

OFFICER REPORT FOR COMMITTEE

DATE: 12/12/2018

**P/18/0068/OA
RESIDE DEVELOPMENTS LTD**

**TITCHFIELD
AGENT: TURLEY**

OUTLINE APPLICATION FOR THE PROPOSED ERECTION OF APPROXIMATELY 105 NO. DWELLINGS WITH ASSOCIATED INFRASTRUCTURE, LANDSCAPING, OPEN SPACE AND ACCESS, INCLUDING DEMOLITION OF THE EXISTING PROPERTY (ALL MATTERS RESERVED EXCEPT FOR ACCESS).

LAND EAST OF SOUTHAMPTON ROAD, TITCHFIELD, FAREHAM

Report By

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1.0 Introduction

- 1.1 This application has been presented to the Planning Committee due to the number of third party representations received.
- 1.2 Members will note from the 'Five Year Housing Land Supply Position' report elsewhere on this agenda that this Council currently has a housing land supply of 4.95 years (a shortfall of 27 dwellings within the 5 year period).
- 1.3 The Housing Delivery Test results which were due to be published by the Ministry of Housing, Communities and Local Government in November 2018 had not been published as at 3rd December. Officers have carried out their own assessment against the same criteria the Government will use and are of the opinion that the Housing Delivery Test results will require this Council to apply a 20% buffer to its local housing need increasing its annual requirement to 575 dwellings per annum. This in turn would result in a 5 year housing supply of 4.3 years and a shortfall of 386 dwellings. Should the Housing Delivery Test results be published prior to the Planning Committee meeting, Officers will provide an update at the meeting.
- 1.4 Policy DSP40 of the Local Plan Part 2: Development Sites and Policies is engaged when it can be demonstrated that the Council does not have a five year housing land supply. Even if the Council were found to have a 5 year housing land supply as a result of resolutions taken during this meeting, Officers believe it is clear that the housing requirements for this Borough will increase in the very near future as a result of the Housing Delivery Test.

- 1.5 In light of the Government's clear 'direction of travel' on housing requirements and delivery, it is considered appropriate to consider proposals against the criteria set out within DSP40 (which derive from standalone development plan policies in any event and or are clearly material considerations in their own right), to assess what degree of harm may arise, even if that policy is no longer engaged.

- 1.6 Officers will advise Members accordingly at the meeting.

2.0 Site Description

- 2.1 The application site is located to the east of Southampton Road (A27) and comprises 3.31 hectares of former agricultural land used as paddock and grassland designated for planning purposes as countryside. A residential bungalow is located in the centre of the site. There is a mixture of uses in the vicinity of the site, residential dwellings to the north, east and south east of the site (Segensworth Road and Titchfield Park Road). The Segensworth East Industrial Estate is located further to the north east. A commercial nursery is located further south and commercial premises to the west of Southampton Road.
- 2.2 Access to the site is off Southampton Road (A27). Segensworth roundabout is located to the north of the site and links the M27 (junction 9) with the A27, local distributor roads and Segensworth Industrial Estate.
- 2.3 The site is enclosed by mature and semi mature trees with tree groups that are subject to Tree Preservation Orders along the eastern boundary. Sylvan Glade, Site of Interest for Nature Conservation (SINC) lies to the east of the site. The land is classified as Grade 2 agricultural land.

3.0 Description of Proposal

- 3.1 Outline planning permission is sought for the construction of approximately 105 dwellings with all matters reserved apart from the means of access to the site which would be off Southampton Road. The layout, appearance, scale and landscaping are therefore reserved for a future reserved matters application and not for consideration at this time.
- 3.2 A parameter plan has been submitted which identifies the vehicle access point to the site, a pedestrian/cycle link, links to adjacent land parcels, area for tree retention, landscaping and ecological enhancement as well an area of public open space.
- 3.3 A number of technical reports accompanied the application. Affordable housing would be provided.

