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TITCHFIELD

FOREMAN HOMES LTD.

AGENT: FOREMAN HOMES LTD.

OUTLINE PLANNING APPLICATION FOR SCOUT HUT, UP TO 150 DWELLINGS, COMMUNITY GARDEN, ASSOCIATED LANDSCAPING, AMENITY AREAS AND A MEANS OF ACCESS FROM POSBROOK LANE

LAND EAST OF POSBROOK LANE TITCHFIELD FAREHAM HAMPSHIRE PO14 4EZ

Report By

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Introduction

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

In deciding that planning appeal the Inspector concluded that the Council's housing requirements should be based upon Objectively Assessed Housing Need, not the housing requirements set out in Local Plan Parts 1 and 2. On this basis the Inspector concluded that the Council's housing land supply position was little more than 2 years.

Finding that Fareham Borough Council does not have a 5YHLS represents a significant material change in planning circumstances. The most significant implication of the Council's current position on 5YHLS is that the approach that the Council must take in determining applications for residential development will have to be altered until the Council can robustly demonstrate that it has a 5YHLS. The approach which will need to be undertaken was set out in detail in the report titled 'How proposals for residential development should be considered in the context of this Council's 5 year housing land supply position' presented to the Planning Committee on the 15th November 2017.

This report sets out all the relevant planning policies and considerations and applies the planning balance (often referred to as the 'tilted balance') as required by National Planning Policy Framework and established planning case law.

A separate report is included on this Agenda setting out this Council's current 5-year housing land supply position.

Site Description

The application site comprises a field located to the south of the Bellfield housing estate and public open space on the south side of Titchfield. The site measures approximately 6.6 hectares in area.

The policies maps of the adopted local plan identifies the land as being outside of the defined urban settlement boundaries. The site is therefore considered for planning purposes to lie within the countryside. It is designated as a strategic gap (The Meon Gap) within the local plan. Furthermore, as defined in the local plan, the site is an "Uncertain" Brent Geese and Wader Site.

The field is currently used for the grazing of horses. Two pedestrian public rights of way (Footpaths 34 & 39) cross the site.

The western edge of the site runs alongside Posbrook Lane where there is a mature hedgerow with a field gate set within it. Two dwellings set in large plots and agricultural land lie on the opposite side of the lane. Approximately 300m to the north is the junction of

Posbrook Lane with Coach Hill/Common Lane from where Titchfield village centre lies to the east, Warsash to the west and access on to the A27 via St Margaret's Lane to the north.

In the opposite direction to the south of the site Posbrook Lane leads to the coast and Hill Head.

At the south-western edge of the site is a row of substantial and mature trees along the boundary with a cluster of dwellings at Posbrooke House, Great Posbrooke and Barn Close.

The houses of Great Posbrooke and the barn are Grade II* Listed Buildings. Some other houses in Barn Close are locally listed (on the Council's Local List of Buildings of Special Architectural or Historic Interest).

The land slopes away gently from west to east towards the Titchfield Canal and River Meon.

The adjacent field to the east of the red-edged application site is shown on the submitted location plan to also be within the applicant's control as indicated by being edged blue. This field lies at a lower level again than the eastern edge of the application site and occupies the land between the site and the Titchfield Canal to the east. A line of trees stretches along the western bank of the canal whilst a public right of way (Footpath 48) runs alongside the other side of the canal. Beyond that is the floor of the Meon Valley before the land rises again on the opposite side of the River Meon towards Titchfield Road (B3334).

Description of Proposal

Outline planning permission is sought for up to 150 dwellings on the site. The means of access to the development is sought for approval with all other matters proposed to be reserved for consideration at a later date in the event outline permission was granted.

Also proposed is a scout hut and a community garden along with areas of landscaping and open space.

The application is accompanied by an illustrative site plan to demonstrate how 150 dwellings and the other elements of the proposed development might be laid out on the site.

This is for illustrative purposes only and the actual physical layout of the site remains a reserved matter not for consideration when determining this particular application.

The means of access to the development (a matter which is to be considered) is proposed via a new bell mouth junction off the eastern side of Posbrook Lane approximately equidistant between the north and south edges of the site. Detailed drawings have been submitted to show how the access would be constructed and to demonstrate the available visibility splays and pedestrian footway provision.

The application is supported by a range of reports and studies covering various aspects of the development. These documents set out how the applicant proposes to address certain issues and where necessary provide mitigation measures accordingly. Of particular note is the submitted proposal for a Bird Conservation Area on the blue-edged land to the east of the site.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change
CS16 - Natural Resources and Renewable Energy
CS17 - High Quality Design
CS18 - Provision of Affordable Housing
CS20 - Infrastructure and Development Contributions
CS21 - Protection and Provision of Open Space
CS22 - Development in Strategic Gaps

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP1 - Sustainable Development
DSP2 - Environmental Impact
DSP3 - 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
DSP14 - Supporting Sites for Brent Greese and Waders
DSP15 - Recreational Disturbance on the Solent Special Protection Areas
DSP40 - Housing Allocations

Representations

Two hundred and sixty two letters of objection have been received in response to the application being publicised raising the following points of concern:

- Increase in traffic / effect on highway safety
- Parking problems
- Impact on wildlife / ecology / canal / nature reserve
- Brownfield sites should be developed first before allowing development in countryside
- Impact on doctors / schools / dentists in local area
- Poor public transport links
- Loss of open land / agricultural land
- Loss of footpath
- Visual impact on character of countryside, historical setting of site and strategic gap
- Noise and disruption
- Loss of privacy / outlook
- The proposal for a scout hut is an underhand tactic
- Flooding / surface water drainage
- Welborne fulfills housing demand
- Potential blockage of sewers
- Impact on trees
- Impact on Titchfield village conservation area
- Too little affordable housing
- Air and water pollution

