

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 15 November 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 - 14)

To confirm as a correct record the minutes of the Planning Committee meeting held on 11 October 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. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 15)

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

ZONE 2 - FAREHAM

ZONE 3 - EASTERN WARDS

(1) **Q/0826/23 - LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE STUBBINGTON** (Pages 19 - 22)

(2) **P/23/1155/FP - LAND AT FARADAY BUSINESS PARK DAEDALUS DRIVE FAREHAM** (Pages 23 - 49)

(3) **Planning Appeals** (Pages 50 - 56)



A WANNELL
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
07 November 2023

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FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 11 October 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,
S Ingram, P Nother and Mrs S M Walker

Also Present: Councillor Mrs K K Trott (Item 6(5))



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 13 September 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

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

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

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No	Dep Type
ZONE 1 – 2.30pm					
Mr Michael Edwards		LAND ADJACENT 77 BURRIDGE ROAD – CONSTRUCTION OF A DWELLING HOUSE WITH DETACHED GARAGE, NEW ACCESS AND ASSOCIATED DEVELOPMENT	Supporting	6(1) P/21/2020/FP Pg 25	Written
Mr Nathaniel Green (Agent)		-DITTO-	Supporting	-Ditto-	In Person
Mr John Richards		EYERSDOWN FARM QUARANTINE KENNELS 285 BOTLEY ROAD – RESERVED MATTERS APPLICATION PROVIDING	Supporting	6(2) P/23/0915/RM Pg 46	In person 3 mins

		<p>DETAILS OF THE LAYOUT, SCALE, APPEARANCE, LANDSCAPING AND MEANS OF ACCESS FOR THIRTY-EIGHT DWELLINGS (FURTHER TO OUTLINE PLANNING PERMISSION GRANTED ON APPEAL UNDER APPLICATION REFERENCE P/20/0506/OA)</p>			
ZONE 2 – 2.30pm					
Mrs Brigid Taylor (Agent)		<p>LAND BETWEEN AND TO THE REAR OF 100 & 102 KILN ROAD – DEMOLITION OF EXISTING EQUESTRIAN STABLES AND ERECTION OF 1NO. SELF BUILD DWELLING TOGETHER WITH DETACHED GARAGE AND ASSOCIATED INFRASTRUCTURE AND LANDSCAPING</p>	Supporting	<p>6(3) P/23/1008/FP Pg</p>	In Person 3 mins
Mr Dave Evans		-DITTO-	Opposing	-Ditto-	Written
ZONE 3 – 3.30pm					
Mr Robert Marshall	The Fareham Society	<p>LAND TO THE EAST OF NEWGATE LANE EAST – RESERVED MATTERS APPROVAL (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR THE DEVELOPMENT OF 90 DWELLINGS TOGETHER WITH</p>	Opposing	<p>6(4) P/22/0841/RM Pg 89</p>	Written

		PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE (PURSUANT TO OUTLINE PLANNING PERMISSION REFERENCE P/19/1260/OA)			
Mrs Patricia Goater		-DITTO-	-Ditto-	-Ditto-	Written
Mr Nicholas Whittington (Agent)		-DITTO-	Supporting	-Ditto-	In Person 3 mins
Mr Michael Townson		LAND SOUTH OF ROMSEY AVENUE – RESERVED MATTERS APPLICATION DETAILING THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF 225 NEW HOMES, INTERNAL ROADS, WITH ASSOCIATED INFRASTRUCTURE, OPEN SPACE AND BIRD CONSERVATION AREA FOLLOWING OUTLINE PLANNING PERMISSION GRANTED ON APPEAL (REF P/18/1073/FP)	Opposing	6(5) P/22/1864/RM Pg 109	In person 3 mins
Mr Robert Marshall	The Fareham Society	-DITTO-	-Ditto-	-Ditto-	Written
Mr Will Cobley (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/21/2020/FP - LAND ADJACENT TO 77 BURRIDGE ROAD SO31 1BY

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

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

Following receipt of the financial payment towards the Solent and New Forest SPA's paragraphs 8.63-8.65 are superseded to the following:

8.63 *The applicant has paid the necessary contributions towards the Solent Recreational Mitigation Partnership Strategy (SRMP) and the New Forest SPA and therefore the Appropriate Assessment concludes that the proposal would not have an adverse effect on the integrity of the Habitat Sites as a result of the recreational disturbance in combination with other plans or projects on the Solent and New Forest SPAs.*

8.64 *Natural England were consulted on the Council's Appropriate Assessment and raised no objection in respect of recreational disturbance on the Solent and New Forest SPAs or on water or air quality implications. It is therefore considered that the development accords with Policies NE3 and NE4 of the Fareham Local Plan 2037.*

As the payments have been received and Natural England raises no objection, the following reasons for refusal have been addressed:

iv) *The site lies within 5.6km of The Solent and Special Protection Areas. The proposal fails to provide appropriate mitigation against the impact of increased recreational disturbance created from the provision of additional residential accommodation within this area.*

v) *The site lies within 13.8km of the New Forest Special Protection Area. The proposal fails to provide appropriate mitigation against the impact of increased recreational disturbance created from the provision of additional residential accommodation within this area.*

Officers provided a verbal update to Members before consideration of the Planning application which is detailed below:

"As detailed in the update sheet the habitat mitigation payment has been paid. Therefore, paragraph 11 of the NPPF now applies.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For Decision-taking this means:

c) Approving development proposals that accord with an up-to-date development plan without delay; or

d) Where there are relevant development plan policies, or the policies which

are most important for determining the application are out-of-sate (see footnote

7 below) granting planning permission unless:

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

Officers have undertaken an Appropriate Assessment which concludes that the development would not result in an adverse impact on the integrity of the protected Habitat sites due to the adverse effects arising through recreational disturbance on the Habitat Sites.

However, when weighing up the material considerations the recommendation remains unchanged and the harm to the SINC site and the unsustainable location demonstrably outweigh the benefits of granting planning permission.”

Upon being proposed and seconded the officer recommendation to refuse planning permission was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies, HP1, HP2, NE1, NE2 and NE3 of the Fareham Borough Local Plan 2037 and is unacceptable in that:

- i) The provision of a dwelling within this location would not be within reasonable walking distance to a good bus service route or train station or provide safe walking and cycling routes that connect to a local, district or town centre.
- ii) The proposed development would result in the partial loss of a Site of Importance of Nature Conservation and the development would therefore fail to protect or enhance the local site of nature conservation and fail to reflect the status in the hierarchy of nature conservation designations.
- iii) Insufficient information has been provided to demonstrate that the proposal could provide onsite provision of 10% net gain in biodiversity.

(2) P/23/0915/RM - EYERSDOWN FARM QUARANTINE KENNELS 285 BOTLEY ROAD

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

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

The applicant has amended the proposals to extend the 2.0 metre wide footway at the entrance to the site beyond plot 8, where it previously was shown to end, further into the site up to the driveway to plot 10. This amendment will provide a dedicated pedestrian footway around the bend where plot 9 is located before the arrangement changes to a shared surface south of plot 10 onwards.

Final comments have been received from the Highway Authority Hampshire County Council who have raised no objection to the proposals. They have made the following comments in relation to the shared surface arrangement:

“As stated previously within the first HA (Highway Authority) response, concerns regarding the shared surface layout approach within the development were raised and that it was requested a 2.0-metre-wide footway be introduced along the main spine road to provide that separation between pedestrians and vehicles.

The HA has been in contact with Fareham as the Local Planning Authority who have explained the difference in the approach being applied here with this development being located on an edge of settlement location.

Through further consideration of the submitted Stage 1 Road Safety Audit (RSA1) and after being in consultation with Hampshire County Council (HCC) road safety auditors that shared surface approach is considered acceptable. It is thought that residents would prefer a dedicated footway than use grass verges to walk on as well as the carriageway, however, forward visibility is good, and the risk of collisions is likely to be low.

As a compromise the applicant has updated site plan no. PL03 Rev 10 and will now provide a footway that continues around the inside of the bend opposite plot 9 up to the driveway of plot 10. This allows separation of pedestrians/vehicles and cyclists around a corner where conflicts are more likely to occur. The HA consider the proposal to be acceptable.”

