therefore it is not considered necessary to require them to be replaced with car ports.
- 8.11 The layout includes pedestrian links to the north, east and south to ensure connectivity with adjacent sites. The pedestrian link running adjacent and parallel to the eastern boundary that was secured at the outline stage would have been positioned on a narrow strip of land with no natural surveillance. This link was originally intended to provide additional connectivity with Greenaway Lane together with the main north-south link that runs through the central area of open space. The provision of an additional ecological buffer is considered to be a more appropriate use of the land previously identified as containing a pedestrian and cycle link as the link would have been provided on a narrow strip of land that would

not be overlooked by any adjacent buildings. The lack of natural surveillance of the narrow strip of land containing the pedestrian and cycle link could result in anti-social behaviour and is therefore undesirable. The provision of an additional ecological buffer instead of a pedestrian cycle link in this location would address concerns regarding the lack of natural surveillance of the pedestrian cycle link and would have the advantage of providing additional ecological benefits such as increasing the network of green space to enable the movement of wildlife within the area.

- 8.12 The provision of an ecological corridor which would not be accessible to members of the public does not need to be overlooked and is therefore considered by Officers and the Council's Urban Designer to be more appropriate than the provision of an additional pedestrian cycle link.
- 8.13 Concerns have been raised regarding the provision of vehicular connectivity with adjacent sites, however there is no vehicular connectivity provided therefore this concern is unfounded.
- 8.14 Concerns have been raised regarding the proximity of the development to neighbouring properties. Officers can confirm that the proposed development has been designed to accord with (and in many cases exceed) the minimum separation distances recommended in the Fareham Residential Design Guidance Supplementary Design Document and is therefore considered to be appropriate.
- 8.15 The proposed layout has been carefully designed to respond to the local character and is in accordance with the requirements of policy CS17 of the adopted plan and policies D1, D3, HA1, NE1 and NE9 of the emerging Fareham Local Plan.

b) Appearance

- 8.16 The proposed detached, semi-detached and terraced dwellings are of a traditional design and all incorporate pitched roofs. The use of different materials including three different brick types and hanging tiles will help articulate elevations and provide variety within the site. The incorporation of chimneys will help to provide variety within the roofscape. The design of the dwellings is 'tenure blind', that is there will be no differentiation between the design of the affordable and open market dwellings.
- 8.17 Concerns have been raised regarding the incorporation of a sub-station in the north of the site. The proposed sub-station is modestly proportioned and has been positioned within an area of soft landscaping to enable it to be satisfactorily screened. The incorporation of the sub-station at an early stage in the design process is positive and Officers are satisfied that the proposed sub-station would not have an adverse impact on the overall character of the area.

- 8.18 The plans confirm the way in which different materials will be dispersed throughout the site and used in the design of individual dwellings, however it is recommended that the specific details of the materials are secured by planning condition. Bin storage has been discreetly located so as to avoid adversely impacting the character of the public realm.
- 8.19 The Designing Out Crime Officer has made recommendations regarding the detailed design including the provision of locked gates, boundaries to areas of open space and the provision of lighting. Amended plans have been submitted which include boundary treatments to differentiate between public and private open space and access to ecology buffers will be prevented by the incorporation of locked gates. The Designing Out Crime Officer's comments will also be taken into consideration when the detailed design issues including lighting are submitted to discharge the various recommended planning conditions.
- 8.20 Concerns have been raised regarding the proposed design and the impact of the development on the character of Greenaway Lane. The proposed design has been refined and the amended plans address concerns originally expressed by Officers. Overall, the appearance is now considered to be of a high quality that responds to the local character and is in accordance with policy CS17 of the adopted plan and policies D1, D3 and HA1 of the emerging Fareham Local Plan.

c) Scale

- 8.21 All of the proposed dwellings, including the flatted accommodation are 2 storeys high. The proposed dwellings exceed the National Minimum Space Standards and are considered to be of an appropriate scale that relates well to existing dwellings in the immediate locality in accordance with policy CS17 of the adopted Local Plan and Policies HA1 and D5 of the emerging Fareham Local Plan 2037.

d) Landscaping

- 8.22 The main area of public open space runs from north to south through the centre of the site in accordance with Housing Allocation Policy HA1 of the submitted Fareham Local Plan 2037. In addition to the generous linear central area of open space there is an area of soft landscaping along the northern boundary fronting Greenaway Lane to respect the semi-rural character of the Lane together with ecology buffers of at least 5m in depth along the south, west and part of the eastern boundaries in accordance with the outline planning application. There is also a number of much smaller soft landscaped areas dispersed throughout the site to allow for the planting of trees within the public realm.

- 8.23 The proposed soft landscaping within the areas of public open space is of a natural character with areas of ornamental planting within the car parking courtyards and within front gardens. The landscape plans submitted confirm the areas of planting with the specific details of size, species of tree and shrub to be secured by planning condition.
- 8.24 The proposed area of public open space was originally intended to be transferred to Fareham Borough Council, however due to the presence of sustainable urban drainage features within the open space which require additional resources to manage and maintain in the long term the area of open space is to instead be managed and maintained by a private management company and funded by a residents' service fee. To prevent cars from parking on the edge of the central open space it is recommended that a condition is included to require the submission of details of bollards around the perimeter of the area.
- 8.25 The proposed hard landscaping includes areas of tarmac for the roads, with small areas of block paving defining the 'shared' surface areas in the car parking courtyards and at the ends of the two roads which culminate in cul-de-sacs. Details of the street furniture to be provided within the areas of public open space are secured within the legal agreement signed at the outline stage.
- 8.26 The proposed landscaping which will contribute towards the overall quality and character of the site is considered to be of a high quality as required by policy CS17 of the adopted Local Plan and policies HA1, NE1 and NE9 of the emerging Fareham Local Plan 2037.

e) Ecology including Habitats Regulation Assessment

- 8.27 Policy CS4 requires green infrastructure networks which buffer and link established sites to be maintained and enhanced and Policy DSP13 states that development may be permitted where it can be demonstrated that protected species and their habitat are protected and the proposal would not prejudice or result in the fragmentation of the biodiversity network. Policy NE1 of the emerging Local Plan would replace these policies.
- 8.28 The application proposes a 5m deep wildlife buffer around all of the western boundary, all of the southern boundary (with the exception of a gap for a pedestrian and cycle route connecting the site to the south) and an additional section of buffer along the eastern boundary. The application is accompanied by an ecological appraisal that contains several measures designed to protect wildlife within the site and ensure that provision is made for suitable habitat to be retained and provided. Representations have raised concerns regarding the ecological impact of the proposed development and mitigation, in particular it has been requested that additional swift boxes are provided so that there is provision for each dwelling.

The ecologist has confirmed that the proposed measures contained in the ecological appraisal (which includes the provision of 25 swift boxes) are appropriate and in accordance with Policies CS4 and DSP13 and that there is no justification for requesting the provision of additional swift boxes. The measures contained within the ecological survey can be secured by condition.

- 8.29 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance. In light of their importance, areas within The Solent have been specially designated under UK law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitats Sites' (HS).
- 8.30 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated Habitats Sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated European sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.31 Given the changes in circumstances since the outline planning permission the Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the HS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.32 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP) was secured within the legal agreement completed alongside the outline planning application.
- 8.33 Natural England have also advised that the development's location within a 13.8km radius of the New Forest protected sites also requires mitigation. In order to mitigate the impact of increased recreational disturbance in combination with other development on the New Forest protected sites the applicant has paid the appropriate financial contribution towards the Council's interim Mitigation Solution

on New Forest Recreational Disturbance prior to the application being determined. The Appropriate Assessment therefore concludes that, subject to the payments being received/secured, the proposals would not have an adverse effect on the integrity of the HS as a result of recreational disturbance in combination with other plans or projects.

- 8.34 Secondly in respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.35 A nitrogen budget has been calculated in accordance with Natural England's '*National Generic Nutrient Neutrality Methodology*' (February 2022) ('the NE Advice') and the updated calculator (20 April 2022) which confirms that the development will generate 96.03 kg TN/year. In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 people in line with the NE advice. The existing use of the land for the purposes of the nitrogen budget is considered to be open space. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.36 The applicant has agreed to enter into a contract (conditional on the resolution to grant planning permission) to purchase 96.25 of nitrate mitigation 'credits' from The Hampshire and Isle of Wight Wildlife Trust (HIWWT). Through the operation of a legal agreement between the HIWWT and Fareham Borough Council dated 30th September 2020, the purchase of the credits will result in a corresponding reduction in nitrogen entering the Solent marine environment.
- 8.37 The Council has concluded within an Appropriate Assessment that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. Natural England has been consulted on the Council's Appropriate Assessment and have confirmed 'no objection' subject to the appropriate mitigation being secured. It is therefore considered that the development accords with the Habitat Regulations, Policies CS4, DSP13 and DSP15 of the adopted Local Plan and policies NE1 and NE4 of the emerging Local Plan.

f) Other Issues

- 8.38 The application also provides details relating to archaeological issues in accordance with condition 9 of the outline application. The Archaeological Officer has assessed the information submitted and confirmed that it is appropriate.
- 8.39 The application proposes 40% affordable housing in accordance with policy CS18 (and emerging Policy HP5) and the outline permission. The affordable housing will be tenure blind and is dispersed throughout the site. Fareham Housing support the proposed amount, tenure and distribution of affordable housing within the proposed development.
- 8.40 A number of concerns have been raised relating to issues that are not of relevance to this application including the principle of development in this location, concerns regarding traffic generation, water efficiency, disruption caused by the construction process, the potential incursion onto adjoining sites, the use of the access during the construction process and the capacity of the sewage infrastructure. The principle of development and traffic generation was previously considered and judged acceptable at the outline application stage and therefore are not able to be revisited as part of this application. The water efficiency of dwellings is secured by a planning condition included in the outline permission. The potential incursion onto adjoining land is a private matter that is covered by Civil Law and is not within the scope of this planning application.
- 8.41 In terms of the capacity of the water supply and disposal Southern Water have been consulted and have raised no objection to the proposal. Southern Water submitted comments in response to the Examination of the Revised Publication Local Plan and these were considered by the Planning Inspector. Comments submitted to the Local Plan are of a strategic nature and are not for consideration as part of individual planning applications.
- 8.42 An application for a temporary access for use by construction traffic has already been approved by Members (P/21/0770/FP). The use of the main access to the site during the construction process is subject to a separate application which considers the Construction Traffic Management Plan submitted in accordance with the outline application which has been approved separately and is not for consideration as part of this application.
- 8.43 Concerns have also been raised regarding the lack of the provision of any sports provision. Policy HA1 in the Revised Publication Local Plan requires the provision of sports pitches within the Warsash Cluster. The provision of sports pitches has been contested and is being considered by the Planning Inspector. If the provision of sports pitches is considered to be necessary by the Planning Inspector there is

capacity for pitches to be provided within other sites in the Warsash Cluster (that have not yet been determined).

- 8.44 Representations have also stated that no weight should be applied to the policies contained within the Revised Publication Local Plan. National planning policy allows Councils to give appropriate weight to relevant policies in emerging plans according to the stage of preparation of the plan, the extent to which there are unresolved objections and the degree of consistency with the NPPF (para 48 NPPF). The Revised Publication Local Plan 2037 was submitted for examination on 30th September 2021. Given the advanced stage of the Plan it is considered that weight can be attributed to policies it contains.

Conclusion

- 8.45 The development is considered to be of an appropriate appearance, layout and scale that would not have a significant adverse impact on the amenities of neighbouring properties with landscaping that would be in keeping with the character of the surrounding area. It is not considered that the proposal would have an adverse effect on the integrity of the Habitat Sites as appropriate mitigation has been secured. The provision of an additional section of ecological corridor along the eastern boundary over and above that secured at the outline stage in lieu of a pedestrian and cycle link is considered to be appropriate and will provide additional ecological connectivity. Overall, the proposal is considered to accord with the relevant planning policies and is recommended for approval.

9.0 Recommendation

- a) DELEGATE to the Head of Development Management in consultation with the Solicitor to the Council to complete a legal agreement to ensure:
- i) the creation of a management company (funded by a residents' service charge) to maintain and manage the open space, sustainable urban drainage features and ecological corridors in perpetuity;
 - ii) a mechanism for securing appropriate funding of the management company for the lifetime of the development;
 - iii) a mechanism for ensuring collection and enforcement of the funding stream provided in ii) above to fund the monitoring and management of the communal areas of the development for the lifetime of the development;
 - iv) the creation of and retention of an ecological corridor along part of the eastern boundary.

then

b) GRANT APPROVAL OF THE RESERVED MATTERS APPLICATION AND APPROVAL OF DETAILS PURSUANT TO CONDITIONS 7, 9(I) AND 18 OF P/19/0402/OA,

subject to the following Conditions:

1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a. Arboricultural Assessment and Method Statement (including Tree Protection Plan & Manual for Managing Trees) Barrell Tree Consultancy 17387-AA6-PB 17387-7 14.10.2021
 - b. Engineering Technical Note – Discharge of Cons 8,10&11 CEP 22977 v8.0
 - c. Archaeological Written Scheme of Investigation RPS 27301 (June 2021)
 - d. Biodiversity Enhancement and Mitigation Strategy Ecosupport (August 2022)
 - e. Nitrate Mitigation Statement Tetra Tech 784-B026809 13.06.22
 - f. Nitrate Budget Calculator Tetra Tech 784-B026809 24.06.22
 - g. Ground Conditions Assessment Ground Condition Consultants J17-017-R02 (Feb 2019)
 - h. Location Plan (Thrive LP.01 A)
 - i. Site Layout (Thrive SL.01 M)
 - j. Dwelling Materials Layout (Thrive DML.01 J)
 - k. Boundary Materials Layout (Thrive BML.01 K)
 - l. Parking Strategy Layout (Thrive PSL.01 J)
 - m. House Type 2B Maisonette Elevations (Thrive HT.2BM.e A)
 - n. House Type 2B Maisonette Floor Plans (Thrive HT.2BM.p A)
 - o. House Type 3B (2 Blk) Elevations (Thrive HT.3B(2Blk).e D)
 - p. House Type 3B (2 Blk) Floor Plans Thrive HT.3B(2Blk).p D)
 - q. House Type A (2 Blk) Elevations (Thrive HT.A.e A)
 - r. House Type A (2 Blk) Floor Plans (Thrive HT.A.p A)
 - s. House Type C.A. Elevations (Thrive HT.C.A.e B)
 - t. House Type C.A. Floor Plans (Thrive HT.C.A.p B)
 - u. House Type C Elevations (Thrive HT.C.e B)
 - v. House Type C Floor Plans (Thrive HT.C.p B)
 - w. House Type D (2Blk) Elevations (Thrive HT.D(2blk).e C)
 - x. House Type D (2Blk) Floor Plans (Thrive HT.D(2Blk).p C)
 - y. House Type D Elevations (Thrive HT.D.e C)
 - z. House Type D Floor Plans (Thrive HT.D.p C)
 - aa. House Type E Elevations (Thrive HT.E.e B)
 - bb. House Type E Floor Plans (Thrive HT.E.p B)
 - cc. House Type F Elevations (Thrive HT.F.e C)
 - dd. House Type F Floor Plans (Thrive HT.F.p C)
 - ee. House Type F (Plot 1) Elevations (Thrive HT.F-1.e A)
 - ff. House Type G Elevations (Thrive HT.G.e B)
 - gg. House Type G Floor Plans (Thrive HT.G.p B)
 - hh. House Type H.A. Elevations (Thrive HT.H.A.e A)

- ii. House Type H.A. Floor Plans (Thrive HT.H.A.p A)
- jj. House Type H Elevations (Thrive HT.H.e B)
- kk. House Type H Floor Plans (Thrive HT.H.p B)
- ll. House Type J Elevations (Thrive HT.J.e C)
- mm. House Type J Floor Plans (Thrive HT.J.p C)
- nn. Plots 25-30 Elevations (Thrive P.25-30.e C)
- oo. Plots 25-30 Floor Plans (Thrive P.25-30.p C)
- pp. Plots 54-60 Elevations (Thrive P.54-60.e C)
- qq. Plots 54-60 Floor Plans (Thrive P.54-60.p C)
- rr. Plots 11-12 Elevations (Thrive P.11-12.e B)
- ss. Plots 11-12 Floor Plans (Thrive P.11-12.p B)
- tt. Plots 20-21 Elevations (Thrive P.20-21.e A)
- uu. Plots 20-21 Floor Plans (Thrive P.20-21.p A)
- vv. Plots 22-24 Elevations (Thrive P.22-24.e A)
- ww. Plots 22-24 Floor Plans (Thrive P.22-24.p A)
- xx. Plots 31-33 Elevations (Thrive P.31-33.e B)
- yy. Plots 31-33 Floor Plans (Thrive P31-33.p B)
- zz. Plot 38 Floor Plans and Elevations (Thrive P.38.pe B)
- aaa. Plots 48-50 Elevations (Thrive P.48-50.e A)
- bbb. Plots 48-50 Floor Plans (Thrive P.48-50.p A)
- ccc. Plots 61-63 Elevations (Thrive P.61-63.e B)
- ddd. Plots 61-63 Floor Plans (Thrive P.61-63.p B)
- eee. Plots 69-70 Elevations (Thrive P.69-70.e B)
- fff. Plots 69-70 Floor Plans (Thrive P.69-70.p B)
- ggg. Plots 71-73 Elevations (Thrive P.71-73.e A)
- hhh. Plots 71-73 Floor Plans (Thrive P.71-73.p A)
- iii. Single Garage 1 Plan and Elevations (Thrive GAR.01.pe C)
- jjj. Double Garage 1 Plan and Elevations (Thrive GAR.03.pe B)
- kkk. Twin Garage 1 Plan and Elevations (Thrive GAR.04.pe C)
- lll. Electric Sub-station (Thrive ESS.01.pe A)
- mmm. Proposed Drainage Sheet 1 of 4 (CEP 201 F)
- nnn. Proposed Drainage Sheet 2 of 4 (CEP 202 F)
- ooo. Proposed Drainage Sheet 3 of 4 (CEP 203 G)
- ppp. Proposed Drainage Sheet 4 of 4 (CEP 204 G)
- qqq. Proposed Drainage Whole Site (CEP 205 G)
- rrr. Proposed Drainage Manhole Schedule (CEP 210 C)
- sss. Proposed Drainage Maintenance Plan (CEP 220 H)
- ttt. Construction Details Sheet 1 of 3 (CEP 501 B)
- uuu. Construction Details Sheet 2 of 3 (CEP 502 B)
- vvv. Construction Details Sheet 3 of 3 (CEP 503.A)
- www. Soakage Testing Results and Locations (CEP 50.G)
- xxx. Impermeable Areas Plan (CEP 53.G)
- yyy. Road Horizontal Alignment Sheet 1 of 4 (CEP 601 G)
- zzz. Road Horizontal Alignment Sheet 2 of 4 (CEP 602 F)
- aaaa. Road Horizontal Alignment Sheet 3 of 4 (CEP 603 G)
- bbbb. Road Horizontal Alignment Sheet 4 of 4 (CEP 604 G)
- cccc. Road Vertical Alignment (CEP 651 G)
- dddd. Fire Tender Tracking (CEP 41 H)

- eeee. Refuse Vehicle Tracking (CEP 42 H)
- ffff. Site Layout Amendment Plan (i-Transport ITB13162-GA-039 C)
- gggg. Proposed Levels Sheet 1 of 4 (CEP 401 F)
- hhhh. Proposed Levels Sheet 2 of 4 (CEP 402 F)
- iiii. Proposed Levels Sheet 3 of 4 (CEP 403 G)
- jjjj. Proposed Levels Sheet 4 of 4 (CEP 404 G)
- kkkk. Tree Protection Plan Barrell Tree Consultancy 17387-7
- llll. Landscape Proposals (North West) (Terra Firma 2305-TFC-00-00-DR-L-1001 P06)
- mmmm. Landscape Proposals (North East) (Terra Firma 2305-TFC-00-00-DR-L-1002 P06)
- nnnn. Landscape Proposals (South West) (Terra Firma 2305-TFC-00-00-DR-L-1003 P07)
- oooo. Landscape Proposals (South East) (Terra Firma 2305-TFC-00-00-DR-L-1004 P06)

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

2. No development shall take place on site (including works related to site set up, demolition and/or clearance) until details of the means of enclosure of the ecology buffers have been submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be installed prior to the commencement of development and shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the ecology buffers provide an appropriate environment for wildlife.

3. No development shall take place until details of all lighting required during the construction of the development) that has been designed to minimise impacts on wildlife and habitats, has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be implemented in accordance with the approved details and retained thereafter.

REASON: In order to minimise impacts of lighting on the ecological interests of the site.

4. No development shall take place beyond damp proof course (dpc) level until details including location, type and technical specification of Electric Vehicle (EV) charging points will be provided at the following level:

- a) At least one Electric Vehicle (EV) charging point per dwelling with allocated parking provision;
- b) At least one Electric Vehicle (EV) 'fast charge' point in shared/unallocated parking areas per 10 dwellings with no allocated parking provision.

The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first occupation of the dwelling/s to which it serves.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

5. No development shall proceed beyond damp proof course level until details of all proposed external facing and hardsurfacing materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

6. None of the dwellings hereby approved shall be first occupied until details of bin storage and collection have been submitted to and approved by the Local Planning Authority in writing. None of the dwellings hereby approved shall be first occupied until the bin storage relating to them as shown on the approved plan has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To secure the satisfactory bin storage for the development.

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

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

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

REASON: In the interests of highway safety.

9. None of the dwellings hereby approved shall be first occupied until the visitor parking spaces marked on the approved plan, and sufficient to serve that part of the overall development completed at that time, 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.

10. None of the dwellings hereby approved shall be first occupied until details of the means of preventing car parking in areas of open space have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed after the central space has been landscaped and prior to the first use of the open space and shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.
REASON: To ensure the open spaces remain available for recreational purposes and prevent indiscriminate car parking.
11. All of the detached, semi-detached and end of terrace properties hereby approved shall have any external electricity meter box located on a side elevation.
REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.
12. Development shall be undertaken in accordance with the measures contained within the Biodiversity Enhancement and Mitigation Strategy produced by Ecosupport (30/8/22 revised) and the Reptile Capture Note produced by Ecosupport (August 2022).
REASON: To ensure appropriate ecological mitigation and biodiversity enhancement measures are implemented.
13. No development shall proceed beyond damp proof course level until a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme submitted shall be implemented and completed within the first planting season following the completion of the development and shall be maintained in accordance with the agreed schedule. Any trees or plants which within a period of 5 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 development shall take place until an intrusive site investigation and assessment of the risks to human health, the building fabric and the wider environment including water resources has been submitted to and approved in writing by the Local Planning Authority.
Where the intrusive site investigation reveals a risk to receptors, a detailed scheme for remedial works to address these risks and ensure the site is suitable

for the proposed use shall be submitted to and approved by the Local Planning Authority in writing. The scheme shall also include the nomination of a competent person (to be agreed with the LPA together with any remedial works) to oversee the implementation of the approved measures.

The development shall be undertaken in accordance with the approved details.

REASON: To ensure that any contamination of the site is properly taken into account before the development takes place and any remedial measures are implemented prior to occupancy.

15. Confirmation by an independent competent person that the approved scheme of remedial works (required by condition 15) has been implemented shall be submitted to and approved by the Local Planning Authority in writing prior to the occupancy of each dwelling to which the remedial works relate.

REASON: To ensure that any potential contamination of the site is properly remediated before first occupation takes place.

16. If, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered all works in the affected area shall cease immediately. Works in the affected area shall not recommence until an investigation and risk assessment of the identified ground conditions have been undertaken and details of the findings, along with a detailed remedial scheme (including a timetable for implementation), if required, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

The remediation scheme shall be fully implemented and shall be validated in writing to the Local Planning Authority by an independent competent person in accordance with the approved timescales.

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

17. The development shall be carried out in accordance with the measures contained within the Arboricultural Assessment and Method Statement (Barrell Tree Consultancy ref 17387-AA6-PB dated 14th October 2021), The Manual for Managing Trees on Development Sites (Barrell Tree Consultancy v3.0) and the Tree Protection Plan ref 17387-7.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.

18. Notwithstanding the approved plans for house type 'A', details of fenestration in the southern elevation of plot no. 35 to be provided prior to development above dpc level of no. 35. The fenestration shall be implemented in accordance with the approved details prior to the occupation of no. 35.

REASON: To ensure maximum natural surveillance of the adjacent open space.

10.0 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

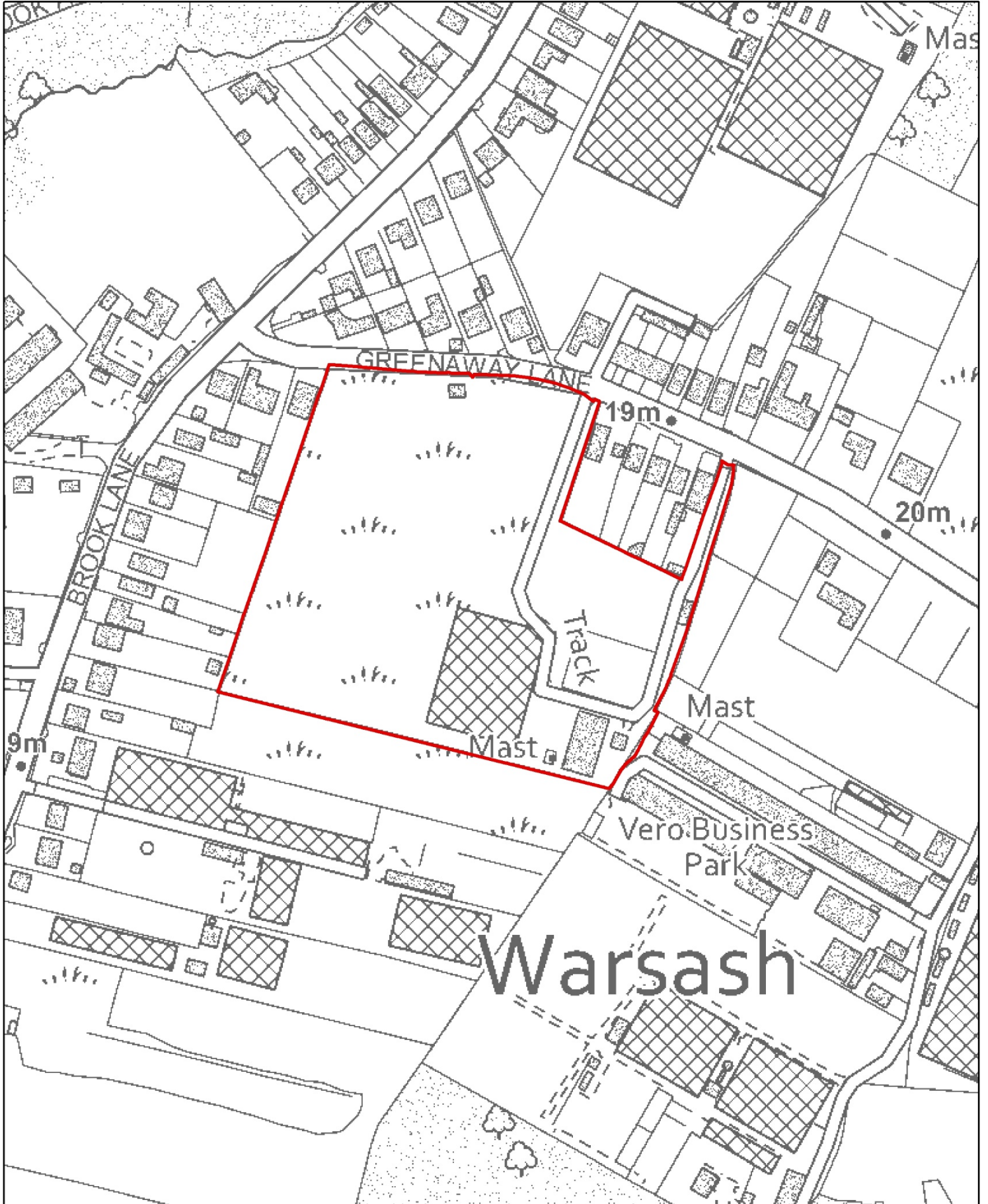
11.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

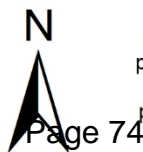
P/19/0402OA & P/21/0770/FP

FAREHAM

BOROUGH COUNCIL



Land Adjacent to 125 Greenaway Lane, Warsash
Scale 1:2,500



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

P/22/1312/FP
MR JONES

WARSASH
WILLOW DESIGN AND
ARCHITECTURE

RAISE RIDGE HEIGHT, EXTERNAL ALTERATIONS TO INCLUDE FRONT EXTENSION, REAR BALCONY, FIRST FLOOR SIDE EXTENSION AND SECOND FLOOR LOFT CONVERSION WITH FRONT/REAR DORMERS, RENDER, CLADDING AND FENESTRATION INSTALL.

14 MARINERS WAY, WARSASH

Report By

Emma Marks – direct dial 01329 824756

1.0 Introduction

1.1 This application is being reported to the Planning Committee to be decided, due to the number of third-party representations received.

2.0 Site Description

2.1 The application relates to a detached two storey 1960/70s dwelling on the southern side of Mariners Way which is to the east of Thornton Avenue. The existing property has a flat roofed single garage attached at the side of the property, with a balcony above.

2.2 The property is within the designated urban area.

3.0 Description of Proposal

3.1 Planning permission is sought to redesign the existing dated property and modernise its external appearance.

3.2 The alterations comprise raising the height of the property by 700mm, external alterations which include a single storey front extension, single storey rear extension with a first-floor balcony above, first floor side extension with a second-floor balcony, loft conversion with dormer windows and external alterations to the building consisting of render/fenestration alterations.

4.0 Policies

4.1 The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17: High Quality Design

Adopted Development Sites and Policies

DSP3: Impact on living conditions

Emerging Fareham Local Plan 2037

- 4.2 The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of main modifications to the Plan. Subject to full Council approval, the proposed main modifications will be the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme suggests that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and at this stage is a material consideration for the determination of planning applications.