- Effect on utilities (water supply, sewers)
- Inadequate archaeological assessment

Consultations

INTERNAL

Conservation Planner -

This application has implications for the landscape character of the Meon Valley, the wider setting of Titchfield Village and the group of historic buildings at Great Posbrook. The wider Meon Valley has historic associations with the village of Titchfield (designated a conservation area in 1969) and also Titchfield Abbey which is situated further north. Titchfield lies on the western side of the Meon Valley just to the north of the proposed development site. Recorded in the 'Domesday Survey' it developed from a Minster Church and medieval core into a medieval port and market town making use of the river estuary. The manor of Titchfield, including Titchfield Abbey which was founded in 1232, was owned by the Bishops of Winchester. Post dissolution the Wriothesley family converted the abbey into a residence 'Place House' and in the early 17th century the third Earl constructed one of the earliest canals in the country which follows the valley southwards from the village to the sea through a sea lock at Meon Shore (a listed building). The river estuary was blocked with a shingle bank and a sluice gate used to control the river flow at Titchfield haven. The canal provided drainage and irrigation of the land in the valley for agriculture as well as transport of goods to and from the village.

Although the application site does not directly adjoin the conservation area boundary the undeveloped valley and its historic association with the development of the village contributes to its wider setting. The encroachment of further development into the open rural land south of the village and partly down the valley side, which would be particularly noticeable in views across it from the east, would be harmful to the surviving rural character of the landscape of the valley as a whole and consequently the wider setting of the historic village. Titchfield Conservation Area Character Appraisal and Management Strategy recognises the importance of the Meon Valley to the wider setting of the village.

The proposed housing would wrap around the site of the historic group of buildings at Great Posbrook. These comprise the Southern Barn at Great Posbrook Farm and Great Posbrook House itself, both of these important buildings are listed grade II* ; there are also 3 surviving agricultural buildings of local interest on the site. Some carefully designed modern houses also sit on this site which were permitted as an exception to adopted planning policy as 'enabling development' in connection with the barn's restoration in 2006. Historically the site was one of three farms in the locality established by Titchfield Abbey. Great Posbrook is a large residence sitting in a substantial gardens and the barn is a substantial aisled timber framed building. The impact of housing development on the immediate setting of Great Posbrook and its gardens could be mitigated by ensuring retention of existing tree screening and maintenance of an adequate undeveloped buffer before the start of new buildings. However, in terms of its wider setting the barn, as part of the former Great Posbrook farmstead, is viewed and experienced for some distance in a rural landscape, particularly when viewed from the South across the flat agricultural land. This proposal would change the existing rural character of adjacent land to the north and east to one of suburban housing, affecting the wider rural setting of the barn, its relationship with the open land of the valley and how it is experienced in the landscape as an important designated heritage asset.

Leisure and Environmental Services -

Ideally any new open space i.e. community garden, proposed should be adjoining the

existing Bellfield play area to provide a much larger area for both existing residents and potentially new residents. Additional play equipment should be included for all ages as well as outdoor gym equipment.

The large field which is proposed as 'accessible green spaces' is within flood zones 2 & 3, the field apparently floods making it unusable at certain times of the year.

Who will have responsibility for attenuation pond and proposed swale?

There will be possible pressure in the future for the removal of the eastern buffer strip due to residents wishing to improve their views across the field, canal and Titchfield Haven.

The provision of a scout hall doesn't appear to be large enough and therefore its use maybe limiting, and doesn't not take into account the extra children that this development might bring to the village. The building doesn't have any storage provision and therefore there maybe pressure in the future for permission to have external storage containers, which might look unsightly.

Environmental Health - No objections

Contaminated Land - No objections subject to contamination condition

Trees -

In principle there are no arboricultural objections to the proposed layout subject to more detailed information on tree protection measures and new landscaping, particularly tree planting within any hard surfacing.

The proposed layout provides a significant area of retained green space, more detail will be required in terms of how this land will be paid out and managed to maximize the landscape, ecological and arboricultural benefits these areas can potentially provide.

EXTERNAL

Fareham & Gosport Clinical Commissioning Group (CCG) - NHS

Whilst we recognise that not all of the occupants of the proposed dwelling will be new to the area, we make the Heath Care planning assumption that this application will generate up to 360 additional residents (proposed no. of dwellings at 2.3 persons per dwelling).

The resulting growth in the locality population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; NHS services in primary, community and secondary care settings.

Our estimate of the level of additional demand that will be placed on NHS primary care does not in our view warrant the commissioning of an additional GP surgery. The increased demand will be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development, however additional capacity within the premises will be required.

The CCG considers that the application should be required to make an appropriate financial contribution to the capital investment that the NHS will make in this regard.

The proposed contributions formula for developments under 2000 dwellings is:
 $150 \text{ No. of dwellings} \times 2.3 \text{ divided by average list size (1800)} \times 16 \text{ (size of a consultation)}$

room (m²) x £375 (cost of rent and other additional expenses with regard to premises) x 20 (number of years expected on a lease)

This means that Fareham and Gosport CCG will be looking for a contribution of £23,000 for planning gain for health.

The Fareham and Gosport CCG Strategic Estates Plan (2015) identifies Jubilee Surgery as a site for investment and this building application will be one of a number of expected developments that will impact on the premises capacity of this GP surgery.