Drawings have been updated and so the proposed wording of condition 1 at paragraph 9.2 of the Officer report is hereby amended as follows (changes underlined for emphasis only in this update report):

- 1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:*
 - a) Site Location Plan – 7333 PL01 P1*
 - b) Detailed Site Layout – Sheet 1 – 7333 PL04 P7*
 - c) Detailed Site Layout – Sheet 2 – 7333 PL05 P9*
 - d) Proposed Tenure Layout – 7333 PL08 P9*
 - e) Building Types Plan – 7333 PL10 P8*
 - f) Boundary Treatment Plan 1 of 3 – DD608L06 D*
 - g) Boundary Treatment Plan 2 of 3 – DD608L07 D*
 - h) Boundary Treatment Plan 3 of 3 – DD608L08 C*
 - i) External Levels Sheet 1 – 00408-FRH-XX-XX-DR-C-2100 P08*
 - j) External Levels Sheet 2 – 00408-FRH-XX-XX-DR-C-2101 P08*

- k) *External Levels Sheet 3 – 00408-FRH-XX-XX-DR-C=2102 P08*
- l) *Building Materials Plan – 7333 PL06 P11*
- m) *Landscape Strategy – DD608L01 F*
- n) *Planting Strategy Sheet 1 of 3 – DD608L02 C*
- o) *Planting Strategy Sheet 2 of 3 – DD608L03 E*
- p) *Planting Strategy Sheet 3 of 3 – DD608L04 C*
- q) *Planting Lists & Planting Bed Matrix – DD608L05 B*
- r) *Self Binding Gravel Footpath – DD608D02*
- s) *Proposed Access Arrangements – ITB18493-GA-001 rev D within the Transport Statement*
- t) *Internal site layout visibility analysis and street geometry – ITB18493-GA-006 rev G within the Transport Statement Addendum*
- u) *Priority Signage and Narrowings Plan – ITB18493-GA-019 within the Transport Statement Addendum*
- v) *Arboricultural Impact Assessment*
- w) *Arboricultural Review – Levels Strategy*
- x) *Section through Ecological Buffer – DD608I01*
- y) *Proposed Plans and Elevations – Type G1 – 7333 PL25 P4*
- z) *Proposed Plans and Elevations – Type F1, I1 – 7333 PL26 P3*
- aa) *Proposed Plans and Elevations – Type E2,F2,H1 – 7333 PL24 P3*
- bb) *Proposed Plans and Elevations - Type E1 – 7333 PL23 P3*
- cc) *Proposed Plans and Elevations – Type D1, D2 – 7333 PL22 P4*
- dd) *Proposed Plans and Elevations – Type B1, B2, C1 – 7333 PL21 P3*
- ee) *Proposed Plans and Elevations – Type A1,A2,A3 – 7333 PL20 P5*
- ff) *Proposed Plans and Elevations – Garages – 7333 PL29 P4*
- gg) *Proposed Plans and Elevations – Double Garage, Car Port, Garage, Hybrid – 7333 PL028 P3*
- hh) *Proposed Plans and Elevations – Apartments – 7333 PL27 P5*
- ii) *REPTILE SURVEY REPORT AND MITIGATION STRATEGY (Hankinson Duckett Associates, July 2023)*
- jj) *BAT SURVEY REPORT (Hankinson Duckett Associates, September 2023)*
- kk) *REPTILE SURVEY REPORT AND MITIGATION STRATEGY (Hankinson Duckett Associates, July 2023)*
- ll) *Technical note (Hankinson Duckett Associates, 7th September 2023), in relation to badgers.*

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

The references to drawings in the proposed wording to conditions 5, 6, 7, 8, 9, 11, 12, 15 and 18 are to be updated accordingly to be consistent with the list above at condition 1.

In addition the recommendation at paragraph 9.4 of the Officer report is hereby amended to read as follows (additional text underlined):

“That Members authorise the completion of a Deed of Variation to the Section 106 along the following lines:

- a) *To vary the obligation relating to affordable housing provision so as to be consistent with this Reserved Matters approval;*

- b) To vary the obligation to allow the timing of the delivery of the affordable housing to be amended at the discretion of Officers.”

-

Upon being proposed and seconded the officer recommendation to: -

- (i) APPROVE reserved matters, subject to: -
- (a) The conditions in the report; and
 - (b) The amended condition 1 as set out in the Update Report and subsequent amendments to drawing references in other conditions so as to be consistent with condition 1.

Then

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

Then

- (iii) That Members authorise the completion of a Deed of Variation to the Section 106 along the following lines:
- (a) To vary the obligation relating to affordable housing provision so as to be consistent with this Reserved Matters approval;
 - (b) To vary the obligation to allow the timing of the delivery of the affordable housing to be amended at the discretion of Officers.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that: -

- (i) Reserved matters be APPROVED, subject to: -
- (a) The conditions in the report; and
 - (b) The amended condition 1 as set out in the Update Report and subsequent amendments to drawing references in other conditions so as to be consistent with condition 1.

Then

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

Then

- (iii) The completion of a Deed of Variation to the Section 106 BE AUTHORISED along the following lines:
 - (a) To vary the obligation relating to affordable housing provision so as to be consistent with this Reserved Matters approval;
 - (b) To vary the obligation to allow the timing of the delivery of the affordable housing to be amended at the discretion of Officers.

-

(3) P/23/1008/FP - LAND BETWEEN AND TO THE REAR OF 100 & 102 KILN ROAD

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

Upon being proposed and seconded the officer recommendation to refuse planning permission was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

1. The development would be contrary to Policies WEL1, WEL3, WEL5, WEL6, WEL30, WEL37 and WEL42 of the adopted Local Plan Part 3: The Welborne Plan and Welborne Design Guidance Supplementary Planning Document and is unacceptable in that:
 - i. The principle of a dwelling in this location would be contrary to policies WEL5 and WEL6 of the Welborne Plan which seeks to retain the area as a settlement buffer between the new community of Welborne and northern edge of Fareham. The proposal would physically and visually harm the integrity of the settlement buffer.
 - ii. The development of the application site would result in the loss of land safeguarded by policy WEL42 for future Welborne green infrastructure and ecological mitigation. To redevelop the land with the proposal would prejudice the future comprehensive development of Welborne in accordance with the Strategic Framework within The Welborne Plan.
 - iii. In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation to address the likely adverse effects on the integrity of Habitat Sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.
 - iv. In the absence of a legal agreement to secure such, the proposal fails to appropriately secure mitigation of the likely adverse effects

on the integrity of protected habitat sites along The Solent and within the New Forest which, in combination with other developments, would arise due to the impacts of recreational disturbance.

- v. The plans are inaccurate in showing the extent of the fall in the land, the changes in ground levels which are required along with the proposed floor levels of proposed buildings, and therefore do not accurately show the impact of the proposed development.
2. This decision has been made in accordance with the following documents:
- i. Drawing No: P01 Rev B – Location Plan
 - ii. Drawing No: P05 Rev A – Proposed Site
 - iii. Drawing No: P10 Rev C – Plans
 - iv. Drawing No: P11 Rev B – Elevations
 - v. Drawing No: P20 Rev A – Detached Garage Plans & Elevations
- REASON: To avoid any doubt over what has been refused.

(4) P/22/0841/RM - LAND EAST OF NEWGATE LANE EAST

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: -

The Site Layout Plans have all been updated to reflect minor changes requested by the Highway Authority – manoeuvring space outside Plot 32:

- a) *Site Layout (Drawing: SL. Rev-S-T)*
- b) *Parking Strategy Layout (Drawing: PSL.01 Rev H-J)*
- c) *Boundary Materials Layout (Drawing: BML.01 Rev H-J)*
- d) *Dwelling Materials Layout (Drawing: DML.01 Rev H-J)*
- lll) *General Arrangement – Overview (Drawing: 2373-TFC-XX-00-DR-I-1001 Rev P07-P08)*
- mmmm) *General Arrangement – 1 of 5 (Drawing: 2373-TFC-XX-00-DR-L-1002 Rev P07-P08)*
- nnnn) *General Arrangement – 2 of 5 (Drawing: 2373-TFC-XX-00-DR-L-1003 Rev P03-P04)*
- oooo) *General Arrangement – 3 of 5 (Drawing: 2373-TFC-XX-00-DR-L-1004 Rev P03-P04)*
- pppp) *General Arrangement – 4 of 5 (Drawing 2373-TFC-XX-00-DR-L-1005 Rev P03-P04)*
- qqqq) *General Arrangement – 5 of 5 (Drawing 2373-TFC-XX-00-DR-L-1006 Rev P03-P04)*
- rrrr) *Proposed Levels Layout Plan Whole Site (Drawing: 1300 Rev D-E)*
- ssss) *Proposed Levels Layout Plan Sheet 1 of 4 (Drawing: 1301 Rev D-E)*
- tttt) *Proposed Levels Layout Plan Sheet 2 of 4 (Drawing: 1302 Rev D-E)*

- uuuu) *Proposed Levels Layout Plan Sheet 3 of 4 (Drawing: 1303 Rev D-E)*
- vvvv) *Proposed Levels Layout Plan Sheet 4 of 4 (Drawing: 1304 Rev D-E)*

Further comments have also been received from the Highways Authority (Hampshire County Council). No objections to the proposals have now been raised.

Upon being proposed and seconded the officer recommendation to: -

- (i) APPROVE reserved matters, subject to; -
 - a) The conditions in the report; and
 - b) The updated plans referred to in the Update 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: 8 in favour; 1 against)

RESOLVED that: -

- (i) RESERVED MATTERS be APPROVED, subject to: -
 - (a) The conditions in the report;
 - (b) The amended plans as per the Update Report.

Then

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

(5) P/22/1864/RM - LAND SOUTH OF ROMSEY AVENUE FAREHAM

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

Upon being proposed and seconded the officer recommendation to; -

- (i) APPROVE reserved matters, subject to: -
 - (a) The conditions in the report;
 - (b) An additional condition requiring the parking spaces shown on the plan be retained as parking spaces at all times;

- (c) An additional condition removing permitted development rights to the proposed parking spaces to prevent the erection of garages or car ports; and
- (d) An additional condition requiring the erection of 1.8 metre high close board fencing on the north boundary of the site prior to any works commencing on site to protect the privacy of the residents of Romsey Avenue.