4.0 Policies

4.1 The following policies are relevant 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

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP4 – Prejudice to adjacent land

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

Other Documents

Residential Car and Cycle Parking Standards Supplementary Planning Document (November 2009)

Design Guidance Supplementary Planning Document (Dec 2015)

Planning Obligation SPD for the Borough of Fareham (excluding Welborne) (April 2016)

5.0 Relevant Planning History

5.1 No relevant planning history.

6.0 Representations

6.1 There have been 81 representations received (102, if including multiple responses from the same persons). Of the 81 representations, there have been 78 letters objecting to the proposal and 3 letters of support.

6.2 Objections
Policy

- Was designated as a strategic gap - what has changed?
- Loss of green space
- Welborne was supposed to stop these pressures - delay is not an excuse for a free for all
- Brownfield sites should be given priority over greenfield ones
- No renewables therefore not sustainable

Location

- Site unsuitable for high density development
- Type and density of development is out of character with nearby sites being commercial
- Accessibility, of cycle paths, schools, shops medical services unsafe across A27.

Highways

- Infrastructure unable to cope - on street parking and congestion
- Road safety (children with bikes)
- Traffic problems accentuated during building process
- Increase in already excessive use of Titchfield Park Road and Segensworth Road Titchfield Park Road junction with A27 dangerous - is a 'rat run' - road in bad repair now
- Titchfield Park Road should be 'residents only' - block entry from A27
- Added traffic on Segensworth Roundabout
- More upheaval following A27 works
- Upcoming works to M27 will increase pressure on A27
- Access needs to be revisited, dangerous
- Traffic counter inappropriately placed
- Need traffic calming pinch points in Titchfield Park Road
- Titchfield Park Road should be residents access only
- Emergency vehicular access to Titchfield Park Road will be hindered
- Numerous disabled residents, families with young children, elderly residents, dog walkers cyclists, wheelchair users and a home for disabled adults who live in this road and this decision will have a great impact on all of our lives.
- Will impede use of access to land to the south due to extended central reservation which would impede ability to use entrance for westbound entry and exit.
- Will sufficient parking on site be provided
- Request confirmation that entry to Titchfield Park Road from the A27 will be blocked and that this will take place and be completed as soon as the money available.

Ecology

- Impact on Wildlife
- Ecology and tree reports do not provide sufficient wild environment

- Impact on trees

Impact on local services

- Lack of school facilities
- Lack of Doctors Surgeries
- Impact on Dentists
- Limited bus services

- 6.3 The University Hospital Southampton NHS Foundation Trust have commented that the Trust is currently operating at full capacity in the provision of acute and planned healthcare, that although the Trust has plans to cater for the known population growth, it cannot plan for unanticipated additional growth in the short to medium term. They have requested a financial contribution to provide services needed by occupants of the new homes. They consider that without it the development is not sustainable and should be refused.

Other matters

- Pollution - including vibration and noise
- Impact on safety and health
- Lack of publicity to Titchfield Park Road residents
- Potential crime and anti-social behaviour
- What about provision of shop, bank, post office

6.4 Support

- Good Plan
- Tidy up the area
- Will help provide required housing
- Support closure of Titchfield Park Road to A27

PETITION (signed by 2,390 people)

- 6.5 Members attention is also drawn to the fact that a petition has been received in response to the draft local plan consultation. It is titled "STOP the building of 1500 new homes in Warsash, Locks Heath, Park Gate and Titchfield Common" and includes the following Statement:
- 'We the undersigned petition the council to Stop the building of 1,500 new homes in Warsash, Locks Heath, Park Gate and Titchfield Common. Whilst it is appreciated that the task is not an easy one, there are many sites that we believe the council should be looking at that are more suitable than Warsash and the Western Wards, such as Newlands Farm. We also request that FBC look at SHLAA Ref 3127 and the surrounding area of Fareham north and east of the town centre. This appears to be a prime location as it already has direct access to the motorway and easy access to the public transport links in Fareham town centre and three senior schools. Fareham centre is also an

ideal place for leisure facilities, and has space for doctors etc. to service the needs of any new houses. It would inject a new lease of life into what is already an established but underused town that is essentially being allowed to slide into disrepair.

