

# FAREHAM

BOROUGH COUNCIL

## Report to Planning Committee

**Date**                    9<sup>th</sup> June 2015

**Report of:**            Director of Planning and Development

**Subject:**                **PLANNING APPLICATION P/14/0841/FP –  
LAND OFF CARTWRIGHT DRIVE, TITCHFIELD**

### SUMMARY

To consider formal development proposals in respect of the above planning application.

**P/14/0841/FP**

**TITCHFIELD**

MINTON HEALTHCARE (TITCHFIELD)

ERECTION OF A CARE VILLAGE COMPRISING 86 EXTRA CARE UNITS ALONG WITH INFRASTRUCTURE INCLUDING ACCESS, PARKING, LANDSCAPING AND OUTDOOR AMENITY SPACE AND ASSOCIATED WORKS; AND THE CHANGE OF USE OF LAND TO A 15.4 HECTARE COUNTRY PARK, INCLUDING PROVISION OF 40 CAR PARKING SPACES, A PLAY AREA, STAFF WELFARE BUILDING AND ASSOCIATED WORKS

LAND OFF CARTWRIGHT DRIVE, TITCHFIELD

***Site description***

The planning application site is approximately 19 hectares (47 acres) in area. It is located on land to the west of the River Meon extending from Mill Lane at the bottom of the Meon Valley to Cartwright Drive on the ridge to the west.

The application site is located on the side of the Meon Valley, and within the Titchfield Abbey Conservation Area. The Conservation Area contains the Scheduled Ancient Monument of Titchfield Abbey.

The Monastic Barn, a Grade 1 listed building, and its associated driveway and parking area is located immediately to the north of the planning application site. Fernhill Farmhouse, a Grade II listed building, is located immediately to the north of the Monastic Barn.

The site is crossed north to south by public footpath no. 43 and from west to east by public footpath no. 41.

The land generally falls from west to east down the valley towards Mill Lane. Within the south western corner of the site, close to the Holiday Inn hotel, the change in levels effectively creates a 'basin' on this part of the site.

There are three ponds immediately adjacent to the boundaries of the application site. The ponds are owned by Portsmouth and District Angling Club who have been afforded pedestrian rights of access to them by the current land owner.

A small number of residential properties border the site, principally in Southampton Road and Mill Lane. Fernhill Farmhouse is sited immediately to the north of the application site.

The site borders a recreation ground on the corner of Mill Lane with the A27 and Carron Row Farm to the north. There is ancient woodland bordering the north western corner of the site.

The planning application site is identified within the adopted local plan as being within an area within the countryside. It also forms part of the Meon Strategic Gap between Fareham and the Western Wards of Fareham.

### ***Description of development***

This planning application puts forward a comprehensive set of proposals for this 19 hectare (47 acre) site on the western side of the valley.

The application proposes a care village within the south western corner of the site which would occupy an area of approximately 3.57 hectares (8.8 acres). The 15.43 hectares (38 acres approximately) which make up the remainder of the application site are proposed to be made available as a country park which would be fully accessible to the public.

Both the care village and a 40 space car park serving the country park will be accessed via a single T junction onto Cartwright Drive.

The scheme originally submitted in August last year comprised a 70 bed care home, 6 assisted living apartments and 39 extra care units along with the change of use of land to a country park.

The mix of accommodation has since been amended as a result of requested improvements to the design of the scheme. A greater level of detail has also been provided for the country park and the works to be carried out in connection with it. These two elements of this comprehensive proposal are set out in detail below:

#### Care Village

The care village will comprise of 86 extra care units along with associated parking, landscaping and outdoor amenity space.

The proposed development will fall within Use Class C2 (Residential Institutions), of The Town and Country Planning (Use Classes) Order 1987, by providing specific care and accommodation for residents.

Care is defined within the Use Classes Order as 'the provision of personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder.' To satisfy the definition firstly some form of care has to be provided and secondly the recipient of the care has to be in actual need of it. This is often evidenced by individual care plans.

The extra care facilities are split into various blocks and types of accommodation offering operational flexibility and ensuring that residents have access to the most appropriate care for their specific needs.

The Commission for Quality Care registered on-site domiciliary care team will be capable of providing the following care within the proposed care village accommodation mix:

- Residential Care
- Nursing Care
- Respite Care and Short Stays
- Specialist Dementia Care
- Learning Disabilities

An integral part of the development will be the provision and delivery of care to meet the individual resident's needs.

The development will contain the following accommodation and services:

- 58 x two bedroom apartments
- 15 x two bedroom bungalows
- 13 x three bedroom bungalows
- Communal lounge;
- Communal restaurant supported by a commercial kitchen;
- Foyer and coffee shop/café including library reading area;
- External terraces adjacent to cafe and restaurant;
- Gymnasium with associated changing areas;
- Serviced laundry facility;
- Hot all day meals service;
- Domestic cleaning;
- 24/7 on-site trained care staff providing personal care tailored to the individual needs of the residents.

The proposed Extra Care units will be sold on a 125 year Leasehold tenure; Fernside Healthcare will retain the outright freehold. The majority of the units will be available for outright purchase to allow older people to retain ownership of their own homes. A number of units may also be available on a shared equity ownership basis.

The whole scheme will employ around 70 full and part time staff. This assessment is based on extensive experience of average care needs in these types of developments. The scheme is capable of increasing the number of specialist trained carer's on-site as individuals care needs escalate ensuring that residents do not have to move away leaving friends and family behind.

The residents will enter into an under lease with Fernside Healthcare. Under the terms of this deed the residents will be aged 55 years or over. There will be an obligation on residents to contract the base level service charge and care package comprising a minimum of 1.5 hours of domestic, practical support and Care Quality Commission (CQC) registered domiciliary care per week. Residents will be able to purchase additional personal care to address their own particular circumstances up to a level consistent with full time residential care needs.

### Country Park

The creation of the country park will involve the change of use of 15.43 hectares (38 acres approximately) of land. It will include provision of a dedicated 40 space car park, a play area and staff welfare building.

A number of works would be carried out including the creation of an easy access trail, fencing, interpretation boards, signage, hedging and seating provision.

The layout, planting and boundary treatment envisaged to create the country park has been the subject of a number of detailed discussions between Officers and the applicants. The proposal would provide for a fully laid out country park available for use by the public and the

applicant has confirmed that appropriate contributions would be made to both lay out and maintain the whole of this site.