D1: High Quality Design and Placemaking

D2: Ensuring Good Environmental Conditions

5.0 Relevant Planning History

- 5.1 The following applications represent the most recent relevant planning history for the application site:

P/22/0768/FP	External alterations to include front extension, rear balcony, first floor side extension and second floor extension. Render, cladding and fenestration install –
Refused	15-07-22
Appeal lodged	05-09-22 – awaiting decision

6.0 Representations

- 6.1 Sixteen letters of representation have been received from seven different households raising the following concerns: -

- Overlooking
- Invasion of my and my family's privacy
- Out of keeping with other properties adjacent and further along Mariners
- The development doesn't comply with CS17 by being respectful to the key character of the area, particularly scale
- Overbearing to many existing neighbours
- Loss of view
- Negative effect on character and appearance
- Overshadowing

7.0 Consultations

None

8.0 Planning Considerations

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

- a) Impact on neighbouring properties
- b) Impact on the character and appearance of the area
- c) Other matters

a) Impact on neighbouring properties

- 8.2 Policy DSP3 and draft Policy D2 seek to ensure that the development proposal does not have an unacceptable adverse impact on living and environmental conditions of neighbouring occupiers. The nature of development is that it does result in change to the local environment, and it is the responsibility of the Local Planning Authority to ensure that the level of harm is managed to an acceptable level.
- 8.3 Concern has been raised that the development will increase loss of privacy and overlooking to the neighbouring properties. Due to the location of the property, many of the houses have balconies and terraces to maximise their views of the River Hamble which lies in close proximity to the site. The existing properties already has a first-floor side and rear balcony, as do the neighbouring properties.
- 8.4 The proposal includes a first-floor rear balcony, second floor side balcony and front/rear dormer window. A minimum distance of 11 metres is generally sought from a balcony area or window above ground floor level, to retain an acceptable level of privacy. Privacy screens are proposed on the sides of the balcony areas so that any side way views will be restricted. The rear boundary is on an angle with the shortest distance from the development to the boundary being 11.1 metres (looking on to the back of a neighbours outbuilding) and 13.8 metres at the deepest part. The development also achieves a minimum distance of 37 metres to the windows within the neighbouring properties to the rear. Officers are of the view that due to the distances achieved no unacceptable adverse impact would be created on the surrounding neighbouring properties with regards to loss of privacy/overlooking.
- 8.5 It has been raised that the development may cause overshadowing to the neighbouring properties. The neighbouring properties either side have a

couple of secondary windows within their side elevations which would look onto the application site. However, there are no main windows which would be adversely affected by this development. The rear projection is 3 metres deep with a balcony area above, but due to the detached nature of the property, Officers do not consider that the rear projection would cause overshadowing to a harmful level.

b) Impact on the character and appearance of the area

- 8.6 Policy CS17 (High Quality Design) and draft Policy D1 (High Quality Design and Placemaking) seeks to ensure that new development will be designed to 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.
- 8.7 Concern has been raised that the development is out of keeping and is not respectful to the key character of the area and overbearing. The development proposes to increase the height of the ridge line by 700mm to allow additional roof space to accommodate the proposed front dormers. Mariners Way does not have a set property style and there are many property types with different ridge heights within the road, a situation emphasised by the changing topography of the street. Officers are of the view that the alterations proposed to the property still retains the appearance of a two-storey dwelling (but with accommodation within the roof space) that is not excessive in size or overbearing.
- 8.8 The design of the development has been altered since it was originally submitted to improve the design of the proposal within the street scene. The first-floor fenestration has been altered to create more symmetry, the roof space increased so the dormers do not dominate the roof slope and the pitched roof above the garage area has been increased to improve the design. The proposed external materials are also evident in many of the surrounding properties, and therefore would not appear out of keeping in the street scene. Officers are therefore of the view that the development does not have a negative effect on the character or appearance of the area and would not have a detrimental impact on the street scene.

c) Other matters

- 8.9 Finally, concern was raised that the development would create a loss of view from a neighbour's property. Loss of view is not a material planning consideration and therefore cannot be taken into account for the determination of this application.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following conditions:

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

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

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

a) Proposed Plans & Elevations – Drawing Number: 2006-002M

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

3. The first and second floor balconies hereby approved shall not be brought into use until the 1.7 metre solid screens as shown on drawing number: 2006 -002M have been erected on both the north-west and south-east sides of the balconies. The screening shall be subsequently retained at all times.

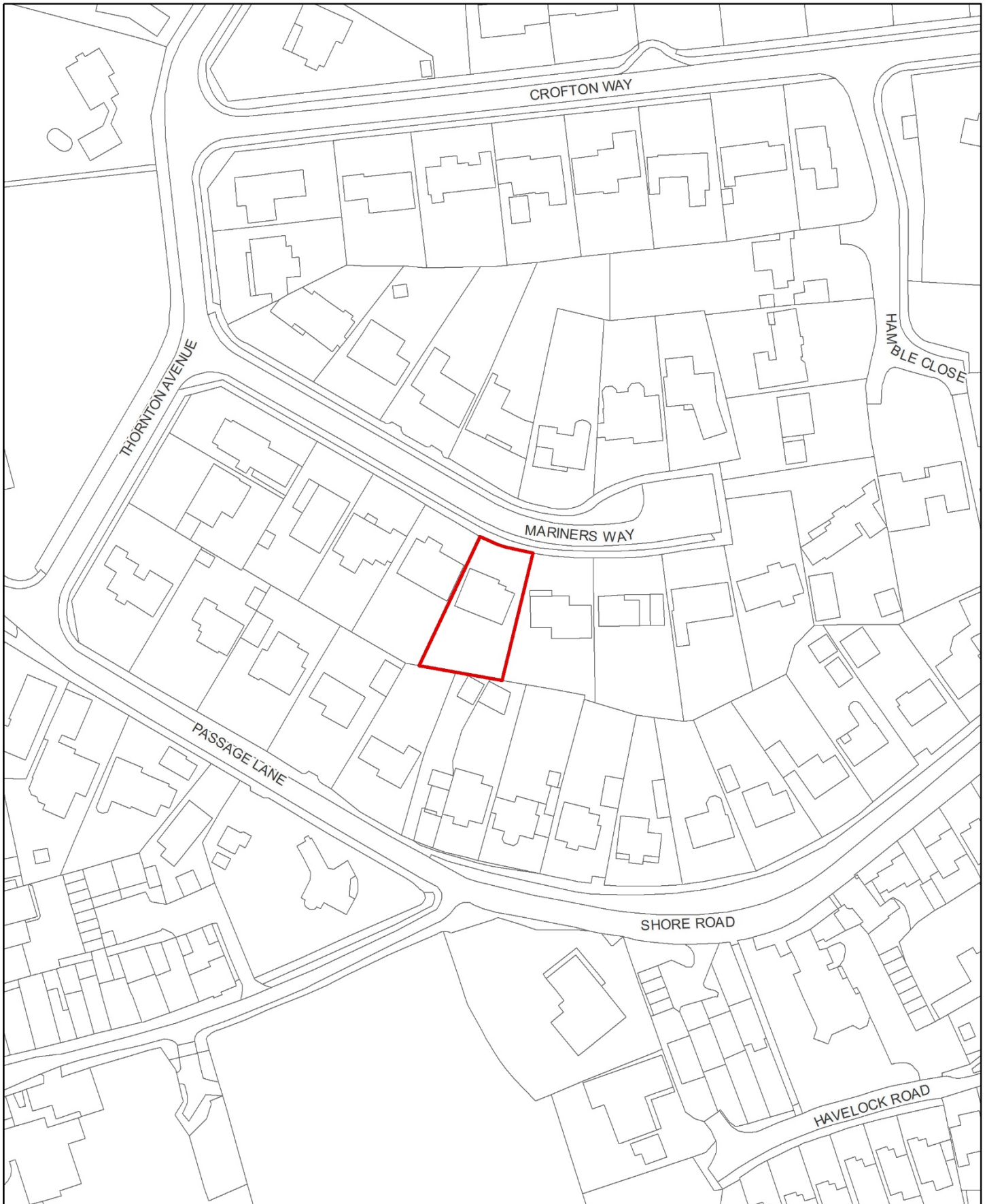
REASON: To protect the privacy of the occupiers of the neighbouring property and to prevent overlooking.

10.0 Background Papers

- 10.1 Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



14 Mariners Way
Warsash
Scale 1:1,250



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

<p>ZONE 2 – FAREHAM</p> <p>Fareham North-West</p> <p>Fareham West</p> <p>Fareham North</p> <p>Fareham East</p> <p>Fareham South</p>

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
<p>P/19/0437/FP</p> <p>FAREHAM EAST</p>	<p>FAREHAM POINT WICKHAM ROAD FAREHAM PO16 7FN</p> <p>FOUR APARTMENTS TO BE CREATED AT SECOND AND THIRD FLOOR LEVELS (RESUBMISSION OF LAPSED PERMISSION P/15/0316/FP)</p>	<p>4</p> <p>PERMISSION</p>
<p>P/22/0867/RM</p> <p>FAREHAM NORTH</p>	<p>WELBORNE LAND NORTH OF FAREHAM</p> <p>RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPE, LAYOUT AND SCALE FOR THE CREATION OF A NORTH TO SOUTH BRIDLEWAY CONNECTION ON THE WESTERN SIDE OF WELBORNE INCLUDING CONNECTIONS TO EXISTING PUBLIC RIGHTS OF WAY, THE PROVISION OF A CAR PARK TO SUPPORT THE USE OF DASHWOOD AS A SANG, PUBLIC RIGHT OF WAY PROVISION AT FAREHAM COMMON AND REQUISITE UTILITY CONNECTIONS TO SERVE THE FIRST PHASES OF DEVELOPMENT, INCLUDING ANY ASSOCIATED HARD AND SOFT LANDSCAPING, DRAINAGE, CONSTRUCTION ACCESS, ENGINEERING OPERATIONS AND EARTHWORKS INCLUDING DETAILS PURSUANT TO</p>	<p>5</p> <p>APPROVE</p>

CONDITIONS 45 (DASHWOOD CAR PARK PROVISION) AND 56 (WORK WITHIN 15M OF THE GAS MAIN).

P/22/1020/RM	WELBORNE LAND NORTH OF FAREHAM	6
FAREHAM NORTH	RESERVED MATTERS IN RELATION TO OUTLINE PLANNING PERMISSION P/17/0266/OA: FOR ACCESS, APPEARANCE, LANDSCAPE, LAYOUT AND SCALE FOR THE CONSTRUCTION OF HAUL ROADS AND INITIAL BASE COURSE ROAD CARRIAGEWAY RELATED TO THE DELIVERY OF INITIAL PHASES OF WELBORNE TO THE NORTH OF KNOWLE ROAD, INCLUDING ANY ASSOCIATED DRAINAGE, SOIL MOVEMENT, UTILITY CONNECTIONS, SUBSTATIONS, CONSTRUCTION ACCESS, ENGINEERING OPERATIONS AND EARTHWORKS INCLUDING DETAILS PURSUANT TO CONDITIONS 13 (COMPLIANCE WITH THE SITE WIDE BIODIVERSITY ENHANCEMENT STRATEGY), 16 (SCALE, MATERIALS, DESIGN AND LANDSCAPING), 17 (LEVELS), 19 (CONTAMINATION), 22 (CEMP), 27 (SURFACE WATER DRAINAGE), 28 (ECOLOGY MITIGATION), 29 (TREES) AND 56 (CROSSING OF THE GAS PIPELINE)	APPROVE

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

P/19/0437/FP
MR N PATEL

FAREHAM EAST
AGENT: MR TONY ALLEN

FOUR APARTMENTS TO BE CREATED AT SECOND AND THIRD FLOOR LEVELS
(RESUBMISSION OF LAPSED PERMISSION P/15/0316/FP)

FAREHAM POINT, WICKHAM ROAD, FAREHAM, PO16 7FN

Report By

Katherine Alger- Direct Dial: 01329 824666

1.0 Introduction

1.1 This application is reported to the Planning Committee due to the number of third-party representations that have been received.

2.0 Site Description

2.1 The application site relates Fareham Point which is an existing apartment block located on the eastern side of Wickham Road to the south of the roundabout with Wickham Road, Wallington Way and Southampton Road. The site is located within Fareham High Street Conservation Area and is located 40m to the north of The Old Manor House which is a Grade II* Listed Building. The surrounding area is varied in character with residential properties and offices located to the south and west of the site and Sainsbury's supermarket located to the north.

3.0 Description of Proposal

3.1 The proposal is for four apartments which would be located at second and third floor level.

3.2 The apartments would comprise of a living area, kitchen, bathroom and two bedrooms.

3.3 The external alterations would involve removing the current pitched roof either side of the central tower element and replacing with a flat roof. This would not result in the increase in ridge height of the building.

4.0 Policies

4.1 The following policies and guidance apply to this application:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Adopted Fareham Borough Core Strategy

CS2:	Housing Provision
CS4:	Green Infrastructure, Biodiversity and Geological Conservation
CS5:	Transport Strategy and Infrastructure
CS6:	The Development Strategy
CS7:	Development in Fareham
CS17:	High Quality Design

Adopted Development Sites and Policies

DSP1:	Sustainable Development
DSP2:	Environmental Impact
DSP3:	Impact on Living Conditions
DSP5:	Protecting and Enhancing the Historic Environment
DSP13:	Nature Conservation
DSP15:	Recreational Disturbance on the Solent Special Protection Areas

Emerging Fareham Local Plan 2037

- 4.2 The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of main modifications to the Plan. Subject to full Council approval, the proposed main modifications will be the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme suggests that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and at this stage is a material consideration for the determination of planning applications.

H1:	Housing Provision
HP1:	New Residential Housing Development
NE3:	Recreational Disturbance on the Solent Special Protection Areas (SPAs)
NE4:	Water Quality Effects on the Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
TIN1:	Sustainable Transport
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
D5:	Internal Space Standards
HE1:	Historic Environment and Heritage Assets
HE2:	Conservation Areas
HE3:	Listed Buildings and structures and/or their settings

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document
(excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

- 5.1 In February 2014 prior approval was granted for the change of use of offices to form eighteen 2-bedroom apartments (Ref P/14/0080/PC).
- 5.2 In June 2014 planning permission was granted for external alterations to the existing building including Juliette balconies and a car parking provision for 25 spaces together with refuse storage and cycle parking (Ref P/14/0466/FP).
- 5.3 In June 2015 planning permission was granted for a proposed new floor on part of the second floor and a new floor on part of the third floor to create four apartments (Ref P/15/0316/FP).
- 5.4 This application is the resubmission of the last application. It is important to note that this application has lapsed unimplemented and was approved at a time before the current occupiers were in residence. Following a review with the Council's Land Charges Officer, all residents were made aware of the planning permission (which was extant at the time) when they purchased their apartments.

6.0 Representations

- 6.1 A total of eight representations have been received (Seven of these comments are from residents within Fareham Point. They raise objection on the following grounds:
- a) Highways safety
 - b) Parking
 - c) Disruption during construction
 - d) Concerns regarding stability of building
 - e) Loss of privacy
 - f) Loss of property value
 - g) Health and safety during construction

7.0 Consultations

INTERNAL

7.1 Conservation Planner

Objection. The proposal would fail to preserve setting of nearby heritage assets

EXTERNAL

Hampshire County Council Highways

7.2 No objection, subject to condition

Natural England

7.3 No Objection subject to appropriate mitigation being secured.

8.0 *Planning Considerations*

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

- a) Principle of development
- b) Design/Impact on heritage assets
- c) Impact on residential amenity
- d) Highways/Parking
- e) Impact on Habitat Sites
- f) Other issues raised in objections

a) Principle of development

8.2 Having regard to the policy provision of the Development Plan, the site is located within the designated Urban Settlement Boundary, where there is a presumption in favour of appropriate development, subject to compliance with the provisions of the National Planning Policy Framework and the policies of the Development Plan.

8.3 Planning permission was approved for the same proposal in 2015 (Ref P/15/0316/FP. Whilst this permission has now lapsed there have been no changes in legislation or on-site conditions.

8.4 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. Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.

8.5 Draft Policy H1 sets out the housing requirement for the Borough between 2021 and 2037, and draft policy HP1 states that new residential development within the Urban Area boundary will be supported in principle.

8.6 Therefore, the principle of development is considered to be acceptable in accordance with Policy CS2 of the adopted Core Strategy and draft Policies H1 and HP1 of the Fareham Local Plan 2037 (emerging).

b) Design/Impact on heritage assets

- 8.1 Section 66 of the Listed Buildings and Conservation Areas Act 1990 (as amended) places duty on the Local Planning Authority (LPA) to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest in which it possesses.
- 8.2 Section 72 of the same Act places a duty on the LPA to pay special attention to the desirability of preserving or enhancing its character of appearance. To satisfy this test the proposal must preserve the character and appearance of the conservation area, leaving it unharmed.
- 8.3 Policy CS17 of the Core Strategy states that all development will be designed to respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form and spaciousness and use of external materials. Draft Policy D1 of the submitted Fareham Local Plan 2037 similarly requires development proposals and spaces to be of high-quality design based on the principles of urban design and sustainability.
- 8.4 Policy DSP5 (Protecting and Enhancing the Historic Environment) states that designated and non-designated heritage assets are an irreplaceable resource that will be conserved in a manner appropriate to their significance to be enjoyed for their contribution to the quality of life of this and future generations. The wider social, cultural, economic and environmental benefits of their conservation will also be taken into account in decision making. Development affecting a conservation area will be permitted where it preserves or enhances its character, setting and appearance, and
- a) Takes account of the relevant Conservation Area Character Appraisal and Management Strategy;
 - b) Does not involve the loss of important features of an individual building that contribute to the character and appearance of the conservation area/ or its setting;
 - c) Its form, bulk, scale, height, massing, alignment, proportion, material, building form and use are appropriate, including having regard to surrounding buildings, spaces and views; and
 - d) It does not involve the demolition or partial demolition of a building or structure that positively contributes to the area, without clear and convincing justification.
- 8.5 Policy HE1 (Historic Environment and Heritage Assets) of the Emerging Local Plan states that all development should seek to conserve and enhance the historic environment and heritage assets, in line with local and national policy.

The Council will take appropriate steps to conserve and enhance the Borough's historic environment and heritage assets.

- 8.6 Policy HE2 (Conservation Areas) of the Emerging Local Plan states that development affecting a Conservation Area should preserve or enhance the special architectural, historic character of appearance of the Conservation Areas.
- 8.7 Policy HE3 (Listed Buildings and Structures and/or their Settings) states that where a development would affect a listed building/structure and/or its setting proposals should preserve or enhance any features of special architectural or historic interest they possess, proposal must demonstrate sufficient understanding of and respond to the historic environment.
- 8.8 Fareham Point is located 40 metres to the north of The Old Manor House which is a Grade II* Listed Building. The original curtilage of The Old Manor House has been subject to separation over the years and is now in different ownership, resulting in the site falling outside of the curtilage of the listed building.
- 8.9 The value attributed to the identified aesthetic merit of the listed building and the contribution this makes to the historic and architectural character and appearance of the surrounding area, is evident from within the conservation area particularly in the view from the junction of Wickham Road and Wallington Hill which defines the northern extent of Fareham High Street and further supports the status attributed to the wealth found in the built form that contributes to the architectural and historic character and appearance of the wider conservation area. Mature trees have also provided a backdrop to the heritage assets.
- 8.10 The existing building at Fareham Point is located at the far northern end of the Conservation Area. It is modern in appearance compared to the other buildings within the Conservation Area.
- 8.11 The Council's Conservation Planner has raised concerns regarding the impact of the proposed additions, in particular the flat roof form and its impact on the setting of the adjacent Grade II* listed building and character and appearance of the Conservation Area.
- 8.12 In the previous application (P/15/0316/FP), the case officer acknowledged the concerns raised by the Conservation Planner however, concluded that that *"whilst the site is within the conservation area, it is at the edge and does not associate closely with the historic core. The site is not within any of the key viewpoints referred to in the Character Appraisal."*

- 8.13 In considering the impact of the proposed extension, it is acknowledged that it is of a more contemporary design compared to the existing hipped roof. However, they would not be any higher than the existing ridge height and the design is considered to be appropriate given the contemporary design of the remainder of the building.
- 8.14 The case officer in the previous application acknowledged that the proposed extension may appear more prominent from certain vantage points, however, the extension would be in proportion to the host property. Furthermore, the extension would be constructed of high quality materials as well as being surrounded by mature trees, some of which are protected by a Tree Preservation Order (TPO).
- 8.15 Having regard to the conclusions of the 2015 permission, it is considered that the design of the proposal would be acceptable and would preserve the setting of the nearby listed building and would preserve the character and appearance of the High Street Conservation Area. Officers therefore consider that the development proposal complies with Policies CS17, DSP5 of the Local Plan and draft Policies D1, HE1, HE2 and HE3 of the Fareham Local Plan 2037 (emerging).

c) Impact on Residential Amenity

- 8.16 Policy DSP3 of the adopted Local Plan Part 2: Development Sites & Policies and draft Policy D2 of the Fareham Local Plan 2037 (emerging) concern the impact of development on living conditions. The policies state that development proposals should ensure that there will be no unacceptable adverse impact upon living/environmental conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy.
- 8.17 The extension would be located above the existing apartments within the building. The additional storey is considered to be in proportion to the existing building and would not be larger than the existing footprint of the structure. Therefore, it is considered that the proposal would not result in an unacceptable adverse impact upon the living conditions of the occupiers of Fareham Point.
- 8.18 There would be a significant separation distance between the application site and the properties to the west on Wickham Road. It is therefore considered that the proposal would not result in an unacceptable adverse impact upon the living conditions of occupiers of the properties along Wickham Road.
- 8.19 Concerns have been raised that the construction of the additional flats would result in noise and disturbance to the existing occupants, particularly the occupants on the existing top floor. Matters regarding the construction and

noise attenuation would be a matter dealt with by building control, and subject to meeting building standards, it is not considered the additional flats would result in an unacceptable impact in terms of noise and disturbance.

- 8.20 The development proposal is therefore considered to accord with the requirements of the Design Guidance and would not result in an unacceptable adverse impact on the living conditions of neighbouring occupiers or future residents, in accordance with Policies DSP3 and D2.

d) Highways/Parking

- 8.21 Hampshire County Council as Highway Authority has commented on the application. They have stated that there is no material change since the time when the lapsed permission was considered. The main difference between the current application and the lapsed permission is the building is now occupied by residents, who in turn will be utilising the car park. As such, a Construction Management Plan would be required in order to mitigate any impact on the users of the car park and the local road network. This will be imposed by way of a planning condition.
- 8.22 The Highway Authority is satisfied that there is no direct or indirect impact upon the safety of the local highway network.
- 8.23 In terms of parking, the site currently has 26 unallocated car parking spaces serving the 18 existing flats. The parking requirement for unallocated parking spaces for a 2 bedroom dwelling is 1.25 spaces therefore, the proposal exceeds the parking requirements specified in the Residential Car Parking Standards. Furthermore, the application site is located within a sustainable location within close proximity to the town centre where there are local shops and services. The site is also located within close proximity to public transport links.
- 8.24 Concerns have been raised regarding the construction compound would impact car parking spaces, particularly as the offices users within Wates House using the car park as an overflow. Wates House has recently been granted permission to convert to residential flats, the works for which are currently underway. The building is therefore no longer in use as office accommodation. Car parking provision for that site was considered acceptable for the flatted scheme when permission for the site was granted, and there is subsequently a likely significant reduction in the need to use Fareham Point as overflow car parking. Therefore, there is unlikely to result in a conflict between occupiers of Fareham Point, Wates House and the construction compound required during the construction period.

8.25 It is therefore considered that the proposal accords with Policies CS5 and CS17 of the adopted Local Plan and draft Policy TIN2 of the emerging Fareham Local Plan.

e) Impact on Habitat Sites

8.26 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 and draft Policies NE3 and NE4 of the Fareham Local Plan 2037 (emerging) confirms the requirement to ensure the designated sites, sites of nature conservation value, protected and propriety species populations and associated habitats are protected and where appropriate enhanced.

8.27 Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 percent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within the Solent which are of both national and international importance. In light of their importance, areas within the Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are referred to as protected Habitat Sites (HS) (formerly 'European Protected Sites'(EPS)).

8.28 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated Habitat Sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated Habitat Sites. This is done following a process known as an Appropriate Assessment (AA). The Competent Authority is responsible for carrying out this process. Although they must consult with Nature England and have regard to their representations. The Competent Authority is the Local Planning Authority.

8.29 To fulfil the requirements under the Habitats Regulations, Officers have carried out an AA in relation to the likely significant effects on the HS which concludes that there would be no adverse effects on the integrity of the protected Habitat Sites subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.

8.30 The first likely significant effect on HS relates to deterioration in the water environment through increased nutrients (particularly nitrates) entering The

Solent. Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering the Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the Habitat Sites.

- 8.31 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England has provided a methodology for calculating nutrient budgets and options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advises Local Planning Authorities to take a precautionary approach when addressing uncertainty and calculating nutrient budgets.
- 8.32 A nitrogen budget has been calculated with Natural England's 'Nutrient Neutrality Generic Methodology' (February 2022) and The Solent Nutrient Budget Calculator (March 2022) which confirms the development will generate 3.18kg TN/year. In the absence of sufficient evidence to support bespoke occupancy rate, the Council accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for purposes of the nitrogen budget is considered to be urban as there is an existing building on the site. Due to the uncertainty of the effect of nitrates from the development on the HS, adopting a precautionary approach, and having regard to the NE advice, Officers will need to be certain that the output will effectively be mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.33 The applicant has purchased 3.18kg of nitrate mitigation 'credits' from Warnford Park as evidenced by the submission of a notice of purchase. Through the operation of a legal agreement between Fareham Borough Council, South Downs National Park and Andrew Sellick of Gawthorpe Estate dated 1st April 2021, the purchase of credits will result in a corresponding parcel of agricultural land at Warnford Park within South Downs National Park being removed from intensive agricultural use, and therefore providing a corresponding reduction in nitrates entering The Solent Marine Environment.
- 8.34 In addition to water quality impacts, air quality impacts are also a factor that needs consideration. The Council's Air Quality Habitats Regulations Assessment for the emerging Fareham Local Plan 2037 identifies that from the development proposed to be brought forward in the emerging Local Plan there would not be a significant impact as a result of air pollution on the Habitat Sites for the life of the plan, up to 2037.

- 8.35 The second likely significant effect on the HS, relates to disturbance on The Solent coastline SPA, SAC and Ramsar sites through increased recreational use by visitors to these sites.
- 8.36 The development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The applicant has made the appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP) and therefore, the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the HS as a result of recreational disturbance in combination with other plans or projects on the Solent SPA.
- 8.37 The sites lies outside the 13.8km Zone of Influence (ZOI) of the New Forest SPA, SAC and Ramsar site, and is therefore not subject to recreational disturbance mitigation for this proposal.
- 8.38 The Council's Appropriate Assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. The difference between the nitrates credits secured and the output will result in a small annual net reduction of nitrogen entering The Solent.
- 8.39 Natural England were consulted on the Council's Appropriate Assessment in January 2022 and raised no objection in respect of recreational disturbance on The Solent SPAs or on water or air quality implications. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4, DSP13 and DSP15 of the adopted Local Plan and NE3 and NE4 of the Emerging Local Plan.

f) Other issues raised in objections

- 8.40 **Construction Disturbance** - Any development is likely to result in a minor level of disturbance and disruption to the local area during the course of the construction period. The application would be subject to a condition requiring the submission of a Construction Management Plan (CMP) in order to ensure that any impact is minimised. Whilst concern has been raised of suitable space to provide this within the existing car park, this matter would need to be considered and addressed in the CMP to be provided. Further, the disturbance would only be for a limited period of time, during the construction period.

- 8.41 **Loss of property value-** This is not a material planning consideration and can therefore not be considered as part of this planning application.
- 8.42 **Health and safety during construction-** This is also not a material planning consideration and cannot be considered in the determination of this planning application.
- 8.43 **Stability of building during construction-** This will be dealt with by building control once building regulations have been obtained for the proposed works.

Conclusion

- 8.44 Notwithstanding the representations received, it is considered that the proposal would be acceptable and would be in accordance with the Fareham Borough Core Strategy, the Fareham Local Plan Part 2: Development Sites and Policies, and the draft policies of the Fareham Local Plan 2037 (emerging).

9.0 Recommendation

- 9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development shall begin before the expiry of three years 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 shall be carried out in accordance with the following approved documents:
 - a) Proposed Block Plan jw644-201
 - b) Existing Topo Plan jw644-2C2
 - c) Existing Lower Ground and Ground Floor Plan jw644-110
 - d) Proposed Lower Ground Floor and Ground Floor plan jw644-113
 - e) Existing First and Second Floor Plans jw644-111
 - f) Proposed First floor and Second Floor Plans jw644-114
 - g) Proposed Third and Roof Plan jw644-115
 - h) Existing Elevations jw644-112
 - i) Proposed Elevations jw644-116
 - j) Design and Access StatementREASON: To avoid any doubt over what has been permitted.
3. The materials to be used in the construction of the development hereby permitted shall match as closely as possible those used on the existing building unless otherwise agreed in writing by the Local Planning Authority.
REASON: To secure the satisfactory appearance of the development.

4. No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:
 - a) How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
 - b) the measures the developer will be implementing to ensure that operatives'/contractors'/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
 - c) the measures for cleaning the wheels and underside of all vehicles leaving the site;
 - d) a scheme for the suppression of any dust arising during construction or clearance works;
 - e) the measures for cleaning Wickham Road and Wallington Hill to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
 - f) the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.

The development shall be carried out in accordance with the approved CMP and areas identified in the approved 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. No construction vehicles shall leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

5. None of the residential units hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted

to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

6. 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.

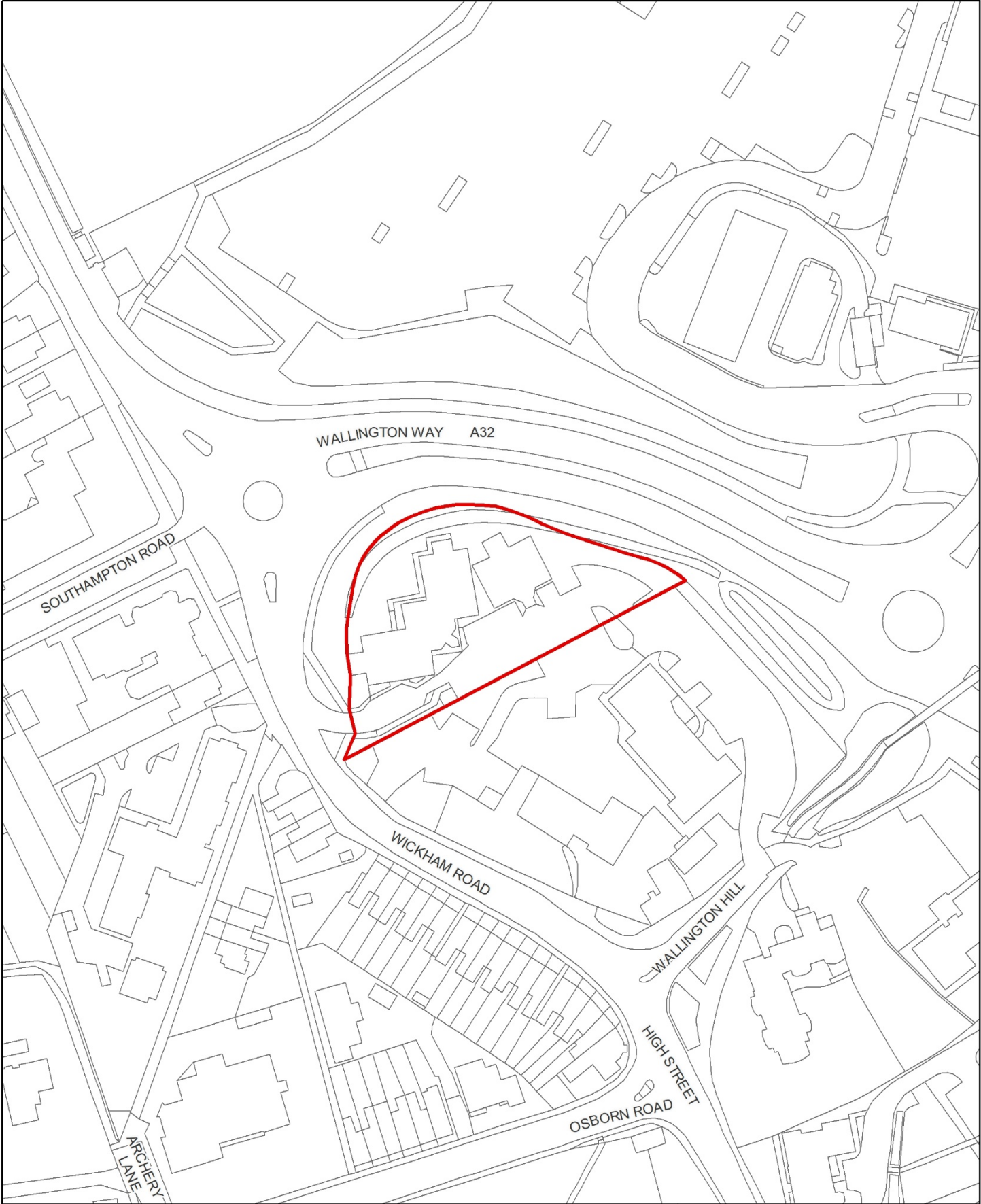
10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

P/19/0437/FP

FAREHAM

BOROUGH COUNCIL



Fareham Point
Wickham Road, Fareham
Scale 1:1,250



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Agenda Item 6(5)

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

P/22/0867/RM

BUCKLAND DEVELOPMENT LIMITED

FAREHAM NORTH

AGENT: DAVID LOCK ASSOCIATES

RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPE, LAYOUT AND SCALE FOR THE CREATION OF A NORTH TO SOUTH BRIDLEWAY CONNECTION ON THE WESTERN SIDE OF WELBORNE INCLUDING CONNECTIONS TO EXISTING PUBLIC RIGHTS OF WAY, THE PROVISION OF A CAR PARK TO SUPPORT THE USE OF DASHWOOD AS A SANG, PUBLIC RIGHT OF WAY PROVISION AT FAREHAM COMMON AND REQUISITE UTILITY CONNECTIONS TO SERVE THE FIRST PHASES OF DEVELOPMENT, INCLUDING ANY ASSOCIATED HARD AND SOFT LANDSCAPING, DRAINAGE, CONSTRUCTION ACCESS, ENGINEERING OPERATIONS AND EARTHWORKS INCLUDING DETAILS PURSUANT TO CONDITIONS 45 (DASHWOOD CAR PARK PROVISION) AND 56 (WORK WITHIN 15M OF THE GAS MAIN).