Justification:

Below are the sites that we are protesting about.

HA1 - North and South of Greenaway Lane, Warsash - 700 dwellings

HA3 - Southampton Road, Titchfield Common - 400 dwellings

HA7 - Warsash Maritime Academy, Warsash -100 dwellings

HA9 - Heath Road, Locks Heath- 71 dwellings

HA11- Raley Road, Locks Heath- 49 dwellings

HA13- Hunts Pond Road, Titchfield Common- 38 dwellings

HA14 -Genesis Community Youth Centre, Locks Heath - 35 dwellings

HA15 -Beacon Bottom West, Park Gate -30 dwellings

HA17 -69 Botley Road, Park Gate -24 dwellings

HA19- 399 - 409 Hunts Pond Road, Titchfield Common- 22 dwellings

Traffic in this area is already at a gridlock during peak hours and since the new Strawberry Fields, Hunts Pond and Coldeast developments it has doubled the time for people to get to work. Improvements on major roads and motorways will try and ease congestion but it's not satisfactory as residents will not be able to actually get to these major roads. Local roads such as Brook Lane, Osborne Road, Warsash Road and Barnes Lane cannot be made wider, they were built to service the traffic and community of small villages and the resulting influx of 3000+ cars in such a small square area will lead to more accidents. Warsash specifically is on a peninsular and the only roads in and out are Brook Lane and Warsash Road. Emergency vehicles will be unable to ensure safe response times - during rush hour it is likely they will not have space to get to their destination. The consequences will be catastrophic. Flooding is inevitable especially with recent climate changes; residents in local back garden developments are already experiencing this. Fareham is presently in trouble for poor air quality due to the amount of rush hour traffic. Bring another 3000+ cars in to the Western Wards and there will be more cases of asthma, lung disease and related illnesses - all for the surgeries with not enough resources to treat. Doctors, schools, hospitals and emergency services are already stretched to breaking point. If the plans go ahead there will be hundreds of children needing school places. New schools might take pressure off the overcrowded ones - then the influx of new children will put it back on again. Children walking to Brookfield already face a perilous journey due to the amount of traffic on Brook Lane. Brook Lane, Lockswood, Jubilee and Whiteley surgeries struggle to cope with the amount of patients they have. They wait an unacceptable amount of time for routine appointments (1 month plus) and often have very long waits when they get to there (30 minutes plus). Emergency appointments are becoming harder to

book as there are not enough doctors or time. The very young, elderly and chronically ill are already vulnerable and bearing the brunt of this - add another 1,500 homes and these overstretched surgeries will be at crisis point. There will be an increased need for care homes, for which there is just no space. Residents' health will be at risk and possibly their lives. Warsash is a place of outstanding natural beauty and home to precious wildlife such as badgers, bats and deer. The greenfield land proposed as the area for development also provides a defined strategic gap from neighbouring villages. Residents have the right to breathe clean air, have facilities, space and sufficient infrastructure and the assurance that emergency vehicles have access and can meet response times in life threatening situations. We genuinely fear for the health and safety of people in the Western Wards.'

7.0 Consultations

EXTERNAL

HCC Highways

- 7.1 **Sustainable Travel:** The Highway Authority are satisfied with the measures to support sustainable travel from and the measures to encourage pedestrians and cyclists away from the A27 and onto Southampton Road Service Road.
- 7.2 The site access works include a staggered toucan crossing south of the proposed site access connecting through from the sites internal footway/cycle network onto Southampton Road Service Road. This is acceptable with onward cycle connections to the north which will provide connectivity to the local schools, shops and railway station. To the south connections for cyclists will be on road. The existing footway provision to the south is sufficient to cater for the proposed level of pedestrian demand.
- 7.3 **Site Access:** The proposed layout for the site access would accommodate a stand-alone toucan crossing on the A27, the principle of this arrangement is considered acceptable. The proposal incorporates the provision of a longer length of central island to avoid the risk of u-turns. The submitted details demonstrate a physical barrier south to the garden centre junction.
- 7.4 As part of a S278 agreement, further details would be required, including signage, a TRO application to legally ban U-turn movements, a reduction in speed to 40 mph, and the crossing designed to ensure maximum safety is achieved. A contribution is sought from the applicant to fund additional safety measures as required such as the deployment of additional temporary warning signs, antiskid and permanent warning signage.