### ***Relevant planning policies***

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

CS5 - Transport Strategy and Infrastructure  
CS6 - The Development Strategy  
CS14 - Development Outside Settlements  
CS15 - Sustainable Development and Climate Change  
CS17 - High Quality Design  
CS21 - Protection and Provision of Open Space  
CS22 - Development in Strategic Gaps

#### **Local Plan Part 2: Development Sites and Policies**

DSP1 – Sustainable Development  
DSP2 - Design  
DSP3 - Environmental Impact  
DSP4 - Impact on Living Conditions  
DSP5 - Protecting and Enhancing the Historic Environment  
DSP6 – New Residential Development Outside of the Defined Urban Settlement Boundaries  
DSP8 - New Leisure and Recreation Development Outside of the Defined Urban Settlement  
DSP13 - Nature Conservation  
DSP15 - Recreational Disturbance on the Solent Special Protection Areas  
DSP42 - New Housing for Older People

#### **Fareham Borough Local Plan Review**

C18 - Protected Species  
DG4 - Site Characteristics

Titchfield Abbey Conservation Area Appraisal and Management Strategy (adopted January 2013)

### ***Relevant planning history***

P/92/0492/FP – Use of land for golf range, associated driving range bays, ticket office, car park and practice putting area – refused February 1993 and subsequently dismissed at appeal in September 1993.

P/94/0307/CU – Change of use of agricultural land to 9 hole pitch and putt golf course – permission granted August 1994.

P/96/0587/CU – Change of use of agricultural land to additional 9 hole pitch and putt golf course – permission August 1996.

P/98/0541/CU – Change of use of agricultural land to 9 hole pitch and putt golf course – refused October 1998.

P/99/0077/CU – Change of use of agricultural land to 9 hole pitch and putt golf course – permission June 1999.

P/02/1017/CU – Change of use from agricultural land to leisure use including putting, mini golf and mountain bike courses – permission September 2002.

P/04/0594/CU – Use of part of land as a mountain bike practice track on a permanent basis – permission April 2004.

P/07/0224/FP – Change of use and erection of training facilities, construction of outdoor pitches and ancillary facilities for Portsmouth Football Club – refused 21 January 2008.

### ***Representations received as a result of publicising the original application***

In response to the initial publicity, six objections were received raising the following points:

- The site should not be developed, this is a greenfield site;
- Local people and dog walkers already have access, therefore the developers are not giving the community anything more than they already have;
- Cost to the Council to maintain;
- Development will set a precedent; no guarantee that all the land will become a country park;
- Noise, disruption and increased traffic associated with a building site;
- The buildings are close to the footpath which is much used by dog walkers;
- Development will compromise the setting of the Barn – urbanising the conservation area;
- How will Country Park be funded in the future?
- The care home building is some 100 metres wide; it will have a significant impact on more distant views of this rural space;
- The height of the care home should be reduced;
- This site has long been recognised as important to conserve all post war development plans as a strategic gap to continuous development to the west of Fareham and as part of the Meon valley setting;
- The Titchfield Abbey Conservation Area is significant;
- Concerns with country park – is this to be a managed park with facilities or left to nature – both imply liability if owned and operated by the Council;
- How will the footpath negotiate the care village?
- Opening up from Cartwright Drive will risk an invasion of travellers;
- The development may offer to fill need for care but it would open the floodgates to further development in the conservation area;
- Not convinced the developer has experience of such sensitive sites;
- Impact on view;
- Impact on traffic volume.

Five letters of support have been received including one from Portsmouth and District Angling Club and one from Titchfield Festival Theatre.

In addition to these five representations, a letter of support has been received from Titchfield Village Trust raising the following comments:

- The gift of the land would ensure that this strategic gap can be maintained in perpetuity;
- There is some incursion into the gap but it is behind the hotel and off Cartwright Drive and is seen as a price worth paying;
- The land is currently used ad hoc by the community, but regularising and ensuring its future seems to be the way forward.

A letter from the Fareham Society raises the following matters:

- Contrary to local plan – sizeable development in the countryside , Meon Valley Strategic Gap and Titchfield Abbey Conservation Area;
- A judgement needs to be made on how this development will affect the landscape, setting, views and tranquillity of the Conservation Area – important features raised in character assessment;
- No offer of funding for land to be transferred to FBC or the Grade I listed Tithe Barn;
- Residents in Titchfield would benefit from the country park. However without an endowment or other form of funding to assist with long term maintenance, it would seem difficult to proceed with the offer and would alter the complexion of the application;
- The Society would wish to be assured that a precedent would not weaken strategic gap policies in the future;
- Particular concern is with the layout, design and impact of the development and its effect on the character of the area;
- Main care home is sited too close to the northern boundary, with a long flank wall close to the countryside footpath;
- At the very least there should be a softening landscape belt along this boundary and the building orientated away from it;
- How will the 3 bedroom family bungalows with garages fit into the 55+ age groups;
- The committee are asked to make a comprehensive site visit.

### ***Representations received as a result of publicising the amended application***

One objection has been received raising the following issues:

- The conservation area should not be built on;
- Increased traffic on A27.

One letter supporting the application has been received.

A letter received from the Catisfield Village Association raises the following points:

- The proposal is broadly supported but there are some concerns about the issues it raises;
- The Association's comments relate to the policy implications and the effect it may have on the view from Catisfield across the Meon Valley to the slopes on the north side;
- The Meon Valley should be retained as a natural gap and should not be degraded by development;
- The proposed development has attractions and meets a need however there is concern it would represent a dilution of the policies protecting the coast and countryside;
- For it to be acceptable if the remaining land is taken into public ownership; then in our view that balance of advantage would be achieved;
- There are cost implications of maintaining the land;
- Association would generally concur with the views expressed by the Titchfield Village Trust and extend a conditional welcome to the proposal.

A letter received from The Fareham Society raises the following points:

- The application represents a departure from the Local Plan, proposing major development in the Meon Valley Strategic Gap in an area of countryside covered by the recently revised Titchfield Abbey Conservation Area Appraisal;
- The amended application now includes land outside the specific development site to endow its setting up and use as a Country Park;
- Public access to the country park would benefit all residents of the Borough, and if permitted should be identified for this purpose in perpetuity;
- The uncertain future of this site has been a matter of local concerns for many years;
- Its acquisition for the country park use could be the only justification for permitting such a departure from the Local Plan;
- Amended plans for the buildings are an improvement on those originally proposed, particularly concerning the re-positioning of the wing of the main care home further away from the northern boundary with the public footpath;
- The height of this building is still a matter for concern because of its visual impact in views across the valley and on the rural amenity enjoyed from the footpath;
- Materials are crucial and should be carefully considered;
- Permitted development rights should be removed;



- Landscaping on northern boundary requires strengthening to enable the development to blend into the wider landscape and to screen on-site lighting;
- Deer fencing may need to be incorporated to protect the planted internal landscape features;
- The car park should be unlit and landscaped to screen vehicles from wider views;
- Not sure how access from Mill Lane will be managed, including the small car park at Mill Lane sports area;
- If permitted, it is suggested a Ranger is based on site from the commencement of development and that a strong Ranger presence is continued after the suggested initial three years;
- Perimeter of the Tithe Barn should be enclosed more effectively on its northern side separating it from the public footpath;
- If the Society feels that, on balance, the public benefit derived from the establishment of the country park outweighs the degree of harm to the Conservation Area and its setting caused by the Care Village, it is essential that the following assurances can be given:
  - I. A precedent will not be set for other built development to take place outside the urban area, particularly in Local and Strategic Gaps in the future.
  - II. Mitigation measures recommended by English Heritage and Council's Conservation Officer will be adhered to and enforced to reduce harm (as referred to in NPPF).
- It is essential that the rural character of this important Conservation Area is retained.

