

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 12 July 2023

Time: 2.30 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 - 6)

To confirm as a correct record the minutes of the Planning Committee meeting held on 14 June 2023.

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. Opportunities Plan (Page 7)

To receive a presentation providing an overview of the Council's Opportunities Plan and how the Year 1 project proposals relate to Planning Committee.

7. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 8)

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/22/1254/FP - 24 RALEY ROAD LOCKS HEATH SO31 6PD** (Pages 10 - 32)

(2) **P/23/0771/FP - 22 LYNDEN CLOSE FAREHAM PO14 3AL** (Pages 33 - 37)

ZONE 2 - FAREHAM

ZONE 3 - EASTERN WARDS

(3) **P/23/0245/FP - HORSE FIELD LAND NORTH OF BRUNE LANE AND EAST OF BROOM WAY LEE-ON-THE-SOLENT PO13 9PB** (Pages 40 - 66)

(4) **P/23/0639/FP - 15 BEAULIEU AVENEUE FAREHAM PO16 9SY** (Pages 67 - 70)

(5) **Planning Appeals** (Pages 71 - 76)

8. Tree Preservation Orders

To consider the confirmation of the following Tree Preservation Order(s) which have been made to officers under delegated powers and to which no formal objections have been received.

Fareham Tree Preservation Order 778: 80 Heath Road, Locks Heath

A provisional order was made on 6 April 2023 in respect of 2 individual oak trees and 1 maple tree. No formal objections have been received; however upon further inspection of the maple, officers identified a stem defect and therefore recommend that Tree Preservation Order 778 is confirmed with modification to exclude maple (T1), as made and served.



A WANNELL
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
04 July 2023

**For further information please contact:
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Tel:01329 236100
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FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 14 June 2023

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,
P Nother and Mrs S M Walker

Also Present: Councillor R Bird (Item 6(2))



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor S Ingram.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 24 May 2023 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

In accordance with Standing Orders and the Council's Code of Conduct, Councillor Mrs C L A Hockley declared a Personal Interest in Item 6 (2) – 64 & 66 The Avenue as she lives near to the application site and has had involvement with local residents regarding this application. She removed herself from the room at the start of the item and took no part in the debate or vote on the application.

5. DEPUTATIONS

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

| Name | Spokesperson representing the persons listed | Subject | Supporting or Opposing the Application | Minute No/ Application No/Page No | Dep Type |
|------------------------|--|--|--|-----------------------------------|----------------|
| | | | | | |
| ZONE 1 – 2.30pm | | | | | |
| Jeffrey Nolan | | LAND TO REAR OF 274 BOTLEY ROAD – ERECTION OF 1NO. 3-BEDROOM DWELLING, TOGETHER WITH CAR PARKING, ACCESS, AND LANDSCAPING (ALTERNATIVE PROPOSAL TO SCHEME APPROVED UNDER P/20/0507/RM) | Opposing | 6(1) P/22/1829/FP Pg 11 | Written |

| | | | | | |
|------------------------|--|--|------------|-------------------------------|---------------------|
| Stephen Browning | | -DITTO- | -Ditto- | -Ditto- | Written |
| Mr Vivian Holt | Burrige & Swanwick Residents Association | -DITTO- | -Ditto- | -Ditto- | In Person 3 mins |
| Mr Andrew Dinsdale | | -DITTO- | -Ditto- | -Ditto- | Written |
| ZONE 2 – 2.30pm | | | | | |
| Bob Marshall | The Fareham Society | 64 & 66 THE AVENUE – DEMOLITION OF THE EXISTING DWELLINGS AND THE ERECTION OF A 60-BED CARE HOME (CLASS C2) FOR THE ELDERLY (OUTLINE APPLICATION, ACCESS, APPEARANCE, LAYOUT & SCALE TO BE CONSIDERED WITH LANDSCAPING RESERVED) | Opposing | 6(2) P/22/1477/OA Pg 30 | Written |
| Adrian Hogg | | -DITTO- | -Ditto- | -Ditto- | In Person 3 mins |
| Mrs C Cheer | | -DITTO- | -Ditto- | -Ditto- | Written |
| Hamish Watson (Agent) | | -DITTO- | Supporting | -Ditto- | In Person 3 mins |
| ZONE 3 – 2.30pm | | | | | |
| Shaun Cunningham | | LAND WEST OF DOWNEND ROAD – AGRICULTURAL BUILDING TO BE USED AS A GRAIN STORE | Opposing | 6(3) P/22/1655/FP Pg 56 | Written |
| Mrs Anne Brierley | | -DITTO- | -Ditto- | -Ditto- | In Person 3 mins |
| Henry Brice (Agent) | | -DITTO- | Supporting | -Ditto- | In Person 3 Mins |

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 on new appeals and decisions.

(1) P/22/1829/FP - LAND REAR OF 274 BOTLEY ROAD BURRIDGE SO31 1BQ

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: -

Additional information has been provided in respect of the Arboricultural Method Statement and Construction Site Set-Up Plan. The Arboricultural Method Statement was taken from that approved under P/17/0257/DP/A regarding the appropriate method for the laying of services along the access track having regard to the adjacent protected trees. The Method Statement will be added to Condition 13 to ensure it is complied with during the construction period.

The Construction Site Set-Up Plan has been considered by Officers and is acceptable. Therefore Condition 2 (approved plans) and 11 have been amended. Condition 11 will now state:

*11. The development hereby permitted shall be undertaken in full accordance with the details set out on the approved Construction Site Set Up Plan (Drawing: 008 Rev C). The details set out shall be retained for the duration of the construction period. There shall be no deviation from this approved Plan unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and to ensure that the occupiers or nearby properties are not subjected to unacceptable noise and disturbance during the construction period.*

Upon being proposed and seconded the officer recommendation to: -

- (i) GRANT planning permission subject to: -
 - (i) the conditions in the report;
 - (ii) Amended condition 11 as set out in the Update Report; and
 - (iii) An amendment to the location of the Electric Vehicle Charging Point to move it closer to the parking spaces;

Then

- (iv) DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions.

Was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that: -

- (i) PLANNING PERMISSION be granted, subject to: -
 - (i) The conditions in the report;
 - (ii) Amended condition 11 as set out in the Update Report; and
 - (iii) An amendment to the location of the Electric Vehicle Charging Point to move it closer to the parking spaces;

Then:

- (ii) DELEGATION of authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions.

(2) P/22/1477/OA - 64 & 66 THE AVENUE FAREHAM

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

Mrs C L A Hockley declared a Personal Interest in this item as she lives near to the application site and has had involvement with local residents regarding this application. She removed herself from the room at the start of the item and took no part in the debate or vote on the application.

At the Invitation of the Chairman, Councillor R Bird addressed the Committee on this item.

Upon being proposed and seconded the officer recommendation to: -

- (i) GRANT outline planning permission, subject to the conditions in the report;

Then

- (ii) DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions.

Was voted on and CARRIED.

(Voting: 6 in favour; 1 against)

RESOLVED that: -

- (i) OUTLINE PLANNING PERMISSION be granted, subject to the conditions in the report;

Then

- (ii) DELEGATION of Authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions.

(3) P/22/1655/FP - LAND WEST OF DOWNEND ROAD FAREHAM

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

A motion to refuse the application on the grounds that the height, scale siting and design of the grain store would fail to protect and enhance the Area of Special Landscape Quality was proposed. The motion was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposed development is contrary to policies DS3 and D1 of the Council's adopted Fareham Local Plan 2037 and is unacceptable in that:

- a) By virtue of its height, scale, siting and design, the proposed grain store would fail to protect and enhance the Area of Special Landscape Quality and would have an unacceptable adverse impact upon the landscape.

(4) Planning Appeals

The Committee noted the information in the report.

(5) UPDATE REPORT

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

7. TREE PRESERVATION ORDER NO. 779 2023 - 3 CHILTERN WALK

The Committee considered a report by the Director of Planning and Regeneration on TPO no. 779 2023 – 3 Chiltern Walk.

The report detailed objections to the making of a provisional order in April 2023,

RESOLVED that Tree Preservation Order No. 779 be confirmed as originally made and served.

(The meeting started at 2.30 pm
and ended at 5.01 pm).

FAREHAM

BOROUGH COUNCIL

Presentation to Planning Committee

Date: 12 July 2023
Report of: CHIEF EXECUTIVE OFFICER
Subject: OPPORTUNITIES PLAN 2023-2027

SUMMARY

The Executive Leader delivered the Budget presentation for 2023/2024 at the full Council meeting on 24 February 2023. During the presentation it was acknowledged that the Medium-Term Financial Strategy forecast a future funding gap of £2.4m by 2026/27.

Since this time, there has been considerable activity to develop a new Opportunities Plan of projects to close the gap.

This presentation provides an overview of the way in which the Opportunities Plan has been developed and the significant Year 1 project proposals that relate to the Scrutiny Panel area.

An update on the full Opportunities Plan and finalised Year 1 project proposals will be presented at the Executive on 4 September 2023 for their agreement.

RECOMMENDATION

Members are invited to note the contents of the presentation and make any comments or further proposals for consideration as part of the Opportunities Plan.

Agenda Item 7



Report to Planning Committee

Date: 12 July 2023

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 12th July 2023 in the Collingwood Room, Civic Offices, Civic Way, Fareham, PO16 7AZ. All items will be heard from 3.00pm.

| |
|---|
| <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/22/1254/FP LOCKS HEATH | 24 RALEY ROAD LOCKS HEATH SOUTHAMPTON SO31 6PD DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 6 DWELLINGS | 1 PERMISSION |
| P/23/0771/FP TITCHFIELD | 22 LYNDEN CLOSE FAREHAM PO14 3AL FRONT PORCH ROOF, PITCHED ROOF OVER EXISTING FLAT ROOF, CONVERSION OF INTERNAL GARAGE, BIN/BIKE STORE, SINGLE STOREY REAR EXTENSION WITH LOG BURNER FLUE | 2 PERMISSION |

Agenda Item 7(1)

OFFICER REPORT FOR COMMITTEE

DATE: 12/07/2023

P/22/1254/FP

APPLICANT: MR D NEWELL

LOCKS HEATH

AGENT: WESSEX PLANNING LTD

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 6 DWELLINGS

24 RALEY ROAD, LOCKS HEATH, SOUTHAMPTON, SO31 6PD

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 received.

2.0 Site Description

2.1 This application relates to a detached, two storey residential property located on the eastern side of Raley Road. The property sits within a substantial plot, with an established hedgerow along the frontage with Raley Road. Other than the dwelling, the remainder of the site comprises the garden area of the dwelling with an existing five-bar timber gated access point approximately half way along the site's frontage with Raley Road. To the rear of the site is a group of mature trees some of which are protected.

2.2 The area is entirely residential along Raley Road with a mixed character of properties along its length. To the rear of the site is a larger area of undeveloped land. The site previously formed part of a wider allocation site (H6: East of Raley Road) with the Core Strategy and Local Plan Part 2 (2015). The allocation was for 50 dwellings and includes a site area of 2.12ha. However, the site has not been brought forward as an allocated housing site within the newly adopted Fareham Local Plan 2037.

3.0 Description of Proposal

3.1 The proposal is for the demolition of the existing dwelling and for the construction of 6 dwellings with garages/car ports and parking. Access to the proposed dwellings would be via three separate accesses shared between each pair of properties. Allocated car parking would be provided within the shared access drive. Three car parking spaces would be provided for Plots 1-4 and 2 car parking spaces would be provided for Plots 5-6.

- 3.2 Plot 1 is a four bedroomed detached house with a traditional pitched roof of two storey design. The ground floor will comprise of a study, living area, kitchen and dining area. The first floor would comprise of four bedrooms served by one main bathroom and one en-suite. The property would be finished in render with brick detailing. A green roof car port would be located upon the plot frontage.
- 3.3 Plots 2 and 3 would be similar in design. They are four bedroomed houses with a single green roof car port located adjacent to the dwelling with an additional 2 car parking spaces within the front driveway. The ground floor would comprise of a kitchen, dining area, utility, larder, WC, sitting room and study. The first floor would comprise of four bedrooms served by one main bathroom and one en-suite. The dwellings would be finished in brickwork and render.
- 3.4 Plot 4 would be a pitched roof design similar to Plot 1 with the same layout as Plot 1. It would be finished in facing brickwork and would have a single green roofed car port located upon the frontage.
- 3.5 Plots 5 and 6 are detached dwellings accessed from a shared drive. They are linked by a shared single car port located between the two dwellings. These dwellings would have three bedrooms with a main bathroom and en-suite at first floor, with a kitchen, dining area, sitting room and WC at ground floor. Plot 5 would be predominantly finished in brick and Plot 6 would be finished in render with brickwork detailing. The roof design of Plot 6 has been amended to a hipped roof.
- 3.6 Each dwelling would have a garden depth of at least 11 metres. There would also be an ecological buffer zone of between approximately 4.3m-16.04m in depth located to the north and east of the application site beyond the rear gardens.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

| | |
|------|--|
| H1: | Housing Provision |
| HP1: | New Residential Housing Development |
| HP5: | Provision of Affordable Housing |
| 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 Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- NE6: Trees, Woodland, and Hedgerows
- TIN1: Sustainable Transport
- D1: High Quality Design and Placemaking
- D2: Ensuring Good Environmental Conditions
- D3: Coordination 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
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 There is no relevant planning history for this site.