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: 9 in favour; 0 against)

RESOLVED that: -

- (i) RESERVED MATTERS be approved, subject to: -
 - (a) The conditions in the report;
 - (b) An additional condition requiring the parking spaces shown on the plan to be retained as parking spaces at all times;
 - (c) An additional condition removing permitted development rights to the proposed car parking spaces to prevent the erection of garages or car ports; and
 - (d) An additional condition requiring the erection of the 1.8 metre high close board fencing on the north boundary of the site prior to any works commencing on site to protect the privacy of the residents of Romsey Avenue.

Then

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

(6) Planning Appeals

The Committee noted the information in the report.

(7) UPDATE REPORT

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

7. TREE PRESERVATION ORDER 780 - 9-11 BERRY LANE

The Committee considered a report by the Director of Planning and Regeneration on Tree Preservation Order No. 780 9 – 11 Berry Lane.

RESOLVED that Tree Preservation Order 780 be confirmed.

(The meeting started at 2.30 pm
and ended at 5.40 pm).

..... Chairman

..... Date



**Report to
Planning Committee**

Date:

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 in the Collingwood Room, Civic Offices, Civic Way, Fareham, PO16 7AZ. All items will be heard from 2.30pm.

Agenda Annex

ZONE 1 – WESTERN WARDS

Park Gate

Titchfield

Sarisbury

Locks Heath

Warsash

Titchfield Common

REFERENCE NUMBER &
WARD

SITE ADDRESS & PROPOSAL

ITEM NUMBER &
RECOMMENDATION

No items in this Zone

<p style="text-align: center;">ZONE 2 – FAREHAM Fareham North-West Fareham West Fareham North Fareham East Fareham South</p>
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REFERENCE SITE ADDRESS & PROPOSAL
NUMBER &
WARD

ITEM NUMBER &
RECOMMENDATION

No items in this Zone

Agenda Annex

ZONE 3 – EASTERN WARDS

Portchester West

Hill Head

Stubbington

Portchester East

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
Q/0826/23 STUBBINGTON	LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE STUBBINGTON DEED OF VARIATION OF S106 TO ALLOW OCCUPANTS FROM TEMPORARY ACCESS - PLANNING APPLICATION P/20/0522/FP	APPROVE
P/23/1155/FP STUBBINGTON	LAND AT FARADAY BUSINESS PARK DAEDALUS DRIVE FAREHAM SEARCH AND RESCUE TRAINING CENTRE WITH ACCESS, PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS	PERMISSION

OFFICER REPORT FOR COMMITTEE

DATE: 15/11/2023

Q/0826/23

PERSIMMON HOMES SOUTH COAST

STUBBINGTON WARD

AGENT: PERSIMMON HOMES

DEED OF VARIATION TO SECTION 106 UNILATERAL UNDERTAKING DATED 10 NOVEMBER 2021 REGARDING APPLICATION P/20/0522/FP, RELATING TO TEMPORARY ACCESS ARRANGEMENTS TO ENABLE OCCUPATION OF DWELLINGS IN ADVANCE OF COMPLETION OF MAIN SITE ACCESS ROAD FROM PEAK LANE

LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE,
STUBBINGTON, FAREHAM

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

1.1 Planning permission was granted for this site on appeal in January 2022 under appeal reference APP/A1720/W/21/3275237 for the following proposal:

Development comprising 206 dwellings, access road from Peak Lane maintaining link to Oakcroft Lane, stopping up of a section of Oakcroft Lane (from Old Peak Lane to access road), with car parking, landscaping, substation, public open space and associated works.

1.2 Planning permission was granted on the basis that a new access road would be formed between the site and Peak Lane (just south of the Stubbington Bypass junction) before any of the properties were occupied. The developer gave a legal undertaking to this effect.

1.3 The legal undertaking secured the provision of a realignment of Oakcroft Lane through the provision of a dedicated access road from Peak Lane to the site, before re-connecting to Oakcroft Lane westwards. The existing eastern access to Oakcroft Lane would subsequently become a 'no through road', with access only to those properties east of the development site.

1.4 Within the Section 106 Unilateral Undertaking, Schedule One (Highways and Travel Plan Obligations), paragraph 2.1 states:

"The Owner covenants not to Occupy nor permit Occupation of the Development unless and until the Highway Works have been carried out and

completed to Completion Certificate Standard under a s278 Agreement entered into with the County Council”.

- 1.5 Those ‘Highway Works’ are defined in the Section 106 Unilateral Undertaking, Schedule One as being:

“Access works and pedestrian infrastructure to connect to a new pedestrian refuge on Peak Lane as shown in principle in drawing 048.0013.001 Rev D...”

- 1.6 The development of the site is now well progressed and the first dwellings will be ready for occupation at the beginning of December 2023. A section of the new access road has been constructed. Whilst the Section 278 application with the County Council was submitted some time ago, it has only recently been concluded with works scheduled to take place to finalise the connections between Peak Lane and Oakcroft Lane starting in January 2024. These final highway works are anticipated to take 3 months to complete, with the main length of the access road having already been constructed. Only the connections to the wider road network need to be undertaken. However, as those discussions and negotiations regarding the Section 278 application took considerably longer than expected, the developer is seeking to vary the terms of the obligation set out above, to enable up to 30 dwellings to be occupied before the new access road defined as ‘Highway Works’ is completed and available for use.
- 1.7 Subsequently a variation of the Section 106 Agreement is sought to provide a safe means of access to the site for residents via Oakcroft Lane to enable up to 30 properties to be occupied in advance of the formal completion of the dedicated access road from Peak Lane to the development site.

2.0 Consultations

Highway Authority – Hampshire County Council

- 2.1 No objections in respect of highway safety concerns, subject to compliance with the Technical Note 048.0013/TN/7, which stipulates:
- Access for up to 30 dwelling prior to completion of the Section 278 works (creation of the main Peak Lane to Oakcroft Lane access road).
 - Temporary Road Closure permission has been granted between Temporary Access 1 and Temporary Access 2 (Figure 5 of the Technical Note). This will restrict through traffic on Oakcroft Lane and will be implemented following permission being granted to amend the S106 Unilateral Undertaking and completed prior to first occupation.
 - Phase 1 - Implementation of a temporary bellmouth access onto Oakcroft Lane broadly in the location of the site access S278 works (Temporary

Access 1) prior to construction of the S278 works being undertaken. This access will be used by residential traffic only; during Phase 1, construction traffic will use the existing construction access (Temporary Access 2) only.

- Phase 2 - During construction of the S278 works, the existing construction access (Temporary Access 2) would be utilised by residential traffic for the duration of the S278 works. During this period construction traffic would share this access with the residential traffic. The duration of this arrangement is expected to be a circa 2 week period.

3.0 Comments

3.1 In summary, the deed of variation would enable, in advance of the completion of the new access road between Peak Lane and Oakcroft Lane, the occupation of up to 30 dwellings on the site. The material consideration for this change would be the impact on highway safety for users of the site and Oakcroft Lane before the main access is fully operational. The provision of a separate access for residents (via Temporary Access 1) for the majority of the period would ensure minimal conflict with construction traffic. When the connection to Oakcroft Lane is undertaken of the Section 278 Highway Works, for only a short period of time will residents and construction traffic make use of the same access (Temporary Access 2). After which all traffic into the site will be able to make use of the new access road from Peak Lane.

3.2 In view that the Highway Authority has carefully considered these arrangements and concluded that no highway safety concerns are raised subject to compliance with the submitted Technical Note, Officers consider the proposed arrangements are acceptable and would not conflict with Policy TIN2 of the Fareham Local Plan 2037, in that no unacceptable impact on highway safety would be created, and the residual cumulative impact on the road network is not severe.

4.0 Recommendation

4.1 That Members authorise the deed of variation to the legal agreement to enable the provision of the temporary access arrangements in accordance with the advice of the Highway Authority into the site for residents and the occupation of no more than 30 dwellings on site until the primary access road from Peak Lane is constructed and completed.