### ***Consultations***

#### Director of Community (Head of Leisure and Community) –

Detailed discussions have taken place about the Country Park between officers from Leisure & Community and Planning and the Developer.

Initially the application proposed that the Monastic Barn be transferred to this Council as part of the country park works. The barn is currently subject to a long term lease with the Titchfield Festival Theatre and arrangements for its maintenance and security are provided for through the lease. In light of these arrangements Officers did not consider there to be benefit in including the Barn within the country park works which would include the potential transfer of its ownership to the Council. The Monastic Barn now no longer forms part of the planning application.

The preliminary work indicated that the site had certain limitations in respect of providing a full specification country park which would require visitor centre, outdoor and educational facilities, weekend opening, car-parking and toilet provision.

The capital contribution offered by the developer to provide both the necessary infrastructure and the necessary funding for a 10 year management plan will ensure the provision of a high quality accessible public open space that will benefit the local community. The addition of a visitor centre in the future with education and toilet facilities has the potential to fulfil the vision for the provision of a country park in the Borough of Fareham.

The following outlines how the land could be taken forward as a Country Park should planning permission be granted for it:

As with all public open space owned by the Council, there is a need for zoning the site for both its recreational use and to protect the more sensitive areas contained within. Although there is an existing path network in the form of public rights of way many of the open areas have no formal path demarcation.

A substantial investment is required to establish the above in the form of pedestrian way-marking, fenced areas, track surfacing and access points for land management purposes. The above infrastructure will all conform to industry standard specifications and health and safety requirements.

Ecological and archaeological data has been obtained and the management constraints have been taken into consideration in the production of a management plan.

Much of the site is currently grassland which is predominantly of poor quality and therefore to improve the biodiversity of the area it is desirable to improve the grassland sward which will be undertaken over a number of years.

Provision of a bespoke natural play facility and parking for 40 vehicles will be provided and are seen as essential components to ensure viable and sustainable use of the site.

The addition of a visitor centre is also seen as a key focal point for the park and the ambition is to provide this facility as part of the 10 year management plan for the site.

Effective management of the site will require frequent staff presence and the resources (equipment) to manage appropriately and deal with issues arising in and out of work hours and general site safety for public use. This includes weekly collections of bins, monitoring of equipment (e.g. play area, furniture) and general maintenance and upkeep of the site in accordance with the 10 year management plan.

Volunteer support will be a key feature in the management of the site under the supervision of Council's Countryside Rangers service.

To conclude, the proposed country park would deliver accessible open space which would be of great public benefit and is therefore fully supported.

Director of Environmental Services (Recycling) – no objection subject to suitable refuse and recycling storage and collection facility.

Hampshire County Council (Archaeology) – No objection subject to a condition securing a programme of archaeological mitigation which will be set out in a Written Scheme of Investigation.

Environment Agency – No objection

Director of Planning and Development (Highways) – No objection subject to conditions

Hampshire Constabulary (Crime Prevention Design Advisor) – No objection

Hampshire County Council (Highway Development Planning) – No objection

Hampshire County Council (Countryside Access Development Officer) – No objection subject to conditions

Director of Community (Environmental Health – Pollution) – No objection subject to condition

Director of Community (Environmental Health – Contamination) – No objection subject to conditions

Southern Water- No objection subject to conditions

Director of Planning and Development (Arborist) – No objection subject to conditions

Natural England –

This application is within close proximity to the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI) and the Tichfield Haven SSSI. The site is also part of the Solent Maritime Special Area of Conservation (SAC), the Solent and Southampton Water Special Protection Area (SPA) and Solent and Southampton Water Ramsar Site which is a wetland of international importance under the Ramsar Convention.

The proposal is not likely to have a significant effect on the interest features for the above SSSI/SAC/SPA/Ramsar sites, either alone or in combination with other plans or projects.

Director of Planning and Development (Ecology) -

Overall, the site (including the area of the proposed care development and the wider country park) is formed of tussocky semi-improved grassland fields with scrub and scattered trees, surrounded by hedgerows and wooded belts, along with lakes, and several buildings including the historic Tithe Barn. There is a locally designated SINC immediately adjacent to the northern boundary of the site. The surveys carried out have identified that the site supports protected species including nesting birds, foraging barn owl, reptiles (slow worm, grass snake and adder), roosting and foraging and commuting bats, various invertebrates of interest, and dormice.

Officers have been working with the applicant's ecologist and a Mitigation Management and Monitoring Plan has been submitted. Biodiversity has been protected within the development and the proposed delivery of a Country Park will increase the biodiversity value of the site significantly.

Director of Planning and Development (Conservation) –

Comments in relation to the application as originally submitted:

This application site lies at the top of the western slope of the Meon Valley within the boundary of the Titchfield Abbey Conservation Area. The proposal would affect the significance of the conservation area and also the setting of designated heritage assets that lie within its boundary.

The Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and also to have special regard to the to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest it possesses.

The Titchfield Abbey Conservation Area Character Appraisal and Management Strategy (adopted 2013) describe the character and appearance of the conservation area and the features that contribute to its significance. The conservation area was designated in 1994 to conserve the character and appearance of part of the Meon Valley which is of particular historic interest and provides an unspoilt rural setting for the ruins of Titchfield Abbey (a scheduled monument) and an associated group of listed buildings, a number of which are pre-dissolution, including the medieval monastic barn which is listed grade 1.

The adopted conservation area character appraisal sets out the significance of the Titchfield Abbey Conservation Area. It states that the landscape, topography and tranquillity of the valley is important to the character and appearance of the conservation area and provides a setting and a historic context for the scheduled monuments and listed buildings within its boundary. The boundary includes the valley sides that rise to the east and west and their natural slope contributes to its rural character and the setting of the historic buildings. The essential character of the landscape is of undeveloped open countryside with groups and belts of trees on the valley sides and on the valley floor. The tranquil character of the rural landscape is experienced and appreciated throughout the network of public footpaths. It recognises that overall character remains one of unspoilt countryside that provides a backdrop for the historic buildings. The topography, tranquillity and character of the landscape of the Meon Valley, the architectural and historic interest and setting of the listed buildings and the important views and intervisibility of the abbey, the monastic barn and other historic buildings in their landscape setting are listed as key features to preserve and enhance.