6.0 Representations

6.1 Ten representations from residents have been received objecting on the following grounds:

- a) Highways safety
- b) Increased congestion
- c) Impact on wildlife/biodiversity
- d) Should provide cycle and pedestrian route
- e) Lack of consultation
- f) Loss of greenspace
- g) Set precedent for future development
- h) Pollution
- i) Will provide access to further 90 dwellings

7.0 Consultations

EXTERNAL

Highways

7.1 No objection subject to conditions

7.2 Natural England

No objection subject to appropriate mitigation being secured.

7.3 Ecology

No objection subject to conditions

INTERNAL

7.4 **Tree Officer**

No objection subject to conditions

7.5 **Environmental Health (Contaminated Land)**

No objection

7.6 **Planning Strategy**

No objection

7.7 **Environmental Health (Noise and Pollution)**

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:

- a) Principle of development
- b) Design and effect on character of surrounding area
- c) Effect on residential amenity
- d) Highways
- e) Trees
- f) Ecology
- g) Biodiversity Net Gain
- h) Affordable Housing
- i) Piecemeal Development
- j) Habitat Sites
- k) 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 relevant policies of the Development Plan.

8.3 Policy H1 of the Fareham Local Plan 2037 sets out the housing requirement for the Borough between 2021 and 2037, and Policy HP1 states that new residential development within the Urban Area boundary will be supported in principle.

- 8.4 Part of the application site was previously located within a housing allocation site within the previous Local Plan (H6: East of Raley Road, Locks Heath) for the provision of 50 dwellings. The allocation of this site has not been carried forward as a housing allocation within the adopted Fareham Local Plan 2037. The former 2.12 ha housing allocation site is situated in Locks Heath to the north of Warsash Road, east of Raley Road and to the west of Locks Road. It states that low density housing will be expected to front on to Raley Road and provide a continuation of the existing frontage. There is a row of trees subject to a tree preservation order (TPO) to the rear of 24 Raley Road and a TPO group of trees to the east of the site.
- 8.5 The Planning Strategy Team has advised that the site (H6) was assessed in the Strategic Housing and Employment Land Availability Assessment (SHELAA) and is considered to be suitable for residential development as it is located within the urban area boundary, has good accessibility to facilities and services and no known constraints were identified in terms of Ecology, Historic Environment or Environmental concerns. It was only due to the lack of evidence that the site was available for development at the time the SHELAA was published, that it was subsequently dismissed.
- 8.6 Despite the site's removal as a housing allocation in the adopted Fareham Local Plan 2037, the site remains in the urban area and is therefore supportable. The submitted plans also retain an access road in the middle of the proposed development which would provide access to the rear area of land for future development should it become available. It has been demonstrated that this application would not be prejudicial to any future development to the rear of the site.
- 8.7 Therefore, the principle of development is considered to be acceptable by Officers, in accordance with Policies H1 and HP1 of the Fareham Local Plan 2037.

b) Design and effect on character of surrounding area

- 8.8 The Fareham Borough Council Design Guidance: Supplementary Planning Document (Excluding Welborne) (hereinafter referred to in this report as the Design SPD) highlights the importance of new dwellings having regard to the scale and character of the surrounding area. Policy D1 (High Quality Design and Placemaking) sets out that; *'Development proposals and spaces will be of a high quality, based on the principles of urban design and sustainability to ensure the creation of well designed, beautiful and safe quality spaces'*. It continues to confirm that development proposals will be permitted where compliance with the key characteristics of high-quality design have been

demonstrated. This includes ensuring proposals respond to the local context, including, local character, ecology, history, culture and heritage.

- 8.9 The application site fronts onto Raley Road which is varied in character with a variety of detached and semi-detached dwellings. The proposed development incorporates a mixture of property styles and finished appearance, utilising different roof forms and property widths to complement that variety seen elsewhere along Raley Road. It is considered that the scale and layout of the site would have regard to the character of the surrounding area.
- 8.10 Further, the design of the dwellings would incorporate a mix of appropriate materials which would have regard to the existing character.
- 8.11 The gardens of each property would have a depth of at least 11 metres which would meet the guidance specified in the Design SPD. There are a number of mature trees on the site which would be located a suitable distance from the proposed properties and would therefore not result in unacceptable overshadowing.
- 8.12 The proposal would include landscaping at the front and around the side of the site which is considered to be acceptable.
- 8.13 Each dwelling would include a car port. Plots 2, 3, 5 and 6 would have their car port located to the side of the dwelling. Plots 1 and 4 would have their car ports located within the frontage. The applicant has submitted some amendments plans which has amended the car port for Plot 4 from a double to a single car port with car parking either side. The car port for Plot 1 is a double car port which is located on the north-western corner of the site and would be largely screened by the landscaping and existing vegetation. Following amendments to the car port at Plot 4, it is considered that the car ports would be appropriate additions to the development and would have regard to the character of the street scene.
- 8.14 The proposal is therefore acceptable in design terms and would have regard to the key characteristics of the surrounding area in accordance with Policy D1 of the Fareham Local Plan 2037.

c) Effect on Residential Amenity

- 8.15 Policy D2 of the Fareham Local Plan 2037 concerns the impact of development on living and environmental conditions. The policy states that development proposals should ensure that there will be no unacceptable adverse impact upon the environmental conditions of future occupiers and users or on

adjacent/nearby occupants and users through ensuring appropriate outlook and ventilation and providing adequate daylight, sunlight, and privacy.

- 8.16 The Design SPD states that first floor windows should be at least 11 metres from the boundaries they look towards and no less than 22 metres from facing windows in neighbouring houses.
- 8.17 There would be a separation distance of approximately 28 metres between the front wall of the proposed houses and the properties on the opposite side of Raley Road. Therefore, the proposal would not result in an unacceptable adverse impact on the living conditions of these properties. Therefore, the proposal complies with the requirements specified within the Design Guidance
- 8.18 In terms of the impact on the neighbouring properties to the north at 38 Raley Road and south at 20 Raley Road, there would be a suitable separation distance between these properties. Furthermore, the roof design of Plot 6 has been amended to reduce the overall bulk and mitigate any adverse impact to No 20. In terms of the impact on privacy there would be no side windows facing onto Nos 20 or 38. The proposed development would not result in any material loss of privacy.
- 8.19 In terms of the impact on the proposed future occupiers, the development has been assessed against the Nationally Described Space Standards. The Nationally Described Space Standards set out acceptable minimum standards for property sizes based on the number of bedrooms and intended number of occupants and contains minimum standards for single-bedrooms and double-bedroom sizes. The proposal is fully compliance with the Space Standards and therefore accords with the requirements from Policy D5.
- 8.20 It is noted that there is a large amount of tree coverage surrounding the application site. However, due to the large separation distance and the buffer zone in between, it is considered that the rear gardens would not be impacted by excessive shading caused by the surrounding trees.
- 8.21 Officers consider that the proposal would not result in an unacceptable adverse impact on the living and environmental conditions to neighbouring occupiers or future occupants at the site. Furthermore, the development proposal is considered to accord with the requirements of the Design Guidance SPD and would be in accordance with Policies D2 and D5.

d) Highways/Parking

- 8.22 In considering the highway safety aspect of the proposal, Hampshire County Council (HCC) as Highway Authority has reviewed the updated access layout,

visibility at all junctions based on 85th percentile speed survey data gathered within the vicinity of the proposed access and updated swept path analysis for the turning movements on site.

- 8.23 The visibility shown on the submitted plans accords with Hampshire County Council's Technical Guidance document (TG3) and meets the visibility requirements. All visibility measurements are therefore considered to be acceptable.
- 8.24 Vehicle crossovers neighbouring the main access junction labelled for future development are located more than 10 metres from the edge of the junction and are considered to be in a suitable location.
- 8.25 Tracking drawings have been submitted and show how large family cars are able to turn effectively on site, especially on plots 3, 4 and 5 which were previously raised as a concern by HCC Highways. Layouts to these plots have been adjusted and allow for turning on site to enable vehicles to egress onto the highway in a forward gear.
- 8.26 Following receipt of the additional information the principal design of the bellmouth access is considered to be acceptable. The applicant will be required to enter into a S278 agreement to construct the access.
- 8.27 The Residential Car Parking Standards Supplementary Planning Document requires 3 car parking spaces for a 4 bedroom dwelling and 2 car parking spaces for a 3 bedroom dwelling. The 4 bedroom properties (Plots 1-4) show 3 car parking spaces and the 3 bedroom properties (Plots 5 and 6) show 2 car parking spaces. The proposal therefore complies with the Residential Car Parking Standards.
- 8.28 Refuse collection will be kerb side as per the existing situation for the dwellings facing Raley Road, the drag distance for refuse operative and residents is acceptable.
- 8.29 Concerns have been raised that the proposed development would result in an increase in pollution. It is not considered that the addition of 6 dwellings would result in a significant increase in pollution, and as per the Building Regulations requirements, all properties will be required to install Electric Vehicle charging points. All properties have private, off-street allocated car parking and would therefore be able to comply with this requirement.
- 8.30 One comment has stated that the development should provide a pedestrian and cycle link as there is a gap in the Locks Heath cycle networked between the shared use paths around Priory Park and Locks Heath Infant and Junior

Schools on Warsash Road. There is no requirement for a development of this scale to provide this infrastructure.

- 8.31 In the opinion of Hampshire Highways, the proposal would not result in any unacceptable highway safety concerns. Therefore, the proposal accords with Policy TIN2 of the Fareham Local Plan 2037.

e) Trees

- 8.32 Policy NE6 (Trees, Woodland and Hedgerows) highlights that developments will be permitted where it retained protected and non-protected trees. Following initial concerns raised by the Tree Officer regarding the impact of the protected trees on site, the layout of the site has been re-arranged.
- 8.33 A Tree Protection Plan has also been submitted which addresses the previous concerns raised regarding the root protection area of the frontage Oak tree to ensure that the construction of the vehicular driveways do not harm the oak tree or its roots.
- 8.34 The Council's Principal Tree Officer has considered the impact on the trees and has concluded that the development proposals are acceptable in arboricultural terms and will have no significant adverse impact on the contribution of the protected trees to the public amenity or the character of the wider setting.

f) Ecology

- 8.35 Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network states that development will be permitted where:
- a) *Designated international, national sites and local sites of nature conservation value are protected and enhanced, reflecting their status in the hierarchy of nature conservation designations; and*
 - b) *Protected and priority habitats and species, including breeding and foraging areas are protected and enhanced; and*
 - c) *Proposals do not prejudice the Ecological Network or result in its fragmentation.*
- 8.36 The Council's Ecologist has reviewed the Preliminary Ecological Report and revised site plan and raises no objection to the development subject to conditions ensuring that the development to be constructed in accordance with the ecology report and the ecological buffers are retained. The Ecologist has also requested details of a scheme of lighting and a detailed biodiversity enhancement plan.

- 8.37 Concerns have been raised that the development would result in the loss of green space. However, this application only relates to land within the existing garden of 24 Raley Road and is not located within an area of designated open green space. Whilst the loss of a break in the built form along Raley Road would be created by the development, the use of such sites for housing makes a valuable contribution towards providing much needed additional housing.

g) Biodiversity Net Gain

- 8.38 Policy NE2: Biodiversity Net Gain states that development of one or more dwellings or a new commercial/leisure building should provide at least 10% net gain for biodiversity for a minimum of at least 30 years.
- 8.39 The Metric assessment has been provided and the Council's Ecologist considers the submitted Metric represents an accurate result for the site having regard to the existing and proposed ground conditions. The site is able to achieve a 45.98% gain which exceeds the +10% net requirement specified in Policy NE2. An appropriately worded condition would be imposed to ensure that the 30-year management plan is provided prior to the commencement of works. Subject to this condition, the development would be compliant with Policy NE2 of the adopted Fareham Local Plan 2037.

h) Affordable Housing

- 8.40 Policy HP5 (Provision of Affordable Housing) states that in accordance with the NPPF the provision of affordable housing should be made on site, unless through a viability assessment the off-site provision and financial contribution can be robustly justified, and the agreed approach contributes to mixed and balanced communities.
- 8.41 Policy D3 (Coordination of Developments and Piecemeal Proposals) of the Local Plan states that "*Where proposals come forward that are part of a wider development site, supporting information will be expected to demonstrate that the proposal will not prejudice the appropriate development of the adjoining site(s) in accordance with Local Plan policies, and that the proposal maximises place-making opportunities. Development proposals that prevent or limit the potential for appropriately developing an adjoining site, or which do not maximise connectivity, permeability and efficiency opportunities or address mitigation and infrastructure needs relating to the wider development, will not be permitted*". The policy goes on to state that "*Applications which seek to evade infrastructure provision (including affordable housing) by not fully maximising the use of the site or by putting forward piecemeal development will not be supported*".