WELBORNE, LAND NORTH OF FAREHAM

Report By

Mark Wyatt – direct dial 01329 824704

1.0 Introduction

1.1 This application is before the Planning Committee in accordance with the Scheme of Delegation in that the relevant threshold of public representations has been reached

2.0 Site Description

2.1 The application site is irregular in shape. The site extends east to west from the A32 in the north of the site through Heytesbury Farm and along the southern edge of Dashwood. At Dashwood, the site follows the edge of the field round in a southerly direction towards Knowle Road. Crossing Knowle Road the site then continues south adjacent to the land known locally as Knowle Triangle. The red edge has been adjusted to include the east west road through the Dean Farm Estate. The application site moves around the eastern edge of Funtley Village before crossing under the M27 at Funtley Hill. On the south side of the motorway the red edge heads east from Funtley Hill and then north through the area of Welborne to be known as Fareham Common. The application site terminates at the northside of Kiln Road opposite Maylings Farm Road.

2.2 The application site is, with the exception of the Heytesbury Farm access track and redundant farmyard in the north and the track through Dean Farm, agricultural land.

3.0 Background

- 3.1 Condition 15 of the Outline Planning Permission for Welborne (P/22/0266/OA) is as follows:

When first agreed in writing with the Local Planning Authority, a reserved matters application (containing relevant information from Conditions 16-41 of this planning permission) could be approved in advance of the approval of the Strategic Design Code document, or the relevant Neighbourhood Design Code, or Site Wide Housing Strategy or the Biodiversity Enhancement Strategy. In these circumstances, a statement justifying submission of reserved matters prior to agreement of these matters must be submitted as part of this reserved matters application.

REASON: to ensure a comprehensive and appropriate form of development and to ensure that strategic work does not delay site works or the delivery of infrastructure to enable development on related neighbourhoods, specifically enabling works.

- 3.2 This condition was included in the Welborne outline permission to enable the submission of a reserved matter application in advance of the strategic level documents which are yet to be submitted or approved.
- 3.3 This application is described as essential and enabling infrastructure, which will not be directly affected by the provisions of the strategic documents nor will this application fetter the provisions of these documents. Condition 15 specifically enables the approval of applications such as this.
- 3.4 The application submits that the approval of this application will enable the delivery of critical infrastructure at Welborne which will in turn help support the delivery of housing at the new community.

4.0 Description of Proposal

- 4.1 This is the first reserved matter application pursuant to the outline permission for Welborne. It proposes early items of infrastructure including:

- Dashwood SANG Car Park
- The new north to south route to school bridleway link
- Footpath and bridleway connections across Fareham Common
- Services and utilities
- Advance planting; and
- Haul roads and site compounds to facilitate these works.

Dashwood SANG Car Park

- 4.2 The Dashwood SANG (Suitable Alternative Natural Greenspace) is to be delivered prior to the first residential occupation. This delivery is secured in the outline planning permission with a limitation on occupations at Welborne through both conditions and in the Section 106 legal agreement. Whilst Dashwood itself is within the administrative boundary of Winchester City Council, the land has been secured to mitigate the impacts from Welborne. The proposed SANG will be served by a new car park to the south of the woodland itself but on the north side of Knowle Road onto which it will access.
- 4.3 The car park will provide 38 spaces including three disabled spaces and two spaces suitable for horse boxes. The car park is to be finished with a gravel surface and landscaping to its edges. Its primary purpose is to serve the SANG at Welborne but it would also be used for the wider Welborne leisure and green space offer once the site is developed out.

The new north to south route to school bridleway link

- 4.4 This element of the application proposes a footpath which varies in width between 3-4m along its length which is proposed to connect from Dashwood in the north west corner of the Welborne site down its western side to the Funtley Hill bridge and onto Kiln Road.
- 4.5 The requirements for delivery of this route (which will ultimately be the new route for footpath 86 which is expected to be diverted onto this new path north of Funtley) is secured within the outline planning permission S106 agreement as part of the agreed works to the rights of way network. The new bridleway will depart from the existing path number 86 on the northern edge of Funtley and will then follow an existing desire line around the eastern edge of Funtley before arrival on Funtley Hill.
- 4.6 Works to narrow Funtley Hill to a single carriageway under the M27 bridge have been secured through the Section 106 legal agreement as a part of the outline permission.
- 4.7 The new footpath link will continue on the south side of the motorway to link to the new Junction 10 multi-user path and then up to Kiln Road opposite its junction with Maylings Farm Road. Crossing provision to Kiln Road works are secured through the Section 106 legal agreement as part of the outline permission.

Services and utilities

- 4.8 Alongside the new proposed north to south bridleway, a number of service connections are proposed which link between connection points at Funtley Hill to the south and Knowle Road to the north. These services include a gravity fed foul sewer which is required for the first phases of residential development at Welborne.
- 4.9 The septic tank for Heytsebury Farm is also proposed, by the application amendments, to be relocated as part of this proposal.

Advance planting

- 4.10 The proposed development is supported by landscape mitigation for the works proposed along the north to south bridleway. This landscaping mitigation has been designed to provide ecological habitat, screening and ecological connectivity, whilst facilitating access to the footpaths and bridleways proposed. There is also proposed planting surrounding the proposed SANG car park.

Haul roads and site compounds to facilitate these works

- 4.11 In order to implement the works proposed a haul road is proposed from the A32 at the Heytesbury Farm entrance point. The Haul Road runs east to west from the A32 to the redundant farmyard. Part of the haul road route is also a public footpath (path number 87). The application has been amended with the application proposing the diversion of footpath 87 further north than the current route for its length between Heytsebury Farm and the A32 to separate it from the haul road. At the farm yard the haul road continues to run east to west, but on the south side of the established field hedge. The footpath here runs on the north side of this field hedge such that the two routes continue to be separate from here onwards. The haul road follows the edge of the field around the western edge and down towards Knowle Road. Site compounds and accesses onto the Haul Road will be created in order to deliver the proposed works.
- 4.12 South of Knowle Road it is proposed to utilise the east west road and farm track through Dean Farm for construction traffic as well as a Haul Road to facilitate the path construction in this part of the site and north of the M27. The route through Dean Farm is also a public right of way; footpath number 88.
- 4.13 Works south of the M27 propose to utilise Kneller Court Lane for construction access.

5.0 Policies

- 5.1 The following policies apply to this application:

5.2 **The Local Plan Part 3. The Welborne Plan:**

- WEL1 – Sustainable Development
- WEL2 – High Level Development Principles
- WEL3 – Allocation of land
- WEL4 – Comprehensive Approach
- WEL6 – General Design Principles
- WEL7 – Strategic Design Codes
- WEL23 – Transport Principles for Welborne
- WEL27 – Encouraging Sustainable Choices
- WEL28 – Walking and Cycling
- WEL29 – Onsite Green Infrastructure
- WEL30 – Avoiding and Mitigating the Impact on Internationally Protected Sites and Off- Site Green Infrastructure
- WEL31 – Conserving and Enhancing Biodiversity
- WEL32 – Strategic Green Corridors and Connections
- WEL34 – Detailed Landscaping
- WEL37 – Water Efficiency, Supply and Disposal
- WEL39 – Flooding and Sustainable Drainage Systems
- WEL41 – Phasing and Delivery
- WEL43 – Development Construction and Quality Control

Other Documents:

5.3 Welborne Design Guidance

6.0 *Relevant Planning History*

6.1 The following planning history is relevant:

P/17/0266/OA	A New Community Of Up To 6000 Dwellings (C3 And C2, Including A Care Home Of Use Class C2) Together With A District Centre (Comprising Up To 2,800M2 Food Store Retail (A1), Up To 2,419M2 Of Non-Food Retail (A1) And Up To 2,571M2 Of Other Non-Convenience/Comparison Retail Use (A1 - A5)); A Village Centre (Comprising Up To 400M2 Food Store Retail (A1), Up To 1,081M2 Of Non-Food Retail (A1), A Public House (Up To 390M2 A4 Use) And Up To 339M2 Of Other Non-	Permission 30/09/2021
--------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------

Convenience/Comparison Retail Use (A1 - A5)); Up To 30,000M2 Of Commercial And Employment Space (B1); Up To 35,000M2 Of General Industrial Use (B2); Up To 40,000M2 Of Warehousing Space (B8); A Hotel (Up To 1,030M2 C1 Use); Up To 2,480M2 Of Community Uses (D1 And D2); Up To 2,200M2 Ancillary Nursery (D1), Health Centre (D1) And Veterinary Services (D1); Retention Of Dean Farmhouse; A Secondary School, 3 Primary Schools; Pre-Schools; Green Infrastructure Including Formal And Informal Open And Amenity Space; Retention Of Some Existing Hedgerows, Grassland, Woodland Areas, Allotments, Wildlife Corridors; All Supporting Infrastructure; Household Waste Recycling Centre; Requisite Sub-Stations; Sustainable Drainage Systems Including Ponds And Water Courses; A Remodelled M27 J10 Including Noise Barrier(S); Works To The A32 Including The Creation Of Three Highway Junctions And New Crossing(S); Distributor Roads (Accommodating A Bus Rapid Transit Network) And Connections To The Surrounding Cycleway And Pedestrian Network; Car Parking To Support Enhanced Use Of Dashwood; Ground Remodelling; Any Necessary Demolition; With All Matters Reserved For Future Determination With The Exception Of The Works To M27 J10 And The Three Highway Junctions And Related Works To The A32.

P/18/1192/FP	Management Of Wildlife Habitat, Including Habitat Clearance And Habitat Creation, Planting And Structural Landscaping, Which Will Include Movement, Re-Profiling And Reinstatement Of Excavated Topsoil.	Permission 13/12/2018
--------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------

7.0 Representations

7.1 The first round of publicity was held following the submission of the application.

Six letters of objection were received (11 Knowle Avenue; 45 & 47 Kiln Road; Ridgeways, Marlings, Leahurst all on Wickham Road) in response to the application when it was originally submitted. The issues raised are:

7.2 *Material Planning Considerations:*

- The approval should stipulate that no connection for construction traffic is made to Knowle Road to limit dust and noise on the Knowle village residents.
- The farm access off the A32 is not regularly used by large vehicles.
- Farm access is unsuitable for construction access turning onto busy A32.
- There was a recent accident at the Pinks Woodmill opposite; this should be considered when thinking about the access onto the A32.
- The applicant should consider building the new roundabout to get into the site first or come off Knowle Road and not use this access point.

7.3 *Non-Material Planning Considerations:*

- Concerns at the toucan crossing over Kiln Road at the south side of Fareham Common.
- The road is too busy for a crossing and that this is the wrong place for it.

7.4 Fareham and District Society: Objection

- The Society does not want to unduly delay the delivery of Welborne, however there are concerns that need to be addressed.
- The point of access onto the A32 for the haul road is considered dangerous and there is insufficient information on the existing and proposed traffic movements to judge the impact. A location further south would be better and should be investigated.
- More substantial trees should be planted around Dashwood car park.
- There should be no lighting along the proposed path
- The proposed bridleway should be tree lined to make the route attractive for use
- Tree removal maps seem unclear
- The bridleway surface should be suitable for this rural setting.
- The harm to paths raised by the Countryside Officer need to be addressed as they are an attractive means for residents to access the countryside.

7.5 Knowle Residents Association: Comments

- Pleased to see existing trees retained in the proposed car park
- Hope hedging and screening on approach is retained too.
- Car park surfacing should be in keeping with access to a natural park and woodland
- The access to the car park is immediately adjacent to the access for the application with Winchester City Council for land north of Ravenswood off

the village roundabout. We assume the intention is to reduce the speed limit here?

- We presume the car park and Dashwood access will be kept secure.
- The village pupils attending Swanmore College are dropped off at the bus stop immediately opposite the car park entrance.
- We hope that the developer respects that Knowle Road is the only means of access to the village and therefore needs to be kept clear of construction traffic.

7.6 A second round of publicity was held in October 2022 following the submission of amended and additional documents:

One further letter of objection was received (44 Funtley Hill) raising the following issues:

7.7 *Material Planning Considerations:*

- The proposed bridleway passes the whole length of our back garden and no consideration has been given for our privacy or our property.
- Impact negatively on the ability to enjoy our gardens and home.
- Originally a 5 meter distance between existing properties and the proposed site was decided, however this bridleway (road) has no 5 meter spacing or shrubs and trees planted between it and our property.
- It is invasive and disruptive.

7.8 *Non-Material Planning Considerations:*

- Heavy plant machinery and vehicles will be passing within feet of our boundary which is likely to cause damage to our property.
- There will be a negative impact to the value of our property.

7.9 One Letter was received making only comments (52 Funtley Road):

- Footpath 86 currently runs through the northern part of my garden
- It is reasonable to divert this path around onto the new bridleway as the current path is difficult to use at this time of year with mud and water gathering at the top of the path

7.10 Fareham and District Society: Objection

- It is noted that there is now a safety audit provided but it does not say if government standards have been met. Nor is there any detail on speeds past the entrance onto the A32. The Society maintains its objection on safety grounds.
- The Society is disappointed that the applicant has not taken the decision to tree line the bridleway. It would have made the path more attractive and pleasing to use.

- We are not reassured on tree loss and the reference to the arboricultural assessment doesn't help as the appendices are difficult to read.
- The realignment of footpaths are noted and the Countryside Officer's comments are awaited.
- The absence of lighting is welcomed
- Footpath 90 runs along Kneller Court Lane. Clarification is needed on the likely vehicles using this access for works south of the M27

8.0 Consultations

INTERNAL

Arboriculture

- 8.1 No objection subject to condition

Environmental Health (Contaminated Land)

- 8.2 No objection subject to conditions

Ecology

- 8.3 No objection subject to conditions:
- The additional survey work identifies the presence of rare barbastelle bats foraging/commuting in the area so the importance of the site for bats has increased.
 - The submission details that construction work would be during daylight hours only.
 - More information is also provided for dormouse and reptiles.
 - Providing the development is undertaken in accordance with the CEMP and Biodiversity Enhancement Strategy there are no further issues.

EXTERNAL

Natural England

- 8.4 Comments:
- We do not object to the amendments and have no further comments to our earlier consultation comments:
 - We welcome the Statement of Compliance with the Biodiversity Enhancement Strategy
 - The CEMP should be agreed with the District Ecologist
 - Consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF
 - For further information on the SANG car park please refer to Natural England SANG guidelines

Hampshire County Council Highways

8.5 No objection.

- Further amendments have been received to address the Highway Authority comments;
- The multi user route over Fareham Common is now shown as lit. The detail of this will be resolved at section 38 stage;
- Intervisibility is now shown where the bridleway meets Funtley Hill and Knowle Road;
- Locations of speed data to support the visibility on Knowle Road has not been provided but the Highway Authority consider the visibility to be acceptable subject to the section 278 approval process;
- Visibility is now shown at Heytesbury Farm and Dean Farm accesses;
- Locations of speed data and weather conditions to support the visibility on Knowle Road are not confirmed;
- At Heytesbury Farm one of the visibility splays will require a departure from the standard during the s278 process;
- Tracking of vehicles at the accesses are acceptable;
- Vehicles leaving Heytsebury Farm will need to turn right only and not head towards Wickham. Vehicles leaving Dean Farm will need to turn left only and turn at Knowle Roundabout to access the M27. Both manoeuvres are set out within the Construction Traffic Management Plan;
- Based on low vehicle flows, the Kneller Court Lane access can be managed via compliance with the Construction Traffic Management Plan.

Hampshire County Council Countryside Service

8.6 No objection.

- Subject to the diversion of path 87 being formalised
- The diverted route is no less than 2.5m wide and generally 4.5m from the haul road
- The surface is in accordance with HCC standards
- Future maintenance of the diverted path is secured
- Access along path 87 remains “at the level” ie...no stepped access.
- A banksman is utilised at the access junction with the A32 until such time as the diverted route is provided
- Drivers of construction traffic are to be briefed on the relationship of path 88 through Dean Farm to the haul road and keep speeds low as a result
- Until such time as public access rights are extinguished along path 90 (Kneller Court Road) construction vehicles will be limited as outlined in the Construction Traffic Management Plan which limits light vehicles only.

Hampshire County Council Lead Local Flood Authority

8.7 No objection subject to conditions

Winchester City Council

8.8 No objection subject to condition:

- A condition requiring the haul road removal and land restoration should be considered

Southern Water

8.9 Comments:

- It is possible that a sewer now deemed to be public could be crossing the development site.
- The 525mm sewer requires a 3.5m clearance on either side
- No development or planting should be carried out within this 3.5m clearance
- The 375mm sewer requires a 3m clearance on either side
- No development or planting should be carried out within this 3m clearance
- Existing infrastructure should be protected during works
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers

Meon Ramblers

8.10 Objection (comments based on the original plans, no comments received for the amendments):

- Support the creation of bridleways across Fareham Common.
- We oppose the stopping up of the highway beneath the M27 as this would entail the diversion of the current route alongside a major highway
- We recommend a link be provided between the proposed bridleway over Fareham common and the minor road instead of mentioning a possible stopping up order.

British Horse Society

8.11 Comments

- The applicant has amended the horsebox parking layout following very positive discussions with us.
- 3m is adequate for a bridleway however a further verge also allows elective segregation of the path with other users.
- The signal control at Kiln Road should also include the ability for horse riders to trigger the crossing
- The new bridleways should be recorded on the definitive map

9.0 *Planning Considerations*

9.1 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 considerations in the determination of the application are:

- The principle for the development
- Impact upon the rights of way network
- SANG delivery and ecological enhancement
- Highway Safety and Construction Traffic Routing
- Utilities and Drainage infrastructure
- Trees and ecology
- Links to Fareham

The Principle for the development

- 9.2 As set out above earlier in the report, the principle for the SANGS car park and delivery of the new bridleway link running north to south is established through the grant of the outline planning permission P/17/0266/OA. The site falls within the Welborne Plan allocation and the proposal seeks to deliver infrastructure for Welborne. On that basis the principle for the development is acceptable subject to the further consideration of the issues below.

Impact upon the rights of way network

- 9.3 There are a number of rights of way that are affected by the proposal. This report will work through the routes from north to the south.
- 9.4 As noted above in the description of development, footpath 87 runs east to west from Heytesbury Farm through to the A32. The proposal seeks to use this route for construction traffic. The application, as amended, proposes to divert the footpath between the A32 and Heytsebury Farm, slightly to the north, behind the former farmyard and then back in front of the two properties known as 5 & 6 Heytsebury Farm Cottages before joining the A32 just to the north of the existing path and farm access.
- 9.5 Concern was initially raised by the Countryside Service at Hampshire County Council with regards to the footpath and haul road sharing the same route and the path being segregated from construction traffic solely by herras fencing. The amendments to the application seek to realign the path and haul route so that walkers are not immediately adjacent to the haul road route which is considered to be acceptable in terms of walker safety and for the amenity and usability of this route.
- 9.6 The only portion of the path that will initially remain shared with the haul road is the end point at the junction with the A32. This part of the site access will be managed with a traffic marshal to ensure there is no pedestrian and vehicle

conflict until such time as the necessary footpath connection is made through the existing boundary hedge.

- 9.7 The proposed path is to be constructed as part of the first works on the application site and will be available for use by walkers early in the development. The formal process for diverting this footpath onto the definitive rights of way map is separate to the planning application process and will be addressed after the approval of this reserved matter application.
- 9.8 Regarding the amended plans the Countryside Service at Hampshire County Council has accepted the amended route to footpath 87 and has agreed to the temporary management of the A32 access point by a traffic marshal until the proposed footpath connection is provided.
- 9.9 Beyond Heytesbury Farm to the west the footpath and haul road separate and the existing field hedge separates the construction traffic and walkers. At this point the path changes to number 23b. The impact of the construction traffic on the amenity of the route will be less intrusive as a result of the separation of traffic and walkers at this point and the presence of the hedge.
- 9.10 Path 23b follows the field edge round the corner of the field with Dashwood on its northern side before changing to path number 86 on the western side of the site and down to Knowle Road. The route of the path will need to be diverted in this location to allow for the delivery of the Dashwood SANG car park. The Countryside Service at Hampshire County Council has no concerns on this point.
- 9.11 To the south side of Knowle Road, route 86 continues. The new north to south route runs adjacent to path 86. Once installed the applicant proposes to seek a diversion of path 86 onto the new route which will also become a bridleway.
- 9.12 The new path will provide suitable connections to east west path number 15 (off site on the south side of Knowle Triangle) and 88 (through Dean Farm).
- 9.13 The amended plans detail that there would be a construction compound within Dean Farm for all the work south of Knowle Road and north of the M27. This compound will access the construction site using a haul route to the immediate north of path 88. The submission sets out that the actual extent of traffic on this route will be relatively low and few in number given the construction make up of the path. Hampshire County Council Countryside Service has sought confirmation that drivers using this part of the site are briefed on the proximity of the haul route to the footpath and that drivers will keep speeds low to allow for walkers and that there will be adequate construction signage to warn both walkers and vehicles of the footpath.

- 9.14 As the new north to south path reaches the north-eastern edge of Funtley it will run around the eastern edge of the settlement with the route of path 86 continuing on its current alignment and a connection provided to link the new and existing path. In representations third party comments request that the existing path 86 be diverted onto the new path. The proposal seeks to retain the existing path and provide a new path as well. The provision of two paths is considered a positive and would ensure that there are route choices and, being mindful of the fact that the route will be part of the Welborne SANG provision, the permeability of the routes into the surrounding parts of the Borough is a positive in making the site easily accessible.
- 9.15 Representations from 46b Funtley Hill have also queried the proximity of the new bridleway to the garden boundaries along Funtley Hill. In this location the footpath is offset approximately 16m from the boundary of 46b which in itself is a well established boundary. Between the path and the boundary is a fenced area of wildflower meadow planted as part of the ecological mitigation and advanced planting works permitted under the permission P/18/1192/FP – see planning history section above. On this basis the proposal is not considered to be demonstrably harmful to the amenity of these properties.
- 9.16 After circling Funtley the route crosses footpath 89 which runs east to west on the north side of the M27 and ends at Funtley Hill. The route would continue under the M27 and then enter the land on the south side of the motorway into the part of Welborne known as Fareham Common.
- 9.17 The route would run east to west alongside the southern edge of the M27 until it reaches path 90, Kneller Court Lane. The northern part of this path is to be stopped up as part of the J10 works. The Meon Ramblers have objected to the proposal to stop up this route. Whilst their comments are noted, the stopping up of this footpath is necessary in order to construct the new westbound on-slip for the all-moves junction 10 and deliver Welborne. This is not, however, part of this application.
- 9.18 The works on Fareham Common also include a new multi-user route broadly north to south across Fareham Common from Kiln Road at the junction with Maylings Farm Road to the new Junction 10. This route was secured through the outline planning permission and is seen as a positive addition to the route network.
- 9.19 Concern has been raised in initial representations at the nature and location of the crossing point on Kiln Road. However, this matter was considered as part of the outline permission and is secured in the Section 106 legal agreement. The links from the site into Fareham are considered further below.

- 9.20 Overall, there will be further diversions, stopping up and processes to be completed that affect the rights of way following this application, but for the purposes of this planning application the implications for the rights of way network are considered acceptable and will help provide some early infrastructure for the first residents at Welborne to link them to Fareham without having to walk or cycle alongside the busy A32.
- 9.21 The proposals accord with policies WEL6, WEL23, WEL27, WEL28, WEL29, WEL31, WEL32, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

SANG delivery and ecological enhancement

- 9.22 Dashwood is the first of the three parts of the Welborne SANG Strategy to be delivered and it is to be provided prior to first occupation at Welborne. As well as the laying out of the SANG within Dashwood itself, a new SANG car park is proposed on the north side of Knowle Road with the above described bridleway alongside path 86 providing a link from the car park to the SANG.
- 9.23 The car park will provide 38 spaces including three disabled spaces and two spaces suitable for horse boxes. The car park is to be finished with a gravel surface and landscaping to its edges. There is no objection to the SANG car park from the Highway Authority, the Ecologist, Natural England nor the Countryside Service at Hampshire County Council. It is also noted that the British Horse Society is content with the amendments made to the application to accommodate equestrians.
- 9.24 South of Knowle Road the delivery of the new north to south bridleway link takes its route through the area of Welborne that will be delivered as part of the SANG for the new community known as Welborne Mile. The route of the path along with the landscaping scheme has been designed sensitively, to ensure that there will be no conflict with any future SANG landscaping scheme.
- 9.25 The amendments to the application in November 2022 clarified the extent of hedgerow loss and woodland habitat impacts. The amendments also included updated dormouse and reptile strategies as well as bat activity surveys along with appropriate mitigation measures. The Ecologist advising the Council is satisfied that the amended documents and associated mitigation strategies are acceptable
- 9.26 The application minimises tree and hedgerow loss, recognising the future contribution of mature, existing vegetation to the eventual SANG function of Welborne Mile and Fareham Common. Where there is tree loss, this is

supported by an Arboricultural Impact Assessment and the Tree Officer is satisfied with its content.

- 9.27 The land take is the minimum area required to deliver the bridleway and utilities forming part of this infrastructure package. The design seeks to mitigate the limited tree loss through new planting that forms part of the application proposals. However the new planting is designed to be incorporated, in the future, into the wider SANG as the new community is delivered. A tree lined bridleway, as suggested by the Fareham Society, would not function successfully once the surrounds of the bridleway are fully laid out as part of the SANG. The new planting comprises a range of native species and age specifications so as to diversify structure from the point of planting but to also provide a range of food sources for the surrounding wildlife such as dormice.
- 9.28 It is noted that Winchester City Council has commented positively, in their original comments, on the use of the native species in the landscaping details and the Ecologist has also now commented that the proposal is acceptable.
- 9.29 The protection of landscape features and protected species will accord with policies WEL4, WEL29, WEL31 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Highway Safety and Construction Traffic Routing

- 9.30 The application seeks to avoid any significant construction traffic intervention along Knowle Road at this stage. To that end the proposal is to service the construction site and areas via the farm accesses from the A32 through Heytesbury Farm and Dean Farm.
- 9.31 Third party letters have expressed concern at the use of the Heytesbury Farm access for several reasons. Firstly is that even at its height as a working farm (the current farm buildings are empty and in a poor state of repair) the level of farm traffic would not have been commensurate with a construction site of this size. Furthermore, the proposal will result in additional large vehicle movements onto the busy A32 just after the brow of the hill to the north. The road markings are worn in places and letters set out that there has recently been an accident at the entrance to the former Pinks Sawmill site on the other side of the Wickham Road which, local residents suggest, must have a bearing on the suitability of the farm access for construction purposes.
- 9.32 Both residents and the Fareham Society have queried why a location further south could not be considered, or even utilising access of the Knowle Road itself.

- 9.33 The new roundabout at Forest Lane as part of the outline planning permission is a fairly significant piece of infrastructure with realignment of the A32 required as well as substantial land movement given the elevated nature of the A32 in this location relative to the Welborne site.
- 9.34 The Heytesbury Farm access exists and can be utilised without significant infrastructure delivery at this stage. Furthermore, whilst the farm access has recently been relatively quiet in terms of vehicle movements, it would, at one point, have accommodated some large agricultural vehicles accessing the A32.
- 9.35 The submitted CEMP (Construction and Environmental Management Plan) sets out that all the development in this application, on land north of Knowle Road, will utilise Heytesbury Farm and the plans show the vehicle tracking of a construction lorry entering and leaving the site onto the A32. The CEMP details that the haul road will have passing places along its length and there will be a banksman on site to help large vehicles manoeuvre.
- 9.36 Vehicles leaving the Heytesbury Farm entrance are required, through the Construction Traffic Management Plan (CTMP), to turn right on leaving the site and head down the A32 southwards. Subject to the CTMP being secured by condition Hampshire County Council the Highway Authority is satisfied that the development is acceptable.
- 9.37 The Amended Plans and Documents include a Road Safety Audit of the accesses in light of the comments raised plus amendments to the Construction Traffic Management Plan (CTMP) and adjustments where necessary to the drawings to clearly illustrate levels of visibility.
- 9.38 The Highway Authority has raised no objection to the proposal, noting that the concerns initially raised are now addressed through the amended plans and actions to be undertaken within the Construction Traffic Management Plan. There are finer details of the highway design that are subject to future approval under the relevant sections of the Highways Act. However the detailed design approval would not change the junction layout and detail of the proposals that comprise this application. The Highway Authority has encouraged the applicant to engage in the approval process as soon as possible and raises no objection.
- 9.39 The proposals accord with policies WEL23, WEL28, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Utilities and Drainage infrastructure

- 9.40 As set out above, alongside the proposals for new north to south bridleway, a number of service connections are proposed which link between connection

points at Funtley Hill to the south, and Knowle Road to the north. These services include a gravity fed foul sewer, which is required for the first phases of residential development at Welborne.

- 9.41 Both Southern Water and Hampshire County Council the Lead Local Flood Authority have raised no concerns at the proposal subject to appropriate management being in place for the future maintenance of the drainage infrastructure and by adopting suitable building techniques and methods to protect existing drainage infrastructure through the site.
- 9.42 The application site also proposes to re-position the Heytsebury Farm septic tank due to its poor condition and proximity to the haul road. Its new position is on the north side of the haul road (south of the proposed route for the diverted footpath) and will connect to the existing properties (5 & 6 Heytsebury Farm Cottages) as well as the site welfare facilities.
- 9.43 Condition 56 of the outline planning permission for Welborne requires details of levels and protection of the gas infrastructure on the site when development is within 15m. The proposed haul roads cross the gas pipeline on the site. The measures to protect this infrastructure is detailed within the CEMP with specific reference to the Southern Gas Networks instructions for safe working in the vicinity of pipelines. The CEMP sets out that the contractor, when appointed, will provide an itemised schedule of all interactions with the pipelines and set out the control measures to be provided.
- 9.44 The protection of existing and the early provision of utility infrastructure will accord with policies WEL4, WEL37, WEL39, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Links to Fareham

- 9.45 At the point where the new multi-user path through Fareham Common arrives at Kiln Road, third party comments have aired concern at the appropriateness of this as a location for a crossing point.
- 9.46 This location was secured by the outline planning permission given the location of the crossing point relative to routes to other existing schools down Maylings Farm Road. The outline planning permission secured a financial contribution paid by the developer to the County Council for the delivery of a new toucan crossing point at this location. This matter is therefore not for reconsideration as part of this application.