The proposed development would introduce significant change to the character of the conservation area. Presently the character of the conservation area at the top of the valley is one of open countryside which is immediately apparent on entering the conservation area from the A27 on footpath 41 where there are views across the application site into and across the valley. The footpath turns east and open land is appreciated on both sides as the footpath descends the slope and the historic buildings become visible in the valley below. The established character of the land within the conservation area boundary is of undeveloped open countryside.

The proposed development would replace the open land to the south of the footpath with a complex of buildings to form a care village. These are arranged around formal landscaped areas with an associated access road from Cartwright Drive.

The National Planning Policy Framework and Historic England guidance defines the setting of a heritage asset as the surroundings in which it is experienced. Historic England guidance advises that setting is not a heritage asset, nor a heritage designation, its importance lies in what it contributes to the significance of the heritage asset. The guidance advises that the contribution setting makes to the significance of a heritage asset does not depend on public rights or ability to access the setting. The current setting of the abbey, monastic barn and Fern hill Farmhouse is one of predominantly undeveloped rural character provided by the countryside of the Meon Valley to which the land proposed for this development contributes. This existing character reflects the agricultural and rural landscape that has surrounded the group of listed buildings in the valley for hundreds of years and in that respect it is important to their significance.

The historic buildings are appreciated in their rural setting from land on both sides of the valley. On the western valley slope when starting to descend on footpath 41 Fernhill Farmhouse and the Abbey become visible in the valley and from the land immediately to the north of the footpath (proposed as country park) the barn is also visible in the group. The buildings are experienced from this high land whilst surrounded by the open countryside of the valley side and with a noticeable absence of intrusive urban development. This character allows the historic assets to be appreciated in their historic rural context. The introduction of buildings into the open land of the valley side would significantly erode the established character that provides the wider setting of the historic buildings.

The proposed development within the conservation area boundary would be harmful to the character and appearance of the Titchfield Abbey Conservation Area. It would also be harmful to the setting of the scheduled ancient monument and listed buildings. The National Planning Policy Framework advises that great weight should be given to the conservation of designated heritage assets. Where a development would lead to harm it should be weighed against the public benefits of the proposal.

### **Comments received in relation to the amended proposal:**

The revisions to the scheme divide up the large rest home building at the northern edge of the development into three separate buildings which breaks up the bulk of the previous design. The change would reduce the massing and scale of the development in this location and create more space around the resulting buildings; to some degree this lessens the impact of the development on the character and appearance of the remainder of the conservation area.

Should the development proceed, harm to the established character and appearance of the conservation area and the setting of the historic buildings would be reduced by lessening the visual impact of the new complex of buildings on the remaining rural character of the valley. The proposals show a lack of significant screening on the northern and eastern boundaries. This will result in the close proximity of the urban development being intrusive and harmful to the remaining rural valley side of the conservation area and the wider setting of the historic buildings in the context of the valley.

The introduction of further planting is essential to screen the development in views from the North and East. This should be of adequate height to break up the development in views and should aim to provide a significant natural screen to complement the rural character of the remaining landscape divorcing the intrusive urban development from the remaining rural valley, which is proposed as a country park. This would help to preserve the existing

character of the conservation area which is one of predominantly natural landform and rural character.

The proposed access road, car park and play area are urban intrusions into the northern side of the rural valley and are harmful to its established character. These elements should also be significantly screened. They should remain compact and refrain from spilling into the countryside to retain the character and appearance of the conservation area.

As the site is situated in a conservation area, if the development proceeds a high standard of materials should be required. These should comprise natural finishes, the roof in particular will be visible and should use a quality hand-made red double cambered clay tile.

#### Historic England –

#### **Comments in relation to the application as originally submitted:**

The proposed care village and country park would result in additional modern built development, thereby eroding rural character within the Titchfield Abbey Conservation Area. Furthermore the built development would adversely affect the special interest of the Scheduled Ancient Monument of the Titchfield Abbey ruins and fish ponds and the Grade I Abbey Barn, therefore harming the historic assets. For this proposal to comply with the requirements of the National Planning Policy Framework (NPPF), the planning authority needs to be certain that the harm is clearly and convincingly justified and that also the harm is outweighed by public benefits.

#### **Historic England Advice - significance**

Titchfield Abbey with its associated buildings and landscape is at the very heart of the conservation area and the prime significance of the conservation area is derived from the existence of these structures and their context. There are, however, also other heritage assets within the conservation area. The medieval Titchfield Abbey, and associated ruins and fishponds, the Grade I listed monastic barn, Grade II Fernhill farmhouse and Place House Cottages form a group in the landscape on the western side of the valley and the valley floor. Historically the buildings were visually and functionally linked and remain intervisible in the open landscape today as they have done for hundreds of years, relying for their setting upon the surviving woods and open countryside that allows important views of them both individually and as a group.

The proposal is for a care village in the south west segment of the conservation area and would not directly affect (physically) either the Scheduled Ancient Monument or the Grade I listed barn. Therefore it is their setting (and the contribution that makes to their significance) along with the character and appearance of the conservation area that must be considered.

#### **Impact**

The setting of the Abbey and the Barn is currently rural in character. Longer views from the east also allow this context to be understood and reveal the inter-relationship. From many viewpoints including from the Abbey it appears the new buildings would be largely screened by topography and trees/hedgerows, but there will probably be some visibility from the area of the fish ponds. Also when the area is viewed from the higher ground to the east the

buildings will fill part of the green space with modern development, causing an adverse impact on the setting of the Scheduled Ancient Monument and the Barn.

The open and rural character of the conservation area has been assessed in the conservation area character appraisal. The appraisal states that the landscape and topography of the valley is important to the character and appearance of the conservation area and provides a setting and a historic context for the Abbey and Barn. The essential character of the landscape is of undeveloped open countryside with groups and belts of trees on the valley sides and on the valley floor.

The proposed development would erode the open character and would be harmful to the character and appearance of the conservation area.

## **Policy**

As the application affects a conservation area, the statutory requirement to pay special attention to preserving or enhancing the character or appearance of the conservation area must be taken into account when making a decision. In addition as the application also affects the setting of a listed building, the statutory requirement to have special regard to preserving the setting of a listed building must also be taken into account.

Under the NPPF it is a core planning principle to conserve heritage assets (including Scheduled Ancient Monuments) in a manner appropriate to their significance. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater weight should be.

The NPPF also recognises the importance of considering setting as it sets out that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. The onus is therefore on the Local Planning Authority to rigorously test the necessity of any harmful works and to seek to reduce harm through amendments to the scheme.

The NPPF also allows that where all harm cannot be avoided the justified harm should be weighed against the public benefits of the proposal.