5.0 Background Papers

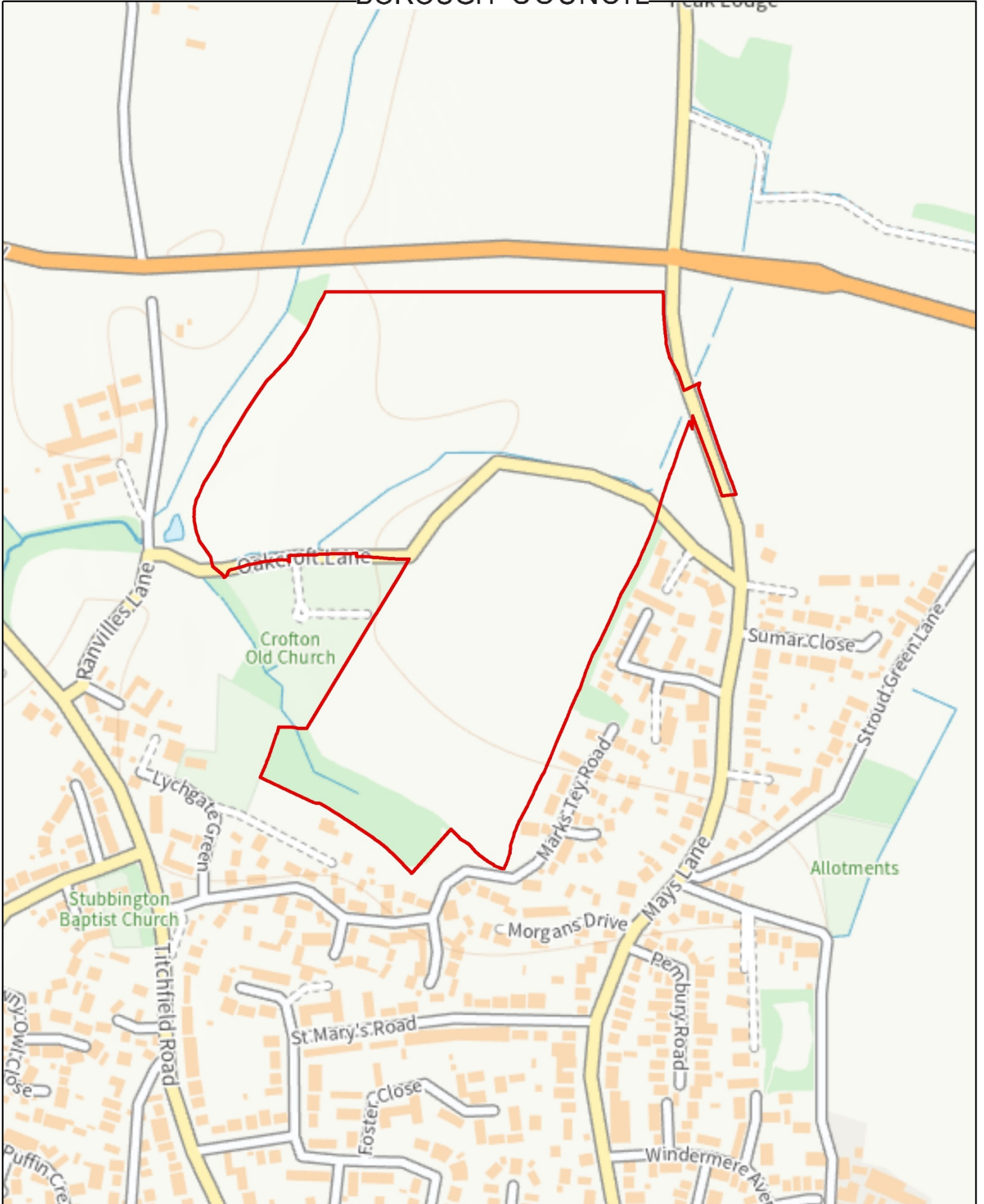
Q/0826/23

P/20/0522/FP

APP/A1720/W/21/3275237

FAREHAM

BOROUGH COUNCIL



Land East of Crofton Cemetery and
West of Peak Lane, Stubbington

Scale 1:5,000



Page 22

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OFFICER REPORT FOR COMMITTEE

DATE: 15/11/2023

P/23/1155/FP
BRISTOW HELICOPTERS LTD

STUBBINGTON WARD
AGENT: GILLINGS PLANNING LTD

SEARCH AND RESCUE TRAINING CENTRE WITH ACCESS, PARKING,
LANDSCAPING AND OTHER ASSOCIATED WORKS

LAND AT FARADAY BUSINESS PARK, DAEDALUS DRIVE, LEE-ON-THE-
SOLENT, FAREHAM

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

1.1 This planning application is being reported to the Planning Committee for determination due to the number of third party representations received.

2.0 Site Description

2.1 The site is located within the Solent Airport area (Daedalus), toward to the southeast corner of the site. To the east of the application site are the Fareham Innovation Centre and CEMAST building. To the south of the site lies Daedalus Drive, which runs between Stubbington Lane to the west and the Cherque Way/Broom Way junction, 200 metres to the east.

2.2 Beyond Daedalus Drive lies the Lee-on-The-Solent allotments, and the residential development west of Broom Way. The closest residential properties lie on Bayntun Drive and Carnegie Close to the south of the site. The properties are located over 120 metres away, and on the southern side of Daedalus Drive and Chark Lane. Most of the nearby properties are either situated side on to the site or angled to the northwest, with a direct line of sight over the airfield rather than the development site. The two closest properties which are orientated north/south benefit from a good level of boundary planting to their rear gardens, which will provide a reasonable screen of the site.

2.3 To the north and west of the site lies Solent Airport and the open expanse of the airfield, comprising maintained grassland, runway and taxiways. To the north of the site is the Faraday Business Park employment allocation and radar tower. Also located to the west is the HM Coastguard Training Centre and the Maritime and Coastguard Agency Centre.

2.4 The site forms part of the Faraday Business Park (Daedalus East), and currently comprises a mix of a metalled taxiway and grassed areas. The site also falls within the Secondary Support Area (F13A) for Solent Waders and Brent Geese.

3.0 Description of Proposal

3.1 The application proposes the construction of the UK base for a Helicopter Training Search and Rescue Centre. The proposed use is for a wholly internal training facility, with no external helicopter flights proposed as part of this scheme.

3.2 The applicant, Bristow Helicopters Limited provides commercial Search and Rescue (SAR) services in multiple countries and public sector SAR services in the UK on behalf of the Maritime and Coastguard Agency (MCA), which has a UK headquarters on Daedalus, to the west of the site. As a consequence, there is now a requirement for a new dedicated Search and Rescue Training Centre at Solent Airport Daedalus.

3.3 The building comprises a single structure providing a main training hall building, measuring 20.9 metres to eaves and 22 metres to the main ridgeline, and single and two storey ancillary structures to its northern, eastern and western sides. The main structure will measure approximately 75 metres in length (north to south) and 41 metres in width (east to west), totalling around 3,100 sqm. The main hall building will measure approximately 60 metres in length and 27.0 metres in width (approximately 1,600 sqm)

3.4 Within the main training hall will be a crane suspended from the ceiling which the chassis of various helicopters can be attached, a c.15 metre high climbing wall and a 5 metre deep swimming pool. The main hall building will have no windows to the exterior face of the building to ensure the hall can be subject to various artificial weather and daylight conditions for training purposes.

3.5 The surrounding ancillary structures set over one and two storeys comprise the reception area, toilets and changing facilities, ancillary offices, store rooms, class rooms, medical rooms, break out room and various plant and control rooms.

3.6 Externally the site will contain 40 car parking spaces, including 2 accessible car parking spaces, EV charging for 8 vehicles, motorcycle and secure bicycle parking, vehicle drop-off point, sub-stations/plant compounds and bin store.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

E1	Employment Land Provision
E2	Faraday Business Park
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
NE5	Solent Waders and Brent Goose Sites
TIN1	Sustainable Transport
TIN2	Highway Safety and Road Network
D1	High Quality Design and Place Making
D2	Ensuring Good Environmental Conditions

Other Documents:

National Planning Policy Framework (NPPF) 2023

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

Non-Residential Car Parking Standards 2015

5.0 *Relevant Planning History*

5.1 No recent relevant planning history relating to this site. Planning permission was granted earlier in 2023 for the provision of a new taxiway to replace the partial loss of taxiway through Faraday Business Park:

P/23/1022/FP	Taxiway route within Solent Airport to replace an existing taxiway which is situated within the designated Local Plan Development Zone
APPROVED	1 September 2023

6.0 *Representations*

6.1 Extensive publicity of the application has taken place which included both the display of site notices and writing to over 800 local addresses that border the airfield.

6.2 Ten representations have been received regarding this planning application. Two representations are wholly in support of the proposal, and three further letters were neither for nor against the proposal but have raised some concerns. There are five representations to the scheme raising the following concerns (which were also raised by the three commentators)

- Visually intrusive location and scale of building
- Noise impact from helicopters training and hovering

- Noise impact increase for night-time training
- Loss of view of airfield, impacting viability of business

6.3 It is important to reiterate that whilst noise impact concerns are a material planning consideration for the determination of planning applications, five of those letters of representation are concerning noise disturbance from additional helicopters using the airfield. As set out above, the proposal is for a wholly internal training facility and no external helicopter flights beyond those that already occur at the airport are proposed as a result of this development. The submitted noise impact assessment therefore only considered the nearby residential properties to the south of the site and not the wider communities of Lee-on-The-Solent, Gosport, Stubbington or Fareham.