- 8.42 Despite the site falling below the threshold for the provision of affordable housing required by Policy HP5, (10 or more dwellings), given the provisions of Policy D3, and because the scheme includes a means of achieving a wider development on the land to the rear, it would trigger the need for affordable housing to be considered in this case. A Viability Assessment Report has been submitted by the applicant. This report has taken a number of factors into consideration including: land value, build costs, contingencies, CIL/Section 106 costs, fees, marketing costs, legal fees, cost of finance, the developer's profit and development value. The conclusions of the report state that the development without affordable housing contributions is just viable. The requirement to make contributions towards affordable housing would mean that the scheme would no longer be viable.
- 8.43 An appraisal on the submitted Viability Assessment Report has been carried out by an independent consultant on behalf of the Borough Council to verify the figures and calculate whether the scheme would be viable. The conclusions of the independent consultant concurred with that of the applicant and concluded that the scheme is only just viable without affordable housing.
- 8.44 The Viability Assessments have also been reviewed by the Council's Housing Development Officer who concurs with the findings of the report and agrees that the development would not be viable with an affordable housing contribution.
- 8.45 The conclusions from the viability assessment undertaken have demonstrated that the development cannot deliver affordable housing contributions and remain viable.

i) Piecemeal Development

- 8.46 Policy DS3: Coordination of Development and Piecemeal Proposals states that *"Where proposals come forward that are part of a wider development site, supporting information will be expected to demonstrate that the proposal will not prejudice the appropriate development on the adjoining site(s) in accordance with the Local Plan policies, and that the proposal maximises place-making opportunities. Development proposals that prevent or limit the potential for appropriately developing an adjoining site, or which do not maximise connectivity, permeability and efficiency opportunities or address mitigation and infrastructure needs relating to the wider development, will not be permitted.*

Where piecemeal development could delay or prevent the comprehensive development of a larger site, a legal agreement will be sought, to ensure that any permitted development does not prejudice the development of adjacent land.

Applications which seek to evade infrastructure provision (including affordable housing) by not fully maximising the use of the site or by putting forward piecemeal development will not be supported”.

- 8.47 The proposed planning application has been carefully designed to enable further expansion of the site which includes an access in between Plot 2 and 3 leading to a large area of land to the east of the site. Within the Officer’s recommendation, it is proposed that access to the east is secured through a planning condition.
- 8.48 Subject to the access being secured to the adjacent land, the development proposal is considered to accord with Policy D3 of the Fareham Local Plan 2037.

j) Impact on Habitat Sites

- 8.49 Policies NE1, NE2, NE3 and NE4 of the Fareham Local Plan 2037 confirm 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.
- 8.50 The 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).
- 8.51 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 Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.

- 8.52 To fulfil the requirements under the Habitats Regulations, an AA has been carried out 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 sites subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.
- 8.53 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.
- 8.54 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 advise Local Planning Authorities to take a precautionary approach when addressing uncertainty and calculating nutrient budgets.
- 8.55 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 3.98kg TN/year. In the absence of sufficient evidence to support a 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.
- 8.56 The applicant has purchased 3.98kg worth of nitrate mitigation 'credits' from Warnford Park. This has been secured through the operation of a legal agreement between Warnford Park South Downs National Park Authority and Fareham Borough Council dated 1st April 2021. The purchase of credits has the effect of allocating a proportion of this reduction in nitrates to this development in perpetuity, meaning that the scheme can demonstrate nutrient neutrality.

- 8.57 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 Fareham Local Plan 2037 identifies that from the development proposed to be brought forward in the 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.
- 8.58 The second likely significant effect on the HS, relates to disturbance on The Solent coastline and New Forest SPA, SAC and Ramsar sites through increased recreational use by visitors to these sites.
- 8.59 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.
- 8.60 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).
- 8.61 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.
- 8.62 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 nitrate credits secured and the output from the site will ensure nutrient neutrality is achieved in accordance with Natural England's guidance.

- 8.63 Natural England were consulted on the Council's Appropriate Assessment in February 2023 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 NE1, NE2, NE3 and NE4 of the Fareham Local Plan 2037.

k) Other issues raised in objections

- 8.64 **Lack of notification-** Concerns have been raised due to the lack of notification on this planning application. The Local Planning Authority is satisfied that the consultation process was carried out in accordance with the legislation within the Town and Country Planning (Development Management Procedure) (England) Order 2015. This included written notification to all adjoining neighbours and putting up a site notice as required in the legislation. The applicant also carried out their own public consultation and included the responses as part of the submitted application.
- 8.65 **Set Precedent for future development-** Each application is determined on its own planning merits.

Summary

- 8.66 The principle of the development is acceptable on the site and the houses proposed are of high quality and respect the character of the area. Previous concerns relating to the impact on trees, ecology and highways have been addressed following submission of additional information.
- 8.67 Notwithstanding the objections received, Officers consider that the proposal accords with the Council's adopted planning policies and Supplementary Planning Documents and that subject to the imposition of appropriate planning conditions, planning permission should be granted.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION:

Subject to the following conditions:

1. The development shall begin before three years from the date of this permission.

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 LW.20.10.LP Rev A
- b) Proposed Grain plan 1:500
- c) Site overview 2022-6492-001 Rev D
- d) Site Plan LW.20.10.SP Rev H
- e) Plot 1 Floor & Roof Plans LW.20.10.01FP Rev C
- f) Plot 2 Floor & Roof Plans LW.20.10.02FP Rev D
- g) Plot 3 Floor & Roof Plans LW.20.10.03FP Rev D
- h) Plot 4 Roof & Roof Plans LW.20.10.03FP Rev C
- i) Plot 5 Floor & Roof Plans LW.20.10.05FP Rev D
- j) Plot 6 Floor Plan & Roof Plans LW.20.10.06FP Rev D
- k) Plot 1 Elevations LW.20.10.01E Rev D
- l) Plot 2 Elevations LW.20.10.02E Rev D
- m) Plot 3 Elevations LW.20.10.03E Rev D
- n) Plot 4 Elevations LW.20.10.04E Rev D
- o) Plot 5 Elevations LW.20.10.05E Rev D
- p) Plot 6 Elevations LW.20.10.06E Rev D
- q) Plot 1 Carport Elevations LW.20.10.CE Rev A
- r) Plot 4 Carport Elevations LW.20.10.CE Rev A
- s) Proposed Street Scene LW.20.10.SP Rev D
- t) Access Car Parking Overview 2022-6492-005 Rev C
- u) Plots 1, 2 and 3 Visibility Splays 2022-6492-002 Rev D
- v) Plots 4 and 5 Visibility Splays 2022-6492-003 Rev D
- w) Access to Future Development Visibility Splays 2022-6492-004 Rev D
- x) Estate Car and Delivery Vehicles Swept Path Analysis 2022-6492-006 Rev A
- y) Fire Tender and Refuse Freighter Vehicle Swept Path Analysis 2022-6492-007 Rev c
- z) Fire Tender and Refuse Freighter 2022-6492-008 Rev C
- aa) Tree Protection Plan- arb elite Tree Care- June 23

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

3. 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.

4. 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.

5. Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no additional hard surfaced areas shall be constructed within the front gardens of the dwellinghouses hereby approved unless first agreed in writing with the Local Planning Authority following the submission of a planning application.

REASON: To protect the character and appearance of the locality.

6. The Development shall be carried out in accordance with the measures detailed in Section 6.0 'MITIGATION, RECOMMENDATIONS & COMPENSATION' of the Preliminary Ecological Appraisal (Ecosupport, November 2022), Section '6.0 MITIGATION & COMPENSATION' of the Phase II Bat Surveys & Mitigation Strategy (Ecosupport, November 2022), and Section 5.0 'MITIGATION STRATEGY' of the Reptile Mitigation Strategy (Ecosupport November 2022)

REASON: To ensure the safeguarding of the protected species and retained habitats on site.

7. The Ecological Buffers along the northern and eastern boundaries of approved site plan (Ref LW.20.10.SP Rev H) shall be retained at all times.

REASON: To ensure the safeguarding of the protected species and retained habitats on site.

8. No works shall take place (including demolition, site clearance and ground preparations) until details confirming how the Biodiversity Net Gain (detailed in the BNG note) will be managed, maintained, monitored and funded for a

minimum of 30 years, 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 and thereafter the approved Biodiversity Net Gain measures shall be managed, maintained, monitored and funded in accordance with the approved detail.

REASON: To secure at least 10% net gain for biodiversity.

9. No development shall commence until the measures of tree and hedgerow protection 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.

10. No development hereby permitted shall commence until details of the means of surface and 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 surface and 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.

11. 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.

12. No part of the development hereby approved shall be occupied until the bellmouth junction onto Raley Road as shown on the approved plans has been constructed. The land shown on the amended proposed site plan (Ref LW.20.10.SP Rev H) marked with the note 'Access to be extended to facilitate future development' shall be safeguarded and kept available for this purpose unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the proper planning of the area and in the interests of highway safety.

13. The Electric Vehicle (EV) charging point shall be provided prior to first occupation of the dwelling as shown on the approved plans. The approved EV charging point shall be retained and therefore kept available at all times.

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.

14. None of the development hereby approved shall be first occupied until the bicycle and 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 ensure that the character and appearance of the development and the locality are not harmed and to encourage cycling as an alternative mode of transport.

15. No development shall proceed beyond damp course level until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.4 metres by 45 metres & 32 metres provided in accordance with the approved plans. The lines of sight splays show on the approved plans shall be kept free of any obstruction exceeding 1 metres in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

REASON: to provide satisfactory access and in the interests of highway safety.

16. 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 Raley Road to ensure that they are kept clear of any mud or other debris falling from construction vehicles,

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, and

g) No burning on-site.

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.

17. 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.

18. The landscaping scheme, submitted under Condition 16, 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.

19. 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

20. The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between FBC, SDNPA and Andrew Sellick of Gawthorpe Estate dated 1 April 2021 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 Sites around The Solent.

21. 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.

22. No development shall commence until details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site and the adjacent land 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 safeguard the character and appearance of the area and to assess the impact on nearby residential properties. 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.

Then:

9.2 DELEGATE authority to the Head of Development Management to:

Make any necessary modification, deletion or addition to the proposed conditions.

10.0 Background Papers

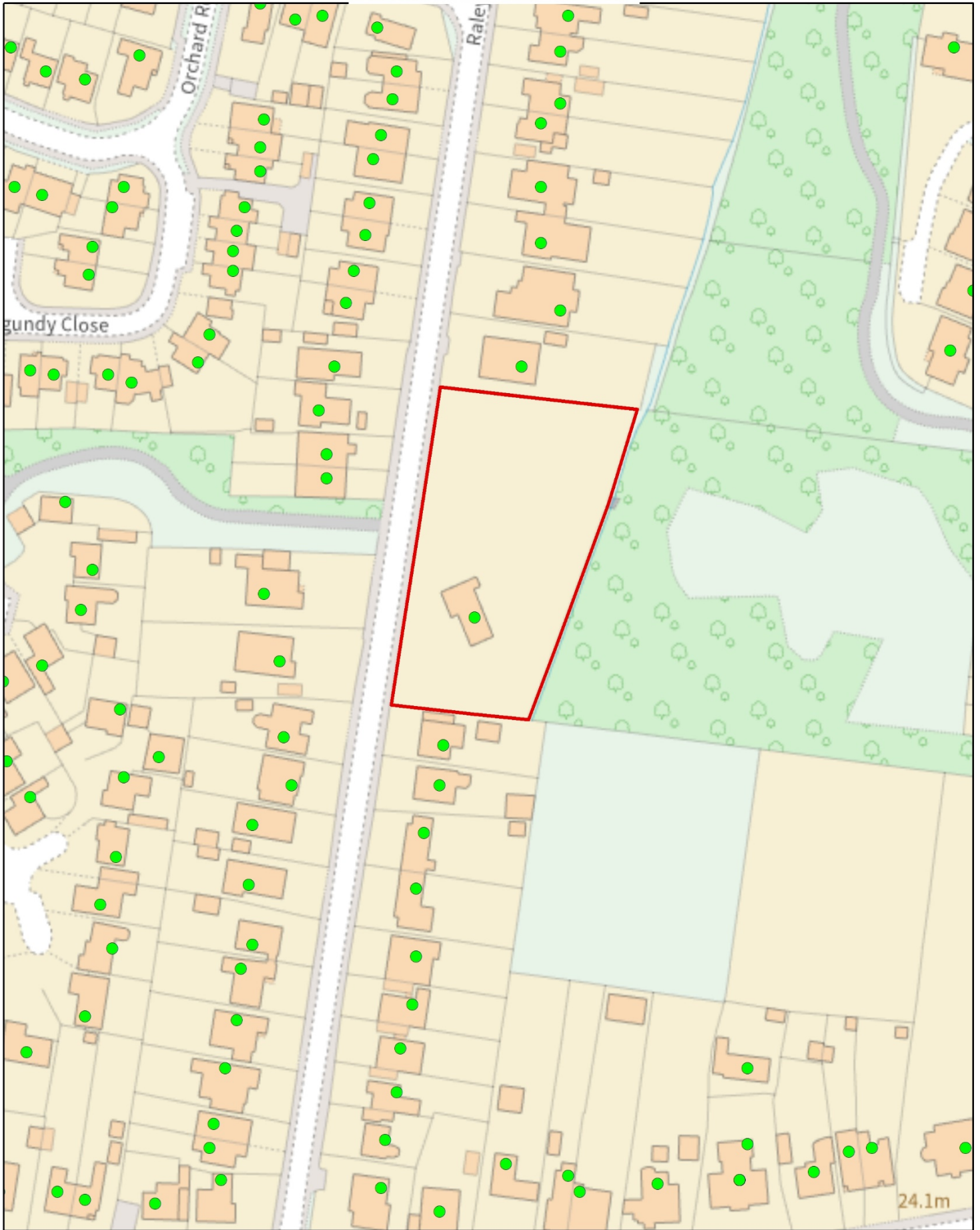
Application documents and all consultation responses and representations received as listed on the Council's website under the application reference

number, together with all relevant national and local policies, guidance and standards and relevant legislation.