Southern Water -

No objection, subject to condition. Advice provided on details of approved site layout, SUDs strategy and further assessment of proposed means of surface water drainage.

Natural England -

No objection subject to appropriate mitigation being secured.

Natural England has no objection to the development proposals provided the following mitigation measures are secured with any planning approval:

- Solent Recreation Mitigation Partnership (SRMP) contribution for the residential development
- The detailed design, long term management and associated costs of the Bird Conservation Area are agreed with Hampshire and Isle of Wight Wildlife Trust and secured
- The application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist.

Hampshire County Council - Ecology

No objection, subject to conditions.

Hampshire County Council - Countryside Access Officer

Subject to the applicant agreeing to the following, the Rights of Way Improvements Plan and the proposed Bird Conservation Area may be acceptable in principle.

- In addition to the proposed 2m path widths, 0.5m grassy verges (which are free of planting) should be provided on either side of the paths to assist in users passing each other, as well as conserving the rural character of these routes. The inclusion of additional planting beyond these verges is supported.
- A developer contribution towards resurfacing 1.5km of Footpath 48 should be sought. Costings for this can be provided in due course.
- A developer contribution towards 500m of additional dog fencing on Footpath 48, and 3 additional dog steps into the canal, in addition to a contribution towards the increased maintenance of 2km of stock fencing to mitigate for increased dog walking should be sought. Costings for this can be provided in due course.
- Should it be expected that HCC Countryside Service would take on the proposed Bird Conservation Area, it is requested that further discussions on the design of this area take place.

Hampshire County Council - Highways

No objection. The provision of additional information has satisfactorily addressed the issues previously raised, subject to conditions (Construction Traffic Management Plan) and

mitigation through a Section 106 legal agreement (improvements to cycle route south of the site and off-site highway improvement works, Travel Plan).

Hampshire County Council - Minerals and Waste Planning Policy

No objection, subject to condition.

Hampshire County Council - Flood and Water Management Team

No objection. The general principles for the surface water drainage proposals are acceptable - further information on the proposals should be submitted as part of a more detailed design phase (recommended condition).

Hampshire County Council - Archaeologist

In the absence of a substantive archaeological site, no objection subject to a condition relating to residual archaeological potential.

Planning Considerations - Key Issues

- a) Implication of Fareham's current 5-year housing land supply position
- b) Residential development in the countryside
- c) - g) Policy DSP40
- h) Impact on heritage assets
- i) Public rights of way, open space provision and community facilities
- j) Local infrastructure
- k) Other matters
- l) Planning balance

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

As set out in the Introduction to this report, the Cranleigh Road Planning Appeal Inspector concluded that the Council's housing requirements should be based upon Objectively Assessed Housing Need (OAHN), not the housing requirements set out in Local Plan Parts 1 and 2. Officers accept this position.

Officers have undertaken a review of current planning permissions and the residual allocations from the adopted local plan in order to provide robust evidence to inform the current 5YHLS position. A separate report setting out Fareham Borough Council's 'Five Year Housing Land Supply Position' is reported earlier on this agenda. Fareham Borough Council presently has 3.6 years of housing supply against its OAHN 5YHLS requirement.

The starting point for the determination of this planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004:

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

In determining planning applications there is a presumption in favour of the policies of the extant Development Plan, unless material considerations indicate otherwise. Material considerations include the planning policies set out in the NPPF, and this contains specific guidance in paragraphs 47, 49 and 14 for Councils unable to demonstrate a 5YHLS.

Paragraph 47 of the NPPF seeks to boost significantly the supply of housing, and provides

the requirement for Councils to meet their OAHN, and to identify and annually review a 5YHLS including an appropriate buffer. Where a Local Planning Authority cannot do so, paragraph 49 of the NPPF clearly states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites."

Paragraph 14 of the NPPF then clarifies what is meant by the presumption in favour of sustainable development for decision-taking, including where relevant policies are "out-of-date". For decision-taking (unless material considerations indicate otherwise) this means:

Approving development proposals that accord with the development plan without delay; and Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies* in this Framework indicate development should be restricted. (*for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

The key judgement for Members therefore is whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies taken as a whole.

The following sections of the report assesses the application proposals against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

B) RESIDENTIAL DEVELOPMENT IN THE COUNTRYSIDE

Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban areas. Policies CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. The application site lies within an area which is outside of the defined urban settlement boundary.

Policy CS14 of the Core Strategy states that:

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

Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).

The site is clearly outside of the defined urban settlement boundary and the proposal is

therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

Policy DSP40: Housing Allocations, of Local Plan Part 2, states that

"Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

- i. The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall;
- ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;
- iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;
- iv. It can be demonstrated that the proposal is deliverable in the short term; and
- v. The proposal would not have any unacceptable environmental, amenity or traffic implications.

Each of these five bullet points are worked through in turn below.

C) POLICY DSP40(i)

The first test of Policy DSP40 is that: "The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall".

Members will note from the 5 Year Housing Land Supply Position report elsewhere on this Agenda that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of 660. The proposal for up to 150 dwellings is relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

D) POLICY DSP40(ii)

The second test of Policy DSP40 is that: "The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement".

The site is located on the edge of the urban settlement boundary of Titchfield village. Local services and facilities such as doctors, shops and cafes are to be found in the village centre a reasonable distance from the application site. Access to bus services, play areas and greenspace is also reasonably good. However, whilst the application site physically abuts the urban area along a section of its northern boundary (adjacent to housing on Ransome Close and Hewett Close), no part of the remaining site boundary does so. The proposed development would continue the outward urban sprawl of the Bellfield Estate (a later more modern addition to the historic core of Titchfield village), and the disruption of the traditional settlement form of Titchfield. The new development would be far removed from the 'heart' of the village and would do little, if anything, to contribute to its specific character and identity.