The proposal offers the creation of a country park on areas of the site which would offer a mechanism for protecting the setting of the heritage assets. The ability to control the management of the country park through landscaping conditions and therefore have a higher degree of control over the landscape setting could perhaps be considered a public benefit.

## **Recommendation**

The significance of the Abbey ruins, the listed barn and the conservation area have been considered and the impact that this proposal would have on that significance or character assessed. The creation of a care village in the south west part of the conservation area is considered to be harmful to the heritage assets and therefore, for this proposal to comply with the requirement of the NPPF, the Council needs to be certain that the harm is clearly and convincingly justified and that also the harm is outweighed by public benefits.

## **Comments received in relation to the amended proposal:**

Historic England's previous letter set out concerns relating to the harm which would be caused by this proposal on the character and appearance of the conservation area and the significance of the other designated heritage assets (for example Titchfield Abbey Ruins and the Tithe Barn). The principal point was that further intrusion of built development into the rural character of the conservation area which also forms the setting of the other highly graded assets would be harmful to their significance. These amendments do not fundamentally address this point and therefore we do not wish to alter our view other than to note that a car park for the country park has been introduced in the north-west corner of the site. This would further erode the informal rural character of the area.

When making your final assessments of this proposal please take into account the previous comments from Historic England as well as this additional comment about the new car park.

We would urge the Council to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

### ***Key planning issues***

The main issues to be considered in this case are as follows:

- Development in the countryside and the strategic gap
- Titchfield Abbey Conservation Area and the setting of historic assets
- Design
- Effect on nearby residential properties
- Ecology and biodiversity
- Highways
- Other Benefits arising from the proposals

### **Development in the countryside and the strategic gap**

The site is located outside of the defined urban settlement boundaries, within the countryside. Core Strategy Policy CS14 (Development Outside Settlements) applies to all areas outside of the defined urban area boundaries states:

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

The applicant, in the supporting Planning Statement, bases a case for the proposal being consistent with CS14 on the grounds that the Policy does not specifically restrict the development of care facilities.

The supporting text to CS14 (paragraph 5.146) highlights that 'development in the countryside, outside the settlement boundaries will be strictly controlled and will focus on meeting agricultural, farm diversification, countryside recreation, leisure and tourism needs,



i.e. needs that can only be met in this type of location. Where such development is necessary, the priority is to protect and enhance landscape character, the setting of settlements and biodiversity.'

Whilst Officers appreciate the desirability for residents of a care village to live in this location, Officers are not persuaded that a facility such as this has an overriding need for a countryside location. The country park is development which has a need for a countryside location and it is therefore acceptable in principle.

Policy DSP7 (New Residential Development Outside of the Defined Urban Settlement Boundaries) states that:

"New residential development outside of the defined urban settlement boundaries (as defined on the Policies Map) will only be permitted in instances where:

- It has been demonstrated that there is an essential need for a rural worker to live permanently at or near his/ her place of work; or
- It is for a residential dwelling of exceptional quality or innovative nature in design; or
- It involves the conversion of an existing non-residential building....

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

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

Officers consider that the care village proposal does not satisfy the three bullet points set out immediately above, and therefore the proposal is contrary to this part of emerging Policy DSP7. The elements of the policy relating to the amenity of residents, environmental and ecological impacts, character and landscape issues are explored in greater detail elsewhere in this report.

Policy DSP8 (New Leisure and Recreation Development Outside of the Defined Urban Settlement Boundaries) states that:

*Proposals for leisure and recreation development outside of the defined urban settlement boundaries (as defined on the policies map) will be permitted where they do not have an unacceptable adverse impact on the strategic and/ or local road network.*

*Proposals....should avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts or detrimental impact on the character or landscape of the surrounding area.*

The impact of the country park upon local residents, the environment, ecological interests, character and landscape are explored in greater detail later in this report. Officers are however fully satisfied that the provision of the country park facility here is supported in principle by Policy DSP8.

Policy DSP42 (New Housing for Older Persons) of the emerging Local Plan Part 2: Development Sites and Policies states:

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

- *Offer easy access to community facilities, services and frequent public transport or, where a site is not within easy access to community facilities, services and frequent public transport, on site services should be provided;*
- *Be well-integrated with the wider neighbourhood;*
- *Provide sufficient car parking for visitors and residents;*
- *Where appropriate, provide choice of tenures; and*
- *Should be designed to be accessible and adoptable with particular regard given to the principles of Lifetime Homes.*

The care village will provide transport for its residents and communal facilities will also be provided on site. Sufficient parking would be provided on site for both residents and staff. A number of tenure options will be available to the prospective occupiers and the units are all designed to meet the lifetime homes principles.

Officers consider the proposal complies with Policy DSP42 (New Housing for Older Persons) of the emerging Local Plan Part 2: development Sites and Policies.

In addition to occupying a countryside location, the site is also located within the Meon strategic gap.

Policy CS22 (Development in Strategic Gaps) of the adopted Core Strategy states:

*Land within a Strategic Gap will be treated as countryside. Development proposals will not be permitted either individually or cumulatively where its significantly affects the integrity of the gap and the physical and visual separation of settlements.*

*Strategic Gaps have been identified between Fareham/Stubbington and Western Wards/Whiteley (the Meon Gap); and Stubbington/Lee on the Solent and Fareham/Gosport.*

The care village buildings would be sited in the south western corner of the application site close to existing residential properties fronting Southampton Road to the south and the substantial Holiday Inn Hotel building to the west.

From the footpaths crossing the application site, more distant vantage points, and to a more limited degree from Southampton Road, the perception would be of built development

occupying part of a currently open area. As a result the care village aspect of the application would physically and visually reduce some of the 'space' which currently contributes to the strategic gap, thereby affecting the strategic gap.

The larger part of the planning application site comprises of a country park. With the exception of play equipment, a small facilities building and low level development such as fencing, the countryside park will ensure that the present openness of the strategic gap is retained. As alluded to in some of the representations received, it is also arguable that the country park would safeguard the openness of this part of the strategic gap in perpetuity.

### **Titchfield Abbey Conservation Area and the setting of historic assets**

Within the "consultations" section of this report, Members will have noted the detailed comments of Historic England and the advice of this Council's Conservation Planner.

As part of the consideration of this application, decision-makers (in this case the Planning Committee) are required to undertake two statutory tests: the first relates to listed buildings and their settings; and the second the character and appearance of Conservation Areas.

In greater detail and taking each in turn, the tests are as follows:

Section 66 (General duty as respects listed buildings in exercise of planning functions) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

Section 72 (General duty as respects conservation areas in exercise of planning functions) of the Planning (Listed Buildings and Conservation Areas) Act 1990

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953 and sections 70 and 73 of the Leasehold Reform, Housing and Urban Development Act 1993.