P/22/1254/FP

FAREHAM

BOROUGH COUNCIL



24 Raley Road, Locks Heath

Scale 1:1,250



OFFICER REPORT FOR COMMITTEE

DATE: 12/07/2023

P/23/0771/FP
MR AND MRS BIRKETT

TITCHFIELD
MDT DESIGN

FRONT PORCH ROOF, PITCHED ROOF OVER EXISTING FLAT ROOF,
CONVERSION OF INTEGRAL GARAGE, BIN/BIKE STORE, SINGLE STOREY
REAR EXTENSION WITH LOG BURNER FLUE

22 LYNDEN CLOSE, FAREHAM

Report By

Emma Marks – direct dial 01329 824756

1.0 Introduction

1.1 The application is reported to the Planning Committee for a decision as it has been submitted by an elected Councillor of Fareham Borough Council.

2.0 Site Description

2.1 This application relates to a detached, two storey dwelling on the northern side of Lynden Close which is to the south of Wild Ridings.

2.2 The property is within the urban settlement boundary.

3.0 Description of Proposal

3.1 Planning permission is sought for five different elements consisting of: -

- i) A revised front porch roof, changing from a flat to a pitch roof
- ii) Changing the flat roof over the existing garage to a pitched roof
- iii) Converting the garage into a habitable room
- iv) Provision of a bin and bike store at the front of the property
- v) Single storey flat roofed rear extension to replace an existing conservatory which measures 4.2 metres deep, 4.5 metres wide and 2.9 metres high along with a log burner flue.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

The following draft policies of the emerging plan are of relevance: -

- D1: High Quality Design and Placemaking
- D2: Ensuring Good Environmental Conditions

5.0 Relevant Planning History

5.1 None

6.0 Representations

6.1 None

7.0 Consultations

7.1 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) Design of the proposal
- b) Effect on neighbouring properties
- c) Parking

a) Design of the proposal

- 8.2 Policy D1 (High Quality Design and Placemaking) of the adopted Fareham Local Plan 2037 seeks to ensure that development proposals and spaces will be of high quality, based on the principles of urban design and sustainability to ensure the creation of well designed, beautiful and safe quality places.
- 8.3 The addition of a pitched roof over the current garage and porch will improve the visual appearance of the dwelling and is considered to be a design improvement. A similar pitched roof design has been implemented on the neighbouring property to the west, although the design of the current proposal differs marginally in steepness and includes the provision of projecting gabled porch canopy.
- 8.4 The bin/bike store are very modest in size and would have a maximum height of 1.3 metres. Due to their size and location of the structures close to the front wall of the house, there are no design concerns raised by this part of the proposal.
- 8.5 The rear extension has been designed with a flat roof and whilst there is a road to the rear of the property, there would be very limited views of this part of the proposal from outside the site.

- 8.6 Officers are of the view the development included within this submission is acceptable in design terms and would not have a detrimental impact on the character of the area.

b) Effect on neighbouring properties

- 8.7 Policy D2 (Ensuring Good Environmental Conditions) of the adopted Fareham Local Plan 2037 sets out that development must ensure good environmental conditions for all new and existing users of buildings and external space.
- 8.8 The bin/bike store and pitched roofs on the front of the property are not close to any of the neighbouring habitable windows and therefore there are no neighbour issues created by this part of the proposal.
- 8.9 The single storey rear extension will be constructed on the same footprint as the existing conservatory and whilst the eaves height will be slightly higher than the existing conservatory, the overall height will be lower than the current conservatory. Officers are of the view that the extension would not have an unacceptable adverse impact on either of the neighbouring occupiers.
- 8.10 A log burner flue is proposed to project out of the roof of the rear extension at an overall height of 6.7 metres. Whilst the flue is quite high, it is positioned close to the rear wall of the dwelling and is required to be at this height in line with the current Building Regulations standards for flues. Officers have no concerns with the flue impact on the neighbour with regards to outlook.
- 8.11 It is therefore considered that the proposal accords with the advice of Policy D2 of the adopted Fareham Local Plan and would not have an unacceptable adverse impact on the living or environmental conditions for the neighbouring occupiers. The development is therefore considered by Officers to be acceptable.

c) Parking

- 8.10 It is proposed to convert the integral garage into two rooms. Three car parking spaces can be provided on site frontage which complies with the current car parking standards set out within the Council's adopted Residential Car Parking Standards Supplementary Planning Document.

d) Summary

- 8.11 Officers are satisfied that the proposed extensions and alterations comply with the policies of the adopted local plan, are in keeping with the appearance of

the property and the character of the wider area and would not materially harm any neighbouring properties.

8.12 Officers recommend that planning permission be granted.

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 Alterations – drwg no.01 revision B

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

Then:

DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions.

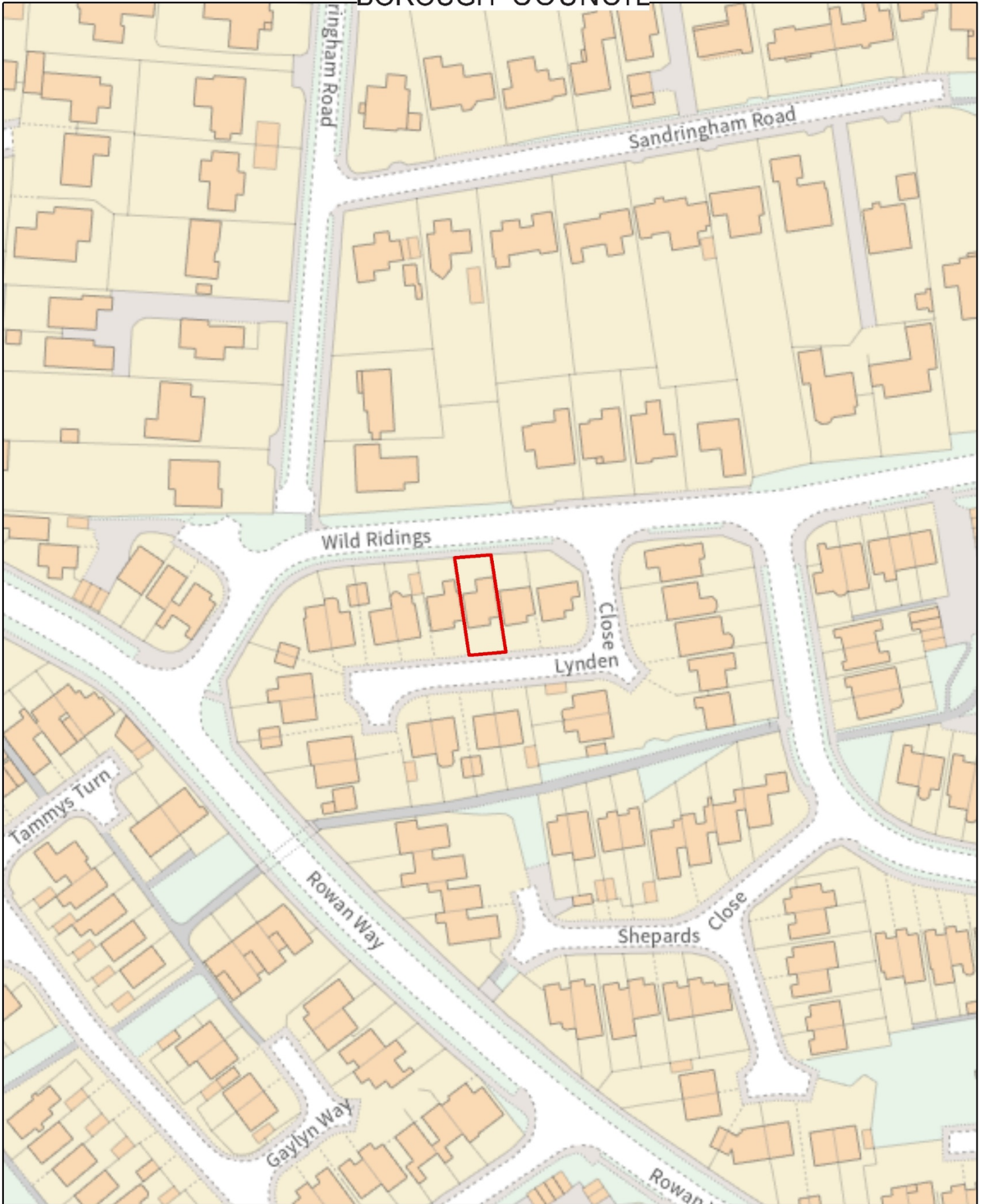
10.0 Background Papers

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.

P/23/0771/FP

FAREHAM

BOROUGH COUNCIL



22 Lynden Close
Fareham
Scale 1:1,250



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Agenda Annex

ZONE 2 – FAREHAM

Fareham North-West

Fareham West

Fareham North

Fareham East

Fareham South

REFERENCE SITE ADDRESS & PROPOSAL
NUMBER &
WARD

ITEM NUMBER &
RECOMMENDATION

No items in this Zone

| |
|--|
| <p>ZONE 3 – EASTERN WARDS</p> <p>Portchester West</p> <p>Hill Head</p> <p>Stubbington</p> <p>Portchester East</p> |
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| REFERENCE NUMBER & WARD | SITE ADDRESS & PROPOSAL | ITEM NUMBER & RECOMMENDATION |
|----------------------------------|--|------------------------------|
| P/23/0245/FP STUBBINGTON | HORSE FIELD LAND NORTH OF BRUNE LANE AND EAST OF BROOM WAY LEE-ON-THE-SOLENT FAREHAM PO13 9PB DEVELOPMENT OF CREMATORIUM WITH ASSOCIATED ACCESS, LANDSCAPING AND MEMORIAL GARDENS | 3 PERMISSION |
| P/23/0639/FP PORTCHESTER WEST | 15 BEAULIEU AVENUE FAREHAM PO16 9SY SINGLE STOREY REAR EXTENSION | 4 PERMISSION |

Agenda Item 7(3)

OFFICER REPORT FOR COMMITTEE

DATE: 12/07/2023

P/23/0245/FP

STUBBINGTON

MERCIA CREMATORIA
DEVELOPMENTS LTD

DEVELOPMENT OF CREMATORIUM WITH ASSOCIATED ACCESS,
LANDSCAPING AND MEMORIAL GARDENS

“HORSE FIELD”, LAND NORTH OF BRUNE LANE, FAREHAM

Report By

Mark Wyatt – direct dial 01329 824704

1.0 Introduction

1.1 This application is reported to the Planning Committee in accordance with the Scheme of Delegation given the number of representations received.

2.0 Site Description

2.1 The application site is located to the east of Broom Way and north of Brune Lane.

2.2 The land is broadly rectangular in shape extending to 6.5 acres (2.6 hectares), generally flat and is used for the grazing of horses. The site is open and visible from Broom Way on the western side of the site. The northern edge of the site is well screened by established mature tree planting with Rowner Road beyond running east from Peel Common roundabout. Mature landscaping lines the eastern boundary also. This planting is designated as a Site of Importance for Nature Conservation (SINC). Beyond the eastern boundary is the golf course. The southern boundary to Brune Lane is hedged but thinner than the east and north boundaries such that views, especially in the winter months, are afforded into the site.

3.0 Description of Proposal

3.1 The application proposes a new, single chapel, crematorium with access, parking and memorial gardens.

3.2 The access will be taken from Brune Lane into the site. The access and parking area is to the western edge of the site with the building positioned to the eastern side. The proposed memorial garden is to the north of the building.

3.3 The proposal will provide ninety-four parking spaces for visitors plus six staff parking. The main access and parking areas are to be finished with a resin bonded gravel material and curves in form along the western side of the site. Sixty-two formal parking spaces are provided, including six disabled spaces. A further twelve spaces are provided for visitors to the memorial garden (although these spaces are not exclusive to the garden and could be used by any visitor

to the site) in an area to be finished with grasscrete giving a total of seventy-four formal spaces.

- 3.4 Additional areas of grasscrete parking for use in cases of over spill are also provided for. These total twenty further parking spaces with three on the east side of the access entrance, along the verges to the south side of the building (twelve spaces) and along the western edge (left hand side as you enter) of the driveway into the site (five spaces). Including these grasscrete verges gives an overall parking capacity of approximately ninety-four spaces for mourners. A further six spaces for staff are provided for at the rear of the building including two electric vehicle charging bays. Deliveries will be taken in the rear yard.
- 3.5 The building is single storey and is of a contemporary flat, sedum, roof design. The finished height of the chapel itself will be 7m at its highest with lower elements of roof serving the administrative parts of the building and the entrance porte cochere (a roofed structure covering a driveway at the entrance of a building. It provides shelter for people entering or leaving vehicle) are 6m tall with the entrance vestibule just under 4m high. Three flues will project above the roof 3m higher than the finished roof.
- 3.6 The capacity of the crematorium chapel will be 90 seats, but internal folding doors could increase this capacity to 130 if the entrance vestibule is utilised. The Crematorium is designed to have a flow through the building. Visitors would enter the building at the main entrance, through the chapel, and leave to the south through the exit porte cochere through the flower garden.
- 3.7 As well as the sedum roof the building is proposed to be finished with a simple material palette including cedar cladding, stone and steel. Projecting out from the building will be “living walls”
- 3.8 The landscape to the north of the built form will include a formal memorial garden and a drainage swale set within a less formalised part of the garden allowing for a circular walk.