7.0 Consultations

EXTERNAL

Archaeology – Hampshire County Council

7.1 No objection, subject to conditions

Lead Local Flood Authority – Hampshire County Council

7.2 Final comments awaited.

Highway Authority – Hampshire County Council

7.3 Final comments awaited.

Ecology – Hampshire County Council

7.4 No objection, subject to securing appropriate BNG and suitable compensatory habitat for Solent Waders and Brent Geese

Natural England

7.5 Natural England has been consulted on the Council's Appropriate Assessment. Comments awaited.

Gosport Borough Council

7.6 No objection

Solent Airport Manager

7.7 Comments awaited.

INTERNAL

Urban Designer – Fareham Borough Council

7.8 Subject to appropriate materials and finishes, fencing and landscaping, no objections.

Environmental Health (Contaminated Land) – Fareham Borough Council

7.9 No objection, subject to conditions

Environmental Health (Noise and Pollution) – Fareham Borough Council

7.10 No objection, subject to conditions

8.0 *Planning Considerations*

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

- a) Principle of the development;
- b) Design and Visual Appearance;
- c) Highway safety and parking;
- d) Environmental impacts;
- e) Ecology and Biodiversity Net Gain;
- f) Impact on Habitat Sites, including Solent Wader and Brent Geese Designation
- g) Other matters

a) Principle of the development

8.2 The site forms part of the adopted Employment Land Provision (Policy E1) and lies within the Faraday Business Park allocation (Policy E2) of the adopted Fareham Local Plan 2037. The site is part of the proposed Faraday Business Park (South) which seeks to focus on employment floorspace and ancillary uses in line with the Daedalus Vision including R&D, convenience, childcare and education and training of pilots.

8.3 Policy E2 of the Fareham Local Plan 2037 also highlights that suitable developments shall (amongst other requirements):

- Have a primary access from Broom Way
- Not result in an adverse impact on the viability of Solent Airport
- Be of a high quality design, in keeping with the style and appearance of existing development
- Adhere to the requirements regarding Solent Waders and Brent Geese
- Comprise a Construction Environmental Management Plan (CEMP) to avoid adverse impacts on the Solent designated sites
- Ensure appropriate surface water drainage is achieved
- Ensure traffic increases are minimised
- Undertake contaminated land assessments
- Have regard to wastewater infrastructure

8.4 Some aspects required under the provision of Policy E2 are considered later in this report, however, the principle of the proposed development accords with the overarching policy requirements of E2 and would see this training facility clustered with the adjacent education and training facilities at CEMAST and CETEC to the east of the site, and in close proximity to the HM Coastguard Training Facility to the west of the site along Daedalus Drive, and is therefore considered acceptable. Officers therefore consider the principle of this development in this location complies with Policies E1 and E2 of the Fareham Local Plan 2037.

b) Design and Visual Appearance

8.5 The proposed building is large in scale and has an overall ridge line height of 22 metres. The height of the building is determined by the internal training facilities which comprises a crane known as a Rescue Hoist Trainer (RHT) with a 5 metre deep training pool and c.15 metres high climbing wall. The main design detail of the building is a functional requirement of the building to enable helicopter chassis to be attached to the internal crane for training purposes.

8.6 Policy D1 of the Fareham Local Plan seeks to ensure that 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. Developments should have regard to, and respond positively to elements of local character, ecology, history, culture and heritage.

8.7 The design of the building is essentially one of steel frames clad with profiled thermal cladding with highlight coloured elements principally focussed on entrances and other core functions'. The design approach and use of accent colours, coupled with quality fenestration and landscaping is appropriate and accords with the design approach employed in the Faraday Business Park.

8.8 In respect of the visual appearance, it is clear given the flat topography of Solent Airport, and the immediate surrounding area, the building will be a relatively prominent feature at the southern end of Daedalus and will be visible from across the airfield in Stubbington and the immediate area around north Lee-on-The-Solent.

8.9 Whilst there are residential properties to the south and southeast of the site, they are located over 120 metres away from the building (at their closest point) and are situated on the periphery of a commercial airport setting. The nearest residential properties are located on Bayntun Drive and Carnegie Close to the south of the site. Most of the nearby properties are either situated side on to the proposed building or angled to the northwest, with a

direct line of sight over the airfield rather than the development site. The two closest properties which are orientated north/south benefit from a good level of boundary planting to the end of their rear gardens, which will provide a reasonable screen of the site.

- 8.10 Three of the representations have raised concerns regarding the visual impact of the building, asking whether its siting in this location is the most appropriate. The closest buildings are those of the Innovation Centre and CEMAST buildings, which whilst lower in height are not of a domestic scale. The single and two storey elements proposed to wrap around three sides of the building will contribute towards reducing the apparent height of the building, and the careful use of the graded coloured cladding to the main hall, with a lighter grey for the higher parts of the building aim to soften its appearance when viewed against the sky. In view of these elements, Officers consider that the proposed design, visual appearance and visual impact of the building is acceptable and accords with the provisions of Policy D1 of the Fareham Local Plan 2037.

c) Highway Safety and Parking

- 8.11 The application proposes the construction of a new dedicated access road to the application site from Daedalus Drive (to the southwest). The access road would initially only serve the application proposal but there would be options to expand this in the future to provide additional access to the rest of Faraday Business Park (South), although this is not included within the current proposal.
- 8.12 The access comprises a full bellmouth junction onto Daedalus Drive which would be constructed to adoptable standards with a 2 metre wide pavement along the northern side of the access road, leading to a new pedestrian crossing point over Daedalus Drive to the existing pavement (shared pedestrian and cycle route) along the southern side of the road.
- 8.13 The access road is 7.3 metres wide, being suitable for large Heavy Goods Vehicles (HGV) to pass. The application has been supported by a tracking diagram showing a 16.5 metre long HGV entering and exiting the site in a forward gear, and visibility splays of 2.4m by 54m along Daedalus Drive, and splays of 2.4m by 25m at the main entrance into the training centre. The access road and visibility splays have been considered by the Highway Authority at Hampshire County Council and no overriding concerns have been raised. Hampshire County Council (Highways) has previously recommended a holding objection which relates to the wording and terms of the Travel Plan, and other minor elements of the access road, including the need for a streetlight on Daedalus Drive to be re-sited to accommodate the access. The applicant has sought to address the issues raised by the Highway Authority.

The Travel Plan, when finalised and agreed will need to be secured through a legal undertaking pursuant to Section 106 of the Town and Country Planning Act, 1990. The final comments of the Highway Authority are awaited.

- 8.14 Subject to the final comments of the Highway Authority, Officers do not consider that the proposal would result in an unacceptable impact on highway safety, and the residual cumulative impact on the road networks is not considered severe. Officers consider the proposal complies with Policy TIN2 of the Fareham Local Plan 2037.
- 8.15 With regard to car parking provision, the site will provide 40 car parking spaces, including 2 accessible spaces. The Council's adopted Non-Residential Car Parking Standards (2015) does not contain a specific parking standard for an adult training facility.
- 8.16 The submitted Transport Assessment highlights that the proposal will comprise 18 full time members of staff and approximately 22 trainees at any one point. Of the 18 staff members, ten are proposed to be technical crew instructors and two trainers under instruction. Other staff members will be managers, admin, technical engineers, cleaners, receptionists etc. Forty spaces overall have been provided, for which Officers consider to be sufficient to ensure no overflow on-street car parking would be necessary.
- 8.17 Eight car parking spaces would also be equipped with EV charging facilities, and a minibus, taxi and deliveries space is provided adjacent to the site's main reception. Secure cycle parking is also provided for four bicycles. Officers consider an appropriate level of car parking would be provided and Policy TIN1 of the Fareham Local Plan 2037 would be complied with. As stated above, the Travel Plan, which will aim to secure alternative means of travel to the site would be secured via a Section 106 legal undertaking.

d) Environmental Impacts

- 8.18 Policy D2 of the Fareham Local Plan 2037 seeks to ensure new development does not have an unacceptable adverse impact on 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.
- 8.19 The site is located within an existing employment allocation and would be located immediately adjacent to other commercial facilities. The nearest residential properties are located on Bayntun Drive and Carnegie Close to the south of the site. The properties are located over 120 metres away from the proposed building, and on the southern side of Daedalus Drive and Chark Lane. The building is located to the north of the nearest residential properties

and would not therefore result in an impact on loss of daylight or sunlight to these occupiers.

- 8.20 Additionally, those properties on Bayntun Drive are orientated northwest – southeast and are therefore orientated away from the building when considering a direct line of sight. Those other properties on Carnegie Close, are mostly orientated east – west, and would not therefore have any direct view of the building from their properties. The only exception to this is two dwellings at the northern end of Carnegie Close, which are orientated north-south. These two dwelling will have a view of the building from their rear elevations, although the building is set marginally to the east of their direct line of sight. These dwellings also include a good level of boundary planting to the rear of their gardens, which will provide a good screen of the building particularly when within their gardens.
- 8.21 The application has been supported by a Noise Impact Assessment which has been considered by the Council’s Environmental Health Officers and considered the impact of noise disturbance from the building to those closest residential properties. Concerns have been raised by five of the third party representations received that the proposed increase in helicopter flights, and training in the vicinity will result in unacceptable noise implications. Given the proposal is for a wholly internal use, where no external helicopter flights above those that already take place around the airport, concerns regarding additional noise from helicopters is unfounded.
- 8.22 The Council’s Environmental Health Officer has recommended a condition be imposed requiring a further noise assessment be undertaken once the specification of all plant or other noise generating equipment associated with the use of the building is known. Subject to a condition securing appropriate noise mitigation measures (where necessary), Officers consider that the proposal would comply with the provisions of Policy D2 of the Fareham Local Plan 2037 and would not result in an unacceptable adverse impact on the environmental conditions of nearby occupiers or users.

e) Ecology and Biodiversity Net Gain

- 8.23 Policy NE1 of the Fareham Local Plan 2037 sets out the strategic approach to Nature Conservation and Biodiversity, highlighting that protected and priority habitats and species, including breeding and foraging areas are protected and enhanced. The application has been supported by detailed ecological assessments considering the impact upon protected species at the development site. The Council’s Ecologist has reviewed the report and raises no objection to its findings, subject to a condition ensuring compliance with the report’s recommendation and provision of a Sensitive Lighting Strategy to ensure no adverse impacts on foraging or commuting bats. The development

is therefore considered to comply with Policy NE1 of the Fareham Local Plan 2037 in respect of protected species.