For these reasons it is considered that development on the site would be poorly integrated

with the existing urban area and the proposal fails to accord with point ii).

E) POLICY DSP40(iii)

The third test of Policy DSP40 is that: "The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps".

As referred to above, the site lies outside of the defined urban settlement area within the countryside where Policy CS14 of the adopted Fareham Borough Core Strategy states built development will be strictly controlled to protect it from development which would "adversely affect its landscape character, appearance and function".

The following section of this report discusses the impact of the development on the landscape character of the Meon Valley and area surrounding the application site. In doing so Officers have had regard to a number of documents submitted by the applicant including the Landscape Design Statement, Design and Access Statement and, in Chapter 7 of the submitted Environmental Statement, the Landscape and Visual Impact Assessment (LVIA).

A good practice approach to assessing the visual impact on landscape character is to consider the issue in terms of the landscape effects of the development (that is the effects of the proposals on the landscape of the application site and the surrounding area as a resource in its own right) and the visual effects of the development (that is the effect of the proposals on the views available to people and their visual amenity).

Officers are of the view that the landscape effects of the development have been substantially underplayed by the applicant's assessment, particularly with respect to the effects on the essential character and qualities of the site itself (both western and eastern parcels). The Applicant's assessment concludes that there will be only Neutral or Minor beneficial effects on landscape resources. In contrast Officers consider that there will be significant, long-term Moderate to Substantial adverse effects on the wider Meon Valley Landscape Character Area (LCA), the character of the site itself and some of the features within it.

This difference has evidently arisen from a significant under-valuing by the Applicant of the importance of the Meon Valley as a landscape resource within the Borough context (within which the site is an integral part) and a lack of assessment of effects on landscape character and quality at the site level. Officers consider that the Meon Valley is one of the defining landscape features of Fareham Borough. The Fareham Landscape Assessment 2017 (one document published as part of the evidence base to the recently published draft Fareham Local Plan 2036) acknowledges the overall character of the valley as being one of a rural, intact landscape with a distinctive topographic unity and sense of place, based around the diverse landscape features of the valley and the strong relationship between the valley floor and the gently sloping agricultural landscape beyond. It is therefore of high value as part of the Borough's landscape resource and as such Officers consider it to be a 'valued landscape' for the purposes of assessment under paragraph 109 of the National Planning Policy Framework (NPPF). Paragraph 109 of the NPPF states that "The planning system should contribute to and enhance the natural and local environment by:... protecting and enhancing valued landscapes, geological conservation interests and soils".

The different conclusions drawn on this issue also appear to stem from a fundamental difference in opinion regarding the degree of harm caused to the valley landscape by the existing intrusion of development on the edge of Titchfield, and the extent to which the introduction of further built development would mask this edge and thereby lead to longterm landscape 'enhancement'. Officers consider that the damage to the landscape resources

as a result of this development would significantly outweigh any improvements to the visual appearance of the existing urban edge that may arise from new planting along the site boundaries or incorporation of this 'harsh' urban edge within a more extensive area of residential development.

Officers further consider that the visual effects of the development have been underestimated by the applicant and the positive effects of mitigation and benefit to the appearance of the landscape over-estimated. It is considered that the applicant's visual assessment has not been carried out in accordance with best practice guidance nonetheless there is agreement on the significant adverse visual effects which will be experienced by users of Footpath 34.

In addition, there would be significant adverse effects experienced by users of Footpath 39 and the track running along the southern edge of the site and also by users of Footpath 48 along the Titchfield Canal. The applicant contends that there will be a minor beneficial residual effect to Footpath 48 as a result of the long term effect of the proposed landscape buffer planting in screening the new development from low-level views and softening the visual intrusion of the existing urban edge of Titchfield. However, Officers are of the view that any mitigation would not be so effective as to screen all views of the new development, especially on the upper slopes. Users of this popular route are likely to continue to be aware of the altered views along the valley side as a result of the encroachment of development and would experience a moderate adverse effect.

Similarly, on the western edge of the site, the removal of hedgerow to create the site access from Posbrook Lane and the presence of built development a relatively short distance behind the hedgerow would have a significant adverse effect on views experienced by users of the lane. Whilst much of the hedgerow is proposed to be retained neither it or planting behind the frontage hedgerow could screen all views of the development. Furthermore, on the northern edge of the site residents living adjacent would experience a fundamental change in outlook and view from their homes and users of the adjacent existing open space and play area a similar effect.

As referred to earlier in this report, the site lies within The Meon Gap, a strategic gap between Fareham/Stubbington and the Western Wards including Titchfield. Policy CS22 of the adopted Core Strategy states that "Development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements".

Officers acknowledge that the physical separation between Titchfield and Fareham would not be diminished as a result of the proposed development but the distance between the built up settlement area of Titchfield and Stubbington/Hill Head to the south-east would. The Fareham Landscape Assessment (2017) describes the contribution that the Lower Meon Valley landscape makes to the settings and character of settlements in the local area.