Guidance on considering impact on historic assets is set out within the National Planning Policy Framework (NPPF). Paragraph 132 of the NPPF states:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably

scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade 1 and II\* registered parks and gardens and World Heritage Sites, should be wholly exceptional.'

Paragraph 133 goes on to say:

'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.'

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." (Paragraph 134 of the NPPF).

In preparation for the statutory tests, Officers have viewed the application site from numerous points within the conservation area and outside it. This has included assessing views from the east on the brow of the valley, the A27 west of Ranvilles Lane, the A27 from the junction with Mill Lane to the Holiday Inn Hotel, the northern edge of Titchfield itself and Cartwright Drive. Visual assessments have also been made from various locations within the Conservation Area, including Mill Lane particularly between its junction with the A27 and Fishers Hill, and from walking the footpaths 41, 42 and 43 where they run from the north of the A27, east of Mill Lane and east of Cartwright Drive.

Lastly photomontages showing the effect of the scheme when implemented were provided by the applicant to assist with these important statutory assessments.

Following this detailed on site assessment, and consideration of the comments of Historic England and this Council's Conservation Planner, Officers have set out their conclusions in respect of the statutory test below.

### **Section 66 (General duty as respects listed buildings in exercise of planning functions) of the Planning (Listed Buildings and Conservation Areas) Act 1990**

There are 11 Listed Buildings within the Titchfield Abbey Conservation Area and 2 Scheduled Ancient Monuments. The closest of these to the application site are the Monastic Barn which is a Grade 1 Listed Building; Fernhill Farmhouse which is Grade 2 Listed Building and Titchfield Abbey and its fishponds which are Scheduled Ancient Monuments.

A plan showing the precise locations of these buildings will be displayed at the Planning Committee meeting to assist Members in their consideration of the proposal and this statutory test.

The proposed country park is the element of the planning application which is closest to these three important buildings. The larger buildings within the care village are in the region of 325 metres (355 yards) from the Monastic Barn, with the smaller buildings around 250 metres away (273 yards); between 275 and 300 metres (300- 328 yards) from Fern Hill Farmhouse; and around 500 metres (546 yards) from Titchfield Abbey and 300 metres (328 yards) from its fishponds.

When viewed from higher land on the eastern side of the valley there are limited areas from where the care village is visible. These views are at some distance and the care village would be seen against the backcloth of the Holiday Inn Hotel and the established planting which surrounds it. The open land around these buildings, of which the country park will play a significant part, would be apparent in these long distance views.

When viewed from the base of the valley, Officers believe any views of the care village will be very limited, if at all possible. From this location the care village will not be seen as part of the broader setting for the three buildings listed immediately above, or indeed other listed buildings within the Conservation Area.

As a result of the topography of the land and the existing tree screening (which will remain) views of the care village will be very limited when moving westwards up the side of the valley. It is not until the western end of footpath 41, alongside the modern fishing lakes, that any of the buildings will really start to become visible.

The applicant is proposing to provide further planting, including tree planting, along the boundary of the care village and upon the country park. Over time this will further screen the edge of the care village and reduce views of the care village within the wider landscape setting.

When travelling along public footpath 41, immediately east of the Holiday Inn Hotel, the proposed care village buildings would prevent some of the views of the Listed Buildings and Scheduled Ancient Monuments in the distance. Current dense planting along the eastern side of the public footpath currently limits these views. The separation distances from the care village to the Listed Buildings and Scheduled Ancient Monuments would not however give the impression that the care village affects their settings when viewed from this direction.

Viewed from Southampton Road (A27) to the south and Cartwright Drive to the west, Officers do not believe the care village buildings would impact upon the setting of historic buildings within the Titchfield Abbey Conservation Area.

The country park in itself would not in the view of Officers harm the setting of these important historic buildings. It would arguably safeguard and enhance their setting by ensuring that the land is appropriately planted, maintained and used sympathetically in perpetuity. Officers are further mindful of the fact that the current authorised planning use of much of the land to the south, west and east of the Monastic Barn and Fern Hill Farm House, is as a "pitch and putt" golf course. This existing use requires the land to be managed and maintained in a very controlled way.

In conclusion Officers consider that any short term impact upon the setting of Listed Buildings and the Scheduled Ancient Monuments would be limited (and in the context of the NPPF represents less than substantial harm). The undertaking of further planting planned along the northern edge of the care village and upon the country park would ensure that setting of the Listed Buildings and Scheduled Ancient Monuments would be preserved.

Furthermore the creation of the country park, which occupies a considerable amount of the land that contributes to the setting of the buildings on the western side of the valley, will fully safeguard how this land is used, planted and maintained.

## **Section 72 (General duty as respects conservation areas in exercise of planning functions) of the Planning (Listed Buildings and Conservation Areas) Act 1990**

In assessing the affect upon the Titchfield Abbey Conservation Area, Officers have assessed the proposals from the same locations as when assessing the impact upon settings of Listed Buildings and Scheduled Ancient Monuments.

The site of the care village is located in the south western corner of the Titchfield Abbey Conservation Area. A plan showing the precise boundaries of the Conservation Area will be displayed at the Planning Committee meeting to assist Members in their consideration of the proposal and this statutory test.

Both Historic England and this Council's Conservation Planner have set out those matters that contribute to the character and appearance of the Conservation Area. Both of those consultees conclude that the care village aspect of the proposal would harm the character and appearance of the conservation area.

Within the preceding section which considered the impact upon the setting of historic buildings, Officers explained where the care village would be visible from and the manner in which it would be visible.

Officers consider this one of the least sensitive locations in the Conservation Area, adjoining existing ribbon development and the modern Holiday Inn building to the west. The creation of the care village would however change the character of this piece of the Conservation Area from open grassland to one of developed built form. The care village would not preserve the character or appearance of this part of the Conservation Area.

The larger part of the application site, which sits entirely within the Titchfield Abbey Conservation Area, is proposed to be laid out as a country park. Some low key development is proposed as part of the country park, including a car park and play area at its westernmost edge. In the view of Officers, the use of land as a country park along with sympathetically designed play equipment and car parking would preserve the character and appearance of the Conservation Area. The provision of the country park would also enable the use of the land, its planting and maintenance to be appropriately managed in the light of its Conservation Area status.

The Courts have made it clear that the statutory duties in Section 66 and 72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.

This does not mean that an authority's assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognise that the finding of harm gives rise to a strong presumption against planning permission being granted. The presumption is not irrebuttable - it can be outweighed by material considerations powerful enough to do so.

The implications of the Section 66 and Section 72 statutory tests and the conclusions Officers have reached are returned to in the conclusion of this report.

## **Design**

The country park element of the proposal will work closely with the existing topography of the site and introduce a small number of low key elements. Its layout and planting will respond positively to and be respectful of the key characteristics of the area, including heritage assets and landscape. Officers are satisfied that the country park complies with the policies of the adopted Core Strategy and the emerging Local Plan Part 2.