- 8.24 A Biodiversity Net Gain assessment has also been provided, supported with an up-to-date DEFRA metric calculation demonstrating that the existing on-site baseline units are 7.07 habitat units. In order to achieve a 10% net gain, 7.78 units is required. Post development biodiversity on site will result in a provision of 4.77 units (which represents a loss in habitat units from the existing baseline position). In order to comply with Policy NE2 of the Fareham Local Plan 2037, off-site provision of 3.01 units is required to ensure a 10% net gain in biodiversity is achieved.
- 8.25 The delivery of the required off-site units can be provided elsewhere on other land within the Council's ownership. The provision of biodiversity net gain off site can be secured through a planning undertaking pursuant to Section 106 of the Town and Country Planning Act 1990.
- 8.26 On site delivery and management of biodiversity net gain can be secured through the imposition of a planning condition to secure its provision in accordance with the submitted Biodiversity Net Gain Assessment. The delivery of measures both on and off site would ensure that the development proposal achieves a 10% Biodiversity net gain. Officers are satisfied that the scheme would comply with the provisions of Policy NE2 of the Fareham Local Plan 2037.

f) Impact on Habitat Sites including the Solent Waders and Brent Geese Designation

- 8.27 Policy NE1 of the Fareham Local Plan 2037 sets out the strategic approach to Nature Conservation and Biodiversity and confirms that development will be permitted where designated sites are protected and enhanced. This includes sites designated within the Solent Wader and Brent Goose Network. Policy NE5 (Solent Waders and Brent Goose Sites) highlights the site as a Secondary Support Area, where development is only considered appropriate following a sequential assessment based on the principle of avoid – mitigate – compensate.
- 8.28 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other important animals within The Solent which are of both national and international importance.

- 8.29 In light of their importance, areas with The Solent have been specially designated under UK/European law. Amongst the most significant designations are Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). These are often referred to as 'Habitat Sites' (HS). Solent Wader and Brent Geese sites do not fall within the classification of HS, but they provide important support to and are closely related to the wider Habitat Site designations.
- 8.30 Regulation 63 of the Habitats and Species Regulations 2017 (as amended) provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.31 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the HS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.32 As the development does not relate to a residential development, or include any overnight accommodation, consideration of the nitrates impact and impact on recreational disturbance on the HS can be screened out from the Appropriate Assessment.
- 8.33 The application site lies partially within a Secondary Support Area (designation F13A) of the Solent Wader and Brent Geese (SW&BG) Strategy, which within Fareham Borough covers over 101 ha of the Solent Airport site and Queen Elizabeth Platinum Jubilee Park. Secondary Support Areas form an integral part in supporting the wider HS designations. Part of the Secondary Support Area would be lost as part of the development proposal and therefore, in accordance with the SW&BG Strategy, and where on-site mitigation or enhancement cannot be achieved, appropriate compensatory habitat is required. Despite its designation within the Solent Waders and Brent Goose Strategy, the site covers the entirety of the airfield where there are active measures in place on site to prevent wild fowl from using it, due to the impact on aircraft safety.
- 8.34 The Council (in its capacity as a landowner at Daedalus), has advised the applicant that it could use part of another Council owned site at Mill Lane, Titchfield, as appropriate replacement compensatory habitat. The Mill Lane

site, which measures 3.8 ha in area, does not form part of the recognised SW&BG network as set out in the adopted SW&BG Strategy, but is situated within a mosaic of winter-flooded grassland, forming part of a network of Coastal and Floodplain Grazing Marsh. The Mill Lane site is considered to represent a significantly higher quality of land for the Solent Wader species than the Secondary Support Area at Daedalus.

- 8.35 Discussions have been held with Natural England about using part of the Mill Lane site as compensatory habitat, for any habitat reduced or lost at Daedalus. The use of part of the Mill Lane site as compensatory habitat is considered acceptable in principle to Natural England.
- 8.36 A detailed ecological assessment of the Mill Lane site highlights its importance for a number of the protected Solent Wader species, due to its proximity to the River Meon. The use of the site as a Secondary Support Area would be secured through a Unilateral Undertaking pursuant to Section 106 of The Town and Country Planning Act 1990. A separate management plan has been provided to ensure suitable enhancement to the Mill Lane site are undertaken to further enhance its suitability and use by these protected Solent Wader species, including Black-tailed Godwit, Common Snipe, Great Cormorant, Northern Pintail, Eurasian Teal, Northern Shoveler and Eurasian Wigeon.
- 8.37 The application site, comprises 1.55ha in area, of which approximately 0.8ha is covered by the Secondary Support Area designation for Solent Waders and Brent Geese. The land at Mill Lane is well suited as compensatory habitat and is an area with much less disturbance to birds. At Daedalus disturbance arises not only from commercial and flying activities, but also active measures in place to discourage the use of the site by Brent Geese and other birds. In recognition of the higher quality provision that the land at Mill Lane can deliver as a Secondary Support Area, the applicant is proposing that the Mill Lane land provides compensatory habitat at a ratio of 4:1 (i.e., of the 0.8ha lost at Daedalus, 0.2ha of compensatory habitat will be provided and maintained at the Mill Lane site).
- 8.38 The Council's Ecologist has been consulted on the proposal and concluded that there would be no significant effect on the integrity of the National Site Networks as a result of the partial loss of the Secondary Support Area, subject to the land being secured and maintained at Mill Lane. The above measures, including compliance with the submitted Management Plan would be secured in the Unilateral Undertaking pursuant to Section 106 of the Town and Country Planning Act 1990.

8.39 Officers have completed an Appropriate Assessment and consulted Natural England on its conclusions. Comments are awaited from Natural England. Officers consider the partial loss of the F13A Secondary Support Area from the SW&BG Network with the compensatory habitat at Mill Lane is acceptable and would ensure compliance with Policy NE5 of the Fareham Local Plan 2037 and the provisions of the SW&BG Strategy.

g) Other Matters

8.40 **Impact on The Wyvern Public House:** Concern has been raised from the owner of The Wyvern public house regarding the impact upon their business as a result of a loss of view of the airport from the gardens associated with the public house. Whilst the impact on outlook is a material consideration in the determination of planning applications, loss or reduction of private views is not something that can be considered. The distance between The Wyvern PH and the application site is approximately 240 metres. Officers do not believe the loss or reduction of views from the Public House should be given weight in the determination of this planning application.

8.41 **Climate Change:** In respect of the Council's policies regarding Climate Change, the application has been supported by a detailed Energy Statement. The roof of the main hall of the building will comprise 200 sqm of photovoltaic panels which will result in a 31.8% reduction in annual regulated carbon dioxide emissions compared to the baseline building regulations requirement. The development is considered to comply with Policy CC1 of the Fareham Local Plan 2037.

8.42 **Drainage and Flood Risk:** The application has been supported by a detailed Flood Risk Assessment and Drainage Strategy. The site is located within Flood Zone 1, where there is considered a low risk of surface water flooding from fluvial or tidal sources.

8.43 The detailed drainage strategy includes details for the provision of a Sustainable Urban Drainage System (SuDS) on the site, as part of the on-site biodiversity net gain provision. Details of the surface water and foul water drainage system has been considered by the Hampshire County Council as Lead Local Flood Authority. Whilst their final comments are awaited, they have raised no overriding concerns with the proposed drainage details, subject to the submission of final technical specifications for the surface water disposal. The on-site drainage system will see surface water from the building and hard surfaced areas drain to the sustainable urban drainage system. This will collect and attenuate all surface water from the site before being discharged to the main sewer system. Southern Water has confirmed that there is sufficient capacity for the surface water to be disposed to the main

sewer system, and as such is considered acceptable. High groundwater levels at the site preclude the SuDs from discharging to the ground directly.

- 8.44 Foul water would be connected directly to the main public sewer system. Backwash from the proposed swimming pool will be discharged into an on-site backwash holding tank, which when de-chlorinated, will be pumped into the connected foul water sewer system. Appropriate conditions are proposed to ensure compliance with the submitted foul and surface water drainage details.