It concludes that the Meon Valley has "a crucial role in defining the natural limits to growth of settlements in the north and east, preventing further sprawl into open countryside to the west of Stubbington and south of Titchfield and Fareham". It concludes that the area "retains a strongly rural character with few urban influences or 'fringe' characteristics, and has an important role in maintaining the distinction between urban and countryside areas. This rural character extends right up to the edge of the settlements of Titchfield and Stubbington and acts as an important buffer between the urban edge and the highly sensitive environment of the valley floor. The clear distinction between town and countryside, and the integrity of the valley landscape as a whole, would be compromised by significant development extending into the area beyond the existing urban edge. As a strong topographic feature, the Meon Valley acts as a natural 'limit to growth' and a 'natural setting for the urban areas on either side'." It concludes that "there is very limited capacity

to accommodate development without a significant impact on the integrity of the area's rural, unspoilt character and the role that it performs in maintaining the separate identity and character of the settlements and their landscape settings".

The application site occupies part of the valley sides and is an integral part of the Meon Valley landscape unit, a coherent topographic feature which has had an important role in shaping the pattern, form and character of Titchfield and remains as the defining element of its setting. The medieval core of the village was established on the western valley side, next to the river with a small port and mill (the river was formerly navigable). The adopted Titchfield Conservation Area Character Appraisal charts the subsequent expansion of the settlement, which remained relatively contained between East Street in the north and Coach Hill/Bridge Street in the south until around the 1930s when the Bellfield Estate extended the settlement along the valley sides to the south of Coach Hill, disrupting the typically compact form of the settlement. The development proposals would effectively continue this outward sprawl along the valley side and subsume the cluster of buildings at Great Posbrook Farm, and the nearby group of houses along Posbrook Lane, within the extended settlement boundary.

In summary, the proposed development would result in a range of significant adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area contrary to Policies CS14 & CS17 of the adopted Core Strategy. Furthermore the development would fail to protect and enhance this valued landscape contrary to Paragraph 109 of the NPPF. The development would also significantly affect the integrity of the strategic gap and the physical and visual separation of Titchfield and Stubbington/Hill Head contrary to Policy CS22 of the adopted Core Strategy.

The proposal fails to satisfy point iii) of Policy DSP40 in that the development would not be sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside.

F) POLICY DSP40(iv)

The fourth test of Policy DSP40 is that: "It can be demonstrated that the proposal is deliverable in the short term".

The applicant has not provided any information on the timescale for delivery of the development should planning permission be granted. The applicant has been invited to do so but at present no such detail has been received by Officers. The test set out at point iv) of the policy has not been met.

G) POLICY DSP40(v)

The fifth and final test of Policy DSP40 is that: "The proposal would not have any unacceptable environmental, amenity or traffic implications".

The applicant has provided surveys and ecological assessments with regards dormouse, bats, reptiles, wintering and breeding birds. Also submitted is an outline proposal for a Bird Conservation Area on the land edged blue to the east of the application site.

The final comments provided by Natural England dated 17th November in response to the application raise no objection to the development proposals subject to certain mitigation measures being carried out.

Firstly, Natural England reiterate the requirement for the proposal to provide mitigation for

the 'in combination' effects of the net increase in residential accommodation on the Solent and Southampton Water Special Protection Area. This requirement is set out in Policy DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies. This matter could be addressed by the applicant entering into a Section 106 legal agreement to secure a contribution towards the Solent Recreation Mitigation Project (SRMP) specifically set up to deliver such mitigation.

Secondly, Natural England suggest that the design, long term management and associated costs of the Bird Conservation Area be agreed with Hampshire and Isle of Wight Wildlife Trust (HIWWT) and secured through a Section 106 legal agreement. Officers have sought confirmation from HIWWT via Natural England that they would in principle be prepared to take on the ownership and management of the Bird Conservation Area in order to deliver this mitigation subject to the detail being provided at a later date. Notwithstanding, such a legal agreement could be worded such that it enabled any suitable body in the opinion of the Council and Natural England to take on the Bird Conservation Area.

Thirdly, Natural England suggest that a Biodiversity Mitigation and Enhancement Plan (BMEP) be secured by planning condition.

No objection has been raised to the development by Hampshire County Council Ecology group subject to planning conditions being imposed in relation to prevention, mitigation and compensation measures in relation to protected species and their habitat.

In their role as the lead local flood authority, Hampshire County Council Flood and Water Management team have raised no objection to the proposal. They consider that the general principles of the surface water drainage proposals are acceptable. Officers are aware of reports in the recent past of flooding and surface water drainage issues with nearby residential properties to the north of the site. Had the proposal been acceptable in all other regards Officers would have looked to ensure that further detail on the SuDS strategy proposed by the applicant including the mechanism for its long-term maintenance was secured by imposing appropriate planning conditions. Those details would have been expected to include how surface water run-off from the site into adjacent properties to the north would be satisfactorily addressed.

The application is accompanied by a report on the effects on agriculture of the proposed development (Kernon Countryside Consultants - May 2017). The report concludes that the majority of the red-edged application site as well as the adjacent blue-edged land is likely to comprise 'best and most versatile agricultural land' (BMV) of Grade 1 and Grade 2 quality (of the agricultural land classification system as published by the Ministry of Agriculture, Fisheries and Food and Natural England).

Policy CS16 of the adopted Fareham Borough Core Strategy states that "New development will be expected to safeguard the use of natural resources by [amongst other things]... preventing the loss of the best and most versatile agricultural land (Grades 1, 2 or 3a of the Natural England Agricultural Land Classifications System)".

Paragraph 112 of the National Planning Policy Framework (NPPF) advises that "Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality".

The issue of the loss of BMV agricultural land was considered by the Planning Inspector in determining the recent appeal by Persimmon Homes South Coast concerning land at Cranleigh Road, Portchester (PINS appeal reference APP/A1720/W/16/3156344). In that

instance the Inspector noted that, given the site area of 5.5ha, the development was not significant so as to necessitate the 'sequential approach' set out in the NPPF.