- 9.47 The crossing point in the position shown was previously considered to be acceptable and the Highway Authority has not expressed any new concerns the location of the proposed facility.
- 9.48 The British Horse Society has requested that the Kiln Road crossing provision also include a high button to trigger the crossing so that riders can trigger the crossing point without having to fully dismount. The BHS is not seeking a full Pegasus crossing, but just a higher button for horse riders. This request has been shared with the Highway Authority for further consideration when the contribution is being used to design and construct the crossing over Kiln Road.
- 9.49 The proposals accord with policies WEL4, WEL6, WEL23, WEL27, WEL28, WEL29, WEL30, WEL32 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Summary

- 9.50 This application is considered to be in accordance with the outline planning permission and is considered compliant with the policies of the Welborne Plan. The development proposed represents the delivery of critical enabling infrastructure which is an essential aspect of delivering Welborne. Its early delivery will work to facilitate the infrastructure requirements that will support the delivery of the first homes at Welborne.

10.0 Recommendation

- 10.1 APPROVE RESERVED MATTERS AND APPROVAL OF DETAILS PURSUANT TO CONDITIONS 45 AND 56 subject to conditions.

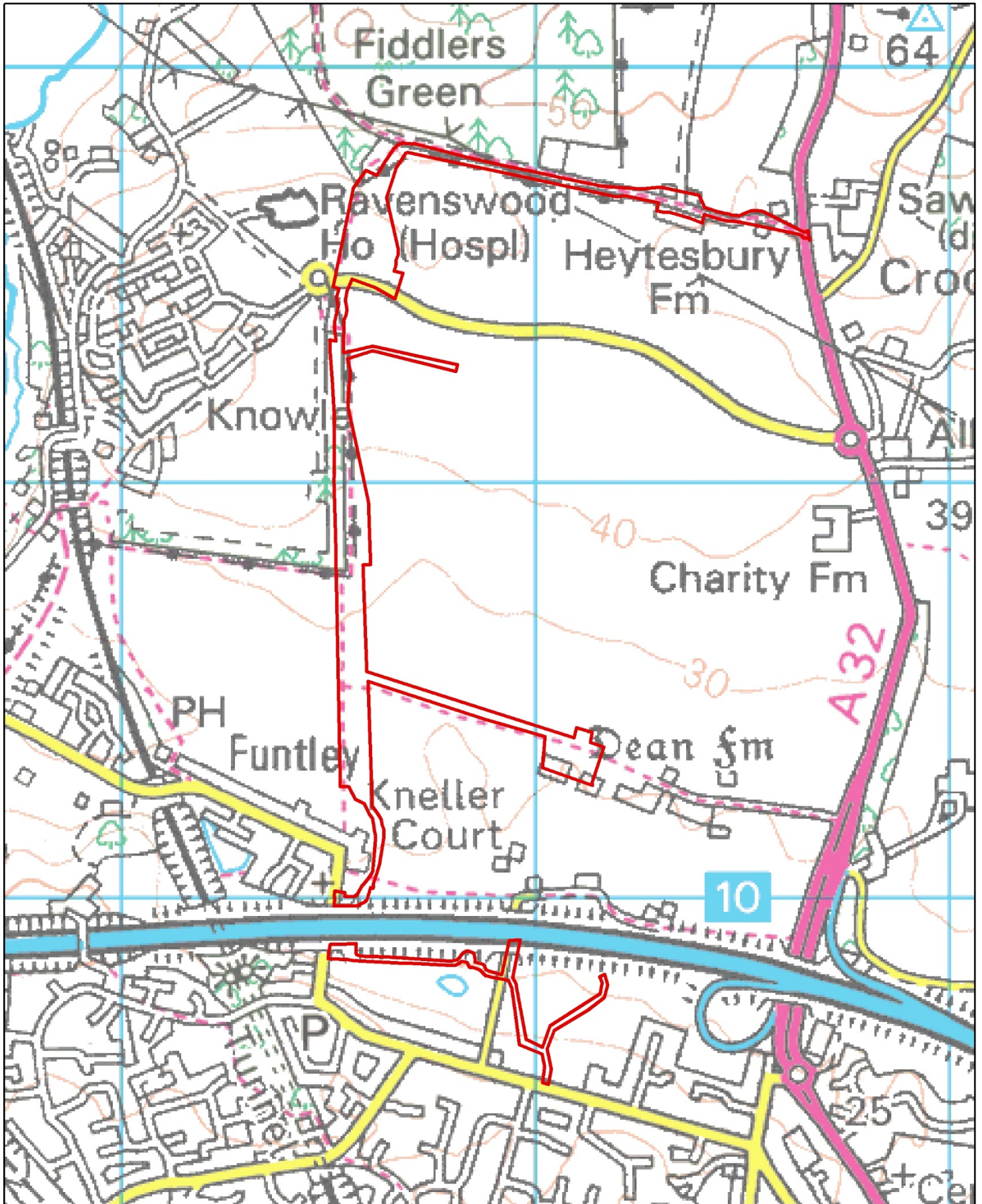
- 10.2 The Schedule of Conditions will be provided in the written update paper

11.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Welborne
Land North of Fareham
Scale 1:12,000



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Agenda Item 6(6)

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

P/22/1020/RM

BUCKLAND DEVELOPMENT LIMITED

FAREHAM NORTH

AGENT: DAVID LOCK ASSOCIATES

RESERVED MATTERS IN RELATION TO OUTLINE PLANNING PERMISSION P/17/0266/OA: FOR ACCESS, APPEARANCE, LANDSCAPE, LAYOUT AND SCALE FOR THE CONSTRUCTION OF HAUL ROADS AND INITIAL BASE COURSE ROAD CARRIAGEWAY RELATED TO THE DELIVERY OF INITIAL PHASES OF WELBORNE TO THE NORTH OF KNOWLE ROAD, INCLUDING ANY ASSOCIATED DRAINAGE, SOIL MOVEMENT, UTILITY CONNECTIONS, SUBSTATIONS, CONSTRUCTION ACCESS, ENGINEERING OPERATIONS AND EARTHWORKS INCLUDING DETAILS PURSUANT TO CONDITIONS 13 (COMPLIANCE WITH THE SITE WIDE BIODIVERSITY ENHANCEMENT STRATEGY), 16 (SCALE, MATERIALS, DESIGN AND LANDSCAPING), 17 (LEVELS), 19 (CONTAMINATION), 22 (CEMP), 27 (SURFACE WATER DRAINAGE), 28 (ECOLOGY MITIGATION), 29 (TREES) AND 56 (CROSSING OF THE GAS PIPELINE)

WELBORNE, LAND NORTH OF FAREHAM.

Report By

Mark Wyatt – direct dial 01329 824704

1.0 Introduction

1.1 This application is before the Planning Committee in accordance with the Scheme of Delegation in that the relevant threshold of public representations has been reached

2.0 Site Description

2.1 The application site is an irregular shaped site focused mostly on the land to the north of Knowle Road, west of the A32 and south of Dashwood. The land itself is agricultural land currently.

3.0 Background

3.1 Condition 15 of the Outline Planning Permission for Welborne (P/22/0266/OA) is as follows:

When first agreed in writing with the Local Planning Authority, a reserved matters application (containing relevant information from Conditions 16-41 of this planning permission) could be approved in advance of the approval of the Strategic Design Code document, or the relevant Neighbourhood Design Code, or Site Wide Housing Strategy or the Biodiversity Enhancement Strategy. In these circumstances, a statement

justifying submission of reserved matters prior to agreement of these matters must be submitted as part of this reserved matters application.

REASON: to ensure a comprehensive and appropriate form of development and to ensure that strategic work does not delay site works or the delivery of infrastructure to enable development on related neighbourhoods, specifically enabling works.

- 3.2 This condition was included in the Welborne outline permission to enable the submission of a reserved matter application in advance of the strategic level documents which are yet to be submitted or approved.
- 3.3 This application is described as essential and enabling infrastructure, which will not be directly affected by the provisions of the strategic documents nor will this application fetter the provisions of these documents. Condition 15 specifically enables the approval of applications such as this.
- 3.4 The application submits that the approval of this application will enable the delivery of critical infrastructure at Welborne which will in turn help support the delivery of housing at the new community.

4.0 Description of Proposal

- 4.1 This is the second reserved matter application pursuant to the outline permission for Welborne. It proposes early items of infrastructure including:

A32 access and main haul road

- 4.2 The proposal seeks to create a haul road access from the A32 at Heytesbury Farm running east to west alongside the southern edge of Dashwood where it would turn south and link to area proposed for construction compound due east of the first primary school site.

Initial Street Provision

- 4.3 From the site compound further haul roads comprising basecourse construction and utility connections are to be installed to enable site access during winter months. These haul roads will be laid out to match the initial street positions. The finished street positions will be set out in detail within the strategic design code and street manual for Welborne, but the provision of haul roads in these positions will help to prevent any significant abortive work to reposition them in the future

5.0 Policies

- 5.1 The following policies apply to this application:

5.2 **The Local Plan Part 3. The Welborne Plan**

- WEL1 – Sustainable Development
- WEL2 – High Level Development Principles
- WEL3 – Allocation of land
- WEL4 – Comprehensive Approach
- WEL6 – General Design Principles
- WEL7 – Strategic Design Codes
- WEL23 – Transport Principles for Welborne
- WEL27 – Encouraging Sustainable Choices
- WEL28 – Walking and Cycling
- WEL29 – Onsite Green Infrastructure
- WEL30 – Avoiding and Mitigating the Impact on Internationally Protected Sites and Off- Site Green Infrastructure
- WEL31 – Conserving and Enhancing Biodiversity
- WEL32 – Strategic Green Corridors and Connections
- WEL34 – Detailed Landscaping
- WEL37 – Water Efficiency, Supply and Disposal
- WEL39 – Flooding and Sustainable Drainage Systems
- WEL41 – Phasing and Delivery
- WEL43 – Development Construction and Quality Control

Other Documents:

5.3 Welborne Design Guidance

6.0 ***Relevant Planning History***

P/17/0266/OA	A New Community Of Up To 6000 Dwellings (C3 And C2, Including A Care Home Of Use Class C2) Together With A District Centre (Comprising Up To 2,800M2 Food Store Retail (A1), Up To 2,419M2 Of Non-Food Retail (A1) And Up To 2,571M2 Of Other Non-Convenience/Comparison Retail Use (A1 - A5)); A Village Centre (Comprising Up To 400M2 Food Store Retail (A1), Up To 1,081M2 Of Non-Food Retail (A1), A Public House (Up To 390M2 A4 Use) And Up To 339M2 Of Other Non-Convenience/Comparison Retail Use (A1 -	Permission 30/09/2021
--------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------

A5)); Up To 30,000M2 Of Commercial And Employment Space (B1); Up To 35,000M2 Of General Industrial Use (B2); Up To 40,000M2 Of Warehousing Space (B8); A Hotel (Up To 1,030M2 C1 Use); Up To 2,480M2 Of Community Uses (D1 And D2); Up To 2,200M2 Ancillary Nursery (D1), Health Centre (D1) And Veterinary Services (D1); Retention Of Dean Farmhouse; A Secondary School, 3 Primary Schools; Pre-Schools; Green Infrastructure Including Formal And Informal Open And Amenity Space; Retention Of Some Existing Hedgerows, Grassland, Woodland Areas, Allotments, Wildlife Corridors; All Supporting Infrastructure; Household Waste Recycling Centre; Requisite Sub-Stations; Sustainable Drainage Systems Including Ponds And Water Courses; A Remodelled M27 J10 Including Noise Barrier(S); Works To The A32 Including The Creation Of Three Highway Junctions And New Crossing(S); Distributor Roads (Accommodating A Bus Rapid Transit Network) And Connections To The Surrounding Cycleway And Pedestrian Network; Car Parking To Support Enhanced Use Of Dashwood; Ground Remodelling; Any Necessary Demolition; With All Matters Reserved For Future Determination With The Exception Of The Works To M27 J10 And The Three Highway Junctions And Related Works To The A32.

P/18/1192/FP	Management Of Wildlife Habitat, Including Habitat Clearance And Habitat Creation, Planting And Structural Landscaping, Which Will Include Movement, Re-Profiling And Reinstatement Of Excavated Topsoil.	Permission 13/12/2018
--------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------

7.0 Representations

The first round of publicity was held following the submission of the application.

7.1 Five letters of objection were received (Ridgeways, Marlings, Leahurst, Gingerbread Cottage all on Wickham Road) in response to the application when it was originally submitted. The issues raised are:

- The farm access off the A32 is not regularly used by large vehicles.
- Farm access is unsuitable for construction access turning onto busy A32.
- The access is close to a blind bend and the speed limit is not adhered to.
- There was a recent accident at the Pinks Woodmill opposite; this should be considered when thinking about the access onto the A32.
- The applicant should consider building the new roundabout to get into the site first or come off Knowle Road and not use this access point.
- We request a detailed traffic review of the A32 and adjoining roads that would benefit all parties.
- There is difficulty crossing the road to access public transport now this will get worse.
- Within the ecology report there is no mention of the deer herd that travels across the site
- There is also a lack of detail on the red kite and hawk communities that feed from this area.
- The proposal would prevent clear and safe access to footpaths 87, 23b and 23a.

7.2 Fareham and District Society: Objection

- The Society does not want to unduly delay the delivery of Welborne, however there are concerns that need to be addressed.
- The point of access onto the A32 for the haul road is considered dangerous and there is insufficient information on the existing and proposed traffic movements to judge the impact. A location further south would be better and should be investigated.
- The harm to paths raised by the Countryside Officer need to be addressed as they are an attractive means for residents to access the countryside.
- Substantial concerns on the street layout being approved prior to the approval of the Strategic Design Code and Street Design Manual. It seems clearly inappropriate to approve street layouts in this outline application before the guidance in the Code and Manual, which would guide their design, are approved.

A second round of publicity was held in November 2022 following the submission of amended and additional documents:

7.3 One further letter of objection was received (Meadows, Wickham Road) raising the following additional issues:

- Illegal parking in bus stops block driveways. This will only increase. Trying to turn into a blocked drive on a busy road is dangerous.
- The soil here is clay so no matter how much cleaning takes place on site this will be left on the road causing slippery surfaces in winter and dust in summer.
- An access off Knowle Road would be safer and away from houses so is an all round winner.
- If the access is to be used then the new road alignment on the A32 should be constructed first

7.4 Fareham and District Society: Objection

- Our concerns at the haul road access onto the A32 and the proximity of footpath 87 remain
- We are reassured to a degree by the applicants response to our concerns at the street layout and that further reserved matters will finalise things like verges and crossovers. However, we remain of the view that it may be premature to approve the layout of the roads at this stage when these are matters that the design codes are anticipated to cover.

8.0 Consultations

INTERNAL

Arboriculture

- 8.1 No objection subject to conditions

Environmental Health (Contamination)

- 8.2 No objection subject to conditions

EXTERNAL

Hampshire County Council (Highways)

- 8.3 No objection
- Further amendments have been received to address the Highway Authority comments;
 - Visibility is now shown at Heytesbury Farm;
 - At Heytesbury Farm one of the visibility splays will require a departure from the standard during the s278 process;
 - Tracking of vehicles at the accesses are acceptable;
 - Vehicles leaving Heytsebury Farm will need to right left only and not head towards Wickham

Hampshire County Council (Rights of Way)

- 8.4 No objection
- Subject to the diversion of path 87 being formalised
 - The diverted route is no less than 2.5m wide and generally 4.5m from the haul road
 - The surface is in accordance with HCC standards
 - Future maintenance of the diverted path is secured
 - Access along path 87 remains “at the level” ie...no stepped access.
 - A banksman is utilised at the access junction with the A32 until such time as the diverted route is provided

Hampshire County Council (Lead Local Flood Authority)

- 8.5 Comments on Novembers amended plans:
- The LLFA requires the results from the next round of infiltration testing and groundwater monitoring, and for the results to be considered within the calculations before we can comment further on the suitability of the surface water drainage proposals.

Southern Water

- 8.6 Comments:
- The proposed development is being designed under our sewer requisition scheme. The connection to the public network can be carried out once the requisition works are complete.

9.0 *Planning Considerations*

9.1 The key considerations in the determination of the application are:

- The principle for the development
- Impact upon the rights of way network
- Welborne street design and layout
- Highway Safety and Construction Traffic Routing from the A32
- Utilities and Drainage infrastructure
- Ecology and trees

The Principle for the development

9.2 As set out above earlier in the report, the grant of the outline planning permission P/17/0266/OA provides for the occasion whereby reserved matter applications are able to be submitted in advance of the approval of strategic documents; this is one of those occasions. The site falls within the Welborne Plan allocation and within the boundary of the recently granted outline planning permission. The proposal seeks to deliver infrastructure for Welborne that is not influenced by the detail of the strategic documents yet to be submitted and

approved. On that basis the principle for the development is acceptable subject to the further consideration of the issues below.

Impact upon the rights of way network

- 9.3 There are two main rights of way that are affected by the proposal namely 87 and 23b.
- 9.4 Footpath 87 runs east to west from Heytesbury Farm through to the A32. The proposal seeks to use part of this route for construction traffic. The application, as amended, proposes to divert the footpath between the A32 and Heytsebury Farm, slightly to the north, behind the former farm buildings and then back in front of the two properties known as 5 & 6 Heytsebury Farm Cottages before joining the A32 just to the north of the existing path and farm access.
- 9.5 Concern was initially raised by Hampshire County Council Countryside Service with regards to the footpath and haul road sharing the same route and the path being segregated from construction traffic solely by herras fencing. The amendments to the application seek to realign the path and haul road so that walkers are now not immediately adjacent to the haul road route which is considered to be more acceptable in terms of walker safety and for the amenity and usability of this route.
- 9.6 The only portion of the path that will initially remain shared with the haul road is the end point at the junction with the A32. This part of the site access will be managed with a traffic marshal to ensure there is no pedestrian and vehicle conflict until such time as the necessary footpath connection is made through the existing boundary hedge.
- 9.7 The proposed path is to be constructed as part of the first works on the application site and will be available for use by walkers early in the development. The formal process for diverting this footpath on the definitive rights of way map is separate to the planning application process and will be addressed after the approval of this reserved matter application.
- 9.8 Regarding the amended plans Hampshire County Council Countryside Service has accepted the amended route to footpath 87 and has agreed to the temporary management of the A32 access point by a traffic marshal until the proposed footpath connection through the existing hedge is provided.
- 9.9 Beyond Heytesbury Farm to the west the footpath and haul road separate and the existing field hedge separates the construction traffic and walkers. At this point the path changes to number 23b. The impact of the construction traffic on the amenity of the route will be less intrusive as a result of the separation of

traffic and walkers at this point and the presence of the hedge plus the route of the haul road network heads southwards into the construction area.

- 9.10 Whilst there will be applications for the diversion of footpaths in the future for the purposes of this planning application the implications for the rights of way network are considered acceptable and will help provide some early infrastructure for the construction of the new community at Welborne.
- 9.11 The proposals accord with policies WEL6, WEL23, WEL27, WEL28, WEL29, WEL31, WEL32, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Welborne street design and layout

- 9.12 As set out above in describing the application, haul roads are to be laid out to match the initial street positions. The Fareham Society has challenged this part of the proposal being put forward ahead of the strategic documents such as the Strategic Design Code of the Welborne Street Manual.
- 9.13 It is important to note that the provision of haul roads will only be as a base course to enable the site to operate over winter months. The applicant has opted for the haul roads to follow the initial street pattern to ensure that the land is developed efficiently and that other developable land is not sterilised by the provision of construction infrastructure. The haul route network will provide simply the base course for these streets, with verges, street trees, crossovers etc. provided as part of future reserved matters applications.
- 9.14 Hampshire County Council the Highway Authority has also noted that the layout submitted under this application has not been reviewed with regard to the acceptability of vertical or horizontal alignment for the internal road network of future housing development, this will be reviewed under the relevant reserved matters application when submitted.
- 9.15 As such, should the approval of the Strategic Design Code and Street Design Manual necessitate changes to this network, this will be dealt with accordingly in due course.
- 9.16 The proposals accord with policies WEL4, WEL6, WEL7, WEL23, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Highway Safety and Construction Traffic Routing from the A32

- 9.17 The application seeks to avoid any significant construction traffic intervention along Knowle Road at this stage. The only work south of Knowle Road within

the red edge is some vegetation clearance and utility installation, specifically the new sewer. To that end the proposal is to service the construction site and areas via the farm access from the A32 through Heytesbury Farm.

- 9.18 Third party letters have expressed concern at the use of the Heytesbury Farm access for several reasons. Firstly is that even at its height as a working farm (the current farm buildings are empty and in the process of being demolished) the level of farm traffic would not have been commensurate with a construction site of this size. The proposal will result in additional large vehicle movements onto the busy A32 just after the brow of the hill to the north. The road markings are worn in places and letters set out that there has recently been an accident at the entrance to the former pinks sawmill site on the other side of the Wickham Road which, local residents, suggest must have a bearing on the suitability of the farm access for construction purposes.
- 9.19 Both residents and the Fareham Society have queried why a location further south could not be considered, or even utilising access of the Knowle Road itself.
- 9.20 The new roundabout at Forest Lane as part of the outline planning permission is a fairly significant piece of infrastructure with realignment of the A32 required as well as substantial land movement given the elevated nature of the A32 in this location relative to the Welborne site.
- 9.21 The Heytesbury Farm access exists and can be utilised without significant infrastructure delivery at this stage. Furthermore, whilst the farm access has recently been relatively quiet in terms of vehicle movements, it would, at one point, have accommodated some large agricultural vehicles accessing the A32.
- 9.22 The submitted CEMP (Construction and Environmental Management Plan) sets out that all the development in this application, on land north of Knowle Road, will utilise Heytesbury Farm and the plans show the vehicle tracking of a construction lorry entering and leaving the site onto the A32. The CEMP details that the haul road will have passing places along its length and there will be a banksman on site to help large vehicles manoeuvre.
- 9.23 Vehicles leaving the Heytesbury Farm entrance are required, through the Construction Traffic Management Plan (CTMP), to turn right on leaving the site and head down the A32 southwards. Subject to the CTMP being secured by condition the Highway Authority is satisfied that the development is acceptable.
- 9.24 The Amended Plans and Documents include a Road Safety Audit of the accesses in light of the comments raised plus amendments to the Construction

Traffic Management Plan (CTMP) and adjustments where necessary to the drawings to clearly illustrate levels of visibility.

- 9.25 The Highway Authority has raised no objection to the proposal, noting that the concerns initially raised are now addressed through the amended plans and actions to be undertaken within the Construction Traffic Management Plan. There are finer details of the highway design that are subject to future approval under the relevant sections of the Highways Act. However the detailed design approval would not change the junction layout and detail of the proposals that comprise this application. The Highway Authority has encouraged the applicant to engage in the approval process as soon as possible and raises no objection.
- 9.26 The proposals accord with policies WEL23, WEL28, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Utilities and Drainage infrastructure

- 9.27 The application proposes the installation of below ground utilities and services as a part of the proposed development as well as a communications building and substation above ground. It is the applicant's case that the provision of these services alongside the haul road layout will benefit the site in two ways. Firstly the early delivery of the infrastructure can help ensure the timely delivery of the new homes on the site. Secondly, provision of the services along the intended road route will minimise both construction disruption and the sterilisation of development land. Furthermore, serviced parcels enable a swifter delivery of housing from housebuilders.
- 9.28 Hampshire County Council the Lead Local Flood Authority has noted that the applicant has undertaken some further infiltration testing on the site and requested sight of the results prior to confirming the suitability of the surface water drainage proposals.
- 9.29 The submitted drainage calculations provide for adequate capacity to accommodate the surface water drainage from the construction process. The submitted drainage calculations also propose there is capacity in the drainage works to service phase 1 of the development as well as the construction process. It is clear that the surface water drainage infrastructure proposed is able to manage surface water from the haul roads and construction areas. The further drainage details requested by the Lead Local Flood Authority are necessary to establish whether the proposed infrastructure can also manage the surface water from the residential development or whether each residential parcel will also need to include its own surface water drainage proposal.

- 9.29 Dialogue between Officers, the applicant and the Lead Local Flood Authority on the capacity or otherwise of the drainage provision to accommodate more than the construction drainage is ongoing. Any further comments from the Lead Local Flood Authority will be provided to the Planning Committee in the written update paper.
- 9.30 Policy WEL37 sets out that *“Development of any phase must meet the required environmental standards and not result in an adverse impact in water quality or increase the risk of sewer flooding as a result of the waste water flows from the development”*. Southern Water has advised that the development is being delivered under the sewer requisition scheme and that a connection to the public sewerage network can be carried out once the requisition works are complete. On this basis it is considered that the proposal accords with policy WEL37.
- 9.31 Condition 56 of the outline planning permission for Welborne requires details of levels and protection of the gas infrastructure on the site when development is within 15m. The proposed haul roads cross the gas pipeline on the site. The measures to protect this infrastructure is detailed within the CEMP with specific reference to the Southern Gas Networks instructions for safe working in the vicinity of pipelines. The CEMP sets out that the contractor, when appointed, will provide an itemised schedule of all interactions with the pipelines and set out the control measures to be provided.
- 9.32 The protection of existing and the early provision of utility infrastructure will accord with policies WEL4, WEL37, WEL39, WEL41 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Ecology and trees

- 9.33 The amendments to the application in November 2022 clarified the extent of hedgerow loss and woodland habitat impacts. The amendments also included updated dormouse and reptile strategies as well as bat activity surveys along with appropriate mitigation measures. The Ecologist advising the Council is satisfied that the amended documents and associated mitigation strategies are acceptable.
- 9.34 A tree protection plan is included as part of the CEMP appendices. This has been reviewed by the tree officer and there is no objection to the proposals subject to the installation of the tree protection measures during the development

- 9.35 The protection of landscape features and protected species will accord with policies WEL4, WEL29, WEL31 and WEL43 of the adopted Fareham Local Plan Part 3: The Welborne Plan.

Summary

- 9.36 This application is considered to be in accordance with the outline planning permission and is considered compliant with the policies of the Welborne Plan. The development proposed represents the delivery of critical enabling infrastructure which is an essential aspect of delivering Welborne. Its early delivery will work to facilitate the infrastructure requirements that will support the delivery of the first homes at Welborne.

10.0 Recommendation

- 10.1 APPROVE RESERVED MATTERS AND APPROVAL OF DETAILS
PURSUANT TO CONDITIONS 13, 16, 17, 19, 22, 27, 28, 29 AND 56

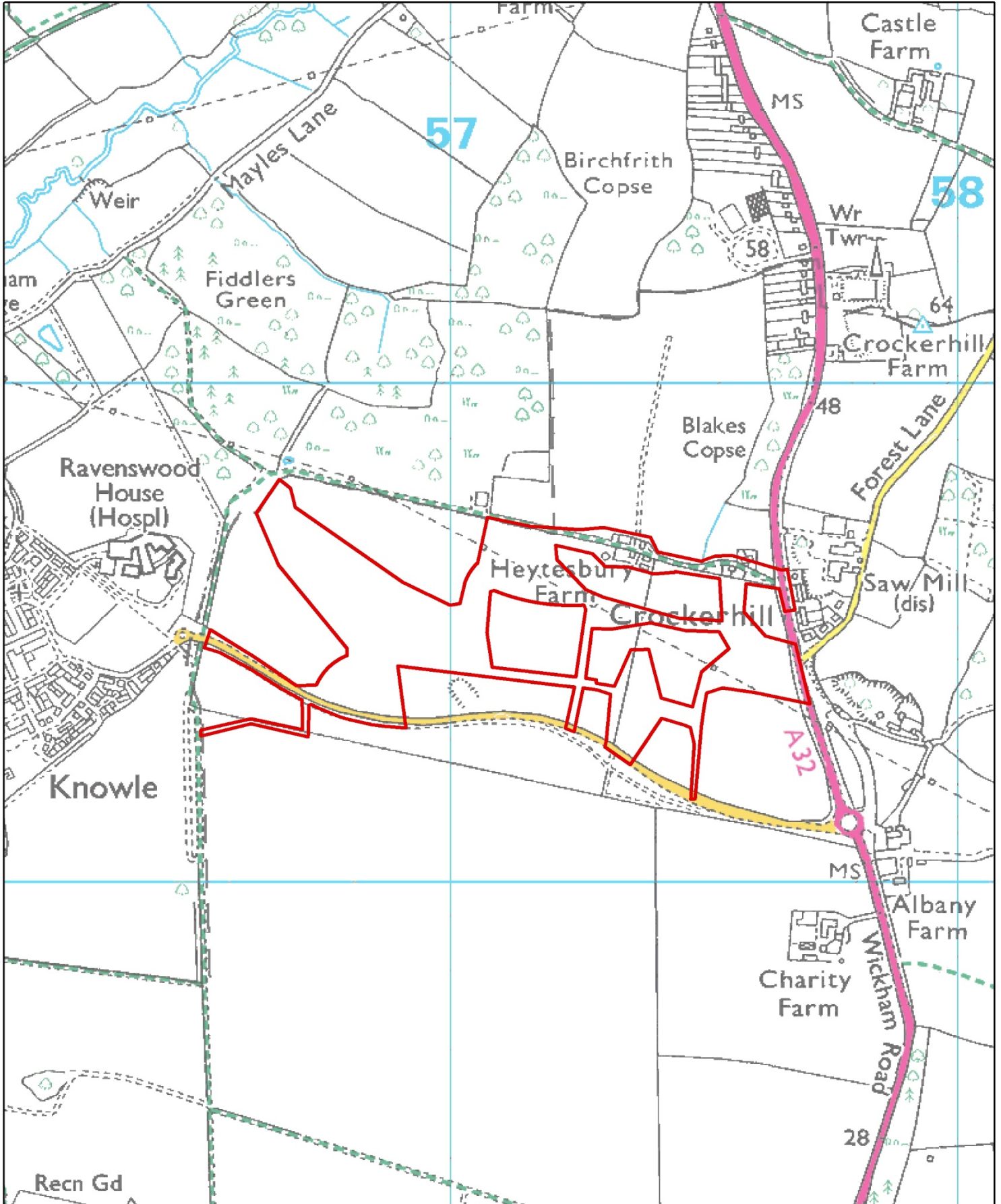
- 10.2 The Schedule of Conditions will be provided in the written update paper

11.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Welborne
Land North of Fareham
Scale 1:10,000



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Agenda Annex

ZONE 3 – EASTERN WARDS

Portchester West

Hill Head

Stubbington

Portchester East

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/22/1012/FP PORTCHESTER EAST	ASSHETON COURT CASTLE STREET PORTCHESTER FAREHAM PO16 9PT DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 60 ONE AND TWO BEDROOM FLATS WITH ASSOCIATED EXTERNAL WORKS AND LANDSCAPING	7 PERMISSION
P/22/1253/FP PORTCHESTER WEST	CAMS HILL SCHOOL SHEARWATER AVENUE FAREHAM PO16 8AH CONSTRUCTION OF 3G SPORTS PITCH WITH ASSOCIATED FEATURES INCLUDING; 6NO 12M HIGH LED FLOODLIGHTS, FENCING AND ALTERATIONS TO PEDESTRIAN AND VEHICULAR ACCESS WITHIN SCHOOL SITE.	8 PERMISSION

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

P/22/1012/FP
FAREHAM BOROUGH COUNCIL

PORTCHESTER EAST
AGENT: MH ARCHITECTS LIMITED

DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 60 ONE AND TWO BEDROOM FLATS WITH ASSOCIATED EXTERNAL WORKS AND LANDSCAPING

ASSHETON COURT, CASTLE STREET, PORTCHESTER

Report By

Richard Wright – direct dial 01329 824758

1.0 Introduction

- 1.1 This application has been included on the Planning Committee agenda due to the number of third party representations that have been received.
- 1.2 The Council in its capacity as the local planning authority is responsible for determining planning applications that involve proposals the Council proposes to carry out (under Regulation 3 of the Town and Country Planning General Regulations 1992).