4.0 Policies

4.1 The National Planning Policy Framework (NPPF)

4.2 Fareham Local Plan 2037

DS1 Development in the Countryside

DS2 Development in Strategic Gaps

CC1 Climate Change

CC2 Managing Flood Risk and Sustainable Drainage Systems

NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network

NE2 Biodiversity Net Gain

NE6 Trees, Woodland and Hedgerows

NE9 Green Infrastructure

TIN1 Sustainable Transport

TIN2 Highway Safety and Road Network

D1 High Quality Design and Place Making

D2 Ensuring Good Environmental Conditions

4.3 **Other (non-planning) Guidance:**

The Cremation Act 1902

The siting and planning of crematoria, DoE, 1978

5.0 **Relevant Planning History**

5.1 None

6.0 **Representations**

6.1 Ninety-two comments/objections have been received covering the following matters:

6.2 General points raised:

- There is a need but this is not the right location;
- Green areas are disappearing fast;
- Why can't it be put alongside the new by-pass;
- Too close to residential areas;
- Cannot see how the community will benefit;
- This is a strategic gap and does not need further development;
- The proposal will result in loss of openness and green space;
- Portchester Crematorium is not struggling to meet demand; information from the Portchester Crematorium Joint Committee Development Plan 2023 – 2028 highlights cremations have decreased and a letter from the Crematorium states Portchester is not running at excess;
- Concerns raised in relation to an application P/14/0042/FP (Change of use from grazing land to golf course, including addition of a drainage ditch and earth mounds) apply to the current application;
- The golf club assume wakes will be held there, but people will hire the Lee Community Centre.

6.3 Highways

- An additional exit and use of the roads will cause traffic congestion and backlogs of queues from the roundabout;
- There is no road infrastructure to support the additional traffic;
- The development will increase traffic on this narrow road;
- Broom Way is heavily used with regular accidents;
- Section 5 of the 1902 Act states no crematorium should be constructed within 50 yards of any public highway;
- There is no public footpath to access this road;
- Brune Lane is used regularly by users of the golf club; the access will be close to a blind bend;
- Having invested a large amount of tax payers money on making road improvements, this is a negative step;
- Access should be from Rowner Road;

- There is no footpath along Brune Lane or any land available to construct a footpath, putting pedestrians at risk;
- The Broom Way/Brune Lane junction is subject to flooding;
- There are no bus stops close to the site;
- The traffic data provided is not realistic;
- How can the automatic traffic count be a true reflection on traffic volume when it included a weekend;
- The bus stop is not in use and has no footpath near it, making it unusable

6.4 Environmental

- Fumes and smell expelled to the area when the crematorium is in use;
- Fumes from traffic congestion;
- Children walking to school and using the golf club opposite will not like seeing hearses and mourners;
- Natural drainage is very slow and will make the use of the facility unpleasant;
- The site is prone to flooding;
- Concerns raised by the environmental custodians of the County have not been taken seriously;
- The scattering of ashes in the memorial garden would contaminate groundwater within the site;
- Noise from traffic will not be respectful to loved ones;
- Water and waste from the site once filtered and treated will be allowed to flow into the Alver River when the pond reaches its limit.

6.5 Ecology

- Impact on wildlife, including deer and loss of horse grazing;
- Horses on this land are ageing, some sick and undergoing rehabilitation – their wellbeing will be impacted if they are displaced;
- Was the ecological survey carried out at the right time of the year; a point recognised by Hampshire County Council Ecologist;
- Adding lighting will have a negative effect on light sensitive wildlife.

6.6 Fifteen comments have been received in support:

- A great proposal and definitely needed and will support Portchester Crematorium;
- This is a quiet spot, away from built up areas and should not cause traffic problems as the hours that it will operate will be outside busy times;
- The development is good for the community;
- The facility will create jobs;
- It is understood the tenants grazing horses will continue to do so once the crematorium is built;
- As a local funeral director we currently travel in and out of Gosport; having a local crematorium will be beneficial to everyone.

6.7 A letter from Portchester Crematorium Joint Committee has also been received making the following points in relation to the proposal:

- There are a number of factual errors in the application making reference to Portchester Crematorium;
- Service slots are available each day, even at short notice;
- Funeral Directors suggesting Portchester cannot cope with the number of funerals requested is plainly incorrect;
- Direct, or 'Walk through' funerals are held at 8.30 am and do not cause pressure on facilities in the South Chapel;
- Portchester is about to embark upon replacing its present cremators, taking into account the population projections;
- These observations do not imply support or objection to the proposed development.

6.8 The applicant has responded to the third-party objections in a Planning Statement Addendum:

- The number of letters of objection vastly differs in ratio from our pre-application community engagement where the public were in favour of the proposals
- A number of objections refer to increased traffic at peak hours.
- For completeness, it is re-iterated that the new crematorium will have a single chapel only, with planning conditions placed both on the regularity and timing of funeral services (no more than one an hour) and not before 9.30am nor finish after 4.30pm (thus a maximum of 7 services per day). The 9.30am slot would more than likely be a 'direct' cremation service with very few, if any, attendees.

7.0 Consultations

INTERNAL:

7.1 Environmental Health (Contamination): No objection subject to conditions

7.2 Ecology: No objection subject to conditions

EXTERNAL:

7.3 Natural England: No objection

7.4 Hampshire County Council (Lead Local Flood Authority): No objection subject to conditions

7.5 Hampshire County Council (Highways): No objection subject to conditions

7.6 Environment Agency: No objection subject to conditions

8.0 Planning Considerations

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

- The principle and need for the development
- Strategic gap
- Landscape and building design
- Highways and parking
- Pollution, climate change and contaminated land
- Flood risk and drainage

- Ecology and Biodiversity Net Gain
- Other matters
- Planning balance & Conclusions

The principle and need for the development

8.2 Chapter 6 of the National Planning Policy Framework (NPPF) details how planning can contribute to building a strong and competitive economy.

8.3 For the purposes of the adopted Development Plan the site is within the defined countryside, outside of any defined settlement boundary. The site is also within a Strategic Gap.

8.4 Policy DS1 of the Fareham Local Plan 2037 addresses development within the countryside. The policy is supportive of development in the countryside in certain circumstances. Criterion c) of the policy sets out that development could be supported where it:

“Is for retail, community and leisure facilities, tourism or specialist housing where it can be demonstrated that there is a local need for the facility that cannot be met by existing facilities elsewhere.”

8.5 Within the supporting text to policy DS1 it is sets out that

“...community facilities, including cemeteries, which stand on the edge of the urban area can provide important facilities for the community” (para 3.32).

8.6 Whilst not a cemetery, a crematorium could be argued to be a similar community type use and therefore, subject to understanding the “...local need” for the development, the proposal is considered to be in accordance with part c) of the policy.

8.7 When considering the “...local need” for the development the application is supported with a specific “need assessment”. From this assessment it is set out that there are currently three crematoria serving the area; namely Havant (The Oaks), Hedge End (Wessex Vale) and Portchester. The application notes that Portchester is the fifth busiest facility in England.

8.8 The applicant’s need assessment sets out that “need” is measured by both quantitative and qualitative indicators. Quantitative need focuses on the current and future capacity of existing facilities and the likely future demand for use of this type of facility. Qualitative need, it is set out, focuses on the experience for mourners at the facility and the demand for the holding of funerals at core times, the length of time for each service, the gap between services and the journey time to a facility.

8.9 On this last qualitative indicator, given that there is no facility within the whole of Gosport Borough and the nearest facility is at Portchester, the application sets out that 94% of the proposed facility’s natural catchment population (considered later in this report) would be within a 30 minute drive time of the

facility. Furthermore, given the road infrastructure into the Gosport peninsula and given funeral cortege speeds, the likely drive time to existing facilities may well be in excess of this industry accepted drive time.

- 8.10 The Assessment suggests that the two types of need interrelate. By means of example, if a facility operates with 30 minute slots as opposed to 45minute or a hour, this will maximise capacity to meet the quantitative need, but may lead to a poorer qualitative experience for bereaved people.
- 8.11 Tackling quantitative need, the application sets out that the demography of the area is such that with better healthcare and lifestyles, people are living longer, but also that in this part of Hampshire there is an ageing population. Furthermore, the need assessment report identifies that there is an upwards trend in statistics in favour of cremation over other methods of burial indicating that this choice along with the ageing population means that there will be future demand for crematoria and that this demand is only set to grow.
- 8.12 The Federation of Burial and Cremation Authorities states that a population of 120,000 is sufficient to ensure a new facility could be viable. The natural catchment for this site would be all of the Borough of Gosport (circa 83,500 based on data from 2019) as the current nearest facility for this population is Portchester. The catchment would also include the south western parts of Fareham Borough including Stubbington, Hill Head, Titchfield, Warsash, Park Gate together with the southern parts of Fareham Town itself, the application submits that this would give a population catchment of 148,000 people. By 2025, when the facility would likely be open, the population is expected to rise even further. The natural catchment for a facility in the south of the Borough would therefore meet accepted population thresholds.
- 8.13 By comparison, the application summarises that Portchester crematorium has a catchment of over 360,000 (in 2019) residents and is currently serving Portsmouth, the western half of Havant and Waterlooville, Fareham and Gosport.
- 8.14 The technical capacity at a crematorium is not determined simply by the number of cremators it has or the number of cremations it can undertake in any given time. Capacity is properly assessed, according to the submission, by the number of funerals that the chapel can accommodate. The technical capacity therefore is the number of service slots available per day multiplied by the working days in any year.
- 8.15 However, the application makes the case that within the bereavement services sector there are 'core' funeral times in the middle part of the day that are generally preferred by bereaved people. Core service times are the slots that get booked first and often funerals will be delayed for a core slot on a later day rather than have an earlier or later slot outside of the core period; a qualitative indicator for crematoria.
- 8.16 Core period capacity can be increased at a facility for instance by extending the core hours – starting earlier or finishing later – or adjusting the service time from

60 minutes down to 45 minutes or even 30 minutes. The longer the core period and the shorter the service; the higher the potential core capacity. However, this needs to be balanced with the qualitative need at a facility and the experience of those in mourning.

- 8.17 Of course it is not feasible for every slot to be utilised every day and at every crematorium. This could be due to fluctuating death rates or complexities in arranging a time suitable for all parties and at other times there will be high demand where a facility is operating at capacity such as through the winter months. The application makes the case therefore that the 'practical capacity' of a facility has become widely accepted as a meaningful measure of both quantitative and qualitative need for a crematorium.
- 8.18 The application need assessment explains that the 'practical capacity' of a crematorium is eighty percent (80%) of its 'core capacity'. This standard, the application submits, has been well established through appeal decisions and the findings of Inspectors and it is this 'practical capacity' that should establish the need, or otherwise, for the facility. Appeal decisions have held that operating at or above 80% of the 'core capacity' standard is effectively operating above the practical capacity.
- 8.19 Understandably other facilities in the area would see the proposal for a new crematorium as commercial competition. Within representations the Portchester Joint Committee has indicated that their core service times are slightly wider than those initially evidenced in the application Need Assessment such that the conclusions within it on the capacity at Portchester Crematorium capacity are inaccurate. A supplementary statement was provided by the applicant to assess the specific core need at Portchester within the increased core period raised in representation.
- 8.20 The need assessment (and its supplementary paper) in the application identifies that the three other nearby crematoria are all currently operating in excess of this 80% core capacity and that the growing population forecast means that this will only get worse with the associated impact on the qualitative indicator measurement due to increased delay or mourners having to travel further to less convenient facilities.
- 8.21 When considering the population projections within the application the capacity at the three local crematoria are all forecast to only increase and become busier.
- 8.22 Notwithstanding this forecast increase in need and the increase in levels of operating capacity at other facilities, the application also assesses the likely impact of the application proposals upon these three existing facilities in the area once it is open and operational. The application concludes that as a result of cremations diverted to the application site the facilities at Havant and Hedge End would continue to operate in excess of 80% of practical capacity. Portchester Crematorium is the facility most affected. The application submits that whilst the proposal will reduce the level of core capacity working quite significantly at Portchester, this reduced capacity will in turn improve the

qualitative experience of mourners at the crematorium through increasing core slot availability and reducing congestion on site with potential for greater privacy and separation between each group of mourners. Most importantly, the application submits that Portchester Crematorium would remain viable.