In the current application the application site east of Posbrook Lane is 6.6ha with another 5.8ha within the blue edged area (approximately 12.4ha overall). The applicant's consultant suggests that a reasonable measure of 'significance' for the purposes of determining whether the sequential approach is engaged is the threshold at which local planning authorities are supposed to formally consult Natural England on this issue. That threshold is currently development resulting in the loss of 20ha or more of BMV agricultural land, well above the land area to be lost in this case. Furthermore, it should be noted that whilst Natural England have been consulted their response has not raised commented on the loss of BMV agricultural land. In this regard Officers agree that the proposed development is not significant in this respect and does not trigger the sequential approach of Paragraph 112 of the NPPF.

The development would result in the loss of BMV agricultural land and therefore is contrary to Policy CS16 as a result. The consultant's report advises that the land has been used for the past ten years by a tenant for the grazing of horses and concludes that there will be no significant effects upon agriculture as a result of the development. Nonetheless, the permanent loss of BMV agricultural land contrary to local plan policy weighs against granting planning permission in the balance of issues.

For the reason above the proposal is considered to fail the fifth test of Policy DSP40 as a result of having unacceptable environmental implications.

In relation to residential amenity, the development is unlikely to have an unacceptable impact on the amenity of neighbouring residents, notwithstanding the fact that the proposal is presented in outline form with matters of scale, appearance and layout reserved for consideration at a later date should planning permission be forthcoming.

In relation to traffic generation and highway matters in general; the application has been submitted accompanied by a Transport Assessment and Travel Plan. Following initial feedback from the highway authority Hampshire County Council the applicant produced a further addendum, a rebuttal and finally a technical note to address the issues raised.

The final comments received from Hampshire County Council Highways dated 17th November raise no objection to the proposed development. In their view the work done by the applicant to undertake sensitivity testing has demonstrated that, even in the worse case scenario allocating all of the split traffic down each of the surveyed routes and respective junctions, there would be no severe impact on the highway network. This view is subject to minor improvement works being carried out at three of the surveyed junctions and the applicant entering into a Section 106 legal agreement to fund those works. The junctions requiring improvement are Warsash Road/Common Lane, B3334 (Titchfield Road)/Bridge Street and St Margaret's Lane/Common Lane. The response also recommended that a full Travel Plan and mechanism to ensure its implementation be secured through the legal agreement along with a financial contribution towards improvements to the cycle route south of the site access.

Notwithstanding the acceptability of the scheme in terms of residential amenity and highways issues, the loss of best and most versatile agricultural land is an unacceptable environmental implication which fails the fifth and final test of Policy DSP40.

H) IMPACT ON HERITAGE ASSETS

The application site lies on the edge of the settlement of Titchfield, the historic core of which

is a designated Conservation Area within the adopted local plan. Under planning law there is no statutory duty to preserve or enhance the setting of conservation areas. However, paragraph 128 of the NPPF is clear that the contribution the setting of a conservation area can make to the significance of a heritage asset is a consideration for decision makers. Policy DSP5 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies is also clear that development should preserve a conservation area's setting.

The comments supplied by the Council's Conservation Planner are provided in full earlier in this report and explain the historic development of Titchfield. They follow by commenting that "Although the application site does not directly adjoin the Titchfield Village Conservation Area boundary the undeveloped valley and its historic association with the development of the village contributes to its wider setting". The importance of this historic context is acknowledged as an important consideration in the above assessments of the respective impacts of the development on landscape character and integrity of the strategic gap. Nonetheless, the impact on these heritage assets in their own right should also be considered. In this instance Officers do not consider the impact on the setting of the conservation area would be materially harmful contrary to the advice provided in the NPPF or local plan.

Turning to the listed buildings at and around Great Posbrook; Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas Act 1990 sets out the statutory duty to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest they possess. Officers consider the impact of the proposed development on the character, appearance and features of special architectural or historic interest of the Grade II* listed buildings is limited by the presence of the substantial band of mature trees separating them from the application site. The wider setting of the buildings however would be affected by the development of the adjacent land to the north and east in terms of the way in which those buildings are experienced in the landscape. Advice has been sought from Historic England on this matter and in relation to whether the proposal satisfies the statutory test and accords with Policy DSP5 of the adopted Local Plan Part 2.

I) PUBLIC RIGHTS OF WAY, OPEN SPACE PROVISION AND COMMUNITY FACILITIES

Two public rights of way (Footpaths 34 & 39) cross the site and others nearby would be affected by virtue of the increased use of the rights of way network as a whole.

The applicant has responded to initial comments from Hampshire County Council Countryside Access Officer by proposing a Rights of Way Improvements Plan. The plan includes proposals to replace Footpath 39 with a new route running east-west close to the southern boundary of the site between Posbrook Lane and where it would meet Footpath 34. Footpath 34, which runs north-south through the site, would be resurfaced and planting carried out around it. Financial contributions to improve the wider rights of way network, including Footpath 48, are suggested.

In light of the proposed improvements and subject to them being secured, the County Council have raised no objection to the development. Minor revisions and additional required improvements have been suggested which could be secured through a legal agreement relating to both on-site and off-site improvements accordingly.

The illustrative site plan submitted with the application shows how open space might be laid out on the site. Since however layout is a matter the applicant wishes to reserve consideration of until a later date, and since the proposal is in outline form meaning the exact number of dwellings and bedrooms proposed is unknown, no assessment of the size or nature of the open space has been carried out. Again, the provision of open space,

equipped play facilities and the future management of such could be secured through a legal agreement.