Turning to the care village, there are effectively two elements to the design approach.

In the first part, there are two distinct groups of buildings centred around landscaped grounds with a 'village green' design approach. These buildings are focussed between the existing development on Southampton Road and the modern fishing lakes.

The buildings are set within spacious, landscaped areas combining both formal gardens and more natural areas. Car parking areas are well related to the units and are sensitively incorporated into the layout.

For the second part, there are three interconnected apartment blocks ranging between single storey and three storey in scale, containing various communal facilities. These buildings are sited in close proximity to the Holiday Inn Hotel.

As originally submitted the proposal comprised a 70 bedroom care home, 6 assisted living apartments and 39 extra care units. The care home element was designed as one large three storey building. Officers were concerned that the scale of the care home building and its proximity to public footpath 41 was not appropriate for this location.

Following discussions between Officers and the applicants, a completely new design approach was taken to the care home building. The building was 'broken up' into three smaller buildings, linked by a covered walkway. The covered walkway is achieved by making use of the change in levels on the site.

The scale of the most north easterly building has been reduced and its design changed to make it appear more 'barnlike'. The building has also been turned 45 degrees away from public footpath 41, which improves its relationship to this footpath.

The design was intended to reflect the features and proportions of the Monastic barn, using a simple palette of materials and forms. The use of the existing site levels to set the building into the landscape means that this element of the proposal has the appearance of a single storey building, and further emphasises and reflects the horizontal nature of a barn.

These three buildings have a green landscape setting towards their eastern and north-eastern side. They have also been carefully designed to present interesting elevations towards both the country park and the internal access road.

Landscape character and appearance is an important issue in considering the high quality design of the scheme as required in policies CS14 and CS17 of the adopted Core strategy and policy DG4 of the Fareham Borough Local Plan Review.

The effect on the character and appearance of the landscape was undertaken alongside the statutory tests in connection with Sections 66 and 72 (set out earlier in this report). Within that section of the report Officers have identified the locations from where the care village would be visible and the harm that would arise.

In summary, Officers consider that the care village in itself constitutes a design of high quality. When considered in the broader context however, the care village proposal would cause some harm to the landscape and the Titchfield Abbey Conservation Area.

### **Effect on nearby residential properties**

The nearest residential properties to the care village, front onto Southampton Road (A27), to the south of the site. These properties run north west to south east along the road frontage. The nearest, 303 Southampton Road is sited 36 metres (118 feet) from the southern boundary of the site and 309 Southampton Road would be sited 41 metres (134 feet) from the new buildings. The new buildings closest to these properties would comprise a mixture of single and one and a half storey, with dormer windows facing south. These distances far exceed that normally required between new development and existing neighbouring properties. Furthermore there are mature trees along the southern boundary forming natural intervening screening. On this basis Officers are satisfied that the care village would not materially harm the light, privacy or outlook of neighbouring properties.

Properties in Mill Lane will back onto land which will form part of the country park. Likewise Fernhill Farmhouse will share a boundary with the country park. No built development of any scale is proposed close to these properties and therefore their light, privacy and outlook will not be impacted. Whilst members of the public will be able to gain access to these areas, in light of the scale of the country park and the general separation from neighbouring properties, Officers do not believe the use will be so intensive so as to cause nuisance to neighbours. Officers are satisfied that the proposal would not materially harm the living conditions of neighbouring properties.

### **Ecology and biodiversity**

There are a number of trees within the site. These are principally along the boundaries of the site and around the existing ponds. The vegetation around the perimeter of the site and ponds is considered to be important for ecological reasons. The opportunity has been taken to preserve all of these trees barring one at the proposed entrance to Cartwright Drive, which is to be replaced. The other vegetation identified as being ecologically significant has been preserved, allowing the site to be well screened and to maintain a sense of green space.

A number of ecology surveys have been undertaken at the site in order to establish the potential for any protected species and to identify mitigation measures where these are required. In addition to an extended phase 1 habitat survey, specific reports have been prepared in relation to dormice, barn owls, bats, great crested newts, reptiles and terrestrial invertebrates.



The phase 1 survey identifies that the most significant habitat features within the site are the hedgerows and mature trees which may hold potential to support dormice, bats or nesting birds. The semi-improved grassland also provides suitable habitats for reptiles and invertebrates. As outlined in the accompanying ecology reports a number of mitigation measures are proposed as part of the development which have been reflected within the design, resulting in biodiversity betterment. The proposed delivery of a country park will increase the biodiversity value of the site significantly.

The care village would represent development within 5.6 km of the coastal Special Protection Area (SPA) where Natural England has ruled that all new dwellings can have a harmful impact upon the significance of the Special Protection Areas around much of the Borough coastline. Members will be aware that the Solent Recreation Mitigation Strategy has been developed between the local authorities adjoining the Solent in association with Natural England. Financial contributions are being sought from many residential schemes with 5.6 km of the Special protection Areas to help deliver the strategy.

In this specific instance it is not considered a commuted payment towards the Solent Recreation Mitigation Strategy is necessary. Officers have formed this view as the proposal relates to a care home with restricted occupancy where potential visits to the coast, particularly for the purpose of dog walking, are likely to be much more limited than general housing. In addition, and more importantly, the substantial country park provision immediately alongside the care village would provide recreational space for residents, further reducing likely visits to the coast.

The provision of the country park would also provide a destination for existing residents and dog walkers, who might otherwise have visited the coast, thereby potentially removing some pressure from sensitive coastal locations.

In summary the proposal will result in significant improvements to biodiversity at the site. Substantial amounts of existing trees and other planting will be retained. The provision of the country park will assist in providing a destination for existing residents and dog walkers which would assist in the aims of reducing pressure on sensitive parts of the coast.

Officers consider that the proposal complies with Policy CS4 of the adopted Core Strategy and Policies DSP13 and DSP15 of the emerging Local Plan Part 2: Development Sites and Policies.

## **Highways**

The planning application is supported by a Transport Assessment and draft Travel Plan.

One main junction is proposed off Cartwright Drive to serve both the care village and the car park to serve the country park.

The transport assessment concludes that the site offers good accessibility by a choice of transport modes. The scheme can also achieve an appropriate vehicular access off Cartwright Drive through means of a new ghost island priority T-junction the preliminary design of this has been agreed with Hampshire County Council.

The number of vehicle trips predicted to be generated by the development is considered to be low and will have no discernable impact on the operation of the local highway network.

In relation to parking it is proposed to provide a total of 95 car parking spaces to serve the extra care units, allowing a provision of one allocated space per unit, plus an additional element for visitors. The proposed level of parking provision is considered to be appropriate for the development's needs and is based on the operator's experience of existing sites elsewhere within the UK.

In relation to the country park element of the proposals 40 car parking spaces will be provided at the entrance to the park off Cartwright Drive.