- 7.5 The Highway Authority has recommended planning conditions to ensure the delivery of safe access including for construction traffic and a construction traffic management plan. The toucan crossing and associated footway/cycleway works will be required prior to 1st occupation in order to ensure safe sustainable travel connections.
- 7.6 The ability to connect this application site with the wider parcel (draft allocation) should be secured through appropriate planning condition in order to prevent prejudicing further development.
- 7.7 **Baseline Traffic Conditions:** The submitted information regarding Segensworth Roundabout is deemed acceptable to reflect the baseline conditions. The northbound traffic flows along Titchfield Park Road from the proposed site have been considered taking account of the existing situation, the proposed 105 dwellings and a forecast for a potential of 400 dwellings.
- 7.8 The closure of the Titchfield Park Road left turn movement in from the A27 has been considered by the applicant and the Highway Authority. This has involved a review of the accident history of the junction of the A27/Titchfield Park Road. The review has demonstrated that there is no current accident history here which would raise a concern regarding the safe operation of the junction.
- 7.9 It is the Highway Authority's view that whilst the increase in flow is significant against the current low flow in respect of this current application, it is not foreseen at this time that turning movements could not be undertaken safely and it would therefore be premature to amend access to Titchfield Park Road. The dualling changes to the A27 also allow people to overtake any slow moving vehicle which would reduce the risk of shunt accidents as a result of increased turning movements.
- 7.10 Concerns have been raised locally regarding the safety of the uncontrolled crossing with increased movements. The crossing is designed to cater for cyclists as well as pedestrians and visibility is good. The crossing is suitable for facilitating all users. There may be a need to re-consider controlling this movement in the future as a result of the additional flow from the wider development site. In this circumstance, the Highway Authority has requested a contribution to fund works to mitigate the impact of the development.
- 7.11 **Junction Capacity Analysis:** Junction modelling has been provided for the following junctions:
- St Margaret's roundabout
 - Segensworth roundabout
- The Highway Authority is satisfied with the submitted information.

7.12 A sensitivity test has been provided for the potential of 400 dwellings and this demonstrates that the wider site would have a significant effect on capacity. Mitigation measures will therefore be required and a financial contribution is sought.

7.13 The Highway Authority previous therefore has no objection to the proposed application subject to provision of the planning conditions and completion of a section 106 planning obligation.

HCC – Archaeology

7.14 No objection subject to condition.

HCC - Flood Water Management Team

7.15 No objection subject to condition.

HCC - Children's Services

7.16 The site lies within the catchment area of Park Gate Primary School. The school is full as are the other primary schools in this area. As such the development will create pressure for primary school places. In line with HCC's Children's Services Developers' Contributions Policy the development should contribute to provision of infrastructure at local schools due to the additional pressure that will be placed on school places. The plan for school places is being considered to create a 1 form entry (210 places or 30 per year group) of additional places at either the Sarisbury or Hook with Warsash Schools. Discussions are underway with the headteachers and governing bodies to finalise at which school additional places should be provided. A contribution is requested.

Natural England

7.17 No objection subject to appropriate mitigation being secured to mitigate against adverse effects from recreational disturbance on the Solent SPA sites as agreed by the Solent Recreation Mitigation Partnership. They advise that this be secured via a planning obligation. Natural England also recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan to be agreed by HCC Ecologist.

Environment Agency

7.18 No comments.

Southern Water

7.19 No objection subject to condition.

Crime Prevention Design Officer

- 7.20 Provided advice which would be for consideration at the detailed reserved matters stage.