The proposal includes the provision of a scout hut in the south-eastern corner of the site adjacent to the proposed Bird Conservation Area. Whilst the application is made in outline form, full plans and elevations have been provided of the scout hut showing it to be a single-storey building with a monopitched roof. The visual impact of the development as a whole is described in an above section of this report and that assessment is relevant also to this individual building. The applicant's submission suggests the social role of sustainable development is fulfilled by the scout hut as a community use space. However there is nothing in the application to explain why this facility might be needed or how it may be used and managed in the future. The value of the community building is questioned in the comments received by the Council's Leisure and Environmental Services team. As a result, Officers suggest little weight is afforded to this in the planning balance.

J) LOCAL INFRASTRUCTURE

A number of residents raise concern about the effect 150 further homes would have upon schools, doctors and other services in the area. Officers acknowledge the strength of local concern on these issues.

With regard to schools, comments from Hampshire County Council have been sought and will be reported to Members by way of a written update prior to the Planning Committee meeting to identify whether there is a need in this particular area for additional school places.

In respect of the impact upon doctors/ medical services, the difficulty in obtaining appointments is an issue that is raised regularly in respect of new housing proposals. It is ultimately for the health providers to decide how they deliver health services and should not constitute a reason for refusing this planning application. The Fareham and Gosport Clinical Commissioning Group (CCG) have commented on the application to confirm that in their view the resulting growth in the local population from the development would place additional pressure on existing NHS services. Whilst they do not consider the level of additional demand would warrant the commissioning of an additional GP surgery it would require additional capacity to be provided within existing GP premises. No further explanation has been provided as to what improvements would be required or how any funds would be spent to increase capacity.

As this authority collects the Community Infrastructure Levy (CIL) and health and education facilities are listed on this Council's 'Regulation 123' list, contributions towards such cannot be secured through a Section 106 planning obligation at the present time. This Authority would need to consider whether to provide funding towards school places and improvements to doctors' surgeries from its CIL receipts should a formal request be made by Hampshire County Council or the Fareham & Gosport CCG. Decisions on such requests would be considered by this Council's Executive.

K) OTHER MATTERS

No objection to the development has been raised from Hampshire County Council in relation to the impact on archaeological or mineral deposits of importance subject to planning conditions being imposed in the event planning permission was granted. Similarly, this Council's Contaminated Land Officer has not raised an objection subject to further investigation of the ground conditions and any required remedial measures being carried out.

The applicant is proposing to deliver 40% affordable homes in accordance with Policy CS18 of the adopted Core Strategy.

L) PLANNING BALANCE

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

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

Paragraph 14 of the NPPF clarifies the presumption in favour of sustainable development in that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies indicate development should be restricted (for example, policies relating to sites protected under the Birds and Habitats Directive and/or Sites of Special Scientific Interest; Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, Heritage Coast and National Parks; designated heritage assets; and locations at risk of flooding or coastal erosion).

The approach detailed within the preceding paragraph, has become known as the "tilted balance" in that it tilts the planning balance in favour of sustainable development and against the Development Plan.

The site is outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture and required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of Local Plan Part 2: Development Sites and Policies Plan.

Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS against objectively assessed housing need.

In weighing up the material considerations Officers have concluded that, whilst the proposal is relative in scale to the demonstrated 5YHLS shortfall (fulfilling the first test of Policy DSP40) the development would be poorly integrated with the existing urban area (thereby failing the second test of the policy).

The third test of Policy DSP40 relates to the impact on the character of the surrounding countryside and strategic gap. In this regard the proposal is considered to have a significant adverse affect materially harmful to the landscape character, appearance and function of the countryside. The site is considered to form part of a 'valued landscape' (the Meon Valley) which the proposed development would fail to protect, enhance, or respect or respond positively to. Furthermore the proposal would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements. As well as failing to meet the requirements of this third test of Policy DSP40 therefore, the proposal is also considered contrary to Policies CS14, CS17 & CS22 of the adopted Core Strategy.

There has been no evidence provided by the applicant that it can be delivered in the short term (failing the fourth test of the policy).

In relation to the fifth and final test of Policy DSP40, Officers do not consider there to be materially harmful implications in relation to residential amenity or traffic. However, in terms of environmental implications the proposal would lead to the loss of best and most versatile agricultural land thereby failing this requirement.

Turning to other issues, Officers acknowledge that the proposal would provide affordable housing at a policy compliant level of 40% of the units, along with the delivery of onsite open space and facilities. Those matters could be secured through an appropriately drafted planning obligation made under Section 106 of the Act as could outstanding issues relating to financial contributions towards off-site highway and public rights of way improvements and ecological matters including details of the proposed Bird Conservation Area.

In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, Officers acknowledge that the proposal could deliver up to 150 dwellings including affordable housing to contribute to the 5-year housing land supply shortage in the Borough. This would provide a significant and material boost/contribution to meeting housing needs within the Borough.

Notwithstanding, given the significant harm identified above to the landscape character, appearance and function of the countryside, which is considered to constitute a "valued landscape" in planning policy terms, along with the harm to the integrity of the strategic gap and loss of best and most versatile agricultural land, the benefits that would arise from the proposal are not considered to outweigh the harm caused by developing this area of land.

Officers therefore recommend that the planning application should be refused.