- 8.23 The Planning Statement also sets out the site selection process undertaken in order to meet the local need for a facility. It was clear that with The Oaks at Havant and Wessex Vale at Hedge End a site immediately east or west of Portchester would be inappropriate and so directed the search south of Fareham town. This was considered along with the demographics for the area and the socio-economic indicators for Gosport and south Fareham. With specific site locational requirements (see the assessment under DS1 (i) below), the focus was on land south of Fareham and west of Gosport. The two Council brownfield registers were examined and the Strategic Housing and Economic Land Availability Assessment (SHELAA) sites from the Local Plan evidence were considered also. On discounting sites allocated for development or with recent appeal history plus the specific locational requirements for a crematorium, the application site was selected.
- 8.24 It is considered that the proposed crematorium has a clearly identified local need for the facility that, when considering the qualitative indicators for a funeral and core capacity, cannot be met elsewhere at existing facilities. As such the proposal is in accordance with criterion c) of policy DS1 of the Fareham Local Plan 2037.
- 8.25 Criterion i) of policy DS1 is also permissible of development in the countryside when an application can:
- “...demonstrate a requirement for a location outside of the urban area”.*
- 8.26 The development plan does not provide for this type of development specifically, however this policy test does allow for the consideration of specific locational requirements where a countryside location is required.
- 8.27 The Cremation Act 1902 still applies today and is clear on the locational requirements for crematoria. The Act requires a crematorium building itself to be beyond 200 yards (182m) from the nearest residential property and beyond 50 yards (45m) from the nearest public highway.
- 8.28 Further advice is set out in the 1978 Department of the Environment (DoE) guidance, ‘The siting and planning of crematoria’, which says that sufficient land should be available to enable a crematorium to operate effectively and to provide appropriate facilities. It explains that new crematorium sites have typically ranged from 2-4 hectares and that it should be a well wooded piece of grounds with natural undulations and that good views are ideal.
- 8.29 These two elderly, but still valid documents, impose a set of criteria which essentially steers the siting of crematoria away from urban locations and into fringe and rural sites. The applicant has indicated that there are many appeal

decisions where Inspectors have given substantial weight to these locational constraints when considering the requirement for a countryside location.

- 8.30 It is considered that in the absence of any more recent guidance on the appropriate location and siting of crematoria, a site outside of the defined settlement boundary is considered, in this case to be acceptable in principle.
- 8.31 In this case it is considered that the principle for the development in the countryside is acceptable and the proposal would accord with both criteria c) and i) of policy DS1.

Strategic Gap:

- 8.32 Policy DS2 of the local plan addresses development within a strategic gap and limits development that would affect the integrity of the gap either physically or visually with the aim of the policy to avoid coalescence of settlements
- 8.33 Strategic Gaps are established planning tools designed, primarily, to define and maintain the separate identity of settlements; Policy DS2 is not a landscape protection policy. It states that:

“In order to prevent the coalescence of urban areas and to maintain the separate identity of settlements... Development proposals will not be permitted where they significantly affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters”.

- 8.34 The gap between Fareham, Stubbington and Lee-on-the-Solent is currently effective in maintaining the separate identity between the settlements. It is accepted that there are parts of the gap, such as the Solent Airport at Daedalus, that do not form a tract of undeveloped countryside in the same way that other parts of the Strategic Gap do.
- 8.35 This site falls within the gap, outside of a developed area such as the Airport. Development here needs assessment to ensure that the gap continues to function effectively and the development would not lead to the erosion of the gap to such a degree that there would be a resultant coalescence of settlements.
- 8.36 The application is supported with a Landscape and Visual Appraisal (LVA) which assesses the impact of the development upon the strategic gap but also the landscape impact more generally; a matter considered later in this report.
- 8.37 Specifically regarding the strategic gap, the LVA sets out that the application proposals will have limited impact upon the visual and physical separation of the settlements at Bridgemary and Lee-on-the-Solent. The new building occupies a very small area of land within the Strategic Gap, is set to the eastern side of the site and will appear as an individual and separate structure suited to the countryside. It will not appear as an extension of the nearby settlements. The total area of landscape proposed as part of the application occupies 75%

of the site area providing good opportunities to help soften the new built form and increase overall woodland coverage within the local area.

- 8.38 Officers do not consider that the impact of the proposal and the visual presence of the building and associated infrastructure in the gap will significantly affect the integrity of the gap or have the effect of visually or physically causing settlements around the strategic gap to coalesce. The proposal is considered to accord with policy DS2 of the Local Plan.

Landscape and building design

- 8.39 Policy DS3 requires development in the countryside to have regard to and recognise the intrinsic character and beauty of the countryside. Development proposals need to have particular regard to the intrinsic landscape character, the setting of the landscape and key views, the role of the landscape for the setting of buildings and as part of the ecological network. The Policy also seeks to ensure that regard is had to natural landscape features such as trees and hedgerows.

- 8.40 The site falls within the Woodcot/Alver Valley Landscape Character Area (8) of the Fareham Landscape Character Assessment (LCA).

- 8.41 The LCA then breaks the Character Area into local character areas and puts the site within Local Landscape Character Area (LLCA) 8.2b. LLCA8.2b sets out that the site

“...retains an essentially rural, pastoral character that is susceptible to change and would be significantly affected by the introduction of permanent built development. The area is physically and visually detached from other built form by the strong surrounding woodland framework and significant development would appear as an isolated area of built land within open countryside”.

- 8.42 The LCA continues that the “...potential for development is low”. Therefore, the site is classed as a landscape sensitive to change.

- 8.43 As referred to above, the application is supported by a LVA which further considers the proposals in the context of the LCA.

- 8.44 The application submits that the proposal is not “significant” and that the Landscape Character Assessment has been written in the instance that a larger scale development than that proposed could potentially take place here. The LVA purports that the application is not a “significant development” and that instead the proposal is relatively small scale. Furthermore, the applicant’s LVA suggests that the LCA was written prior to the construction of the IFA2 Converter Station which, the LVA intimates, would lead to a change in the sensitivity of this landscape and that the IFA2 building has a strong influence on the surrounding landscape affecting its sensitivity to further change.

- 8.45 The LCA accepts that the local landscape character area 8.2b is generally visually well contained apart from the western boundary (along Broom Way) but this could be mitigated by additional planting to close this gap.
- 8.46 The LVA sets out that the western edge of the site is proposed with new hedgerow and tree planting to address the extent of visual exposure along the western edge. This will help mitigate the visual exposure of the LLCA but also helps to filter views of the building itself and the wider landscape. The application makes the case that with the green roof and living walls, coupled with a palette of materials that are sensitive to the landscape yet robust and contemporary at the same time; that the proposal would assimilate itself into the landscape. Photomontages are included as part of the LVA to demonstrate this point.
- 8.47 Officers do not consider the proposal is a “significant development” in the context of the Fareham LCA. The building design is modern and contemporary. The applicant’s aim is to create a civic, community building which is modern, light and airy (in contrast to older Crematoria). The relatively limited, single storey, height of the building, together with the use of sedum-covered flat roofs ensures that the building will be viewed in the context of the much higher tree line in the background.
- 8.48 The use of natural materials enables the building to blend-in with both existing and proposed landscaping. The site’s degree of natural screening on three sides already means that views of the building itself would largely be glimpsed through vegetation and the proposed landscaping to the west will help fill the gap along the western boundary. Officers conclude that given the limited scale of the building that some form of development could take place here in this area of LLCA 8.2b without demonstrable harm to the character of the countryside. The size, design and siting of the building coupled with its material palette will help it to naturally blend-in to the landscape.
- 8.49 The other features associated with the building such as footpaths and parking are to be suitably landscaped and with the use of materials such as resin bonded gravel for the parking areas rather than a more urban tarmac solution the proposal is considered to be sympathetic to the rest of the rural design approach taken for the site. The proposed brick wall and entrance gates are recessed into the site behind the existing Brune Lane frontage hedgerow that is to be retained, other than the short length to be cleared to form the access. The proposal is considered to be acceptable and compliant with policy DS3 of the adopted local plan.

Highways and parking

- 8.50 A large number of the representations have expressed concern at the traffic impact of the site. Third party comments refer to the existing levels of traffic on Broom Way without further traffic adding to the volume on the road. Reference is also made to the suitability of the Broom Way / Brune Lane junction as well as the site access itself onto Brune Lane.

8.51 Policy TIN1 of the Local Plan seeks to ensure that

“...New development should reduce the need to travel by motorised vehicle through the promotion of sustainable and active travel modes, offering a genuine choice of mode of travel”.

8.52 Development can be permitted by this policy where it

a) Contributes to the delivery of identified cycle, pedestrian and other non-road user routes and connects with existing and future public transport networks (including Rapid Transit), giving priority to non-motorised user movement; and

b) Facilitates access to public transport services, through the provision of connections to the existing infrastructure, or provision of new infrastructure through physical works or funding contributions; and

c) Provides an internal layout which is compatible for all users, including those with disabilities and reduced mobility, with acceptable parking and servicing provision, ensuring access to the development and highway network is safe, attractive in character, functional and accessible.

8.53 Local Plan Policy TIN2 permits development where

“There is no unacceptable impact on highway safety, and the residual cumulative impact on the road network is not severe”;

8.54 The policy also requires that the impacts on the local road network are mitigated for by measures that would avoid/reduce the need to travel, promote active travel or public transport and provision for any necessary enhancements to the local network to mitigate the proposal.

8.55 The proposed site access is off the north side of Brune Lane. The third party comments suggest that the location of the access in this location is dangerous and unsafe given the narrowness of the lane, the volume of traffic using it, the poor visibility to the east and the close proximity of the junction of Brune Lane with Broom Way.

8.56 A small section of hedge clearance is required to facilitate the access which is approximately 88m from the junction of Brune Lane with Broom Way to the west. To the east of the proposed access Brune Lane does turn to the south however this bend in the road is in excess of 60m away.

8.57 To enable two way movements into the site the plans indicate a slight widening of Brune Lane is required to reach a width of 5.5m (up from between 4.5 - 4.8m). This can be achieved as part of the site access design which has a simple T-junction onto Brune Lane with a 5.5m wide access road (narrowing to 4.5m in width within the site) along with suitable visibility splays.

- 8.58 The applicant has undertaken an Automatic Traffic Count (ATC) on Brune Lane and the results of this count have informed the access arrangement and proposed visibility splays. Sweep path analysis shows that the two family cars can utilise the access unhindered as well as pass on Brune Lane. The Highway Authority has raised no objection to the principle of the site access in this location or its design.
- 8.59 A lot of third party comments have challenged the suitability of the Broom Way/Brune Lane junction to accommodate the traffic from the proposal. A large number of comments refer to existing congestion on Broom Way and that traffic for the facility will be caught in this congestion and add to the existing peak time volume of traffic.
- 8.60 The proposed development of a single chapel crematorium is intended to provide services between 09:30 and 16:30 Monday to Saturday. It is understood that these services would be held in 60-minute time slots and arranged to avoid, where possible, overlapping of traffic to the site. Operationally there would be an approximate 15-minute window either side of the service within that hour slot which allows for arrivals and departures before and after the service. The majority of services will take place outside of the peak periods for traffic on the local highway network. Five attended funerals are due to be provided per day, with a maximum of 7 on any one day.
- 8.61 The Highway Authority comments accept the data in the application that on average the number of vehicles attending a funeral for a single chapel facility is between 15-20, over a day it is estimated that 80-105 total trips would be had, this includes trips made by staff and deliveries.
- 8.62 The Brune Lane ATC results detail that there is capacity in the road network in the off peak periods such that the additional twenty trips per hour, outside of the morning and evening peak periods, will not be to the detriment of the safe operation of the highway network. The Highway Authority has considered that the trip generation calculations proposed by the development are acceptable and the proposal would accord with policy TIN2.
- 8.63 Within the site, on the northern side of the existing tree belt, a proposed footpath is proposed to run from the facility west to Broom Way. This path will facilitate pedestrian access whilst retaining the established landscape edge to Brune Lane. The proposed path terminates just to the north of the Brune Lane/Broom Way junction in a location that is currently informally used as parking for the users of the stables and horse fields. A replacement parking area is to be provided for horse owners inside the main site access from Brune Lane. The Broom Way crossing location is opposite one of the new access points to the Queen Elizabeth II Platinum Jubilee Park (QEIIJP) meaning the site would link up with other green infrastructure and also the existing pedestrian/cycleway that runs north to south on the west side of Broom Way.
- 8.64 At the request of the Highway Authority a further ATC was arranged along Broom Way to measure gaps in the traffic flows and to establish if a simple

dropped kerb crossing to the west side of Broom Way / QEIIPJP was suitable and adequate for pedestrians looking to cross Broom Way.