2.0 Site Description

- 2.1 Assheton Court is an existing sheltered housing scheme owned and managed by Fareham Borough Council. Built in 1971 Assheton Court provides 20 flats and 13 bedsits for affordable rent across two buildings on the site which are two storeys in height. To the west and south of the buildings lies a communal garden area with two large hornbeam trees in the south-eastern corner of the site and a mature mixed hedgerow along most of the western boundary. To the north of the building thirteen car parking spaces are available within the site with pedestrian and vehicular access from the north. Next to this access is an electricity substation.
- 2.2 The application site comprises the existing Assheton Court development and the electricity substation. It also includes a section of the public car park to the north-east.
- 2.3 Beyond the public car park to the north of the application site lies the Portchester District Centre precinct in West Street. Just within the car park beyond the site's northern boundary is a row of London Plane trees. To the west of the site behind the mature mixed boundary hedgerow lie residential properties in Jubilee Road. To the south are the rear gardens of houses in

Sunningdale Road separated from the application site by a rear service track. To the east of the site meanwhile is an area comprising various commercial uses known as Alcott's Yard. Immediately adjacent to the eastern site boundary within Alcott's Yard is a row of garage "lock-ups" and an enclosed yard separated into two parts where planning permission was granted in 2009 for its use as a general builder's storage yard (planning reference P/09/0961/FP).

- 2.3 The site lies within the defined urban settlement boundary. The section of the site which forms part of the public car park is also part of the designated Portchester District Centre. Part of the site lies within Flood Zones 2 & 3 as shown on the flood maps produced by the Environment Agency.

3.0 Description of Proposal

- 3.1 Permission is sought for the redevelopment of the Assheton Court site and the additional area of car park to the north-east. It is proposed to demolish the existing buildings and to construct a new building comprising a total of 60 one- and two-bedroom flats (a net increase of 27 units). Fifty-one units would be one-bedroom apartments and the remaining nine would have two-bedrooms each.
- 3.2 The new apartments would be provided as sheltered accommodation. The supporting information to accompany the application explains that sheltered housing is unfurnished, self-contained accommodation specifically designed to allow independent living for people aged 55 years and over. Assheton Court will have on-site sheltered housing officer support five days a week during office hours and all accommodation will have emergency alarms fitted that link to a 24-hour central control so residents can call for help at any time. Typically, most sheltered housing units are single occupancy (around 90% in Fareham) however couples can be accommodated. The average age of current residents at Assheton Court is 79 years of age.
- 3.3 The proposed new building would be in two main parts linked by a ground floor, single storey lobby. Both the western and eastern parts of the building would be a maximum of four storeys high with various recessed elements. To respond to the need to design a flood resilient building in this particular location, the internal ground floor level of the building would be 4.50m above ordnance datum (AOD) which is 1 metre higher than the existing building which stands at 3.50m AOD.
- 3.4 Many of the flats would have private balconies or roof terraces. Some of the balconies would be fitted with privacy screens on the sides. A communal garden would be provided on the south side of the building.

- 3.5 Vehicular and pedestrian access to the development would remain from the north. A total of twenty-one car parking spaces including two disabled car parking spaces would be provided to the west and north of the building.
- 3.6 The substation would be relocated to a position close to the north-eastern corner of the site.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

- CS2 – Housing Provision
- CS4 – Green Infrastructure, Biodiversity and Geological Conservation
- CS5 – Transport Strategy and Infrastructure
- CS6 – The Development Strategy
- CS11 – Development in Portchester, Stubbington & Hill Head and Titchfield
- 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

Adopted Development Sites and Policies

- DSP1 – Sustainable Development
- DSP2 – Environmental Impact
- DSP3 – Impact on Living Conditions
- DSP13 – Nature Conservation
- DSP15 – Recreational Disturbance on the Solent Special Protection Areas (SPAs)
- DSP42 – New Housing for Older People

Emerging Fareham Local Plan 2037

The Fareham Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector requested a number of modifications to the Plan. The proposed modifications are the subject of public consultation running from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

- H1: Housing Provision
- HA44: Assheton Court
- HP1: New Residential Development
- HP5: Provision of Affordable Housing
- HP7: Adaptable and Accessible Dwellings
- HP8: Older Persons and Specialist Housing Provision
- CC1: Climate Change
- CC2: Managing Flood Risk and Sustainable Drainage Systems
- NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
- NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)
- NE4: Water Quality Effects on the SPAs, SACs and Ramsar Sites of the Solent
- NE6: Trees, Woodland and Hedgerows
- TIN1: Sustainable Transport
- TIN2: Highway Safety and Road Network
- D1: High Quality Design and Placemaking
- D2: Ensuring Good Environmental Conditions
- D4: Water Quality and Resources
- D5: Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

5.1 No relevant planning history.

6.0 *Representations*

6.1 Fourteen representations from local residents have been received with eleven of those in objection to the proposed development and the remaining three making observations. The following material planning considerations were raised:

Negative

- Increase in height of building compared to existing
- Loss of privacy (including from new balconies and terraces)
- Overshadowing / loss of light
- Dark cladding materials
- Out of keeping with and harmful to the character of Portchester
- Level of car parking provision (including disabled spaces)

- Insufficient cycle storage
- Access to rear of 23 Castle Street would be affected
- New residential development will be affected by noise and dust from adjacent builders' yard (Alcotts Yard) resulting in complaints against the businesses located there
- Flood risk
- Disturbance to wildlife (foxes, bats, birds, squirrels)
- Impact on local doctors and support services
- Impact of demolition and construction works on living conditions of neighbours

Positive

- Benefit to existing and new residents of Assheton Court
- Re-use of brownfield site
- Much needed facility in Portchester

7.0 Consultations

EXTERNAL

Hampshire County Council - Archaeology

7.1 No objection

Hampshire County Council – Flood and Water Management Team

7.2 No objection

Hampshire County Council – Highways

7.3 No objection

Natural England

7.4 Further information is required to determine impacts on designated sites. Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on Designated Sites, proceeding to the appropriate assessment stage where significant effects cannot be ruled out.

Environment Agency

7.5 We have reviewed the amended Flood Risk Assessment (dated November 2022) and consider that it satisfactorily addresses our earlier concerns. Subject to a condition we withdraw our previous objection.

INTERNAL

Hampshire County Council - Ecology

7.6 No objection subject to conditions.

Trees

7.7 No objection

Contaminated Land

7.8 No objection

Environmental Health

7.9 The noise report submitted by Mach Group in support of the application has identified the noise impacts upon future residents as Assheton Court as road traffic noise and noise contributions from the nearby builders' yard. It is not clear what proportion of noise measured was accountable to the builders' yard, whether these were significant during the monitoring period, the times this occurred within the overall levels measured or if this was considered a worse-case scenario for this activity.

If only the sampling period is considered, and this is considered representative of a worst case, I am satisfied that the measures proposed by Mach Group should prevent future residents from the impacts of noise from traffic and builder's noise when the windows are closed.

Further considerations:

- The use of outdoor living areas of the closest properties to the builders' yard, in particular the balconies, do not appear to have been addressed.
- I would also recommend investigating how opening windows will impact on the integrity of the property to maintain noise intrusion to an acceptable level. Where this is not possible, the implementation of mechanical ventilation would need to be considered to allow suitable and sufficient ventilation to properties.

8.0 *Planning Considerations*

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

- a) Principle of development
- b) Flood risk
- c) Design and appearance
- d) Living conditions of neighbours and future residents
- e) Access and parking provision
- f) Impact on protected sites
- g) Other matters

a) Principle of development

- 8.2 The proposal is for sheltered accommodation for persons aged 55 and over. The application site is previously developed land located within the defined urban settlement boundary. There are several policies within the adopted and emerging local plan relevant to consideration of whether the proposed development is acceptable in principle.
- 8.3 Policy CS2 places priority on the reuse of previously developed land within the existing urban area.
- 8.4 Policy DSP42 meanwhile sets out five criteria for new accommodation designed specifically for older people. Officers consider the proposals to comply with all five criteria which are as follows with the policy stating:

“The development of new accommodation designed specifically for older people should:

- i. Offer easy access to community facilities, services and frequent public transport....;*

The Assheton Court site benefits from an excellent location immediately adjacent to the Portchester District Centre where an abundance of services and facilities are located including the shops and eateries in the West Street precinct, a post office, health centre, pharmacy, library and the Red Lion Public House. Also very close nearby is the Portchester Parish Hall and Portchester Methodist Church. There are bus stops at the eastern end of the precinct and Portchester railway station lies 500 metres to the north of the application site providing excellent public transport links for journeys to Fareham and Portsmouth in either direction.

- ii. Be well-integrated with the wider neighbourhood;*

The proposal is well-integrated with the District Centre through which access is derived. Like the existing buildings at Assheton Court, the new building would face out on to and relate well to the public car park to the north. The communal garden space for residents to the rear of the building correspondingly abuts the service tracks to the rear gardens of properties in Jubilee Road and Sunningdale Road.

- iii. Provide sufficient car parking for visitor and residents;*

Sufficient car parking provision is made and this is explained in further detail later in this report. Space for ambulance parking is provided immediately outside the main entrance to the building.

iv. Where appropriate, provide choice of tenures; and

Assheton Court will remain being owned and managed by Fareham Housing. The majority of the flats at the new Assheton Court will be let at an affordable rent for households on the Council's Housing Register. Some of the apartments will be marketed and offered as shared ownership units.

v. Should be designed to be accessible and adaptable with particular regard given to the principles of Lifetime Homes."

The proposed accommodation will be flexible to meet the needs of future residents and older persons throughout their lifetime. Some of the units have been designed to meet the Building Regulations M4(2) Category 2 for accessible and adaptable dwellings. This is broadly equivalent to the Lifetime Homes Standard which provides enhanced accessibility in circulation spaces and bathrooms to make new homes more accessible. Other units have been designed to a M4(3) Category 3 wheelchair user dwelling standard.

8.5 The emerging local plan contains a policy designed to replace the guidance given in Policy DSP42 in relation to older persons housing. Emerging policy HP8 states that:

"Development will be permitted for new, or extensions and additions to existing, older persons' and specialist housing in the Urban Area boundary where:

a) Sufficient parking and services are available to fulfil the needs of residents, visitors and any care and servicing intended to be provided on site; and

b) Accommodation is provided in sustainable locations having regard to accessibility, local services, community integration and safety, and to the need for staff and services to access the accommodation; and

c) An appropriate provision of amenity space is provided having regard to the needs of the potential users.

New older persons or specialist housing shall be provided within the Urban Area boundary unless it can be demonstrated, based on an up

to date alternative sites assessment provided by the developer, that the need for the housing proposed cannot be met elsewhere.

8.6 For the reasons already set out above, Officers consider the proposals to accord with parts a) & b) of the above policy which are substantially similar to policy tests in the adopted local plan. The development would also provide appropriate amenity space to satisfy part c) and this issue is discussed later in this report.

8.7 The site also benefits from being an allocation in the emerging local plan, where according to Strategic Policy H1, housing will be provided. Policy HA44 states that:

“Proposals [at Assheton Court] should meet the following site-specific requirements:

- a. The quantum of housing shall be consistent with the indicative yield of 60 sheltered housing units; and*
- b. Building heights shall be mainly three storeys and shall not exceed four storeys; and*
- c. Proposals shall have regard to the principles set out in the Fareham Housing Greener Policy; and*
- d. A flood risk assessment is required (The site is below the threshold of 5m above Ordnance Datum (AOD) which means with predicated sea level rise this area could become at risk of future flooding from tidal sources) and appropriate mitigation measures included in the design of the properties; and;*
- e. Adequate surface water drainage, identified through a Drainage Strategy, shall be provided on site; and*
- f. A Construction Environmental Management Plan to avoid adverse impacts of construction on the nearby Solent Wader and Brent Goose designation; and*
- g. Infrastructure provision and contributions including health, education and transport for example shall be provided in line with Policy TIN4 and NE3.*

8.8 Taking account of these site-specific requirements, the scale and massing of the proposed building is considered later in this report. In short however, the

scale of the building at a maximum of four storeys but predominantly three storeys in height accords with criterion b) of this policy. The matters covered in criteria d) – g) are also detailed later in the report and again found to be acceptable such that those policy requirements are met.

- 8.9 Criterion c) refers to the Fareham Housing Greener Policy which has four principles; “minimise consumption of resources”, “promote sustainable lifestyles”, “build homes that meet the sustainability needs of our customers now and in the future” and “deliver a greener standard”. It is clear from the details submitted with this application that these principles have been taken into account by the applicant, for example through the inclusion of photovoltaic solar panels and by looking to achieve optimal use of this brownfield site which is in a highly sustainable location in the urban area close to services and facilities.
- 8.10 The proposal accords with Policies DSP42 and HA44 and Officers consider the principle of development to be acceptable subject to the further considerations set out below.

b) Flood risk

- 8.11 The north-eastern part of the site lies within Flood Zones 2 & 3 as shown on the flood maps produced by the Environment Agency.
- 8.12 Paragraph 161 of the NPPF sets out a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.
- 8.13 Paragraph 162 of the NPPF reads:

“The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.”

- 8.14 The government’s Planning Practice Guidance (PPG) sets out how the sequential, risk-based approach to the location of development should work in practice. This application of the sequential approach is known as the sequential test. It states that this general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in

preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.

- 8.15 The applicant has submitted an assessment of the sequential test to support the application. It explains the need to redevelop the site to provide modern, fit for purpose sheltered housing. At present the age and condition of the existing Assheton Court buildings do not meet modern expectations for older person accommodation. Improving the existing buildings built in 1971 would be cost prohibitive and would not adequately address many of the issues around internal space and accessibility. In the event no redevelopment was to happen, a significant amount of money would still need to be spent on the refurbishment and maintenance of the buildings over the next 30 years. Critically though from a flood risk perspective, without redevelopment the existing flats would remain in an area partially at medium and high risk of flooding with no flood resilience measures in place due to the way the buildings were originally designed and constructed.
- 8.16 Portchester has an identified high need for affordable older person accommodation and so the applicant's sequential assessment considers alternative sites within this specific area. Affordable housing need is broken down by area since an individual in housing need who has a family and/or support network in, for example, Portchester is unlikely to be willing to be rehoused in other areas of the Borough. It is also the case that existing residents of Assheton Court would need to be rehoused in the new development. Officers consider that using Portchester as a search area is reasonable in this instance and the outcome of the search that has been undertaken is that no other sites have been found that are available and suitable.
- 8.17 Taking into account the above considerations it is clear that, given the specific nature of the proposals to redevelop the existing sheltered accommodation with 60 new flats to rehouse both existing tenants and new residents from the local Portchester area, there are unlikely to be reasonable alternative sites which are more preferable than Assheton Court. The sequential test is considered to be passed.
- 8.18 The applicant has also provided an assessment of the 'exception test' as set out in paragraph 164 of the NPPF which states in part:

"...To pass the exception test it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”

- 8.19 Officers consider the exception test is passed. In terms of the wider sustainability benefits (part a), the proposed development would provide a net gain of an additional 27 units of sheltered accommodation in an area with an identified need for this type of affordable housing. As already set out above, the site is sustainably located on the edge of the Portchester District Centre. Furthermore, the development would bring forward the redevelopment of an allocated site in the emerging local plan to help boost the Council’s housing supply.
- 8.20 More specifically with regards to flood risk, the redevelopment would remove the twenty-seven existing flats in the buildings which currently have an internal finished floor level of 3.5m AOD. The proposed replacement building would have an internal finished floor level of no less than 4.5m AOD. This floor level has been arrived at after taking advice from the Environment Agency on the so-called ‘design flood level’ for the building (taking into account climate change) and a ‘freeboard allowance’. The submitted flood risk assessment from the applicant explains that this would address the potential flood risk from a 1 in 200 year flood event even in 100 years’ time (the year 2123). This is a significant improvement to the floor level of the existing buildings and not only demonstrates a further wider sustainability benefit from the development but also, along with other flood resilience measures, satisfies the requirement to ensure the development will be safe throughout its lifetime thereby according with part b of NPPF paragraph 164. Accordingly, the Environment Agency’s final comments on the application show that they raise no objection to the application on this basis.

c) Design and appearance

- 8.21 Adopted local plan Policy CS17 states (in part):

“All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to:

- *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,*

- ...
 - *ensure permeable movement patterns and connections to local services, community facilities, jobs and shops,*
 - ...
 - *create a sense of identity and distinctiveness and one that is legible,*
 - ...
 - *enable buildings to provide flexible accommodation, which can be adapted to suit all members of a community throughout their lifetime,*
 - ...
- In addition, new housing will be required to:*
- *secure adequate internal and external space, dwelling mix, privacy, and sunlight and daylight to meet the requirements of future occupiers.*
 - ...

- 8.22 Policy D1 of the emerging Fareham Local Plan 2037 meanwhile requires development proposals and spaces to be of high quality based on the principles of urban design and sustainability.
- 8.23 The existing Assheton Court complex features two buildings of red brick construction with mono-pitched roofs and white UPVC fascias, windows and doors. The buildings lack architectural merit and are inconspicuous within the public realm, their two-storey scale being evident only from the adjacent public car park.
- 8.24 The proposed redevelopment would have a significantly different appearance overall and would substantially alter the character and appearance of the area. The new building would stand a maximum of four storeys high although this would be limited to a relatively small area overall of the 'western wing' which would be predominantly three-storey descending to single storey height at its closest point to the southern boundary. The 'eastern wing' would be more consistently four-storey in scale but again the scale of the building would decrease on its southern side and would be set much further from the southern boundary where two large hornbeam trees lie in the south-eastern corner of the site.
- 8.25 Computer generated images and 3D perspective drawings provided by the applicant are helpful in demonstrating the scale and massing of the building in comparison to the surrounding area. The building is, without doubt, much larger than the two-storey terraced housing in Sunningdale Road and Jubilee Road. It is also taller and more conspicuous in both public and private views

compared to the existing buildings at Assheton Court. However, the top floor of the building would largely be visually subservient in terms of its design by being recessed and treated with contrasting materials. This would make it appear more in keeping with the prevailing three-storey scale and character of the West Street shopping precinct to the north on the opposite side of the public car park. Certain views of the building from the public car park would be limited to an extent by the retention of the row of large mature trees along the northern site boundary.

- 8.26 The applicant proposes using a combination of light brickwork and red zinc cladding with matching aluminium framed fenestration in a contemporary style. Balconies and fourth floor roof terraces are a strong feature of the design. Parts of the roof of the building would be 'green roofs' and would be planted appropriately in order to enhance biodiversity. Photovoltaic panels are proposed on the highest parts of the roof. The articulation provided by the building's stepped formation would provide aesthetic interest as well as visually breaking up the building's mass. Importantly, the building is separated into two 'western' and 'eastern' wings linked by a single storey lobby area with floor to ceiling glazing. This approach effectively splits the building into two elements reminiscent of the current accommodation at Assheton Court and further assists in providing relief from the building's overall size. Officers consider the building to be a well thought out and attractively designed proposal which complements the character and appearance of the surrounding area.
- 8.27 The concerns raised by local residents over the scale of the development are noted and it is acknowledged that the proposed building would stand much taller than the existing Assheton Court and higher than most other buildings in the centre of Portchester. That said, buildings of a similar scale are located nearby in West Street within the Portchester District Centre. It is also recognised that local plan Policy CS2 places priority on reusing previously developed land in the urban area to deliver new housing and the redevelopment of this particular site is supported by Policy HA44 of the emerging local plan. In order to achieve the optimal use of brownfield sites in highly sustainable locations such as this, building heights may consequently be comparatively higher than elsewhere in Portchester and across the Borough more generally.
- 8.28 As mentioned earlier in the report, the ground floor internal finished floor level of the building is proposed to be 4.5m AOD. This is approximately 0.75 - 1.5m higher than the proposed levels of the car park and garden areas. In order to provide level access for all residents and users, the proposed building has ramped access at various points.

- 8.29 The proposals include an area of communal garden to the south of the building made up of patio courtyards with seating, wildflower meadows and amenity grass. This amenity space measures approximately 1,100 sq metres. The Council's Design Guidance (excluding Welborne) Supplementary Planning Document (SPD) provides guidance on what level of amenity space will normally be considered appropriate for flatted developments and suggests that a garden of 25 sq metres will normally be sufficient for most one or two bedroom flats. Applying this to the proposals, a communal space of 1,500 sq metres would be required. However, the SPD recognises that in the town centre and other centres around the Borough more innovative ways of providing quality outdoor space might be required, including for example roof terraces and balconies. In this instance a large number of the proposed flats have private balconies or roof terraces. On balance therefore the amount of external amenity space being provided for new residents is considered to be acceptable having regard to the relevant SPD guidance.
- 8.30 The proposed development provides apartments of sufficient floor space to meet the Nationally Described Space Standards.
- 8.31 In summary, having regard to the requirements of Policy CS17, Officers consider the proposed development to be of a high quality of design, safe and easily accessible by all members of the public and providing adequate internal and external space. Whilst mindful of the increased height of the building compared to the existing Assheton Court, the scale of the building was anticipated by Policy HA44 and Officers consider the proposed design responds positively and is respectful of the key characteristics of the surrounding area including the scale of development nearby.

d) Living conditions of neighbours and future residents

- 8.32 During the public consultation period for this application a number of residents living in adjacent streets raised concerns over the impact the development would have on their living conditions, including on the light, outlook and privacy currently enjoyed in their properties.
- 8.33 Adopted local plan Policy DSP3 states:

“Development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy.”

Sunningdale Road

- 8.34 The fact that the site lies due north of properties on Sunningdale Road means that the increased height and massing of the new building compared to the existing Assheton Court will have no unacceptable adverse impact on the level of direct light to those homes.
- 8.35 The existing Assheton Court building is two storeys high with the closest parts of the western building having small high-level windows at first floor level and two doors leading to external fire escape staircases. Those parts of the building are typically around 20.5 – 21.5 metres from the two storey rear elevations of houses on Sunningdale Road. There are more first floor windows in both the western and eastern building however they are in parts of the buildings that are set further back from the southern boundary. Those windows are typically approximately 31.5 – 32.5 metres from the two storey rear elevations of houses on Sunningdale Road (approximately 18.5 metres to the end of the rear gardens).
- 8.36 The applicant has provided a series of cross section drawings to show the relationship between the proposed building and the rear gardens and elevations of houses on Sunningdale Road. These sections demonstrate that the distance between the nearest single storey parts of the western wing of the building and the two storey rear elevations of houses on Sunningdale Road would be at least 20.9 metres. This is comparable to the distance currently achieved between the nearest two storey parts of the existing building as described above. The cross section drawing shows that at this point the proposed building is actually lower than the existing building where it is closest to those neighbouring properties to the south.
- 8.37 At the point where the proposed building would step up to three storey scale the separation distance would typically be around 27 metres and, to avoid overlooking, windows in that part of the building would be high level and western and eastern facing balconies would be fitted with privacy screens on their southern ends. The balconies of the nearest south facing apartments in the western wing would be approximately 31.5 metres from the two storey rear elevations of houses on Sunningdale Road (approximately 18.5 metres to the end of the rear gardens). Again, this is comparable to the distance currently from first floor windows in the existing western building however Officers acknowledge that there would be more windows and balconies across first and second floor level.
- 8.38 The top storey (third floor level) in the western wing of the new building would be 40.6 metres from the two storey rear elevations of Sunningdale Road. The eastern wing of the building meanwhile would, at its closest where it is three storeys in scale, be 30 metres from the two-storey rear of houses in

Sunningdale Road and where the building steps up to four storeys high it would be 37 metres away.

- 8.39 Officers have carefully assessed the separation distances set out in the submitted site plans and section drawings when considering the likely impact on the outlook and privacy of residents in Sunningdale Road. The Council's adopted Design Guidance SPD recommends that upper floor windows in a new development should be at least 11 metres from boundaries they look towards and no less than 22 metres from facing windows in neighbouring houses. The distances outlined above are in excess of these minimums, some considerably so, however it is recognised that currently the properties in Sunningdale Road only see a small number of first floor windows in the existing buildings at Assheton Court. Similarly, the bulk and massing of the existing buildings is considerably less than the proposed building.
- 8.40 Officers consider that the degree of separation which would be achieved by the proposals means that the outlook from properties on Sunningdale Road would not be unacceptably adversely affected. The number of windows and balconies facing neighbouring properties would increase, but the separation distances which would be achieved mean that no unacceptable adverse impact upon privacy would occur.
- 8.41 As a consequence of the raised internal finished floor level at ground floor level it would be important to restrict views from some of the closest windows and a balcony in the nearest single storey parts of the building by using taller boundary treatments in specific locations. Such matters can be appropriately controlled using a planning condition securing details of boundary treatments to be installed.

Jubilee Road

- 8.42 The western elevation of the proposed building where it is three-storeys high would be 33 – 35 metres from the rear of dwellings located in Jubilee Road. This would be around 6.5 metres further away than the existing building which is two storeys high. The highest part of the proposed building at four storeys high would be 44 metres from those houses. The separation distances between the building and houses in Jubilee Road greatly exceeds the minimum sought in such circumstances as set out above.
- 8.43 In addition, a mature mixed species hedgerow currently stands along the site's western boundary between the rear service track for those houses on Jubilee Road and the car park proposed on the western side of the building. The submitted Arboricultural Implications Assessment indicates that this hedgerow is intended to remain. Whilst the retention of the hedgerow is not essential to help screen views and make the development acceptable it

clearly assists in providing further comfort for those residents of Jubilee Road in that it would further reduce any overlooking from the new building towards their properties.

- 8.44 Given the ample separation distances involved the proposed development would not lead to unacceptable adverse impacts on residents of Jubilee Road by virtue of a loss of privacy, outlook or light.

Castle Street

- 8.45 The proposed building would be located approximately 13 metres from the bottom of the rear garden of the dwelling at 23 Castle Street where there is a residential annexe at present. The distance between the new building and the rear of the house at 23 Castle Street would be around 45 metres. Given the separation distances involved the proposal is not considered to have an unacceptable adverse impact on the light to, outlook from or privacy enjoyed in that property, including the residential annexe.

Alcotts Yard

- 8.46 Immediately adjacent to the eastern site boundary within Alcott's Yard is a row of garage "lock-ups" and an enclosed yard separated into two parts where planning permission was granted in 2009 for its use as a general builder's storage yard (planning reference P/09/0961/FP). The permission has a planning condition restricting the hours of use of the yard to 0800 – 1800 hours Monday to Friday and 0800 – 1300 Saturdays (and not at any time on Sundays or bank holidays). Another planning condition restricts stacking in the yard to a maximum of 2 metres high.
- 8.47 The proposed building would contain a significant number of windows and some balconies in the eastern elevation which would overlook Alcotts Yard at relatively close proximity. In comparison, the existing Assheton Court development has relatively few windows facing eastwards.
- 8.48 Concerns have been raised by the owners of Alcotts Yard that complaints from residents in the future over noise and dust may unfairly affect the ability of tenants to carry out their business in the yard.
- 8.49 The applicant has provided a noise assessment which provides an acoustic specification for the eastern façade of the building and the Council's Environmental Health Officer has been consulted. The advice from the Environmental Health Officer is that, based on the sampling period when noise was surveyed by the applicant's acoustic consultant, the acoustic measures proposed by the applicant's consultant should prevent future residents from the impacts of noise from the yard as well as traffic noise when windows are closed. It is recommended that mechanical ventilation be

installed to allow suitable ventilation of those apartments along the eastern site boundary and the applicant has confirmed that a mechanical ventilation with heat recovery (MVHR) system will be employed for those units.

- 8.50 Officers have considered the potential impact the adjacent builder's yard may have on the living conditions of residents in the new building in the future. The closest part of the yard to the new building is restricted in terms of its hours of use. Having visited the site it is noted that the nature of the use is not one of continuous activity or constant comings and goings throughout any given day. Instead, any noise and disturbance generated is likely to be sporadic at certain times of day and in any case neither before 0800 hours each weekday morning or after 1800 hours in the evenings (earlier on a Saturday). If noise were to be a particular problem on any given occasion during the hours when the yard is in use, the acoustic specification and installation of MHVR to the new apartments in that part of the building means that residents should still be comfortable in their homes and the impact of the use of the yard would not be significantly adverse.
- 8.51 The owner of Alcotts Yard has also referred to the privacy of their tenant's being affected. The impact on commercial premises from proposed development is generally not considered in the same way or given the same weight as neighbouring residential homes and gardens. Whilst the yard would be overlooked to a greater extent than it currently is, Officers do not consider this to be an unacceptable adverse impact given the nature of the use of the yard.

e) Access and parking provision

- 8.52 Vehicular and pedestrian access to the site would be provided in the same location as at present. Following initial comments received from Hampshire County Council Highways the applicant has provided further information to demonstrate a number of matters including to satisfy requirements in relation to forward visibility, refuse collection vehicles and carriageway widths to enable two-way passing of vehicles. The highway authority have confirmed they raise no objection to the amended proposals.
- 8.53 A total of 21 car parking spaces including two disabled car parking spaces are proposed to the west and north of the building. The Council's Residential Car & Cycle Parking Standards Supplementary Planning Document would ordinarily require a development such as this for 51 one-bed and 9 two-bed units to provide 50 unallocated car parking spaces. The SPD allows for this standard to be reduced in a number of different circumstances.

- 8.54 Firstly, in areas of high accessibility a reduced parking provision may be considered acceptable provided it can be demonstrated there would be no adverse impact on the surrounding area. As already set out above, the Assheton Court site benefits from an excellent location on the edge of a district centre with a multitude of services and facilities and public transport nodes accessible on foot. This degree of high accessibility means that residents at Assheton Court are not reliant on the use of a car for their everyday needs. It also means that staff members at Assheton Court do not necessarily need to travel to work by car given the close by bus stops and railway station.
- 8.55 Secondly, the SPD provides for a reduction in the standard where specific types of residential development that create a lower demand for parking are involved. The applicant's Transport Statement sets out the evidence from sheltered housing schemes across the Borough. At other sheltered housing schemes such as Barnfield Court, Collingwood Court and Crofton Court car ownership ranges from 23 – 30%. At Assheton Court itself, prior to the decision by Fareham Housing to seek redevelopment of the site, only 12% of residents owned a car. The statement argues that Assheton Court is the Council's most accessible sheltered housing scheme and to reflect the very low levels of car ownership 21 car parking spaces are proposed. The proposed unallocated car parking provision is 42% of the relevant standard which still far exceeds the existing levels of car ownership at this and other sheltered housing schemes in the Borough.
- 8.56 It is also an important material consideration for Members to note that the site lies immediately adjacent to a free public car park which would ideally meet the needs of visitors to Assheton Court and staff if indeed they choose to travel by car rather than public transport.
- 8.57 Policy CS17 requires, in part, development to be designed to *"provide appropriate parking for intended uses taking account of accessibility and context of a development and tackling climate change"*.
- 8.58 Taking into account the high accessibility of the location, the nature of the proposal as a sheltered housing scheme and the evidence provided on this type of development in relation to car ownership, and the immediately adjacent public car park, Officers consider the reduced parking provision at the site to be wholly appropriate and in accordance with Policy CS17 and the adopted Residential Car & Cycle Parking Standards SPD.
- 8.59 An internal buggy and cycle store is provided with access directly from the ramped entrance at ground floor level in the building. Two 'Sheffield' stands are proposed to accommodate staff and visitor cycle parking close to the

entrance to the building. Officers consider appropriate cycle parking provision has been made for the development.

f) Impact on Habitat Sites

- 8.60 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive protected sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.
- 8.61 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within the Solent which are of both national and international importance.
- 8.62 In light of their importance, areas within the Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.63 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.64 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the HS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.65 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of the Solent SPAs and is therefore considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in the Solent

area. The applicants have made the appropriate financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP).