Recommendation

Subject to comments provided by Historic England and any additional reasons for refusal they may recommend:

REFUSE

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS16, CS17, CS18, CS20, CS21 and CS22 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan;

And, Paragraph 109 of the National Planning Policy Framework;

and is unacceptable in that:

(a) the application site lies outside the defined urban settlement boundary on land which is considered to form part of a 'valued landscape'. As a result the proposed development would result in a range of significant adverse landscape and visual effects, harmful to the landscape character, appearance and function of the countryside and failing to respect or respond positively to the key characteristics of the surrounding area. In addition the proposed development would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements;

(b) the proposal would result in the loss of best and most versatile agricultural land;

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

(d) had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of the local plan;

(e) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(f) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

(g) in the absence of a legal agreement to secure such, the proposal fails to provide satisfactory details of the design, long term management and ownership and associated costs of the proposed Bird Conservation Area to the east of the application site. As a result the proposal fails to provide adequate mitigation, compensation and enhancement measures in relation to the effects of the development on qualifying features of the Solent and Southampton Water Special Protection Area (SPA);

(h) in the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met;

(i) in the absence of a legal agreement to secure such, the proposal fails to mitigate against the adverse effects of the development on the safety and operation of the strategic and local highway network in the form of a financial contribution towards off-site highway improvements;

(j) in the absence of a legal agreement to secure the submission and implementation of a full Travel Plan, payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Travel Plan, the proposed development would not make the necessary provision to ensure measures are in place to assist in reducing the dependency on the use of the private motorcar;

(k) in the absence of a legal agreement to secure a financial contribution towards improvements to the local public rights of way network, the proposal fails to mitigate the harm from the increased usage of public rights of way as a direct result of the development.

Note for information:

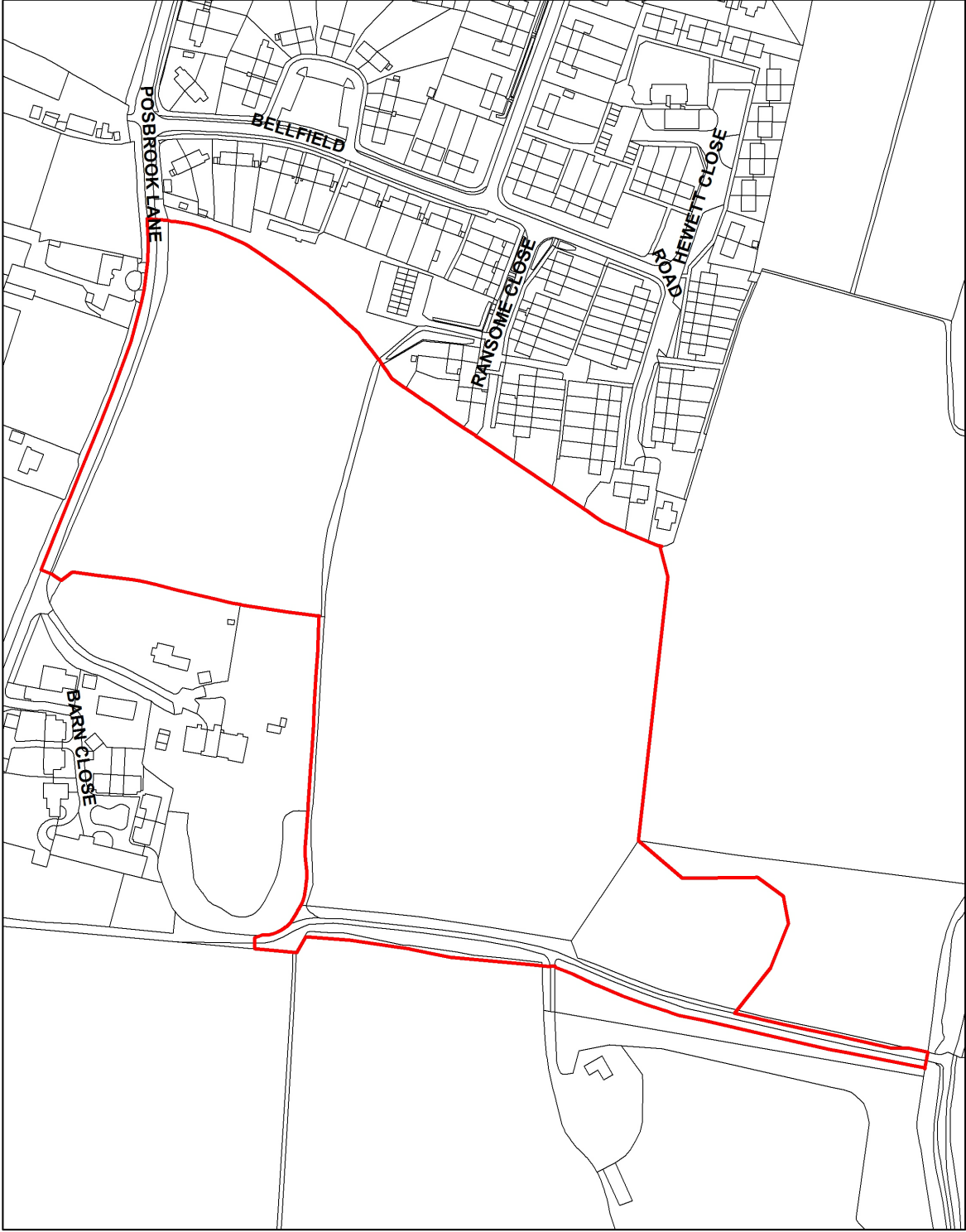
Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point c) above through the imposition of a suitably worded planning condition and points d) - k) above by inviting the applicant to enter into a legal agreement with Fareham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

Background Papers

P/17/0681/OA

FAREHAM

BOROUGH COUNCIL



Land East of Posbrook Lane
Scale 1:2500



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