Summary

- 8.45 The application proposal has been considered against the relevant policies of the adopted Fareham Local Plan 2037, supplementary planning documents, and relevant national policy advice. The training facility is co-located with existing MCA operations at Daedalus and other training/education focussed facilities. Officers consider that the principle of the development is acceptable in that the use complies with Policies E1 and E2 regarding employment and training provision.
- 8.46 The visual impact and appearance of the building is also considered acceptable, and whilst it is acknowledged the building would become a prominent structure in the local skyline, the design approach and orientation of the building has been carefully considered to ensure the appearance is not overbearing on the existing occupiers surrounding the site.
- 8.47 The highway and car parking provisions are considered to be appropriate for the use and location and would not result in an unacceptable impact on the surrounding road network. The impact on environmental conditions has also been considered, and despite the location of residential properties to the south of the site, they are at a considerable distance away, and would not be unacceptably impacted by the proposal.
- 8.48 Finally, Officers have considered the ecological impacts of the development, including the partial loss of part of a supporting site for the wider protected Habitat Sites (Secondary Support Area for Solent Waders and Brent Geese) and the requirement for 10% biodiversity net gain. Subject to the completion of legal undertakings, and the imposition of appropriate planning conditions, the development proposals would achieve a biodiversity net gain of 10% and secure suitable compensatory habitat for the partial loss of the Secondary Support area.
- 8.49 Officers consider that the development complies with the relevant policies of the adopted Local Plan, and it is recommended that planning permission be granted.

9.0 Recommendation

9.1 Subject to consideration of:

- (i) Any comments of Hampshire County Council (Lead Local Flood Authority);
- (ii) Any comments of Hampshire County Council (Highways);
- (iii) Any comments received from Natural England in response to the Council's Appropriate Assessment;
- (iv) Any comments received from the Solent Airport Manager; and
- (v) any conditions, additional conditions or modification to the proposed conditions, any of the Consultees may recommend;

And,

Subject to the completion of legal undertakings pursuant to Section 106 of The Town and Country Planning Act 1990, on terms to the satisfaction of the Solicitor to the Council, relating to:

- securing the use of suitable land for off-site Biodiversity Net Gain provision;
- securing the use of the site at Mill Lane, Titchfield as compensatory habitat for the partial loss of the Secondary Support Area (F13A) of the Solent Waders and Brent Geese network; and
- securing the provision and implementation and monitoring of a Travel Plan

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

1. The development hereby permitted shall be begun within three years of the date of this decision.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development hereby permitted shall be retained only in accordance with the following approved plans:
 - a) Site Location Plan (Drawing: 09000 Rev PL03)
 - b) Existing Site Plan (Drawing: 09001 Rev PL_PL03)
 - c) Proposed Site Plan (Drawing: 09002 Rev PL_PL05)
 - d) Proposed Context Site Plan (Drawing: 09003 Rev PL05)

- e) General Arrangement Plan (Drawing: 0100 Rev P04)
- f) Proposed Ground Floor Plan (Drawing: 01001 Rev PL05)
- g) Proposed First Floor Plan (Drawing: 01002 Rev PL05)
- h) Proposed Roof Plan (Drawing: 01003 Rev PL05)
- i) Proposed North and East Elevations (Drawing: 02001 Rev PL_PL05)
- j) Proposed South and West Elevations (Drawing: 02002 Rev PL_PL05)
- k) Proposed Sections (Drawing: 03001 Rev PL05)
- l) General Arrangement (Access Road) (Drawing: 100 Rev A1)
- m) Finished Levels (Access Road) (Drawing: 101 Rev A1)
- n) Drainage Layout (Access Road) (Drawing: 500 Rev A1)
- o) Drainage Details (Access Road) (Drawing: 550 Rev A1)
- p) Surfacing and Kerbing Layout (Access Road) (Drawing: 700 Rev A1)
- q) Proposed Vehicular Access Tracking (Access Road) (Drawing: SK_T_001 Rev A1)

REASON: To avoid any doubt over what is permitted

The remaining conditions have been divided to cover two phases of the development comprising:

- i) Construction of the new access road from Daedalus Drive to the site entrance, and**
- ii) Construction of the Search and Rescue Training Centre, services road and car parking as within the perimeter fence marked in orange on the approved Proposed Site Plan.**

The following conditions relate solely to: i) Construction of the new access road from Daedalus Drive to the site entrance

3. The development hereby permitted shall be implemented in accordance with the approved surface water drainage strategy. The development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

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

4. No development of the access road shall commence until the applicant has undertaken the following:
 - An intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources should be carried out. The site investigation shall not take place until the requirements of the LPA have been fully established. This should be submitted to and approved in writing by the LPA.
 - Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method

statements to address identified risks shall be submitted to and approved in writing by the LPA. It shall also include the nomination of a competent person (to be agreed with the LPA) to oversee the implementation of the measures.

REASON: To ensure that 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.

5. Prior to the access road being brought into use:
- Any agreed scheme of remedial measures shall be fully implemented.
 - Remedial measures shall be validated in writing by an independent competent person as agreed with the LPA. 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 and as built drawings where required by the LPA. The requirements of the LPA shall be agreed in advance.
 - Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the LPA. The remediation shall be fully implemented and validated in writing by an independent competent person as agreed with the LPA.

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

6. No development of the access road shall commence until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

REASON: In order to ensure that the site, which is located in an area where there is potential for archaeological discovery, is adequately investigated prior to development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

7. Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

REASON: To contribute to our knowledge and understanding of our past by ensuring opportunities are taken to capture evidence from the historic environment and to make this publicly available.

8. No development of the access road shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):
 - a. Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
 - b. The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
 - c. Arrangements for the routing of lorries and details for construction traffic access to the site;
 - d. The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
 - e. The measures for cleaning the wheels and underside of all vehicles leaving the site;
 - f. A scheme for the suppression of any dust arising during construction or clearance works;
 - g. The measures for cleaning Daedalus Drive and Broom Way to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
 - h. A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;
 - i. Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
 - j. Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms⁻¹ at the boundary of the SPA;

- k. Provision for storage, collection, and disposal of rubbish from the development during construction period;
- l. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- m. Temporary lighting;
- n. Protection of pedestrian routes during construction;
- o. No burning on-site;
- p. Scheme of work detailing the extent and type of piling proposed;
- q. A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;
- r. Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

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

9. 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.

The following conditions relate solely to: ii) Construction of the Search and Rescue Training Centre, services road and car parking as within the perimeter fence marked in orange on the approved Proposed Site Plan

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), the development hereby approved shall only be used as a Search and Rescue Training Centre, and for no other purposes as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) or any statutory instrument revoking and re-enacting that order with or without modification.
REASON: To protect the occupiers of the nearby residential properties from possible disturbance from permitted uses other than that specifically granted through this permission and provision of adequate car parking.
11. No development on the main application site 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.
12. The development hereby permitted shall be implemented in accordance with the submitted surface water drainage strategy. The development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.
REASON: In order to ensure satisfactory disposal of surface water.
13. The development hereby permitted shall be implemented in accordance with the submitted foul water drainage details. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.
REASON: To ensure satisfactory disposal of foul water.
14. Notwithstanding the submitted Noise Impact Assessment (prepared by OMNIA, dated August 2023), the development hereby permitted shall not be brought into use until a further Noise Impact Assessment in accordance with the advice of the within the consultation response from the Council's Environmental Health Officer dated 25 October 2023 has been submitted to and approved in writing with the Local Planning Authority specifying the provisions to be made for the control of noise emanating from the site. The development shall thereafter be used and retained in accordance with the submitted Assessment.
REASON: To prevent avoidable disturbance to residents from noise.
15. No development hereby permitted above damp proof course (dpc) level on the main application site shall proceed until a scheme of lighting for the

building and car parking areas designed to minimise impacts on wildlife and habitats has been submitted to and approved in writing by the local planning authority. Prior to the first occupation of the development hereby permitted the operational stage elements of the approved lighting scheme shall be implemented in accordance with the approved details and those elements shall be permanently retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

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

16. No development of the main application site shall commence until the applicant has undertaken the following:

- An intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources should be carried out. The site investigation shall not take place until the requirements of the LPA have been fully established. This should be submitted to and approved in writing by the LPA.
- Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the LPA. It shall also include the nomination of a competent person (to be agreed with the LPA) to oversee the implementation of the measures.

REASON: To ensure that 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.

17. Prior to the occupancy of the property hereby permitted:

- Any agreed scheme of remedial measures shall be fully implemented.
- Remedial measures shall be validated in writing by an independent competent person as agreed with the LPA. 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 and as built drawings where required by the LPA. The requirements of the LPA shall be agreed in advance.
- Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial

measures, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the LPA. The remediation shall be fully implemented and validated in writing by an independent competent person as agreed with the LPA.

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

18. None of the development hereby permitted shall be occupied or used until the areas shown on the approved plan for the parking and turning of cars and/or the loading, unloading and manoeuvring of vehicles have been fully laid out and made available for use. These areas shall thereafter be retained and kept available for these purposes at all times.

REASON: In the interests of highway safety.

19. The development hereby approved shall not be occupied until the Electric Vehicle (EV) charging points as shown on the approved plans have been installed and made available. The EV charging points shall be retained and useable for lifetime of the development proposal.

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.

20. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

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

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

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

22. The permitted retractable safety barriers on the roof of the building shall only be erected when maintenance/inspection of the roof is required, and shall at all other times be laid down flush with the roof of the building. They shall thereafter be retained in this condition for the lifetime of the development.
REASON: In the interests of visual amenity.
23. No development on the main application site shall commence until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
REASON: In order to ensure that the site, which is located in an area where there is potential for archaeological discovery, is adequately investigated prior to development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.
24. Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.
REASON: To contribute to our knowledge and understanding of our past by ensuring opportunities are taken to capture evidence from the historic environment and to make this publicly available.
25. The development hereby permitted shall be undertaken in accordance with the measures set out in Section 5.0 'Assessment of Ecological Effects and Mitigation/Compensation/Enhancement Measures' of the submitted Ecological Impact Assessment (Final Document, Rev 3 by ECOSA, dated August 2023). There shall be no deviation from these recommendations unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the safeguarding of protected species and retained habitats on site.
26. The development shall be carried out in accordance with the details within the submitted Biodiversity Net Gain Design Stage Report (prepared by ECOSA, dated October 2023). The approved Biodiversity Net Gain measures shall be managed, maintained and monitored in accordance with the approved details.
REASON: To secure at least 10% net gains for biodiversity.
27. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations)

shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

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

28. No development on the main application site shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

- a) Details of how provision is to be made on site for the parking and turning of operatives'/contractors'/sub-contractors' vehicles and/or construction vehicles;
- b) The measures the developer will implement to ensure that operatives'/contractors'/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
- c) Arrangements for the routing of lorries and details for construction traffic access to the site;
- d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
- e) The measures for cleaning the wheels and underside of all vehicles leaving the site;
- f) A scheme for the suppression of any dust arising during construction or clearance works;
- g) The measures for cleaning Daedalus Drive and Broom Way to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
- h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;

- i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
- j) Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms-1 at the boundary of the SPA;
- k) Provision for storage, collection, and disposal of rubbish from the development during construction period;
- l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- m) Temporary lighting designed to minimise impacts on wildlife and habitats;
- n) Protection of pedestrian routes during construction;
- o) No burning on-site;
- p) Scheme of work detailing the extent and type of piling proposed;
- q) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;
- r) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

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

THEN

9.3 DELEGATE authority to the Head of Planning to make any necessary modifications, deletion or addition to the proposed conditions.

10.0 Notes for Information

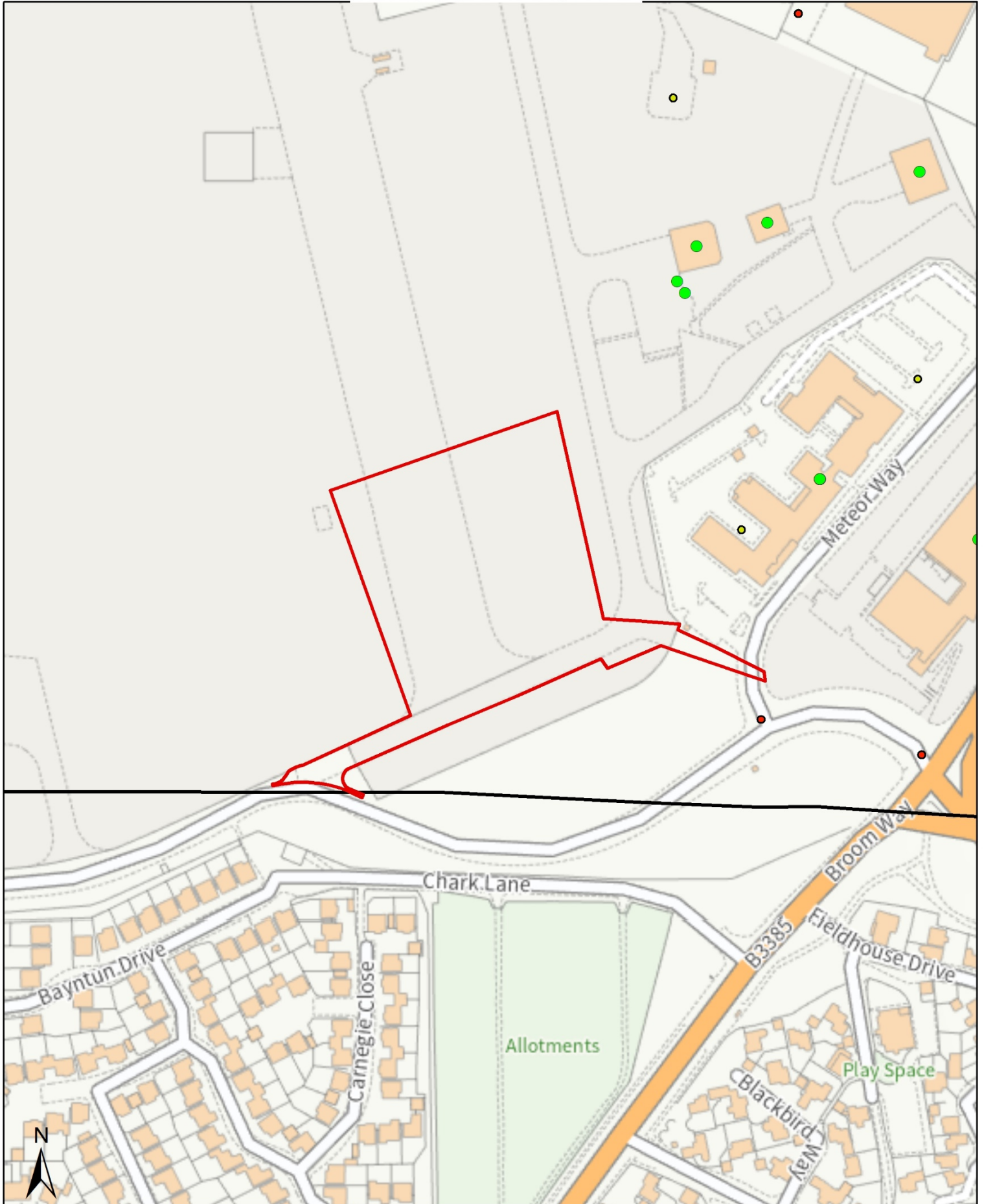
P/23/1155/FP

11.0 Background Papers

- 11.1 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



Land At Faraday Business Park
Daedalus Drive
Scale 1:2,500

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 31/10/2023

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/21/1317/FP](#)

Appeal site address: Andark 256 Bridge Road Swanwick Southampton SO31 7FL

Ward: Sarisbury

The appellant: Mr & Mrs Andrew Goddard

Description of proposal: Change of Use of Land adjacent to Diving Lake to a Motorhome and Camping site for up to 7 Motorhomes and 6 Tents (Excluding Caravans) & Construction of Toilet/Shower Facilities

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 19/09/2023

Reason for Appeal: Appeal against refusal of planning permission

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/22/1046/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

Fareham Borough Council Reference: [P/22/1409/FP](#)

Appeal site address: Hunters Lodge Care Home 39 Kiln Road Fareham PO16 7UQ

Ward: Fareham North

The appellant: Mr Stephen Geach

Description of proposal: Construction of a detached single-storey four-bedroomed lodge (containing five beds) in rear garden and retention of two internal single bedrooms to achieve 48 rooms (with 49 beds); retention of patio doors to the southwest elevation of dayspace room (Resubmission of application P/21/1163/FP).

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 12/10/2023

Reason for Appeal: Appeal against refusal of planning permission

PUBLIC LOCAL INQUIRY

Fareham Borough Council Reference: [P/22/0363/OA](#)

Appeal site address: Land at Pinks Hill Fareham

Ward: Fareham East

The appellant: Mr Stephen Clark

Description of proposal: Outline Planning Application With All Matters Reserved (Except For Access) For The Development Of Up To 109 Residential Dwellings (C3 Use) With Access From Pinks Hill, Informal And Formal Open Space And Associated Landscaping, Drainage Infrastructure, Acoustic Bund And Fence And Other Associated Works Including Demolition Of Existing Buildings & Associated Highway/Pedestrian Improvement Works to Pinks Hill Road and Military Road

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 25/10/2023

Reason for Appeal: Appeal against refusal of planning permission

Date scheduled for Public Local Inquiry to start and duration: 23/01/2024 for 6 days

Fareham Borough Council Reference: [P/23/0354/D52](#)

Appeal site address: Meon View Farm 57 Old Street Fareham PO14 3HQ

Ward: Hill Head

The appellant: Mr Nicholas Chappell

Description of proposal: Change of Use of land & laying hard surface

Date appeal lodged: 10/07/2023

Reason for Appeal: Against serving of planning enforcement notice

DECIDED PLANNING APPEALS

Fareham Borough Council Reference: [P/23/0519/FP](#)

Appeal site address: 8 Nursery Lane Fareham PO14 2NZ

Ward: Hill Head

The appellant: Mr & Mrs Staniland

Description of proposal: Extend existing front dormer

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 03/10/2023

Fareham Borough Council Reference: [P/23/0591/FP](#)

Appeal site address: 93a Longmynd Drive Fareham PO14 1TA

Ward: Fareham West

The appellant: Mr Peter Terry

Description of proposal: Raise the ridge 1.5 metres to allow the conversion of the loft and installation of solar PV panels on south facing roof

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: ALLOWED

Appeal decision date: 17/10/2023

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](#)