- 8.65 The gap analysis results indicate that during the times that the crematorium is open that there are suitable gaps in the traffic to accommodate the crossing of both lanes of Broom Way by pedestrians. The data shows that the only delay occurs during the afternoon peak period however this is after the final service of the day would have taken place.
- 8.66 A third party has undertaken their own analysis of the ATC gap crossing data. This representation suggests that a number of the vehicles on Broom Way are travelling too fast, or too close to cars in front and therefore the volume of traffic is unsafe for the crossing proposal.
- 8.67 This third party analysis has been shared with the Highway Authority. After a review of the analysis undertaken, the Highway Authority consider the provision of a dropped kerb, un-controlled, pedestrian crossing across Broom Way to be safe and suitable for pedestrians against the latest guidance. The information was reviewed by Hampshire's Road Safety Audit Team who also deemed it to be acceptable.
- 8.68 The facility is one whereby there is no locally set parking standard. The Government guidance (the Siting and Planning of Crematoria, DoE, 1978) requires that parking capacity should be at a ratio of one space for every three seats in the chapel. As set out above in paragraph 3.3 there are in excess of ninety spaces provided when the areas for overspill parking are included plus parking for staff. With the chapel planned to accommodate 90 seats, the parking exceeds the 1978 government guidance. Even on occasion where the chapel could open the bi-fold doors to the entrance vestibule and waiting areas for larger funerals, the maximum number of seats would be 130. Even for these occasions and allowing for the growth in car ownership, Officers consider there to be adequate parking provision.
- 8.69 The submission sets out that once fully operational the facility would hold up to five attended services per day. The funeral services are proposed to be offered at 60-minute intervals as detailed above at paragraph 8.60. The applicant makes the submission that parking surveys undertaken at completed crematoria have shown that attendees arrive over a 15-minute period before the service and stay around 5 minutes afterwards. As such, with hour slots there will be predominantly one funeral party on site at any one time. Where there is some overlap between one party leaving and another arriving, there remains adequate parking provision on site to meet this. The parking provision is considered by Officers to be acceptable.
- 8.70 As a result of the proposed crematorium operating outside of the morning and afternoon peak traffic times, the proposed access onto Brune Lane and the access route to the facility utilising the Broom Way/Brune Lane junction is considered to be acceptable. The provision of the footpath to Broom Way will ensure that there is a sustainable travel options for both those attending a service at the chapel but also for staff or those visiting the memorial gardens.

The crossing of Broom Way will link up with other sustainable travel infrastructure and green infrastructure. The proposal is therefore considered to accord with policy TIN2 of the Borough Local Plan.

Pollution, climate change and contaminated land

8.71 Policy CC1 of the Local Plan promotes development that minimises the need to travel. The policy is also supporting of development that uses sustainable drainage systems, has efficient methods of water use and building design that is sustainably sourced and operated.

8.72 Policy D2 seeks to ensure that development does not

“...have an unacceptable adverse environmental impact, either on neighbouring occupants, adjoining land, or the wider environment”.

8.73 In this case the chapel is designed to optimise natural light and in turn minimise energy use. The Planning Statement sets out that, for example,

“...the full-height glazed chapel window faces north in order to avoid solar gain, natural ventilation.... design and construction of the building envelope, namely walls, floors, roof, windows and doors will target levels of thermal insulation and air tightness above and beyond 2022 Building Regulations minimum standards”.

8.74 The Statement continues

“The building will also feature full LED lighting, low water use sanitaryware and A+ rated electrical appliances, whilst smart metering will be installed to allow the Operator to accurately assess how energy is being consumed, and therefore minimise energy consumption. Rainwater capture will likewise minimise the use of water – for both the building’s grey water requirements, and the site’s landscaping”.

8.75 Reference is also made above to the detail of the building design with the sedum roof and “living walls” which further enhances its sustainability.

8.76 Furthermore the proposal will ensure protection of existing trees and landscape features, will include the procurement of building materials from sustainable sources and the Construction Environmental Management Plan will seek to minimise construction waste that cannot be recycled. Officers consider that proposal complies with policy CC1.

8.77 In addition the application documents make the case that whilst the majority of mourners attending a funeral typically travel by car, it is often the case that families will car share. In this case, the location of the facility is such that journey times for those within the already described population catchment would have a shorter drive time than to Portchester. This could help reduce carbon emissions through reduced travel distances.

- 8.78 With regards to the operation of the building, the facility will benefit from the latest cremator technology, with cremators that can accommodate bariatric coffins; a size of coffin that Portchester Crematorium is unable to accommodate the application identifies. The cremators will either be electric or gas fired; this is still a point to be determined by the applicant. However, the current pollution abatement technology is to be implemented and the facility is operated under an environmental permit. Given the locational requirements within the Cremation Act relative to the nearest neighbouring property, plus the extraction technology, the proposal is considered to accord with policy D2.
- 8.79 Given the proximity of the site of Solent Airport and the historic uses undertaken at the airport, the application is supported with a contaminated land statement and an unexploded ordinance (UXO) statement. The first document identifies the site is clear of contamination. The UXO statement concludes that there may be very small risk of encountering “fall to earth” munitions given the relationship of the land, geographically, to the former military airport.
- 8.80 The Council’s Environmental Health Officers have reviewed the two documents and are content with the findings subject to recommended conditions.

Flood risk and Drainage

- 8.81 Third party letters and images depict the site as being susceptible to flooding or even under water.
- 8.82 The application site is located in flood zone 1 and is therefore outside of the flood plain. The Environment Agency records within the application Flood Risk Assessment (FRA) indicate that the site is located in an area of the lowest risk of river or surface water flooding.
- 8.83 Some of the third party letters include photos and a video of pooling water on the site. The FRA has mapped the current surface water flows across the site. The FRA illustrates that the proposal will utilise a sustainable urban drainage system in the form of a swale. This is designed in the lowest part of the site and will enable surface water to be collected on site, retained and attenuated to run-off at the greenfield rate.
- 8.84 There is no available public sewer connection in close proximity to this site. It is therefore proposed that the foul water discharge from the Crematorium buildings will be treated on site using a proprietary foul sewage package treatment plant. This treatment plan will manage on site foul water. Third party comments have suggested that chemicals and foul waste would enter the River Alver to the east. The surface water drainage system, as described above, will be managed with controlled discharge to the Alver not the waste water. The treatment plant will manage all the waste water through a system of filters and drains. It is intended that the filtered water will be discharged to the subsoil by a dedicated infiltration soakaway. A consent to discharge in this way will be needed from the Environment Agency.

- 8.85 Policy CC2 of the Local Plan directs development to the sites with the lowest risk of flooding through reference to the national sequential test and exception test process. In this case neither test is applicable given the location of the site in flood zone 1, which is sequentially the best site in terms of the lowest flood risk such that an exception test is not required. The development will manage its own surface water on site with the runoff rates no worse than the current greenfield rate.
- 8.86 The application is considered to comply with the requirements of policy CC2. The Lead Local Flood Authority (LLFA) has reviewed the submission and the supplementary documents such as the SUDS Maintenance Plan. No objection is raised by the LLFA subject to conditions.

Ecology and Biodiversity Net Gain

- 8.87 Policy NE1 of the Local Plan permits development where (amongst other things):

“...local sites of nature conservation value are protected and enhanced, reflecting their status in the hierarchy of nature conservation designations” (criterion a)

- 8.88 Whilst the site is a grazed paddock, it is directly adjacent to Lee-on-Solent Golf Course SINC, which has fragmented acid grassland and heathland habitats. Acid grassland is a recognised Priority Habitat so the impact of the change in character of the application site needs to be fully understood. Priority Habitats are those which have been deemed to be of principal importance for the purpose of conserving biodiversity.
- 8.89 In order to accord with policy NE1 The applicant was, therefore, requested to provide further information to the submitted ecology survey to establish if the presence of any Priority Habitats should be discounted or if there were indicators of habitat species on the site that needed to be incorporated into the scheme and the landscape design. Until this exercise was completed the new landscaping and habitat creation could not be fully developed or considered.
- 8.90 Further botanic surveys were undertaken by the applicant in April and June 2023. The surveys found that the grassland is not species rich throughout and strongly grass-dominated. None of the grassland is sufficiently herb rich to qualify as Priority Habitat either as Lowland Dry Acid Grassland or Lowland Meadows.
- 8.91 In planning the future ecological enhancement and habitat creation measures the design now takes into account the condition of the identified grassland. The June survey visit concluded that the site is of Moderate or Good condition. There is an opportunity, therefore, to increase the herb richness and herb cover on site through the landscaping scheme design and management, which would achieve an overall net gain (see the following paragraphs).

- 8.92 Following the additional vegetation surveys, the applicant has amended the landscaping scheme and seed mix to reflect the species on site and around the site borders. The landscape design is now considered appropriate and complementary to the existing conditions on site such that the proposal accords with policy NE1. Furthermore, the recommendations in the Ecology Appraisal in relation to protected species such as reptiles, nesting birds are appropriate and will ensure their protection. There is no objection to the proposal from the Council's ecologist.
- 8.93 The crematorium proposal is a development type whereby policy NE2 Biodiversity Net-gain is engaged. Following the extended botanical surveys undertaken as described above the baseline inputs to the Defra metric have been accurately recorded. The outcome of the metric demonstrates a 16.86% biodiversity net gain and a 154.87% gain in hedgerow units. The proposal is considered to accord with policy NE2.
- 8.94 A lighting plan is included with the application. This specifies that low level (1m tall) bollard lights are to be used in the parking areas and wall mounted downlighters on the building. No lighting is proposed beyond the formal memorial garden and around the SUDs meadow walk area. The lighting design has been informed by ecological guidance to ensure that the lighting, when in use in the winter months, avoids any adverse impact on bats using the site and surrounding landscape. However, notwithstanding this design approach, the finer detail of the lighting is to be secured by planning condition and approved prior to the installation on the site.

Other Matters

- 8.95 As described above, a new parking area is proposed inside the site after accessing the site (at the western edge) for parking to be used by horse owners that will continue to have horses grazing the land between the site and Broom Way.

Planning Balance & Conclusions:

- 8.96 The NPPF sets out that the aim of the planning system is to deliver sustainable development. The Framework identifies three objectives that together comprise sustainable development. These three strands are economic, social and environmental objectives.
- 8.97 The Planning Statement with the application indicates that the facility would generate four full time jobs and the crematorium would likely use local services once operational to further support other local businesses. During construction the proposal would provide approximately forty construction employment opportunities and once open and operational there could be indirect local benefits to the hospitality services through provision of wakes.
- 8.98 The above report sets out the "...local need" for the facility but considering the qualitative indicators for cremation, the proposal offers a much more local and convenient facility in what will be a modern, high quality sustainable building

available to the local community. The facility would provide a greater choice of facility serving all faiths and denominations and is thus has social benefits.

- 8.99 The application, as set out above, would reduce the overall travel time for a large amount of the catchment population. Furthermore, as a result of the additional botanical surveys undertaken the proposal would provide a number of environmental benefits to the area including substantial biodiversity net gain. A Sustainable Urban Drainage system will ensure that run off rates are no worse than the current run off rates and the modern cremator technology and extraction equipment will ensure that there are no harmful emissions.
- 8.100 Whilst the concerns of third parties are noted, the traffic impact has been fully considered along with the implications for surface water drainage and flood risk. It is considered that the proposal meets the Framework's aspirations for sustainable development and is in accordance with the provisions of the development plan. In such circumstances the presumption is in favour of the development and the application should be approved without delay.
- 8.101 Officers consider the proposal to be acceptable and recommend that planning permission is granted subject to conditions as set out below.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following conditions:

01. The development hereby permitted shall be begun before 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.

02. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
- Drawing 1636-17A Location Plan
 - Drawing 1636-18A Scheme Design: Block Plan
 - Drawing 1636-19B Scheme Design: Site Plan
 - Drawing 1636-20A Scheme Design: Floor Plan
 - Drawing 1636-22A Scheme Design: Landscaping Plan
 - Drawing 1636-23 Scheme Design: Boundary Treatments
 - Drawing 1636-24A Scheme Design: Elevations (1 of 2)
 - Drawing 1636-25A Scheme Design: Elevations (2 of 2)
 - Drawing 1636-26 Scheme Design: Pedestrian crossings on site
 - Drawing 1636-28A Scheme Design: Floor & Block Plan Overlay
 - Drawing 22050-D01 Rev F Proposed Vehicles & Pedestrian Access off Brune Lane
 - Drawing 22050-D02 Rev F Proposed Vehicles & Pedestrian Access Dimensions
 - Drawing NJC-001 Proposed Access
 - Drawing D48375/PMU/A

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

03. Cremation/funeral services shall only operate between the hours of 09.30 to 16.30 hours Monday to Saturday and shall be scheduled to a frequency not greater than one service per hour. There shall be no services on a Sunday or recognised bank or public holiday.

REASON: in the interest of the safe operation of the local highway network

04. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out the strategy and detailed method statements in respect of the following:

- a) Construction Traffic Management (to include the details of haul roads, co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public highway, particularly during the Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800) periods);
- b) Site Office location;
- c) Contractor parking areas for use during construction;
- d) Areas for loading and unloading;
- e) Construction lighting details;
- f) The storage of materials and construction waste, including waste recycling where possible;
- g) The storage and dispensing of fuels, chemicals, oils and any hazardous materials (including any hazardous soils);
- h) The proposed measures to minimise adverse impacts to neighbouring properties caused by noise, vibration, odours;
- i) The proposed maintenance and aftercare of the site;
- j) The provision of road and wheel cleaning facilities, including any required drainage;
- k) Dust and dirt control measures;
- l) measures to avoid impacts on the designated sites, retained habitats and trees.

The development shall subsequently proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interest of managing the construction process so as to avoid impact on the highway network and to ecological and arboricultural receptors and in the interest of the amenities of the area.

05. No development shall take place on site (including site set up and ground preparation works) until:

- (i) An intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment has been undertaken and the results submitted to and approved in writing by the Local Planning Authority (LPA). The intrusive site investigation shall be taken at such points and to such a depth as the LPA may stipulate.
- (ii) Where the intrusive site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the LPA. It shall also include the nomination of a competent person to oversee the implementation of the measures.

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.