- 8.66 Secondly in respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering the Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.67 A nitrogen budget has been calculated in accordance with Natural England's *Nutrient Neutrality Generic Methodology* (Feb 2022) ('the NE Advice') which confirms that the net gain of 27 more apartments as proposed by the development will generate an additional 9331 litres of waste water per day (equivalent to 21.47 kgTN/year). In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be residential urban land as it is already the site of an existing sheltered housing complex. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.68 The applicant has submitted a Nitrogen Neutrality Statement which sets out that through the retrofitting of the Council's existing housing stock with modern water efficient measures (for example, showers, low flush toilets and flow restricted taps), sufficient water will be saved to ensure that the provision of the additional apartments at Assheton Court would not result in increased wastewater disposal to Peel Common Wastewater Treatment Works and therefore mitigate the nitrogen loading generated by the proposed development. The Council as Competent Authority can be certain that this can be achieved since it is in control of all aspects of the mitigation measures, as both the developer of the site and the housing authority responsible for the properties to be retrofitted. Therefore, Officers consider that the provision of the retrofitting of existing Council housing stock is sufficient to ensure the proposed development would not have an adverse effect on the integrity of the HS.
- 8.69 The Council's appropriate assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. Natural

England has been consulted on the Council's Appropriate Assessment and comments are awaited. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

g) Other matters

Ecology

- 8.70 The Council's Ecologist has previously requested updated ecology surveys and revisions to the proposed planting details which the applicant has provided. A planning condition requiring additional bird and bat habitat features be incorporated into the building has also been requested.

Drainage

- 8.71 An appropriate Drainage Strategy has been provided by the applicant and Hampshire County Council as the lead local flood authority have raised no objections to the proposed means of surface water drainage.

Access to rear of 23 Castle Street

- 8.72 The owners of 23 Castle Street have raised concerns that the proposed substation may create difficulties for vehicular access to their property from the public car park as is currently possible. Whilst it is not clear whether vehicular access would be impeded in any way from the proposals this would be a private matter for the respective landowners.

Summary

- 8.73 The application proposes older persons housing in the urban area supported by local plan Policy DSP42. The development is in a highly accessible location and the site benefits from being a housing allocation in the emerging local plan under Policy HA44. The design of the new apartment building has been arrived at carefully to take account of the scale and character of the surrounding area and to minimise the impact on neighbours. The impact on the living conditions of residents living nearby is not considered to be unacceptably adverse and future residents will be provided with adequate internal and external space. Safe and convenient pedestrian and vehicular access will be provided and appropriate parking provision made. There would be no adverse effects on Habitat Sites and ecological interests on the site have been appropriately addressed.

9.0 Recommendation

- 9.1 DELEGATE to the Head of Development Management in consultation with the Solicitor to the Council to consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and to

make any minor modifications to the proposed conditions, addition of conditions or any other subsequent minor changes arising as a result of Natural England's comments regarding the Appropriate Assessment;

9.2 **GRANT PLANNING PERMISSION**, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three years 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. Existing Site Plan - 20 026 0001 P02
- b. Proposed Site Plan - 20 026 0003 P18
- c. Proposed Block Plan - 20 026 0004 P08
- d. Planting Plan - 2026 PP 300B
- e. Proposed Ground & First Floor Plans - 20 026 0005 P15
- f. Proposed Second & Third Floor Plans - 20 026 0006 P11
- g. Proposed Elevations - 20 026 0008 P12
- h. Proposed Elevations - 20 026 0009 P10
- i. Proposed Elevations - 20 026 0010 P10
- j. Proposed Elevations - 20 026 0011 P04
- k. Proposed Site Sections - 20 026 0012 P10
- l. Proposed Site Sections - 20 026 0013 P06
- m. Proposed Site Sections - 20 026 0014 P03
- n. Proposed Site Sections - 20 026 0015 P03
- o. Proposed Site Sections - 20 026 0016 P03
- p. Ecological Impact Assessment FINAL Report (Rev.1) - revised August 2022
- q. Nitrate Neutrality Statement (updated November 2022)
- r. Arboricultural Implications Assessment
- s. Environmental Noise Assessment
- t. Access Vehicle Swept Path Analysis 1 - 2021-6263-002 Rev D
- u. Fire Vehicle Swept Path Analysis - 2021-6263-004 Rev D
- v. Internal Vehicle Swept Path Analysis - 2021-6263-005 Rev D
- w. Refuse Vehicle Swept Path Analysis - 2021-6263-003 Rev D
- x. Site Overview - 2021-6263-001 Rev D
- y. Flood Risk Assessment and Drainage Strategy D1947 BPC FRA 1.3 (updated November 2022)

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

3. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):
 - a) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
 - b) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
 - c) Arrangements for the routing of lorries and details for construction traffic access to the site;
 - d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
 - e) The measures for cleaning the wheels and underside of all vehicles leaving the site;
 - f) A scheme for the suppression of any dust arising during construction or clearance works;
 - g) The measures for cleaning Assheton Court and Castle Street to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
 - h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;
 - i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
 - j) Provision for storage, collection, and disposal of rubbish from the development during construction period;
 - l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- m) Temporary lighting;
- n) Protection of pedestrian routes during construction;
- o) No burning on-site;
- p) Scheme of work detailing the extent and type of piling proposed;
- q) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

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

4. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

5. No development hereby permitted shall proceed beyond damp proof course level until details of a minimum of 10 swift boxes, 4 other bird features and 6 integrated bat features to be installed in the building 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 appropriate biodiversity enhancements and habitat creation.

6. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully

implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

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

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

7. No development hereby permitted shall proceed beyond damp proof course level until details of the mechanical ventilation with heat recovery (MHVR) system to be installed in units 3 – 7 (inclusive), 16 – 20 (inclusive), 35 – 39 (inclusive) and 53 – 55 (inclusive) 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 protect the living conditions of future residents and to enable the appropriate ventilation of those flats without adverse impacts from external noise sources.

8. None of the development hereby approved shall be occupied until details of the design and appearance of the electricity substation and means of enclosure to be constructed as part of the development hereby approved 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: In the interests of the satisfactory appearance of the development.

9. No development shall take place beyond damp proof course level until an Electric Vehicle (EV) charging strategy, setting out how many and where EV charging points will be provided, has been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details with the charging points provided prior to first occupation of the apartments.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

10. 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.

Prior to the occupation of the dwelling hereby permitted the 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.

11. The development hereby permitted shall be carried out in accordance with the acoustic attenuation specifications set out in the approved Environmental Noise Assessment (Mach Acoustics).

REASON: To protect the living conditions of future residents to ensure no adverse impacts from external noise sources.

12. The development hereby permitted shall be carried out in accordance with the measures set out at Section 5.0 'Assessment of Ecological Effects and Mitigation/Compensation/Enhancement Measures' of the submitted Ecological Impact Assessment by Ecosa (August 2022).

REASON: To secure appropriate ecological mitigation, compensation and enhancements.

13. 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.

14. The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment (FRA) entitled Flood Risk Assessment and Drainage Strategy D1947 BPC FRA 1.3 dated November 2022 and supporting information submitted with the amended plans and the following mitigation measures they detail:

- a. Finished floor levels for the ground floor of the proposed redevelopment shall be set no lower than 4.50 metres above Ordnance Datum (m AOD) as stated in Section 5.2.1 of the FRA;
- b. Flood resilient construction methods are incorporated as stated in Section 5.2.2 of the FRA;
- c. The site owner and/or residents will be required to sign up to the EA Flood Warning Service as stated in Section 6.4.1 of the FRA.

REASON: To ensure the development is safe from flooding throughout the lifetime of the development.

15. None of the apartments hereby permitted shall be first occupied until the bicycle and buggy storage shown on the approved drawings has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To encourage cycling as an alternative mode of transport and to provide appropriate storage for cycles and mobility scooters.

16. None of the apartments hereby permitted shall be first occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use. Those 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 and to ensure appropriate parking provision is made on the site.

17. None of the apartments hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

18. Prior to the occupation of the apartments hereby permitted, the applicant shall submit a record of nitrate credits/savings achieved through water efficiency measures by way of (a) upgrades to Fareham Borough Council housing stock, and/or (b) demolition of existing Fareham Borough Council housing stock, to the Local Planning Authority, to be agreed in writing to demonstrate that sufficient nitrate credit headroom has been created. No apartment shall thereafter be occupied until sufficient nitrate credit headroom as set out in the submitted Nutrient Neutrality Statement has been created to serve the entire development hereby permitted.

REASON: To demonstrate that sufficient headroom has been created to offset the proposed development from the impact of nitrogen loading on the European Protected Sites.

19. None of the apartments hereby permitted shall be occupied until the privacy screening indicated on the approved plans to be installed on balconies for plots 20, 25, 32, 39, 44 & 51 has been erected. The screening shall subsequently be retained at all times.

REASON: To protect the privacy of the occupiers of the neighbouring property and to prevent overlooking.

20. The occupation of each of the residential apartments hereby permitted shall be limited to a person of 55 years of age or over, or a widow/widower or partner of such a person, or any resident dependents including those under the age of 55, unless otherwise agreed in writing by the Local Planning Authority.

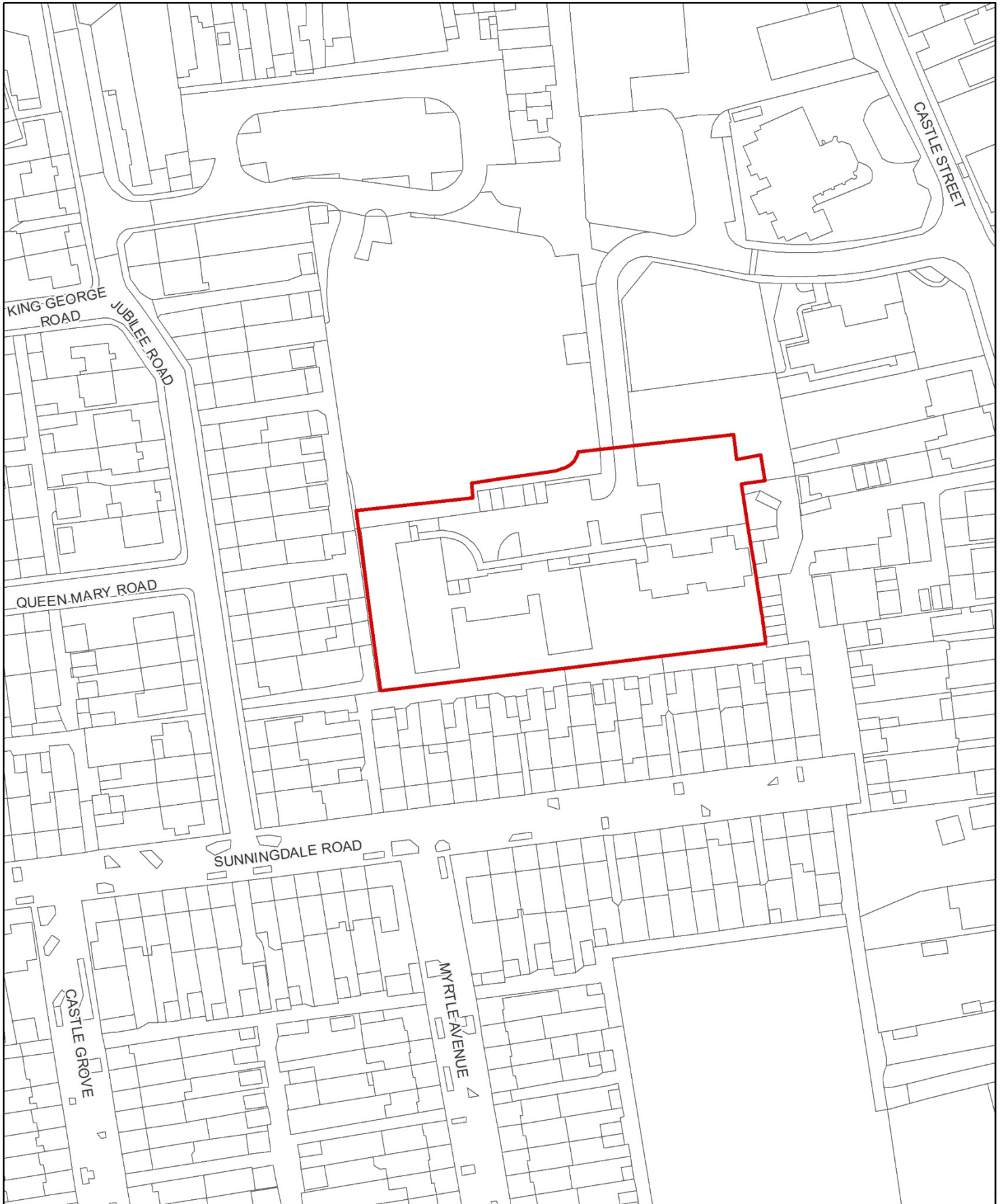
REASON: To accord with the terms of the planning application and to ensure the satisfactory planning of the area.

10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Assheton Court, Castle Street
Portchester

Scale 1:1,250



Agenda Item 6(8)

OFFICER REPORT FOR COMMITTEE

DATE: 14/12/2022

**P/22/1253/FP
CAMS HILL SCHOOL**

**PORTCHESTER WEST
AGENT: S&C SLATTER**

CONSTRUCTION OF 3G SPORTS PITCH WITH ASSOCIATED FEATURES INCLUDING 6NO. 12M HIGH LED FLOODLIGHTS, FENCING AND ALTERATIONS TO PEDESTRIAN AND VEHICULAR ACCESS WITHIN THE SCHOOL SITE

CAMS HILL SCHOOL, SHEARWATER AVENUE, FAREHAM, PO16 8AH

Report By

Hannah Goldsmith – direct dial 01329 824665

1.0 Introduction

- 1.1 This application is reported to the Planning Committee due to the number of third-party representations received.

2.0 Site Description

- 2.1 This application relates to Cams Hill School, a secondary school located to the south of the A27 and to the west of Shearwater Avenue. The application site outlined in red on the location plan measures approximately 6,533 sqm and comprises part of existing playing field located to the west of the main school building. The application site is bounded by Fareham golf course to the west and south, the A27 to the north with residential properties beyond and Cams Hill School grounds to the east with residential properties located on Shearwater Avenue. The application site benefits from a vehicular and pedestrian access leading from Shearwater Avenue.
- 2.2 While ground levels on the site are fairly even, the site is set down from the A27 to the north of the site. The site is bound by mature trees along the southern and western boundary and the woodland which adjoins the western boundary of the site is subject to a Tree Preservation Order (TPO). The application site is located within the Cams Hill Conservation Area and is recognised as Protected Open Space by Policy CS21 of the adopted Core Strategy.

3.0 Proposal

- 3.1 Planning permission is sought for the construction of a 3G football sports pitch measuring approximately 5,918sqm.
- 3.2 Associated features would include;

- 6 x 12m high LED flood lights around the sports pitch;
 - 4.5m high ball stop fencing with entrance gates to form an enclosure around sports pitch perimeter;
 - 1.2m high and 2.0m high pitch barriers with entrance gates internally within fenced sports pitch enclosure;
 - 2.6m high maintenance equipment storage container (15 sq. metres) within fenced sports pitch enclosure; and
 - 1.2m high pedestrian barriers along access to the sports pitch.
- 3.3 Further alterations would include the creation of hard standing areas within the school site to improve pedestrian and vehicular access to the proposed sports pitch.
- 3.4 The proposed sports pitch is intended to be used by students during the school day and local organisations (community groups and sports clubs) outside of school hours and at weekends. The formal pitch arrangement would be:
- 1no. 11v11 Youth U15/16 football pitch (91 x 55m).
 - 1no. 9v9 Youth U11 / U12 football pitch (73 x 46m each).
 - 2no. 7v7 Mini Soccer U9 / U10 pitches (55 x 37m each).
 - 4no. 5v5 Mini Soccer U7 / U8 pitches (37 x 25.3m each).
 - 4no. Training pitches
- 3.5 The sports pitch would be available between the hours of 08:00 and 22:15hrs Monday to Friday and between 08:00 and 18:15hrs at weekends and bank holidays.
- 3.6 This application is accompanied by the following reports: Ecological Assessment (dated 28th July 2022); Tree Survey Report and Arboricultural Impact Assessment (dated 1st July 2022); Active Travel Plan (dated 8th August 2022); and Flood Risk and Drainage Strategy (dated July 2022).

4.0 Policies

- 4.1 In addition to the National Planning Policy Framework (2021) (NPPF), the relevant policies within the Fareham Local Plan would include:

Approved Fareham Borough Core Strategy

CS5:	Transport Strategy and Infrastructure
CS14:	Development Outside Settlements
CS17:	High Quality Design
CS21:	Protection and Provision of Open Space

Adopted Development Sites and Policies

DSP2:	Environmental Impact
DSP3:	Impact on living conditions
DSP5:	Protecting and Enhancing the Historic Environment
DSP8:	New Leisure and Recreation Development Outside of the Defined Urban Settlement Boundaries
DSP10:	Education Facilities in the Countryside
DSP13:	Nature Conservation
DSP53:	Sports Provision

Emerging Fareham Local Plan 2037

- 4.2 The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of modifications to the Plan. The proposed modifications will be the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

NE1:	Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE2:	Biodiversity Net Gain
NE6:	Trees Woodland and Hedgerows
NE10:	Protection & Provision of Open Space
TIN1:	Sustainable Transport
TIN2:	Highway Safety and Road Network
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
HE1:	Historic Environment and Heritage Assets page 297
HE2:	Conservation Areas

5.0 *Relevant Planning History*

- 5.1 Cams Hill School has an extensive planning history; however, none are considered to be relevant to this application.

6.0 *Representations*

- 6.1 Thirteen letters of representation from 12 households have been received and can be summarised as follows:

- Light pollution
- Concern regarding hours of operation and potential noise disturbance

- Increase in traffic levels
- Proposal would result in vehicles parking on Shearwater Avenue
- Existing floodlights from Cams Hill School causing disturbance for residents along Shearwater Avenue and Cams Hill
- Proposed operation hours are not acceptable
- Request new lighting should not encroach onto neighbouring gardens and should be turned off by 21:00 on any day.
- Seeking reassurance Shearwater Avenue will not be impacted by users of the proposed facility and adequate parking will be provided especially on open evenings;
- Would like confirmation the school will work with local residents on any environmental and noise issues which may arise as a result of the development;
- No information about noise impact on neighbouring properties or the use of acoustic screening around the pitch;
- Should planning permission be granted, a full review of the approved development should take place after 12 months;
- Highway safety concerns as a result of the proposed floodlighting

7.0 Consultations

EXTERNAL

Sport England

7.1 Sport England is happy to support the proposal.

7.2 Given the proposal is subject to Football Foundation funding and the terms and conditions of the award of grant associated with this will require access to, then we do not consider it necessary to require any conditions to be imposed should the planning authority be minded to grant consent.

Lead Local Flood Authority

7.3 No objection

Ecology

7.4 No objection, subject to condition requiring details of replacement planting to be submitted.

INTERNAL

Principal Tree Officer

7.5 No objection, subject to planning condition

Environmental Health

7.6 No objection

Conservation Planner

7.7 Looking at the plans that have been submitted, it is currently proposed to install a 3G sports pitch (including floodlighting) on the site of Cams Hill School which is located just within the eastern boundary of the Cams Hall Conservation Area. While the application site is located within the Conservation Area, there is already a sports pitch on the site that has already affected its character. While the proposed floodlights will undoubtedly have a visual impact, they are screened from the majority of the Conservation Areas by a band of mature trees, along the western boundary of the site.

7.8 The proposals will cause less-than substantial harm to the overall character of the Conservation Area, however, this will be restricted to the extreme eastern edge of the area and will be screened from the majority of Cams Hall by a band of mature trees along its western boundary. On balance the public benefit of the sports pitched outweighs the less-than substantial harm to the overall character of the Conservation Area. Consequently, there are no objections to the current application in Historic Environment policy terms.

8.0 Planning Considerations

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

- a) The principle of the proposed development;
- b) Design;
- c) Impact on heritage assets;
- d) The amenity of adjoining occupiers;
- e) Access, transport impact and parking;
- f) Ecology, landscaping and trees; and
- g) Drainage

a) Principle of development

8.2 The application site is located within the countryside. Policy CS14: Development Outside Settlements 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. The conversion of existing

buildings will be favoured. Replacement buildings must reduce the impact of development and be grouped with other existing buildings, where possible. In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from the land or water.”

- 8.3 The site is currently designated as open space by Policy CS21 of the Fareham Core Strategy. Policy CS21 (Protection and Provision of Open Space) and Policy NE10 of the emerging Fareham Local Plan seek to safeguard and enhance existing open spaces and the policy states development which would result in the loss of or reduce the recreational value of open space, including public and private playing fields, will not be permitted, unless it is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size.
- 8.4 The site is designated as open space however currently has limited availability to the general public and is mainly used by the school and its students. The proposal would enhance the space by allowing it to be used by the wider community outside of school use. Whilst the sports pitch would be located on an area of existing grass playing field, the new facility would provide the ability for recreational use for the same sports, throughout the year and for longer period in the winter months.
- 8.5 The land is used for playing fields and educational purposes and so the use of the land is not proposed to change as a result of the development. The proposed development would be ancillary to the site's educational use and in addition to the existing playing fields and would improve usability of the designated open space. The school site is within the defined countryside and there are specific policies (as discussed below) regarding the expansion of school sites in this location as well as the implications for sports pitch provision in the Borough. The design and siting of the proposed pitch and fencing is considered later in this report and as such, subject to these policy considerations, the proposal is considered to comply in principle with Policies CS14 and CS21 of the Fareham Core Strategy, and Policy NE10 of the emerging Fareham Local Plan.
- 8.6 Policy DSP8: New Leisure and Recreation Development Outside of the Defined Urban Settlement Boundaries states:

“Proposals for leisure and recreation development outside of the defined urban settlement boundaries (as identified on the Policies Map) will be permitted, where they do not have an unacceptable adverse impact on the strategic and/or local road network and for main town centre uses:

- i. they meet the requirements of a sequential test; and*
- ii. subject to their scale, they meet the requirements of an impact assessment.*

Proposals for camping and/or caravanning outside of the defined urban settlement boundaries should have good access to services and facilities and should not detract from views to and from the River Hamble, Fareham Creek, Portsmouth Harbour, or the Solent Way Coastal footpath.

Leisure and Recreation uses will not be permitted in the identified employment areas within the policy boundary for the Daedalus Airfield strategic employment allocation.

Proposals should have particular regard to the requirements of Core Strategy Policy CS14: Development Outside Settlements, and Core Strategy Policy CS6: The Development Strategy. They should avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts or detrimental impact on the character or landscape of the surrounding area.

New buildings should be well designed to respect the character of the area and, where possible, should be grouped with existing buildings.”

8.7 The proposed sports pitch is not considered to be a main town centre use and therefore a sequential test is not needed for this proposal. The community use of the facility outside of the school educational use however does ensure that the proposal needs consideration against this policy. The proposal is considered to comply in principle with Policy DSP8 however the impact upon the local road network, residential amenity, ecology and trees is discussed later in this report.

8.8 Also relevant to this proposal is Policy DSP10 of the adopted local plan and Policy NE10 of the emerging local plan which facilitates the provision of new buildings, replacement buildings, conversion, and/or extensions to educational facilities outside of the defined urban settlement boundaries. Cams Hill School is identified on the inset maps of the Local Plan as one such educational facility. Policy DSP10 only allows such development providing that:

- “i. They will be used for educational purposes or a use directly required to support the educational facility*
- ii. They are of a suitable scale that is proportionate to the existing facilities on site*

iii. For new buildings, they are well designed to respect the character of the area and, where possible, should be grouped with existing buildings on site

iv. They would not result in the loss of playing fields and/or sports pitches unless it can be demonstrated that these facilities are no longer required, or they can be adequately replaced elsewhere on site;

v. They avoid building on the areas of the site that are at the highest risk of flooding, unless it can be demonstrated that the proposed development has an overriding need for the proposed location; and

vi. It is demonstrated that sufficient parking spaces will be provided to meet the needs of any additional development and that there will be no unacceptable impact on traffic levels and parking in neighbouring areas.”

8.9 Furthermore, as is the case with Policy DSP8, the policy cross refers to the Core Strategy Policies CS6 and CS14 and requires such development to also avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts or detrimental impact on the character or landscape of the surrounding area.

8.10 Policy DSP53: Sports Provision states:

“Proposals for new or extended sports facilities and pitches, will be permitted on sites within or adjoining the settlement boundaries provided they meet the following criteria:

i. The proposal would be compatible with the character of the site and its surroundings

ii. The site is accessible by a variety of modes of transport, including walking and cycling, and the amount of traffic generated by the proposal could be accommodated on the local highway network without harming road safety

iii. The proposal would not be detrimental to the amenity of neighbouring residents by reason of undue noise or traffic; and

iv. A need for the facility has been established.

v. If the proposal is outside the urban area it accords with Policy DSP8: New Leisure and Recreation Development Outside of the defined Urban Settlement Boundaries.”

8.11 The majority of the points within Policy DSP53 are discussed later in this report namely criteria i) Character impact, ii) transport impact, iii) neighbouring amenity and v) compliance with policy DSP8. Consideration of the proposal against criterion iv) the need for the facility is set out below.

- 8.12 Fareham's Playing Pitch Strategy Update forms part of the evidence base to support the Council's emerging Local Plan. The strategy identifies that Fareham has an undersupply of five 3G pitches and up to six pitches are required to meet future demand. The strategy recognises demand for pitches is particularly high in Portchester and the Western Wards. The study states that while the loss of grass playing fields should be minimised, the additional capacity that will be generated by the creation of the 3G pitches is essential in meeting demand across Fareham.
- 8.13 Cams Hill School is identified in Fareham's Playing Pitch Strategy as a site for a pitch in the east of the Borough. The Strategy states goes on to state that at least one pitch in each area of the Borough should be targeted and all pitches should be included on the Football Association (FA) 3G pitch register and are therefore, able to accommodate competitive fixtures.
- 8.14 There is an identified need for a full sized 3G all-weather pitch within the Borough and within the Portchester Ward in particular with Cams Hill School being identified as a potential site and the proposal is considered to comply with part iv) of Policy DSP53.
- 8.15 Furthermore, Sport England were consulted during the course of the application. In their response Sport England confirmed they support the proposal and stated that the proposal results in significant benefits which responds to an identified need within the Borough. In addition, they recognised that there would not be an adverse impact on other sports at the site and that rounders and athletics could be relocated elsewhere on the playing field.
- 8.16 Taking all of these policies in the round, the proposal is considered, in principle, to be an acceptable form of development subject to the other material considerations as set out in the remaining parts of this report.

b) Design

- 8.17 Policy CS17 of the adopted Fareham Borough Core Strategy sets out that:

"In particular development will be designed to: 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".

- 8.18 Policy D1 (High Quality Design and Placemaking) of the emerging Fareham Local Plan broadly confirms and expands upon these objectives. The proposal has been designed in accordance with a number of technical

guidance documents and performance quality standards as set out in the supporting planning statement.

- 8.19 The appearance of the 3G football turf pitch surface (the field of play) would comprise a 3G artificial grass made of synthetic fibres and partially in-filled with silica sand (for stability) and styrene butadiene rubber (for performance), also known as rubber crumb. The proposed fencing surrounding the proposed pitch would be black and would be 4.5m high. The proposal includes six 12-metre-high flood light columns; one on each corner and two on the halfway line. These are to be constructed from galvanized steel in a slim profile.
- 8.20 Further alterations would include the creation of a hardstanding in the grounds of the school to create a vehicular access between the existing car park to the front (west) of the school building and the proposed overspill car park to the north of the school building.
- 8.21 The proposed sports pitch would be situated on the existing playing fields to the west of the school buildings which by its very nature is a flat and open area, however the sports pitch would be set back approximately 72m from the highway and therefore would not form a dominant feature when viewed from the A27. The sports pitch is positioned close to the school buildings to ensure that the built form is clustered together as much as is possible. It is noted that there is an existing sports pitch on the site which includes fencing and flood lights.
- 8.22 Having regard to the siting of the sports pitch back from the highway and the existing sports pitches on the school site, the proposal is not considered to be out of keeping with existing development on the site and is not considered to be harmful to the character and appearance of the area, in compliance with policy CS17 of the adopted Core Strategy and Policy D1 of the emerging Fareham Local Plan.

c) Impact on the Cams Hill Conservation Area

- 8.23 The field on which the sports pitch is proposed is located within the eastern boundary of the Cams Hill Conservation Area but the existing school buildings lie just outside. The application site is around 240m north-east of Cams Hall which is a Grade II* Listed Building. The conservation area and Cams Hall are therefore important designated heritage assets.
- 8.24 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty that local planning authorities shall, in considering whether to grant planning permission for development which

affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.25 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect any buildings or other land within a conservation area, in the exercise of relevant functions under the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

8.26 Paragraph 199 of the NPPF sets out that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

8.27 NPPF paragraph 200 continues that:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.”

8.28 NPPF paragraph 202 adds that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

8.29 Policy DSP5 of the adopted Fareham Borough Local Plan Part 2 is the main development plan policy relating to protecting and enhancing the historic environment. Taking the pertinent points relevant to this proposal, it says that:

“...In considering the impacts of proposals that affect the Borough’s designated heritage assets, the Council will give great weight to their conservation (including those that are most at risk through neglect, decay, or other threats). Harm or loss will require clear and convincing justification in accordance with national guidance. Substantial harm or loss to a heritage asset will only be permitted in exceptional circumstances.”

- 8.30 In terms of the emerging Local Plan, Policy H1: Historic Environment and Heritage Assets states that all development should seek to conserve and enhance the historic environment and heritage assets, in line with local and national policy. The Council will take appropriate positive steps to conserve and enhance the Borough's historic environment and heritage assets. Policy HE2: Conservation Areas states that development affecting Conservation Areas should preserve or enhance the special architectural, historic character or appearance of the Conservation Area.
- 8.31 When considering the effect on the heritage assets, Officers do not consider the proposed development affects the setting of the Grade II* Listed Building Cams Hall. However, it is acknowledged the proposed sports pitch, which includes floodlights, would have a visual impact on the character of Cams Hall Conservation Area. In response to a consultation request, the Council's Conservation Planner recognises the proposed flood lights in particular will have a visual impact, however, the proposal would be screened from the majority of the Conservation Area by a band of mature trees along the western boundary of the site which acts as a physical and visual barrier. It is noted there is already a sports pitch with floodlighting on the school site which has already affected the character of the Conservation Area. Similarly, the proposal would impact on the character of the Conservation Area and would result in less-than substantial harm to this heritage asset.
- 8.32 NPPF paragraph 202 requires that where a proposal would result in less than substantial harm, the harm should be weighed against the public benefits of the proposed development. In this instance, the proposal would provide a new community facility in the form of a 3G sports pitch which would respond to an identified need within the Borough. In this instance Officers consider the public benefit of the sports pitches outweighs the less than substantial harm to the heritage assets.
- 8.33 For the above reasons, the proposal is found to be in compliance with local plan Policy DSP5 having regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 202 of the NPPF (2021).

d) Impact on the amenity of neighbouring properties

- 8.33 Policy DSP2 of the Local Plan Part 2: Development Sites and Policies states that:

“Development proposals should not, individually, or cumulatively, have a significant adverse impact, either on neighbouring development, adjoining land, or the wider environment, by reason of noise, heat, liquids, vibration,

light or air pollution (including dust, smoke, fumes or odour)."

8.34 Policy DSP3 of the Local Plan part 2: Development Sites and Policies states:

"Development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy."

8.35 Policy D2 of the emerging Local Plan conforms with this approach, seeking to ensure no unacceptable adverse impact upon environmental conditions. A very important consideration for the impact on neighbours would relate to increased noise and light pollution. The nearest residential properties would be located approximately 115m from the proposed sports pitch on the north side of Cams Hill. The properties would be separated from the application site by the A27 which is lit by streetlights. Properties on Shearwater Avenue would be located approximately 200m from the proposal at their closest point.