Footpath number 41 accesses the site from the A27 and runs northward initially along the site boundary with the Holiday Inn Hotel before crossing the site in an easterly direction. The proposal would include upgrading the section of the footpath from the A27 into the site, providing a direct link for staff, residents and visitors to access the site on foot and by bus.

Officers are satisfied that the proposal fully complies with Policy CS5 of the adopted Core Strategy.

### **Other benefits arising from the proposals**

The Green Space Study Addendum (2014) identifies that the ward of Titchfield, which includes residential development in Segensworth has a deficit of 12.41 hectare of natural greenspace and a 1.97 hectare deficit of parks and amenity open space, giving a total deficit of 14.38 hectare.

Despite being amongst the Borough's most open and rural wards, the majority of land in the Titchfield ward is privately owned and not publically accessible, hence the deficit identified in the greenspace study.

There are a series of connected footpaths that do run the length of the River Meon and cross the ward at various points. Whilst these contribute to the health and wellbeing of local residents and allow the area to be enjoyed by walkers, they contribute very little to the greenspace totals in the study as they are on privately owned land.

The nearby settlement of Segensworth has expanded over recent decades but the provision of open space and play facilities is fairly limited. The country park proposal represents a substantial opportunity to address the existing considerable deficit in this area, and would provide a substantial recreational benefit in close proximity to Segensworth.

When the planning application was first submitted, concerns were raised through representations and by consultees as to how the land would be managed, how the capital works needed to achieve the country park would be funded and how the cost of the ongoing maintenance of the country park would be funded and achieved.

The potential design and layout of the country park along with its future maintenance has been the subject of discussions between Officers and the applicants.

The applicant's proposal is that the land comprising the country park would be transferred to the ownership of this Council upon commencement of the care village works.

The works needed to lay the site out as a country park and the cost of undertaking these works have been discussed and agreed between Officers and the applicants. Similarly the works necessary to maintain the country park in the future, along with the costs of doing so have been discussed and agreed between the applicants and Officers. A financial contribution would be made by the applicant to cover the costs of the necessary capital works and the maintenance costs for a 10 year time period afterwards upon transfer of the land.

The transfer of the land to this Council along with the necessary financial contributions to ensure its laying out and maintenance would be secured through a Section 106 Planning agreement. Public access to the country park land would then be secured in perpetuity.

## **Conclusion**

The preceding report details the national and local planning policy position in respect of this proposal, the views of interested parties and consultees and the statutory tests with respect to the setting of listed buildings and the character and appearance of Conservation Areas.

The planning application brings forward this large site on a comprehensive basis as a country park and a care village. The comprehensive proposals will only come forward at this time if planning permission is granted for both of the elements.

Officers have concluded that the provision of a country park here would accord with the policies of the Core Strategy and emerging Local Plan Part 2: Development Sites and Policies.

The care village on the other hand would introduce a form of residential development into the countryside, and the Meon Strategic Gap. This would be contrary to the policies of both the adopted Core Strategy and the emerging Local Plan Part 2.

Whilst Officers have concluded that the effect of the care village on the setting of nearby Listed Buildings and Scheduled Ancient Monuments would be limited, Officers consider that harm would be caused to the south western corner of the Conservation Area. The country park would preserve the setting of Listed Buildings and Scheduled Ancient Monuments and the character and appearance of the Conservation Area.

Officers acknowledge that in principle the care village in this location is contrary to local plan policy and would result in some harm to the strategic gap. Whilst the development is located with the south western corner of the conservation area close to more modern development (including the Holiday Inn Hotel) it would cause harm to the Titchfield Abbey Conservation Area.

Officers have highlighted the fact that decision-makers must apply the statutory tests under section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in determining planning proposals and have set out the tests in detail earlier in this report. Should Members conclude that the proposal would harm the character and appearance of the Titchfield Abbey Conservation Area, Members are reminded that in case law the finding of harm gives rise to a strong presumption against planning permission being granted.

There are however clearly a number of substantial benefits which would also arise should this development proceed.

Firstly the application provides the necessary land and associated funding, to lay out and maintain a country park within the heart of the Borough. The location is well known to the residents, central to many communities and would enable far greater public access to this scenic and historic part of the area.

The substantial area of land available as a country park would be laid out and managed for different types of activities which would appeal to a wide range of age groups.

As well as providing a welcome recreational resource for many nearby communities, Officers have also highlighted the deficiency in open space available to residents of Titchfield Ward. This site would make substantial provision towards high quality and varied recreational space in this location.

The laying out and future management of the country park as agreed between Officers and the applicant would result in substantial biodiversity enhancements.

By providing a substantial recreational destination here, the country park would also have potential to reduce some visits to the coast in turn reducing pressures on the sensitive parts of this Borough's coastline. The country park proposal contributes towards the objectives of the Solent Recreation Mitigation Strategy.

Bringing the land into use as a country park and into public ownership means that far greater control can be exercised over how the land is planted, managed and used. This means that much of the land most closely associated with the Monastic Barn and the Grade II Fernhill Farmhouse, along with a large area of land within the broader setting of Titchfield Abbey, can be safeguarded in perpetuity.

Having carefully weighed up the factors for and against the proposals, Officers consider that the considerable community and associated benefits 'tip the scales' in favour of granting planning permission.

In the view of Officers, the substantial community benefits provided by this country park proposal in this unique location outweigh the harm caused by the care village proposal within this countryside and strategic gap location.

Officers have had careful regard for the tests required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers consider the community benefits to be of such substantial weight, that they outweigh any limited harm to the setting of Listed Buildings and Scheduled Ancient Monuments, and the harm identified to the character and appearance of the Titchfield Abbey Conservation Area.

Should Members concur with the views of Officers, it is appropriate to grant planning permission subject to the prior completion of a planning obligation on the terms set out below. A set of suggested planning conditions which could be imposed should Members resolve to grant planning permission, will be circulated in advance of the meeting.

**RECOMMEND:**

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

agreed with the Solicitor to Hampshire County Council in respect to point (d) below) to secure:

- a) The transfer of land to Fareham Borough Council for a country park upon commencement of the care village;
- b) Financial contributions towards the capital and operation costs of the country park upon commencement of the care village;
- c) Secure rights of access at all times from Cartwright Drive for the country park and associated public car park;
- d) Travel plan in relation to the care village;
- e) Domiciliary Care Agency to be based on site and available to occupants of extra care units;
- f) The units shall be occupied by a person qualifying for a care package as their sole or primary residence and procuring/receiving care from the domiciliary care agency. The qualifying person shall be aged 55 years or over.

**PERMISSION** (suggested planning conditions to be available at the meeting).

Background Papers: See history section of report

**Enquiries:**

For further information on this report please contact Kim Hayler (01329 824815)