06. No development shall take place above damp proof course (DPC) until samples and specifications of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

07. No development hereby permitted shall take place beyond damp proof course (DPC) level until details of the finished treatment of all areas to be hard surfaced have been submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details and the hard surfaced areas shall be completed prior to the first use of the building and shall subsequently be retained as constructed.

REASON: To secure the satisfactory appearance of the development

08. No development shall take place related to the permitted building on site until the access, including the verge crossing has been constructed and lines of sight of 2.4 metres by 50 metres provided in accordance with Drawing 22050-D02 Rev F "Proposed Vehicles & Pedestrian Access Dimensions". The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 600mm in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

REASON: To provide satisfactory access and in the interests of highway safety.

09. No development shall take place until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment Rev. B, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment Rev. B.
- b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed
- c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development will be carried out in accordance with the approved details

REASON: In the interest of managing surface water from the development

10. The crematorium and memorial garden hereby permitted shall not be brought into use until the car and bicycle parking spaces have been provided within the site in accordance with the approved site plan (Drawing 1636-19B Scheme Design: Site Plan). Parking areas shall be retained for the permitted purpose there after.

REASON: In the interests of highway safety.

11. The crematorium and memorial garden hereby permitted shall not be brought into use until the new east to west footpath and Broom Way crossing point have been provided in accordance with the details shown on drawing 22050-D02 Rev F "Proposed Vehicles & Pedestrian Access Dimensions".

REASON: In the interests of highway safety.

12. Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;

- a) Maintenance schedules for each drainage feature type and ownership;
- b) Details of protection measures

The Surface Water Drainage System shall be maintained in accordance with the approved details.

REASON: In the interest of managing surface water from the development

13. The crematorium and memorial garden hereby permitted shall not be brought into use until:

- The agreed scheme of contaminated land remedial measures pursuant to condition 05 have been fully implemented.
- Remedial measures shall be validated in writing by an independent competent person as agreed with the LPA and these validation details shall be submitted to and approved in writing by the Local Planning Authority.
- The validation is required to confirm that the remedial works have been implemented in accordance with the agreed remedial strategy and shall include photographic evidence from during construction and as built drawings.

REASON: To ensure that any contamination at the site is properly addressed

14. If during development contamination or unexploded ordinance not previously identified is found to be present at the site then all work in the affected area shall stop. No further work at the affected area shall be carried out (unless first agreed in writing with the local planning authority) until a remediation strategy detailing how this affected area will be dealt with has been submitted to and approved by the local planning authority in writing. The development shall recommence only in accordance with the remediation strategy as approved in writing by the local planning authority.

REASON: To ensure that any contamination at the site is properly addressed

15. The development shall be undertaken in accordance with the measures detailed within the submitted Biodiversity Net Gain (BNG) Assessment (Ecosupport, June 2023) and Section 6.0 'RECOMMENDATIONS' of the Ecological Impact Assessment (Ecosupport, June 2023).

REASON: in the interest of preserving the onsite and adjacent ecology.

16. No works shall take place (including demolition, site clearance and ground preparations) until a landscape implementation and long term management plan is first submitted to and approved in writing by the Local Planning Authority.

The landscaping shall be delivered in accordance with the implementation programme and managed thereafter in accordance with the approved details.

REASON: To ensure that at least 10% net gains for biodiversity are secured for at least 30 years and to ensure that the landscaping scheme is maintained adequately to ensure it establishes on the site.

17. 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.

18. Prior to the installation of any operational lighting on the site, a scheme of permanent external lighting shall first be submitted to and approved in writing by the local planning authority. The details shall include a layout plan with beam orientation and extent of light scatter and a schedule of the equipment design (luminaire type, mounting height, aiming angles and luminaire profiles).

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

REASON: To ensure lighting does not materially harm the area or impact upon protected species

Then:

DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions

9.0 Background Papers

- 9.1 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



Horse Field
Land North of Brune Lane and East of Broom Way
Scale 1:2,000

OFFICER REPORT FOR COMMITTEE

DATE: 12/07/2023

P/23/0639/FP
MR TOM WRENN

PORTCHESTER WEST

SINGLE STOREY REAR EXTENSION

15 BEAULIEU AVENUE, FAREHAM, PO16 9SY

Report By

Emma Marks – direct dial 01329 824756

1.0 Introduction

1.1 The application is reported to the Planning Committee as it has been submitted by a relative of an employee of Fareham Borough Council.

2.0 Site Description

2.1 This application relates to an end of terrace, two storey property on the western side of Beaulieu Avenue adjacent the junction with Romsey Avenue.

2.2 The property is within the urban settlement boundary.

3.0 Description of Proposal

3.1 Planning permission is sought for the erection of a single storey rear extension.

3.2 The rear extension will replace an existing conservatory and measures 7 metres in depth at the deepest point, 2.3 metres to the eaves and 3.9 metres to the ridge. The proposal would be constructed using materials to match the existing property and comprise a fully hipped roof design.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

The following draft policies of the emerging plan are of relevance: -

D1: High Quality Design and Placemaking

D2: Ensuring Good Environmental Conditions

5.0 Relevant Planning History

5.1 None

6.0 Representations

6.1 None

7.0 Consultations

7.1 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) Design of the proposal
- b) Impact on neighbouring properties

a) Design of the proposal

8.2 Policy D1 (High Quality Design and Placemaking) of the adopted Fareham Local Plan 2037 seeks to ensure that development proposals and spaces will be of high quality, based on the principles of urban design and sustainability to ensure the creation of well designed, beautiful and safe quality places.

8.3 The property is positioned on the corner of the junction of Beaulieu Avenue and Romsey Avenue. The extension has been designed with a hipped roof to reduce the overall height and bulk of the extension.

8.4 The extension will not extend any closer to the southern boundary than the existing house and therefore views of the extension from Romsey Avenue would be limited. Officers are of the view that the extension is acceptable in design terms and would not have detrimental impact on the street scene.

b) Impact on neighbouring properties

8.5 Policy D2 (Ensuring Good Environmental Conditions) of the adopted Fareham Local Plan 2037 sets out that development must ensure good environmental conditions for all new and existing users of buildings and external space.

8.6 The property has one adjoining neighbour, in which this extension will project 3.5 metre deeper than. The neighbours nearest window to the boundary serves a toilet which is a non-habitable room and therefore there are no concerns on the impact to the neighbour's property in terms of outlook.

8.7 The extension has been designed so that it is hipped at the sides and also at the rear. Officers are of the view that the extension is acceptable and would not have an unacceptable adverse impact on the neighbour's light or privacy.

Further consideration of these matters is set out in the Council's adopted Fareham Borough Design Guidance Supplementary Planning Document (Design SPD). Having regard to the 45-degree line of sight, given the positioning of the neighbouring nearest habitable ground floor window, within a rear conservatory is set off the boundary, the 45 degree line of sight would not be compromised by the proposed extension.

8.8 The development is considered by Officers to accord with Policies D1 and D2 of the adopted local plan and the Design SPD is therefore acceptable.

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 (Dated June 2023)

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

Then:

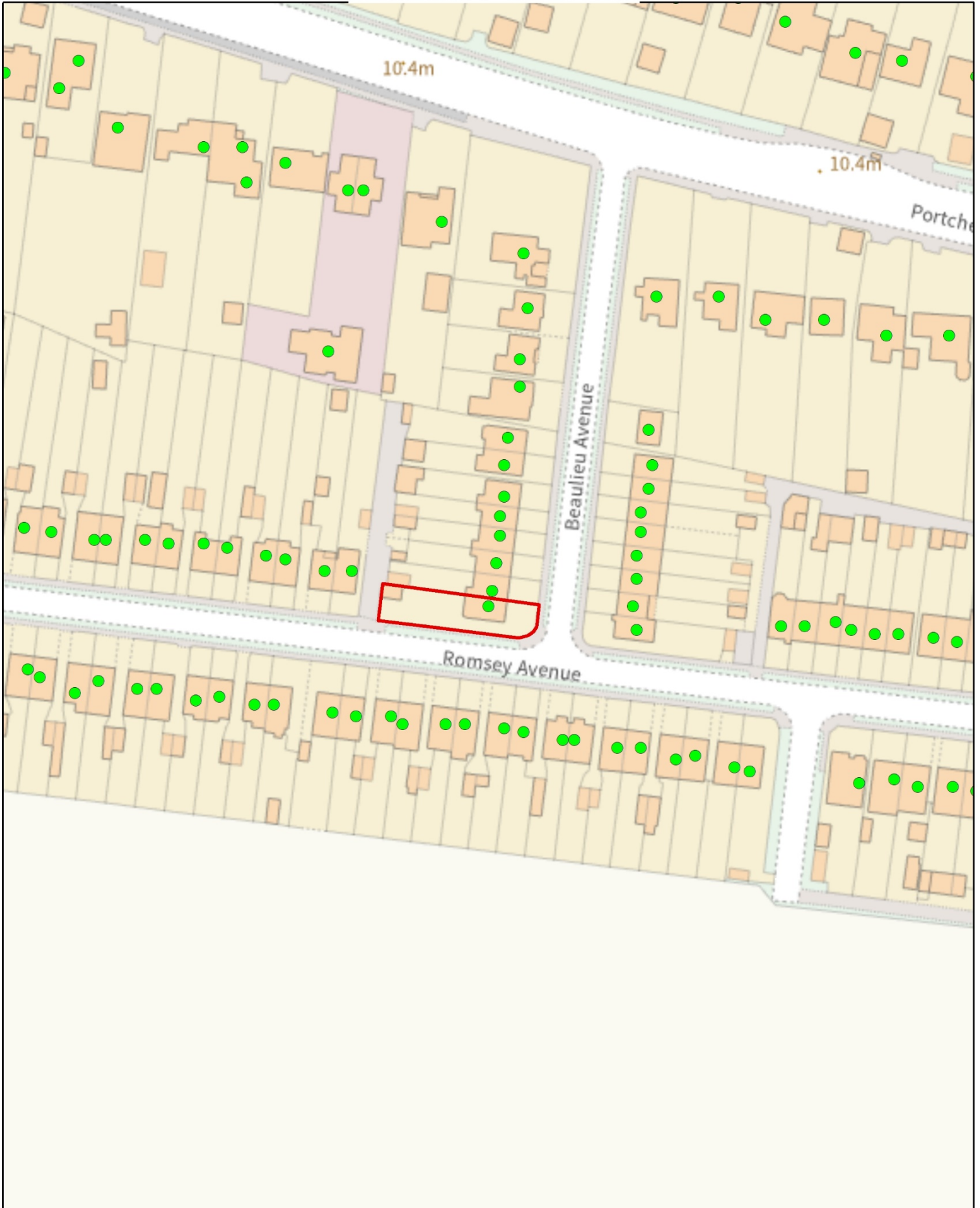
DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions.

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



15 Beaulieu Avenue
Fareham
Scale 1:1,250



**Report to
Planning Committee**

Date **29/06/2023**

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/21/1919/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 to grant Certificate

Fareham Borough Council Reference: [P/22/0295/OA](#)

Appeal site address: 50 Paxton Road Fareham PO14 1AD

Ward: Fareham South

The appellant: Mr George Bell

Description of proposal: Outline application for 1 x 3 bedroom dwelling (with all matters reserved)

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 21/02/2023

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/0338/FP](#)

Appeal site address: Turret House Hospital Lane Portchester Fareham PO16 9LT

Ward: Portchester East

The appellant: Mr Anthony Lawrence

Description of proposal: New detached dwelling (self build)

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 27/02/2023

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/0550/FP](#)

Appeal site address: Land adjacent to No 8 Northway Titchfield Fareham PO15 5EE
Ward: Titchfield
The appellant: Amey Defence Service
Description of proposal: Retrospective Retention of six piece Locally Equipped area of Play
Council decision: REFUSE
Decision maker: Committee
Date appeal lodged: 16/05/2023
Reason for Appeal: Appeal against refusal of planning permission

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/22/1046/FP](#)

Appeal site address: 106 Funtley Road Fareham PO17 5EF
Ward: Fareham North
The appellant: Mr Paul MacDonald
Description of proposal: Timber garage for use as ancillary storage for the existing dwelling
Council decision: REFUSE
Decision maker: Committee
Date appeal lodged: 06/12/2022
Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/1771/DA](#)

Appeal site address: 106 Funtley Road Funtley Fareham PO17 5EF
Ward: Fareham North
The appellant: Mr P Macdonald
Description of proposal: Erection of Detached Timber Garage
Date appeal lodged: 06/12/2022
Reason for Appeal: Against serving of planning enforcement notice

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

DECIDED PLANNING APPEALS

Fareham Borough Council Reference: [P/21/1458/FP](#)

Appeal site address: Kingfishers Fishers Hill Fareham PO15 5QT

Ward: Titchfield

The appellant: Mr K Smith - Principal Estates (Southern) Ltd

Description of proposal: Construction of three detached homes with associated garage and carports, access and landscaping following demolition of the existing swimming pool structure.

Council decision: REFUSE

Decision maker: Committee

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 15/06/2023

Fareham Borough Council Reference: [P/22/1656/FP](#)

Appeal site address: 18 Grove Road Fareham PO16 7TE

Ward: Fareham North

The appellant: Mr James Beale

Description of proposal: Raise the ridge height, reinstatement of chimney, second floor rear extension with parapet roof, two roof lights to front roof slope and side window

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 18/05/2023

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](#)