8.36 The sports pitch would be available between the hours of 08:00 and 22:15hrs Monday to Friday and 08:00 until 18:15hrs at weekends and bank holidays. Sessions are expected to finish by 18:00hrs and 22:00hrs, however, the applicant has requested an additional 15 minutes after the last session to allow time for the pitch to be tidied and vacated. Having regard to the separation distance between the proposed sports pitch and residential properties, the proposed operating hours are considered to be acceptable.

8.37 While the floodlighting is required to provide lighting standards in accordance with the appropriate performance standard for football activities as set out by The Football Association, the floodlight proposal has been sensitivity designed in accordance with the requirements for an Environmental Zone E2, which is a rural surrounding for example; a sparsely inhabited rural areas, village, or relatively dark outer suburban location. To satisfy the technical guidance recommendations, the proposed lighting scheme would include LED technology to reduce potential impacts on the surrounding environment. Furthermore, the lighting has been designed to focus down and straight onto the playing surface to prevent light spill and back light.

8.38 While the lighting columns and lights would be visible within the landscape over this distance, the application is supported by a lighting report which predicts that light spillage would not have a harmful impact on any local residential properties or highways as a result of the design and light fittings on the flood lighting columns.

- 8.39 Having regard to the lighting report, it is considered the proposed floodlighting would not have an unacceptable adverse impact on the amenity of neighbouring residential properties. However, it is suggested a condition is imposed requiring the floodlighting to be carried out and retained in accordance with the approved details and a further condition to control the operating hours of the floodlighting.
- 8.40 Concerns have been raised in the representations regarding noise. While the proposed use in terms of noise would be noticeable from neighbouring properties, having regard to the separation distance between the properties to the north which are separated from the application site by a main road and properties to the east which are separated by the main school buildings and mature trees. It is not considered the impact would be so intrusive to the point that it would have a significant adverse impact on neighbouring development.
- 8.41 The Council's Environmental Health (EH) team have been consulted on the application and has raised no objection to the proposal in terms of noise and lighting.

e) Access, transport and parking

- 8.42 Policy CS5 states in part that:

“...The Council will permit development which:

- *contributes towards and/or provides necessary and appropriate transport infrastructure including reduce and manage measures and traffic management measures in a timely way*
- *does not adversely affect the safety and operation of the strategic and local road network, public transport operations or pedestrian and cycle routes*
- *is designed and implemented to prioritise and encourage safe and reliable journey's by walking, cycling and public transport.”*

- 8.43 The existing site is accessed via a vehicular access from Shearwater Avenue. This access would be retained and the proposal includes new hardstanding within the main school campus to facilitate vehicular access between the entrance, sports pitch and overspill car park.
- 8.44 Cams Hill School provides main parking areas with approximately 135 parking spaces (including 7no. dedicated spaces for minibuses and 3no. dedicated accessible parking spaces).

- 8.45 The applicant has explained that the proposal is intended for use by the school students during the school day and only open to the wider community outside of school hours. As set out in the planning statement, outside of school hours one of school playgrounds would be used as an overspill car park. This car park can accommodate an additional 110 car parking spaces. In addition to vehicle parking, the school provides approximately 250 cycle spaces.
- 8.46 It is understood the school currently hosts other community groups such as holiday groups during the day and dance classes in the evening. To ensure there would be sufficient parking to accommodate existing uses on the site, in addition to the proposed use, the applicant has provided further details regarding the existing uses. The applicant has confirmed the existing 136 car parking spaces is sufficient to house the current uses.
- 8.47 With regards to the proposed use, the maximum number of teams that can use the pitch at one time would be 4 for training, with a maximum of 15 players for each team. Assuming a worst-case scenario that there would be 1 car per player, this would be 15 cars per team and 60 vehicles in total. Having regard to the proposed overspill car park which could accommodate an additional 110 vehicles, it is considered there would be sufficient onsite parking to accommodate the proposal alongside existing uses on the site.
- 8.48 In terms of accessibility, the site is well served by buses with 3 routes stopping outside the site. Therefore, there is the potential for visitors to use public transport to travel to and from the site. Furthermore, the application is supported by a travel plan to promote sustainable transport and try to reduce vehicle movements which would be secured by planning condition.
- 8.49 Concerns have been raised in the representations regarding high volumes of traffic on Shearwater Avenue during school events, particularly parents evening. Local residents are concerned the proposal will increase the volume of traffic on Shearwater Avenue and result in cars being parked on the road. The Local Highways Authority have been consulted on the application and are satisfied there would be sufficient onsite parking during the school day and outside of school hours to accommodate users of the sports pitch. Furthermore, the Highway Authority are satisfied the proposal would not result in a detrimental impact on the operation and safety of the local highway network.
- 8.50 The Local Highways Authority recognise constructions works have the potential to cause vehicle/ pedestrian conflicts, especially if the works are to be carried out during term time. Therefore, the Local Highways Authority have requested a condition requiring a Construction Management Plan to be

submitted and approved by the Local Planning Authority prior to the commencement of works.

f) Trees, Ecology and Landscaping

8.51 Policy DSP13 states that:

“Development may be permitted where it can be demonstrated that:

- i. designated sites and sites of nature conservation value are protected and where appropriate enhanced*
- ii. protected and priority species populations and their associated habitats, breeding areas, foraging areas are protected and, where appropriate, enhanced*
- iii. where appropriate, opportunities to provide a net gain in biodiversity have been explored and biodiversity enhancements incorporated; and*
- iv. The proposal would not prejudice or result in the fragmentation of the biodiversity network.*

Proposals resulting in detrimental impacts to the above shall only be granted where the planning authority is satisfied that (this section of the policy should not be applied to impacts on SPA designated sites which are subject to stricter protection tests as set out in The Conservation of Species and Habitats Regulations (as amended) 2010);

- i. Impacts are outweighed by the need for, and benefits of, the development; and*
- ii. Adverse impacts can be minimised, and provision is made for mitigation and, where necessary, compensation for those impacts is provided.*

Enhancements that contribute to local habitat restoration and creation initiatives as set out in the Hampshire Biodiversity Action Plan (or other similar relevant document) will be supported.”

Trees

8.52 The application site is bound by mature vegetation of varying quality along the western, southern and eastern boundary of the site. The area of woodland to the west of the application site is subject to a Tree Preservation Order (TPO). The applicant has provided a Tree Survey Report and Arboricultural Impact Assessment as part of their application which confirms an area of hedgerow to the south-eastern corner of the site and a tree along the southern boundary would be removed to facilitate the proposal. Furthermore, several trees along the western and southern boundary would need to be pruned to allow for adequate clearance for the proposed development.

8.53 The Council's Principal Tree Officer has been consulted on the application and has raised no objection subject to a condition requiring works to be carried out in accordance with the arboricultural method statement.

Ecology and Landscaping

8.54 The application is supported by an Ecological Assessment which confirms the site contains habitats that support breeding birds, foraging and community bats, with limited suitable habitat for invertebrates, reptiles and common amphibian species. The report sets out a variety of biodiversity enhancement measures which include replacement scrub planting, native fruiting and flowering species and bird and bat boxes.

8.55 The Council's ecologist has been consulted on the application and originally raised concern regarding the proposed lighting levels along the southern and eastern woodland edges and the impact this would have on foraging and commuting bats. However, following amendments to the lighting scheme to reduce the lighting levels, the ecologist is satisfied the amendments address their previous concerns. The ecologist notes planting along the eastern boundary will be removed to facilitate the proposal, therefore compensatory tree and scrub planting is required within the application site. Details of replacement planting would be secured by condition.

8.56 During previous applications for similar proposals, concerns have been raised regarding the use of styrene-butadiene rubber (rubber crumb) for 3G pitches and the associated environmental implications.

8.57 As set out in the planning statement, during the development of this proposal, a variety of potential performance infill materials have been considered including rubber crumb (Styrene-butadiene rubber) and organic materials. However, rubber crumb was the preferred infill material due to its performance, durability, no fibre content, cost efficiency and the ability to be recycled. This type of material is considered to be appropriate by the sport governing bodies and Sport England.

8.58 However, as set out in the supporting planning statement, design features have been incorporated into the proposal which would minimise rubber crumb loss. These features would include:

- 0.2m high and 0.5m high containment barriers installed around the FTP enclosure (built into pitch barriers entirely surrounding the 3G football turf pitch surface);
- Football boot cleaning stations;

- Detox units to all gated entrances (steel grates with drainage outlets and waste trays);
- Surrounding asphalt surfacing / slab paving.
- Drainage inspection chambers with waste sumps to capture any materials entering the drainage system.

8.59 While the use of microplastic may not be a sustainably sourced material, in this instance, the use of rubber crumb is not considered to warrant a reason to withhold planning permission.

g) Drainage

8.60 The site lies within Flood Zone 1 and is therefore at low risk of flooding but the Applicant has submitted a Flood Risk Assessment and Drainage Strategy, which the Lead Local Flood Authority has been consulted on and raised no objection.

Summary

8.61 The proposed development relates to a site which is protected open space as designated by Policy CS21 of the adopted local plan. However, the development proposed is in accordance with the relevant local plan policies and would provide Fareham with an improved sports facility. The less than substantial harm that would be caused to the character of the Cams Hill Conservation Area would be outweighed by the demonstrable public benefits of the scheme.

8.62 The proposal with the relevant conditions, would be of an appropriate design, acceptable with regard to highway capacity and safety and would not have a significant adverse effect on local amenity. It is therefore recommended that planning permission be granted subject to the conditions set out in this report.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three years from the date of this decision notice.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- i) Location Plan S22-049 / DWG / 0001
- ii) Proposed Site Plan S22-049 / DWG / 0003
- iii) Proposed Layout S22-049 / DWG / 0005
- iv) Proposed Drainage S22-049 / DWG / 0007
- v) Proposed Elevations S22-049 / DWG / 0010
- vi) Tree Survey Report and Arboricultural Impact Assessment (ref: JSL4460_770)
- vii) Ecological Assessment (RPS, July 2022)
- viii) Flood Risk Assessment and Drainage Strategy (reference: R-FRA-24796-01-0)
- ix) Flood Lighting Calculations (October 2022)
- x) Proposed Floodlights S22-049 / DWG / 0008 Rev 01

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

3. The floodlighting hereby permitted shall be installed and operated in accordance with the approved Floodlighting Performance Report, dated 04.10.22 and drawing no.S22-049/DWG/0008 Rev 01. The external lighting shall be maintained in accordance with the approved details and retained at all times thereafter.

REASON: In order to prevent light disturbance to occupiers of nearby residential properties and control light pollution.

4. Unless otherwise agreed in writing by the Local Planning Authority, the sports pitch (including the floodlighting) hereby approved shall not be used outside the hours of 08.00 to 22.15 Monday to Friday and 08:00 to 18:15 Saturday and Sunday (including bank holidays).

REASON: In the interests of the amenities of the occupiers of nearby properties and the visual amenity of area.

5. Prior to the 3G sports pitch hereby approved first being brought into use, the approved fences shall have neoprene washers fitted to the fence post/ panel fixings to reduce panel rattle and vibration from the impact of balls. The neoprene washers shall remain in place and be maintained and replaced when damaged for the duration of the development.

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

6. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long-term facilities for contractor parking;

- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

REASON: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

7. The development shall be carried out in accordance with the Tree Survey Report and Arboricultural Impact Assessment (RPS, July 2022) unless otherwise agreed in writing with the Local Planning Authority.
REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.
8. The development hereby approved shall be carried out in full accordance with the recommendations and enhancements set out in section 5.4 of the Ecological Assessment prepared by RPS (dated 28.7.22) submitted as part of the application. None of the development hereby approved shall be first used until the approved ecological enhancements have been fully implemented. These enhancement measures shall be subsequently retained.
REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.
9. Prior to first use of the development hereby permitted, details of compensatory tree and scrub planting together with the species, planting sizes, planting distances, densities and numbers of all new planting shall be submitted to and approved by the Local Planning Authority.
REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.
10. The planting details submitted and approved under Condition 9 above shall be implemented and completed within the first planting season after the development is first brought into use 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.

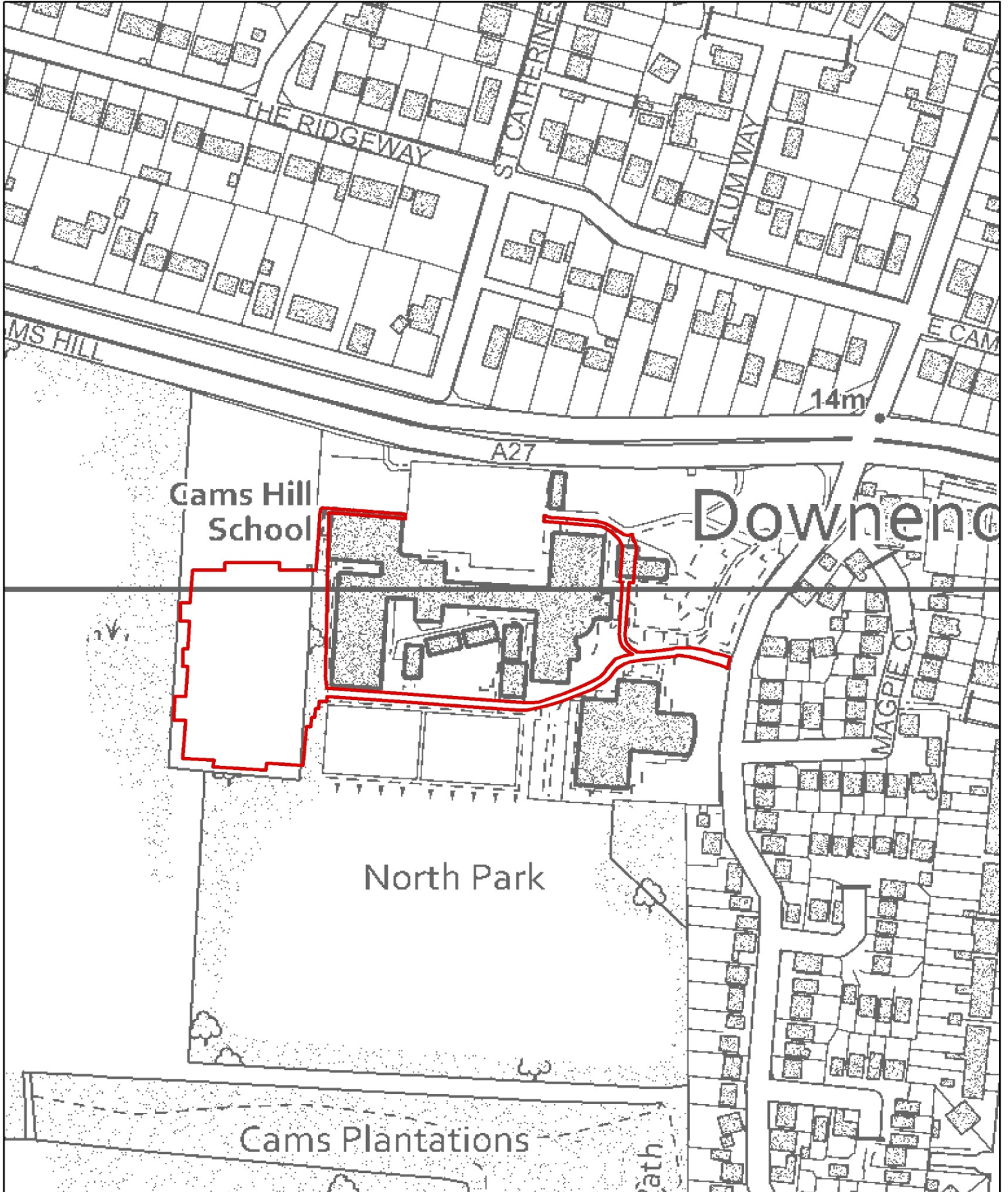
REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

11. Before the development hereby approved is first brought into use, the Travel Plan prepared by S&C Slatter (dated: 8/8/22) shall be implemented in accordance with the approved details. The approved measures shall thereafter be permanently retained unless otherwise agreed in writing with the Local Planning Authority.

REASON: To deliver sustainable transport objectives including reductions in the use of private cars (particularly single occupancy journeys) and increased use of public transport, walking and cycling, improve road safety and personal security for pedestrians and cyclists.

FAREHAM

BOROUGH COUNCIL



Cams Hill School
Shearwater Avenue, Portchester
Scale 1:2,500



© Crown copyright and database rights 2022 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 06/12/2022

Report of Director of Planning and Regeneration

Subject PLANNING APPEALS

SUMMARY

The following report provides details of all current planning appeals, in particular the procedures under which the appeal will be considered and details of any planning appeal decisions received since the previous Planning Committee meeting.

RECOMMENDATION

That the Committee note the content of the report.

CURRENT PLANNING APPEALS

The following details set out all current planning related appeals and the procedures under which they will be dealt with

WRITTEN REPRESENTATIONS & HOUSEHOLDER

Fareham Borough Council Reference: [P/21/0994/FP](#)

Appeal site address: 56 West Street Portchester Fareham PO16 9UN

Ward: Portchester East

The appellant: Mr Bill Seager

Description of proposal: Demolition of existing single storey launderette and replacement with 3 storey 5 apartment block (4x1 bed and 1x2 bed) (revised submission of P/21/0319/FP)

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 03/10/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/21/1534/FP](#)

Appeal site address: 18a Church Road Locks Heath Fareham SO31 6LU

Ward: Locks Heath

The appellant: Mr Steven Hook

Description of proposal: Raise the roof to create rooms in roof space, installation of rooflight, internal alterations & erection of porch

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 24/06/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/21/1919/LU](#)

Appeal site address: Lake Cabin Oslands Lane Lower Swanwick SO31 7EG

Ward: Sarisbury

The appellant: Mr Andrew Goddard

Description of proposal: Lawful Development Certificate for construction of building and occupation as a residential dwellinghouse

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 02/08/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/21/1960/FP](#)

Appeal site address: 21 Fragorum Fields Titchfield Common Fareham PO14 4TG

Ward: Titchfield Common

The appellant: Mr Qasim Niazi

Description of proposal: Convert part of the garage into a habitable room

Council decision: APPROVE

Decision maker: Officer Delegated Powers

Date appeal lodged: 07/07/2022

Reason for Appeal: Appeal against conditions imposed on approval

Fareham Borough Council Reference: [P/22/0615/FP](#)

Appeal site address: 93 The Hillway Portchester Fareham PO16 8BP

Ward: Portchester West

The appellant: Mrs K. Bennett

Description of proposal: Use of annexe as an independent dwelling

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 23/11/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/0768/FP](#)

Appeal site address: 14 Mariners Way Warsash Southampton SO31 9FN

Ward: Warsash

The appellant: Mr Ben Jones

Description of proposal: External alterations to include front extension, rear balcony, first floor side extension and second floor extension. Render, cladding and fenestration install.

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 05/09/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/0852/PA](#)

Appeal site address: Bishopsfield Road Street Works Bishopsfield Road Fareham PO14 1ND

Ward: Fareham South

The appellant: CK Hutchison Networks (UK) Ltd

Description of proposal: Proposed 5G telecoms installation: H3G street pole and additional equipment cabinets.

Council decision: PRIOR APPROVAL REFUSED

Decision maker: Officer Delegated Powers

Date appeal lodged: 23/11/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/1071/DA](#)

Appeal site address: Land adjacent to 83 Swanwick Lane Swanwick Fareham

Ward: Sarisbury

The appellant: Mr N Assar

Description of proposal: Without planning permission, the erection of a wooden building on the Land

Date appeal lodged: 02/08/2022

Reason for Appeal: Against serving of planning enforcement notice

INFORMAL HEARING

Fareham Borough Council Reference: [P/21/1614/DA](#)

Appeal site address: Newlands Farm Stroud Green Lane Fareham PO14 2HT

Ward: Stubbington

The appellant: Mr Ashley Barlow
Description of proposal: Enforcement Appeal

Against the issue of an enforcement notice.

Council decision: NONE

Decision maker: Officer Delegated Powers

Date appeal lodged: 29/09/2021

Reason for Appeal: Against serving of planning enforcement notice

Date scheduled for Informal Hearing to start and duration: 10/01/2023

DECIDED PLANNING APPEALS

Fareham Borough Council Reference: [P/22/0165/OA](#)

Appeal site address: Land East of Newgate Lane East Fareham

Ward: Stubbington

The appellant: Miller Homes Ltd & Bargate Homes Ltd

Description of proposal: Outline application with all matters reserved (except access) for residential development of up to 375 dwellings, access from Newgate Lane East, landscaping and other associated infrastructure works

Council decision: NONE

Decision maker: Committee

Reason for Appeal: No formal decision within determination period

Appeal decision: DISMISSED

Appeal decision date: 23/11/2022

Further information about Planning Appeals

Introduction

Under the English planning system, only the applicant has a right of appeal. There is currently no right of appeal for third parties. Planning decisions can only be challenged by third parties through the Courts. The Courts can examine whether the decision was lawfully made- the Courts' role is not to consider whether they agree with the decision itself.

When are planning appeals lodged?

A very small proportion of all planning decisions made by this Council end up being considered through the planning appeal system. When planning applications are refused, Government advice is that applicants should firstly contact the Council to see if their proposal can be modified to address the Council's concerns.

The most common type of planning appeal is against the refusal of a planning application. Planning appeals can also be made against specific conditions that have been imposed on a planning permission or where a Council has not made a decision within prescribed time periods.

Who decides planning appeals?

Planning appeals are handled and decided by the Planning Inspectorate. The Planning Inspectorate is an executive agency of the Ministry of Housing, Communities and Local Government.

Nearly all appeals are decided by Planning Inspectors from the Planning Inspectorate and in each case the Inspectors are solely responsible for their decisions. A very small percentage are decided by the Secretary of State - these tend to be the very largest or most contentious schemes.

The different types of appeal procedures

There are different types of procedures for different types of planning appeals, often depending on the complexity of the issues. The Planning Inspectorate decide which type of procedure will be used for any given appeal.

There is an 'expedited procedure' for Householder appeals, with most other appeals being determined through the written representations' procedure. Larger scale and/ or more controversial planning appeals may be dealt with by way of an Informal Hearing or by a Public Local Inquiry.

With all planning appeals, the Planning Inspector will visit the site and will notify the outcome of the planning appeal by way of a written decision. A summary of the three main procedures are set out below:

Appeal by Written Representations

Under this procedure, the Planning Inspector will decide the appeal on the basis of the written material provided by all interested parties and following a visit to the appeal site.

The key aspect of this procedure is that submissions made by the Council, the applicant or interested parties, can only be made in writing for the Planning Inspector to consider.

Appeal by Informal Hearing

The hearing is an inquisitorial process led by the Planning Inspector who identifies the issues for discussion based on the evidence received and any representations made. The hearing may include a discussion at the site.

Interested parties including residents, amenity groups and councillors can normally attend and take part in the discussion. Most hearings last a day, but more complex cases may continue over several days.

Appeal by Public Local Inquiry

Public Local inquiries are the most formal procedure and are used for complex cases where legal issues may need to be considered, or evidence needs to be taken under oath.

An Inquiry is open to the public and provides for the investigation into, and formal testing of, evidence, usually through the questioning ("cross examination") of expert witnesses and other witnesses. Parties may be formally represented by advocates.

Interested parties including residents, amenity groups and councillors can normally attend and speak if they would like to do so.

The length of an inquiry depends on the complexity of the case and can range between a day and several weeks.

Further reading

You can find out more details about the planning appeal process on the [Planning Portal](#)

A [detailed procedural guide on planning appeals](#) can be viewed on the Government website.

You can look at planning appeal decisions made by the Planning Inspectorate across England [via their website](#)

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **14th December 2022**

Report of: **Director of Planning and Regeneration**

Subject: **LOCAL INFORMATION REQUIREMENTS**

SUMMARY

Before planning applications can be registered there is a need for applicants to provide a minimum level of information. Some of the information requirements are set nationally whilst others can be set by local planning authorities. The information requirements set locally are known as 'Local Information Requirements'.

The following report sets out the review which has been undertaken by Officers and recommends changes to Fareham's existing Local Information Requirements.

If Members agree with the proposed changes to the Local Information Requirements they will then need to be subject to public consultation.

RECOMMENDATION

Members are invited to agree the proposed changes to the Fareham Borough Council's Local Information Requirements for public consultation.

INTRODUCTION

1. Before planning applications are registered, they go through a process of 'validation'. The validation process involves ensuring that all applications are supported by information which is required both nationally and locally.
2. The Government prescribes the National Requirements for planning applications. Fareham Borough Council is able to set out what additional information it requires to be submitted with planning applications. The additional information sought by Fareham Borough Council at the planning application registration stage is known as 'Local Information Requirements'.
3. If planning applications are not accompanied by all the National and Locally required information then the planning application will be treated as invalid and the applicant/agent notified. The planning application cannot be registered until the required information has been provided.
4. Local planning authorities are required to publish a list of their information requirements for applications in a formally adopted list on their websites. The list should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
5. Whilst there is a statutory requirement to review this Council's 'Local Information Requirements' there are other key reasons to do so at this time.
6. Members will be aware that the Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of modifications to the Plan. The proposed modifications will be the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications.
7. There are a number of policies within the new Local Plan that require the submission of information that is not required by the current Local Information Requirements List. Given the advanced stage of the new Local Plan and the weight that can be attributed to its policies it is considered appropriate to update the Local Information Requirements List to reflect the additional information requirements set out in some of the policies in the new Local Plan.

8. Policy NE2 of the new Local Plan requires development of one or more dwellings or a new commercial/leisure building to provide a net gain in biodiversity of at least 10%. Officers consider that it is therefore appropriate to update the Local Information Requirements List to require relevant applications to be supported by a Biodiversity Gain Plan that demonstrates how the biodiversity net gain will be achieved, implemented, managed, monitored and funded.
9. Policy DS3 of the new Local Plan relates to Landscape, in particular Areas of Special Landscape Quality. Officers consider that it is therefore appropriate to update the Local Information Requirements List to require relevant applications within Areas of Special Landscape Quality to provide a Landscape Assessment including a landscaping mitigation and enhancement scheme to ensure that the development is able to be successfully integrated with the landscape and surroundings and has regard to the Areas of Special Landscape Quality.
10. Policy NE8 of the new Local Plan requires major development to minimise emissions. Building Regulations Approved Document S also requires the infrastructure for charging electric vehicles to be provided. Officers consider that it is therefore appropriate to update the Local Information Requirements List to require relevant applications to confirm the location of any electric vehicle charging points on the site layout plan to ensure that there is sufficient space for them to be incorporated.
11. Policy HP9 of the new Local Plan relates to the provision of Self and Custom Build Homes and requires 10% of dwellings on sites of 40 or more dwellings to be made available for Self or Custom Build purposes. Officers consider that it is therefore appropriate to update the Local Information Requirements List to require relevant applications to provide a self and custom build checklist confirming: the location and phasing of self and custom build plots; the method of delivery; a design code confirming how the development will integrate with the character of the area and plot passports summarising the design parameters for each plot.
12. Policy HE1 relates to the historic environment and heritage assets, Policy HE3 relates to designated heritage assets and/or their settings and Policy HE5 relates to locally listed buildings and non-designated heritage assets. Officers consider that it is therefore appropriate to update the Local Information Requirements List to require relevant applications to provide a more detailed written statement outlining the potential impact of the proposals on the special architectural and historic interest of the building and its historic fabric.
13. A detailed schedule of works to the listed building, relevant historical information and an assessment of the impact on the overall character of the building or structure. Additionally, the principles of, and justification of the proposed works and their impact on the character of the listed building or structure, and its setting

and the setting of adjacent listed buildings will be required. For applications impacting on the setting of heritage assets and located within Conservation Areas, a written statement that includes plans and photographs showing historic features that may exist on or adjacent to the application site will be required. This should also include an analysis of the significance of any archaeology, the history and character of the building or structure, the principles of and justification of the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of the adjacent listed buildings.

14. No changes are proposed to the validation requirements for applications within the policy boundary for Welborne.

REVIEW OF FAREHAM'S LOCAL INFORMATION REQUIREMENTS

15. The review of Fareham's Local Information Requirements effectively has three stages:

- i. Review the Local List
- ii. Consultation on Proposed Changes
- iii. Finalising and Publishing the Revised List

16. In the first instance Fareham Borough Council needs to clearly identify the reasons for requesting each item on its existing list of Local Information Requirements. These reasons can be statutory requirements, policies in the National Planning Policy Framework or adopted development plans, or published guidance that explains how adopted policy should be implemented.

17. Officers believe there is scope to further clarify when certain information requirements must be submitted in association with some planning applications before they can be registered.

18. With the increased dialogue between planning officers, applicants and agents, the best way of identifying the information essential to accompany planning applications is through pre-application conversations and discussions.

19. It should be stressed that if information that is essential to deciding a planning application is not received at the date of initial registration, it can still be subsequently requested by the planning case officer. The most significant consequence of this will be potential delays in the time it takes to make a decision on the application. It is therefore in the applicants' and agents' best interests to agree in advance what information needs to be submitted with applications where there are any doubts.

NEXT STEPS

20. At Appendix A, Officers have attached Fareham Borough Council's current list of Local Information Requirements. The list incorporates additions (which are shown in italics) and deletions (which are shown crossed through) so that it is clear what changes are being recommended. The first part of the Appendix sets out what the Local Information Requirement is and when it is needed; the second part of the document sets out in greater detail what the applicant needs to provide.
21. Members are invited to approve the proposed changes to the Local Information Requirements list for consultation. If Members approval is granted, a four week period of consultation will be undertaken on the revised list. The consultation will include local agents and developers who regularly use Fareham's planning service.
22. At the end of the consultation period Officers will consider any comments received and where appropriate look at what further changes could be made the Local Information Requirements list.
23. A further report will be brought before Members at the Committee Meeting on 15th February 2022. This will set out details of any comments received and what further changes (if any) are recommended to be made to the Local Information Requirements list.
24. Following final approval by Members on 15th February 2022 the agreed Local Information Requirements will then be used in the validation of planning applications after that time.

CONCLUSION

25. Members are requested to agree the proposed changes to Fareham's Local Information Requirements for a six week period of consultation as set out in the attached list.

RISK ASSESSMENT

26. There are no significant risk considerations in relation to this report.

Background Papers:

27. Town and Country Planning (Development Management Procedure) (England) (Order) 2015 Town and Country Planning Act 1990 (amended by the Growth and Infrastructure Act 2013)

National Planning Policy Framework Planning Practice Guidance – Validation requirements

Enquiries:

For further information on this report please contact Rachael Hebden (Ext 4424)

Appendix A - Local Information Requirements

Local list of additional information that must be submitted to Fareham Borough Council with certain types and scales of applications, or in particular locations.

Affordable Housing Statement

Required for:

- Full planning applications
- Outline planning applications

In the event that the proposal is not fully policy compliant, then a viability assessment must be submitted with the application.

When

- Residential schemes of 10 units and above or which have a *site area of 0.5 hectares or more* ~~a maximum combined gross floorspace of more than 1000 square metres (gross internal)~~ or if the site is part of an allocated site or a larger area capable of development.

Air Quality Assessment

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When

- Where the development would be likely to result in a significant increase in traffic on the following routes:

A27, between Downend Road to the east of Delme Roundabout and Redlands Lane to the west of Station Roundabout, (inclusive of Delme Roundabout, Quay St Roundabout and Station Roundabout); and the A32 Gosport Road Air Quality Management Area.


Archaeological Desk-Based Assessment

Required for the following types of applications:

- Full planning applications
- Outline planning applications
- Full planning application with listed building consent

- ~~Listed building consent~~

When:

- When the development involves the disturbance of ground within an area of archaeological significance as shown on Hampshire County Council's [Historic Environment Record](#) .

Biodiversity Gain Plan

Required for the following types of applications:

- *Full planning applications*
- *Outline planning applications*
- *Reserved matters applications*

When:

- *Net increase of 1 or more dwellings*
- *New commercial/leisure buildings*

Community Involvement

Required for the following types of major applications*

- Full planning applications
- Outline planning applications
- Reserved matters**

**Community Involvement should take place on reserved matters submissions where local interest in them is known to exist or is reasonably foreseeable.


When a revised planning application is submitted following a refusal, or an amended planning application is submitted making substantial changes to a previously approved scheme, further community involvement must be undertaken.

Contamination Assessment

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When



- All sites within 250 metres of a currently [licensed or historic landfill site](#)  or where former uses may have contaminated land and/or the land is known to be contaminated.

Ecological Assessment

Required for the following types of applications*

- Householder applications
- Full planning applications
- Outline planning applications

When*:

- any development that may affect a nationally designated habitat. You can see these sites on the website of [Natural England](#) 
- any development that may affect a locally designated nature conservation habitat. You can see these sites in the Fareham Borough Local Plan Proposals map at the [planning portal](#) 
- any development that may have an impact on a protected species.

Visit [Hampshire biodiversity information centre](#)  for information and help.

*The [Hampshire Biodiversity Information Centre checklist](#) can be used to ascertain whether ecological/ protected species assessments need to be undertaken.

If a phase 1 survey (also referred to as a preliminary ecological assessment) is undertaken and identifies that a further survey is necessary, then this must be carried out and submitted with the application.

Flood Risk Assessment

Required for

- Householder applications

When:

- Development is at ground level in Flood Risk Zones 2 and 3

And

- Full planning applications for major development
- Outline planning applications for major development

When:

- All sites within Flood Risk Zones 2 & 3
- Sites of 1 hectare or more in area in Flood Risk Zone 1

Foul Sewage and Utilities Assessment

Required for the following types of major applications*

- Full planning applications

When:

- If the proposed development results in any changes or replacement to an existing system or the creation of a new one. All applications in areas where existing sewage flooding takes place.

Heritage Statement (including historical, archaeological features and scheduled ancient monuments)

Required for the following types of major applications*

- Full planning applications
- Outline planning applications
- Full planning application with listed building consent
- Listed building consent

When:

- *Where historical features may be affected; or*
- *Development within a Conservation Area; or*
- *Development affecting a Listed Building either directly or its setting*

Landscaping Assessment

Required for the following types of major applications*:

- *Full planning applications*
- *Outline planning applications*
- *Reserved Matters*

When

- *In areas identified in the local plan as being of special landscape quality*

Landscaping Scheme (Detailed)

Required for the following types of major applications*

- Full planning applications
- Outline planning applications where landscaping to be considered

Lighting Assessment

Required for the following types of *major applications

- Full planning applications

When:

- Only where significant external lighting is proposed, i.e. flood lighting, lit areas of car parking, new street lighting.

Nitrate Mitigation Statement

Required for the following types of applications

- Full planning applications
- Outline planning applications
- Reserved Matters

When:

- The applications will result in a net gain in overnight accommodation

Noise Assessment

Required for the following types of *major applications

- Full planning applications
- Outline planning applications

When:

- Noise generating development such as Class B2 Uses are located near to noise sensitive areas i.e. residential; and all noise sensitive developments e.g. housing, nursing home etc., located near to a potential sources of noise e.g. licensed premises, busy urban road, motorway, industrial site.

Open Space Assessment

Required for the following types of applications

- Full planning applications including change of use
- Outline planning applications

When:

- Where the proposed development is on existing public open space.

Parking Provision

Required for the following types of *major applications

- Full planning applications
- Reserved matter applications for layout

When:

- Where new dwellings and/ or floorspace is proposed; where a loss of existing car parking is involved.

Planning Statements

Required for the following types of major applications

- Full planning applications
- Outline applications

Playing Field Checklist

Required for the following types of applications

- Full planning applications
- Outline applications

When


- The application involves the loss/partial loss of playing fields

Retail Impact Assessment

Required for the following types of applications where main town centre uses are proposed and the floor exceeds 500 square metres

- Full planning applications (including change of use)
- Outline planning applications

When

- Where proposed at edge of centres and out of centre locations [National Planning Policy Framework](#) 

Refuse and Recycling Plan

Required for the following applications:

- Detailed Planning applications for residential development including applications for changes of use

Self & Custom Build Checklist

Required for the following applications:

- *Full planning applications*
- *Outline planning applications*
- *Reserved Matter applications*

- *Change of use applications*

When

- *All new residential development with a net increase of 40 or more dwellings or sites that feature as part of a cluster of adjoining development sites which shall be considered cumulatively.*

Space Standards Checklist

Required for the following applications:

- Full planning applications
- Reserved Matter applications
- Change of use applications

When

- All new residential development

Transport Assessment (TA)

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When

- Where the development has significant transport implications. The detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal.

Travel Plan

Required for the following types of *major applications

- Full planning applications
- Outline planning applications

When

- Where the development has significant transport implications, subject to following thresholds ([National Planning Policy Framework](#)):

Tree Survey/Arboricultural Assessment

Required for the following types of applications

- Householder applications

- Full planning applications
- Outline planning applications

When

- There are trees on the site or immediately adjacent that are subject to a TPO or within a Conservation Area and may be affected by the proposed development.

Ventilation/Extraction (impact) report

Required for

- Full planning applications including Change of Use
- Reserved matter applications for layout and appearance

When

- ~~All A3/A4/A5 and B2 uses~~ *All applications for cafes, restaurants, pubs, take aways or industrial premises.*

*Major applications are those which involve: 10 or more dwellings; where the site has an area of 0.5 hectares or more and the number of dwellings is unknown; the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; development carried out on a site having an area of 1 hectare or more.

For all residential, commercial and community related planning applications submitted within the policy boundary of Welborne (as shown on the Policies Map in Appendix B.2 of the Welborne Plan), the following Local Information Requirements apply in addition to those set out above

Comprehensive Masterplans

Required for:

- Initial planning application(s) for Welborne

Ecological Assessment

Required for:

- Initial planning application(s) for Welborne

Employment and Training Plan

Required for:

- Initial planning application(s) for Welborne

Energy Strategy

Required for:

- All planning application(s) for Welborne

Flood Risk Assessment

Required for:

- Initial planning application(s) for Welborne

Framework Travel Plan

Required for:

- Planning application(s) for all or part of Welborne

Heritage Strategy

Required for:

- Initial planning application(s) for Welborne

Infrastructure Delivery Plan

Required for:

- Initial planning application(s) for Welborne

Landscaping Scheme (detailed)

Required for:

- Detailed Planning application(s) and Reserved Matter submissions for all or part of Welborne

Landscaping Scheme (Structural)

Required for:

- Initial planning application(s) for Welborne

Open Space and Green Infrastructure strategy

Required for:

- Initial planning application(s) for Welborne

Phasing Plan

Required for:

- Initial planning application(s) for Welborne

Site wide Viability assessment

Required for:

- Any application(s) for Welborne that include a reduced or delayed provision of infrastructure

Strategic Design Codes or Design Principles Documents

Required for:

- Initial planning application(s) for Welborne

Structuring Plan (including parameter plans)

Required for:

- Initial planning application(s) for Welborne

Transport Framework and Transport Assessment

Required for:

- Planning application(s) for all or part of Welborne

Waste Water Strategy

Required for:

- All planning applications for Welborne

Definitions:

Affordable Housing Statement

Affordable Housing is an aim of the National Planning Policy Framework and is required through Policy CS18 of the Fareham Borough Core Strategy *and Policy HP5 of the emerging Local Plan*, which is further amplified through the [Affordable Housing Supplementary Planning Document](#). We may need information about both the affordable housing and any market housing for example, the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed

for different units this should be clearly and fully explained. The affordable housing statement should include details of any registered social landlords acting as partners in the development.

In the event that the proposal is not fully policy compliant, then a viability assessment needs to be provided with the planning application.

Air Quality Statement

An air quality statement should be proportionate to the scale of the development. For minor development the statement should demonstrate how the development will reduce its impact on air quality. For major development the statement should demonstrate how emissions will be minimised and the way in which the local air quality will be improved. It should explain the measures proposed to minimise the impact of the development on air quality in the following area: A27, between Downend Road to the east of Delme Roundabout and Redlands Lane to the west of Station Roundabout (inclusive of Delme Roundabout, Quay Street Roundabout and Statin Roundabout) and the A32 Gosport Road Air Quality Management Area.

In the case of large-scale developments which are likely to result in a significant increase in traffic movements, it may be necessary to assess the predicted concentration of pollutants of concern at appropriate dates and sensitive locations, the predicted change in air quality and the extent of the area affected.

Guidance is available:

Planning for Air Quality

<http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf> 

Air Quality Management Areas

https://www.fareham.gov.uk/licensing_and_inspections/air_quality/aqmapage.aspx

Biodiversity Gain Plan

The Biodiversity Gain Plan must:

- *Quantify the pre and post development biodiversity value of the site using either the DEFRA biodiversity metric or if appropriate the Small Sites Biodiversity Metric with an explanation of the condition scores set out in the DEFRA guidance. Plans of the site (and of any areas on which off-site mitigation is proposed) must be provided together with Excel copies of the completed relevant metrics to demonstrate how the metric conclusions were reached.*

- *Identify how a gain of at least 10% BNG can be achieved ensuring that the proposed habitat is provided onsite in the first instance followed by either a combination of onsite and partial offsite or completely offsite and that the proposed habitat is on a 'like for like' basis and avoids the 'trading down' e.g., replacing rare habitat with much more common habitat.*
- *Demonstrate that proposals have followed the 'mitigation hierarchy': avoiding habitat loss where possible; minimising the extent of negative impacts that can't be avoided; restoring degraded ecosystems where negative impacts can't be avoided or minimised; compensating for any residual negative impacts and ensuring at least 10% net gain.*
- *Demonstrate that proposals maximise the connectivity of the proposed habitat with habitat in the wider area to avoid fragmented or isolated habitat.*
- *Confirm how the proposed BNG habitats will be implemented, managed, maintained, monitored and funded for a minimum of 30-years.*

Brownfield De-Minimis Sites

If the site is exempt from having to provide a biodiversity net gain of 10% the Biodiversity Gain Plan must instead demonstrate that:

- *The site does not contain any priority habitat*
- *The provision of 10% biodiversity net gain would not be viable*
- *Where possible, appropriate measures have been incorporated into the proposed development to enhance biodiversity*

Community Involvement

Prior to submitting any major planning applications, applicants must write to and consult with the local community. The extent of consultation will need to be determined on a case-by-case basis having regard to the scale of the proposals and the likely extent of local interest.

In addition to this, and subject to the prevailing national advice on holding public meetings, exhibitions would be appropriate in publicly accessible local locations setting out proposals for the community to be able to view and comment upon. There is an expectation that exhibitions will be arranged for all major applications unless it has been agreed with Fareham Borough Council in advance that there is not likely to be sufficient public interest in the proposals.

These exhibitions should be staffed by developers/ their representatives and/or consultants in order to assist the community with their questions upon the proposals. Fareham Borough Council recognises that where exhibitions are undertaken over a long period of time it may not be possible to staff the exhibition for the whole period. In these cases, the applicant should endeavour to staff the exhibition at least in part, at times which are likely to attract the greatest level of interest from the community.

The Council also recognises that in some instances it may be appropriate for applicants to create websites which display key plans and documents and enable interested parties to ask questions and provide comments on proposals.

Major planning applications will need to be supported by a statement setting out how the applicant has consulted with the local community, details of the views expressed by the local community and demonstrating how their views have been taken into account in the formulation of development proposals.

Comprehensive Masterplans (Welborne)

Comprehensive Master Plans propose the layout and location of land uses, buildings, public and private spaces, streets, pedestrian and cyclist routes. A Comprehensive Master Plan adds a further level of detail to the Structuring Plan.

The Comprehensive Master Plans must:

- Define the distribution of land-uses and activities;
- Define the heights, massing and bulk of buildings including average densities and maximum building heights;
- Define the public spaces, including the streets and open spaces;
- Define the nature of the relationships between buildings and public spaces (i.e. nature of boundaries between private and public spaces);
- Identify the network of streets and routes for people moving by foot, cycle, car or public transport, service and refuse vehicles, as well as access points and connections off-site;
- Identify the provision of key infrastructure elements, such as supply of electricity and disposal of foul water, sustainable drainage measures, green infrastructure, structural landscaping etc;
- Demonstrate an understanding of how well the new community is integrated with the surrounding landscape context and how this is reflected in the character areas of the development.

Contamination Assessment

Sufficient information should be provided to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be

satisfactorily reduced to an acceptable level. Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed. To identify whether a site could be affected by contaminants in the ground it will be necessary to consider the following;

All submissions should include an assessment of the risks to humans, buildings and services, ground and surface water and the environment based upon preliminary findings. Commercial property searches that identify environmental risk are available over the internet, although it should be noted that these may not have access or refer to all available information relating to the previous use of a site and may not assess the site in the context of a new planning use. The pollution section of Environmental Health may be able to provide advice and help. Please contact us to discuss this in more detail.

Ecological Assessment

Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of them. Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2010 or the Protection of Badgers Act 1992.

Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long term maintenance and management. This information might form part of an environmental statement, where one is necessary. Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts. Government planning policies for biodiversity are set out in [National Planning Policy Framework](#). The Council has developed a biodiversity [checklist](#) to give detailed validation requirements for biodiversity and geological conservation.

Energy Strategy (Welborne)

The Energy Strategy must demonstrate how the development will:

- i. Optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials;

- ii. Achieve high energy efficiency standards for all buildings, including meeting the Passivhaus Standard if appropriate; and
- iii. Secure energy supply, maximising the use of low or zero carbon technologies including district energy networks

Flood Risk Assessment

A flood risk assessment (FRA) will be required for development proposals of 1 hectare or greater in flood zone 1 and for all proposals for new development located in flood zones 2 and 3 as designated by the Environment Agency. A FRA will be required for any development other than minor development in a designated critical drainage area which has been notified to the local planning authority by the [Environment Agency](#). The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including sustainable drainage systems (SUDs) and address the need for safe access to and from the development in areas at risk of flooding. The FRA should be prepared by an applicant in consultation with the local planning authority with reference to their published local development documents and any strategic flood risk assessment.

The FRA should form part of an environmental statement when one is required by The [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2011](#). [National Planning Policy Framework](#) provides guidance for both local planning authorities and applicants in relation to the undertaking of FRAs and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

Flood Risk Assessment (Welborne)

In addition to the above guidance:

Initial or outline planning applications for Welborne must include a site-specific flood risk assessment for the development site, to demonstrate that the proposed development will not increase flood risk on the Welborne site or elsewhere.

The development of Welborne shall manage flood risk, in accordance with the findings of the site-specific flood risk assessment through the integration of Sustainable Drainage Systems (SuDS). A comprehensive SuDS Strategy showing the principles of delivery, future management and maintenance across Welborne, shall be prepared and submitted with the initial planning applications.

Foul Sewage and Utilities Assessment

All new buildings need separate connections to foul and storm water sewers. If your application proposes to connect a development to the existing drainage system, you should show details of the existing system on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers¹. Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage. Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory.

An application should indicate how the development connects to existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and also needs connection to foul and surface water drainage and disposal.

Framework Travel Plan (Welborne)

An area wide Framework Travel Plan in accordance with Highway Authority Guidance agreed between the Council, Highway Authority and the developers which will demonstrate how modal shares by walking, cycling and public transport and the encouragement of more sustainable transport will be achieved.

Heritage Statement (including historical, archaeological features and scheduled ancient monuments)


The scope and degree of detail needed in a heritage statement *to accompany a formal planning or listed application* will vary depending on the *exact scope and circumstances* of each application. *You Applicants* are advised to discuss proposals *in advance* with either a planning officer or a conservation officer before making an application. ~~The following is a guide to the sort of information that we may need for different types of application~~ *The Council also offers a pre-application advice service that we encourage applicants to use in advance of the submission of a formal application.*

For applications for listed building consent (*or applications affecting locally listed buildings*), a written statement *outlining the potential impact of the proposals on the special architectural and historic interest of the building and its historic fabric will be required in support of any application. This should include that includes a detailed schedule of proposed works to the listed building(s), relevant historical information*

and an assessment of the impact on the overall character of the building or structure. ~~history and character of the building/structure~~ The principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. *For purposes physically affecting historic properties* a structural survey may be required in support of an application for listed building consent *and planning permission*.

For applications either related to or impacting on the setting of heritage assets *and Conservation Areas (including listed buildings, locally listed buildings and scheduled ancient monuments)* a written statement that includes plans *and photographs* showing historic features that may exist on or adjacent to the application site will be required. *This includes* ~~including~~ listed buildings and structures, historic parks and gardens, ~~historic battlefields~~ and scheduled ancient monuments. *This should also include* ~~and~~ an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings. ~~may be required.~~

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required.

Guidance on Planning and Heritage Assets is available as part of the National Planning Policy Framework and advice on formulating a Heritage Statement is provided by [Historic England](#) .

[Heritage Strategy and Historic Environment Management Plan \(Welborne\)](#)

Initial or outline planning applications shall be accompanied by a heritage strategy and an historic environment management plan, which sets out the broad principles and options for how the following might be addressed:

- i. How the heritage assets will be assessed and identified;
- ii. The significance of the known heritage assets and their setting;
- iii. How the heritage assets will be preserved and enhanced;
- iv. The positive contribution that the conservation of heritage assets will make to a sustainable new community;
- v. How the heritage assets have influenced the layout and design of the development should be clearly set out in the supporting documentation;
- vi. The methodology for recording and storing any archaeological finds of lesser importance;
- vii. How the results of any archaeological investigations and the retained heritage assets will be presented to the public.

Infrastructure Delivery Plan (Welborne)

The Infrastructure Delivery Plan will set out what infrastructure is required to support the scale of development envisaged at Welborne, and at what point that infrastructure will need to be delivered or completed by.

The applicants will be expected to base their Infrastructure Delivery Plan on the Plan produced by Fareham Borough Council as part of the evidence for the Welborne Plan. The IDP must be produced to at least the same level of detail as that produced by this Council.

Landscaping Assessment and Enhancement Scheme

Assessment

Applications within Areas of Special Landscape Quality (as set out in Policy DS3 of the emerging Local Plan) are expected to submit a proportionate Landscape Assessment, that demonstrates the proposal satisfies the specific development criteria contained within the Council's Landscape Sensitivity Assessment for the character area in which the development is located.

In referring to the Council's Landscape Sensitivity Assessment, this relates to Part 2 of the Landscape Assessment where each Landscape Character Area (LCA) is further broken down into Local Landscape Character Areas (LLCA) and described in terms of sensitivity to development and ability to accommodate change. This sensitivity relates to four elements:

- 1) The area as part of the Borough's landscape resources*
- 2) The area as part of the visual environment enjoyed within the Borough (it's visual amenity)*
- 3) The area as part of the setting and identity of urban areas within the Borough*
- 4) The areas as part of the Green Infrastructure Network within the Borough*

Enhancement

After providing a sensitivity assessment for each LLCA in the four categories enhancement opportunities should be provided.

A comprehensive mitigation and enhancement scheme should be provided to ensure that the development is able to successfully integrate with the landscape and its surroundings. The Landscape scheme should be proportionate to the development proposed and shall be in accordance with the enhancement opportunities specified in the Council's Landscape Sensitivity Assessment.

Landscaping Scheme (Detailed)

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the design and access statement, if required. Existing trees and other vegetation should, where practicable, be retained in new developments and protected during the construction of the development.



Landscaping Scheme (Structural) (Welborne)

Structural landscaping schemes must identify how the existing landscape features on and around the site can be strengthened and used to create a unique 21st century model for a new garden community.

Structural landscaping schemes will show how they respond positively to areas of high landscape quality to the north and east of the site and take into account any material impact upon long distance views of the site from Portsdown Hill to the east and across the site from the south.

All structural landscaping schemes should include a detailed phasing and management plan, with the emphasis on bringing forward the structural planting elements in the early phases of the development.

Lighting Assessment

Proposals involving provision of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area, or open countryside, where external lighting would be provided or made necessary by the development, should be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design. [Lighting in the countryside: towards good practice \(1997\)](#)  and The Institution of Lighting Engineers '[Guidance Notes For The Reduction of Obtrusive Light](#)'  are valuable guides for local planning authorities, planners, highway engineers and members of the public. It demonstrates what can be done to lessen the effects of external lighting, including street lighting and security lighting. The advice is applicable in towns as well as the countryside.


Nitrate Mitigation Statement

The Solent coastline provides feeding grounds for internationally protected populations of overwintering waders and wildfowl. Natural England has advised that there is likely to be adverse effects on the integrity of European Protected Sites resulting from new housing around the Solent unless mitigation is carried out. Applications for residential development within the Borough therefore need to identify the measures to mitigate the direct impacts of their development upon the European Protected Sites in The Solent.

The following key pieces of information should be submitted as part of any Nitrate Mitigation Statement:

- Confirmation of the way in which the site has been used during the 10 years preceding the submission of the application. If the land has had more than one land use (as specified in [Natural England's guidance](#)) a plan is required to confirm the location of each land use. Each parcel of land must have the area annotated and be provided with a detailed chronology confirming when each parcel of land was used for each separate use.
- The land uses and areas must be used to complete a Nutrient Budget using [Natural England's Nutrient Calculator](#)
- The mitigation statement should also confirm the form of mitigation proposed for example the provision of a financial contribution towards a strategic project off-site or on-site mitigation. Full details of the mitigation are not required for validation purposes but will be required for the case officer to undertake an appropriate assessment prior to the determination of the application.

Noise Assessment

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician. Further guidance is provided in the [National Planning Policy Framework](#) 

Open Space Assessment

For development within open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. In the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an


independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application.

[Open Space and Green Infrastructure Strategy \(Welborne\)](#)

The strategy shall identify the exact location, quantity, nature and quality standards of each type of on-site green infrastructure required, together with adequate changing, storage and parking facilities, where appropriate.

Specifications for the layout and construction of the relevant facilities together with details of the required level of parking and floodlighting (where appropriate), and boundary treatment shall be included.

[Parking Provision](#)


Applications must provide details of existing and proposed parking provision *together with confirmation of the location of any electric vehicle charging points*. These details should be shown on a site layout plan. Advice on residential car parking requirements is set out in [Residential Car & Cycle Parking Standards Supplementary Planning Document November 2009](#)  (732 KB). Non-residential car parking requirements are set out in [Fareham Borough Council's Non-Residential Parking Standards Supplementary Parking Document](#) adopted in September 2015.

[Phasing Plan \(Welborne\)](#)


The Phasing Plan will set out what areas of land within Welborne will be developed and in what order. The way in which development comes forward at the site will have a direct link to what infrastructure needs to be delivered and when.

The applicants will be expected to base their Phasing Plan on the Plan produced by Fareham Borough Council as part of the evidence for the Welborne Plan. The Phasing Plan must be produced to at least the same level of detail as that produced by this Council.

[Playing Field Checklist](#)


The Playing Field Checklist must contain all of the information required by Sport England's Playing Fields Policy and Guidance Annex B Information Requirements: [Playing Fields Policy and Guidance Annex B Information Requirements](#) 

Retail Impact Assessment

[National Planning Policy Framework](#)  provides up to date advice concerning the application of the sequential test for town centre uses. The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal.

Refuse and Recycling Plan

A refuse and recycling plan needs to show the proposed route (tracked) for the refuse vehicle (if appropriate) together with bin collection and storage points.

For information relating to the detailed access and refuse storage requirements see the [Refuse Storage Design Guidance](#)  (11 MB) (Contained within the Technical Annex of the Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne))

Self & Custom Build Checklist

The self and custom build checklist must include:

- *A plan showing the location and phased provision of the self/custom build plots together with the access to the self/custom build plots.*
- *A Delivery Statement confirming the way in which the development will be provided e.g. the sale of plots to private individuals; the sale of plots to private individuals with a 'design and build' contract; the sale of land to a developer to sell to a third party; or a partnership with an enabling developer. (Required so that it can be ascertained whether the development accords with the Housing and Planning Act's (2016) definition of a custom or self-build dwelling.)*
- *A Design Code setting out the design philosophy and how the development will integrate with the character and visual appearance of the locality. The following table provides an example of the parameters that a Design Code may address:*

Design Parameters	Example Considerations
<i>Density</i>	<i>Site coverage/plot ratio, dwellings per hectare, higher/lower density phases/areas</i>
<i>Street network</i>	<i>Street and building pattern and connectivity</i>

<i>Views, vistas and outlook</i>	<i>Relationship to heritage assets, topography, corridors and backdrops</i>
<i>Landscape</i>	<i>Purpose and function, trees: species, numbers and placement</i>
<i>Streetscape and building lines</i>	<i>External materials and boundary treatments, eaves and rooflines, corner treatments, focal points, set-backs boundary treatments. Frequency, pattern and scale of building features such as windows, doors, porches, balconies and other architectural features, including material and colour.</i>
<i>Building and active frontages</i>	<i>Set back distance, front gardens and threshold space, active frontage purpose and orientation.</i>
<i>Building types</i>	<i>Detached, semi-detached, terraced/town house flats.</i>
<i>Plot form</i>	<i>Proportion, plot size (m²), plot width and depth, minimum garden size, maximum proportion of plot that may be developed, parameters of dwelling position on plot, minimum distances from boundaries.</i>
<i>Building form and orientation</i>	<i>Storey heights, building mass, building orientation, position on plot, frontage and outlook.</i>

- *Confirmation of how and when the development will be marketed (a marketing strategy.)*
- *A Plot Passport summarising the design parameters for each plot. Plot passports are a useful way of helping private home builders understand what they can build on their plot. They are also used to market the plots.*

Plot passports should confirm: the plot location; plot size, back to back distances; building lines; scale, servicing, utilities, building height, gross internal area parameters, proximity to neighbouring buildings, developable footprint, boundary treatments, parking and cycle storage and side space requirements.

Space Standards Checklist

The [Fareham Borough Design Guidance SPD and Policy D5 of the emerging Local Plan](#) recommends that the internal dimensions of dwellings meet the minimum sizes set out in the [Nationally described space standards](#).

The space standards checklist needs to confirm and demonstrate that all proposed dwellings comply with the Nationally described space standards. The checklist needs to include the gross internal floor area of all rooms and built in storage together with the floor to ceiling height.

Strategic Design Codes or Design Principles Document (Welborne)

Strategic Design Codes are technical documents that illustrate the detailed design rules and requirements for the area of Welborne, which they control.

Strategic Design Codes will provide details of the nature of the overarching and consistent character of the whole Welborne site, within which character areas sit. They provide details of each character area, where they are located and how they vary to reflect the site conditions, the different use(s) and spaces proposed. They will include an explanation of each character area and how it relates to the overall character of Welborne. The rationale for the design will be supported by an analysis of the site and surrounding area to demonstrate how the character of the landscape and surrounding area has influenced the design options within the code. Each Strategic Design Code will contain a plan showing where each character area applies, and which sections of the code (i.e. the rules) apply. For each character area covered by the code, an illustrative design with supporting text explaining the type of place proposed will be provided.

For each character area, the Strategic Design Codes will illustrate:

Typical street design including how highway, footpaths, cycling routes, servicing/refuse, boundaries, planting, lighting and 'on street' parking will be provided;

Typical housing types with boundary treatments, parking, bin/cycle provision and storage (including corner plots);

Typical planting species for trees, shrubs and ground cover;

Treatment of areas of public space;

Treatment of key views and non residential buildings; and

Palette of main materials

The Strategic Design Codes should include elevations of the front or side view of a building, and cross sections that slice through a building and the entire street which

services the property. They must also clearly show how necessary green and physical infrastructure and utilities can be accommodated, such as underground servicing.

If no Strategic Design Codes are submitted with initial outline planning application(s), then High-Level Development Principles to be submitted with the Structuring Plan, in accordance with this SPD. High-Level Development Principles (which accompany the Structuring Plan) will set out what the design objectives for Welborne will be; the Design Codes will provide detailed instructions on how these principles will be delivered.

Structuring Plan (including parameter plans) (Welborne)

The Structuring Plan is a plan with a supporting evidence base that both shows and explains how the development can come forward on a comprehensive basis at Welborne. It will need to reflect the phasing and delivery guidelines set out in the adopted Plan.

The purpose of the Structuring Plan is to ensure that Welborne is developed comprehensively and the design process is co-ordinated across site ownership boundaries. It is essential that a Structuring Plan is prepared for all of the land within the Welborne Plan policy boundary as shown on the 'Policies Map'.

The Structuring Plan must show and justify the following:

The disposition of the main land-uses, the location of Welborne's schools, the District and Local Centres and the Community Hub (with a rationale for the location, distribution and amount of different land uses, as well as average densities and maximum building heights shown), together with an agreed land budget (i.e. breakdown of each land use by measured area);

The main pedestrian and cycle routes throughout Welborne, the access points and primary road network, including the Bus Rapid Transit (BRT) route (with a rationale for the transport network and hierarchy, including street design/dimensions details to ensure consistency throughout the development);

The areas proposed for SANGs (Suitable Alternative Natural Greenspaces) and strategic green infrastructure, including the green corridors linking them (with a rationale for the location, distribution, type and amount of green infrastructure, including structural landscaping); and

The location of strategic utilities, infrastructure, including for the supply of electricity and disposal of foul water (with a rationale for the location, utility network and nature of provision).

Parameter plans should support the Structuring Plan for the Welborne site; they should also be accompanied by a written explanation of the rationale behind the plans.

Further details and guidance on these elements are contained within pages 11-17 of the adopted Welborne Design Guidance SPD.

Transport Assessment

[National Planning Policy Framework](#) provides up to date advice concerning the status of Transport Assessments. The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA should simply outline the transport aspects of the application, while for major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts.

Transport Framework (incorporating a Public Transport Plan) and Transport Assessment for Welborne

Demonstration of how the following will be achieved:

- i. The delivery of high quality sustainable public transport system, including the extension of the existing Bus Rapid Transit network to serve the new community;
- ii. Implementation of Travel planning to reduce the reliance on the private car;
- iii. A development which is southwards-facing in transport terms through the masterplan layout and delivery of access via the A32 and an improved junction 10 of the M27;
- iv. The rate of development linked to the funding and provision of necessary transport infrastructure;
- v. The incorporation of transport interventions to mitigate traffic impacts on the local and strategic road network and to mitigate any environmental impacts.

Travel Plan

A travel plan should be submitted alongside planning applications which are likely to have significant transport implications. The need for a travel plan is based upon the

scale of the proposed development as set out above. Initially a Framework Travel Plan may need to be submitted, as the detail will be subject to agreement with Hampshire County Council as Highway Authority.

Tree Survey/ Arboricultural Implications

Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837:2012; Trees in relation to design, demolition and construction - Recommendations. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

Ventilation/Extraction Statement

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within use classes A3 (i.e. restaurants and cafes – use for the sale of food and drink for consumption on the premises), A4 (i.e. drinking establishments – use as a public house, wine-bar or other drinking establishment), A5 (i.e. hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial). This information (excluding odour abatement techniques unless specifically required) will be required for significant retail, business, industrial, leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

Viability Assessment

In the event that applicants consider infrastructure should be reduced or delayed, this will need to be fully justified through a viability assessment undertaken by a suitably qualified person. The scope and methodology of the viability assessment must be agreed with the Council before the assessment is undertaken and submitted.

In line with National Planning Practice Guidance advice, any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances an executive summary should be made publicly available. In circumstances where it is deemed that specific

details of an assessment are commercially sensitive, the information should be aggregated in published viability assessments and executive summaries, and included as part of total costs figures. Where an exemption from publication is sought, this Council must be satisfied that the information to be excluded is commercially sensitive.

As a minimum, the government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in this guidance where applicable, and return to developer. Where a viability assessment is submitted to accompany a planning application, the executive summary should refer back to the viability assessment that informed the plan and summarise what has changed since then. It should also set out the proposed developer contributions and how this compares with policy requirements.

Waste Water Strategy (Welborne)

Planning application(s) for development will be accompanied by details of a comprehensive wastewater conveyance and treatment solution for Welborne, including details on the phasing of new wastewater infrastructure.