INTERNAL

Ecology

- 7.21 The Ecology Officer is satisfied with the submitted information in respect of protected species. Sylvan Glade is a designated SINC located adjacent to the eastern boundary.
- 7.22 Following on from previous concerns in respect of an appropriate unlit 15m green buffer along the eastern boundary and the provision of ecological corridors to provide ecological mitigation and habitat enhancement, a revised parameter plan has been submitted which is considered acceptable subject to a planning condition.
- 7.23 The Ecology officer advises that a contribution towards the Solent Recreation Mitigation Partnership should be secured as the site is within 5.6km of the Solent Special Protection Area.

Environmental Health (Noise/Pollution)

- 7.24 It is extremely likely that noise from the A27 dual carriageway will affect those proposed dwellings located closest to the road. Requests that the recommendations contained in section 4 of the submitted noise report be implemented in the construction of the noise sensitive properties in this development and that a planning condition is imposed.

Environmental Health (Contamination)

- 7.25 No objection subject to planning condition.

Tree Officer

- 7.26 No objection subject to planning condition.

Recycling Co-ordinator

- 7.27 It would be helpful if bin collection points are shown on the plans, bin stores for flats must be close to the road, of suitable size and with level access.

Fareham Housing

- 7.28 The Housing Officer has set out the current affordable need in the Borough and advised that the mix of units should be agreed as part of the outline planning application and form part of the Section 106 legal agreement.

8.0 Planning Considerations

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

- a) Implication of Fareham's current 5-year housing land supply position;
- b) Residential development in the countryside;
- c) Policy DSP40;
- d) Other matters;
- e) The Planning balance.

8.2 a) Implications of Fareham's current 5-year housing land supply position
A report titled "Five year housing land supply position" is reported for Members' information elsewhere on this agenda. That report sets out this Council's local housing need along with this Council's current housing land supply position. The report concludes that this Council has 4.95 years of housing supply against the new 5YHLS requirement meaning there is a shortage of 27 dwellings.

8.3 The October FYHLS position report to the Planning Committee advised: 'that the Government are considering adjustments to the new standard method used to calculate Local Housing Need, following publication of the new household growth projections on 20 September 2018; and 'the Council will likely be required to apply a 20% buffer to the 5-Year Housing Land Supply position following publication by the Government of the Housing Delivery Test result in November.

8.4 On the 26th October, the Government issued a 'Technical consultation on updates to national planning policy and guidance.' The consultation on the proposed updates runs from 26 October 2018 until 7 December 2018.

8.5 The introductory section of the consultation sets out the background for the consultation and the Government's priority to deliver more homes and to do so faster. The Government is of the view that the household growth projections published very recently by the Office for National Statistics, that predict a lower level of household growth than previously, does not mean fewer homes need to be built. The objective of the consultation proposes changes to the standard method to ensure consistency with the objective of building more homes. In the short-term, the Government proposes to use the 2014-based data on household growth to provide the demographic baseline for assessment of local housing need. Such an approach will further increase Fareham Borough Council's local housing need.

8.6 In the absence of a five year supply of deliverable housing sites, officers consider that policy DSP40 is the principal development plan policy that guides whether schemes will be considered acceptable.

b) Residential Development in the Countryside

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

8.8 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.'

8.9 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).

8.10 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.

c) Policy DSP40

8.11 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”.*

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

Policy DSP40 (i)

8.13 The proposal for up to 105 dwellings is relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

Policy DSP40 (ii)

8.14 The site is part of a wider area of land that is surrounded by the urban settlement boundary, located further west of the site, the south east and to the north east. The site is in reasonable proximity to leisure and community facilities, schools and shops and would relate well to the existing urban area. Officers consider that the proposed development can be well integrated within the neighbouring settlement in accordance with point ii).

Policy DSP40 (iii)

- 8.15 The site is within an area of countryside but is not designated as strategic gap. Policy CS14 of the adopted Core Strategy confirms that built development will be strictly controlled to protect it from development which would "adversely affects its landscape character, appearance and function".
- 8.16 Due regard has been given to The Fareham Landscape Assessment 2017 (which is part of the evidence base for the published draft Fareham Local Plan 2036). The site lies within the LCA 5 Titchfield Corridor. The assessment of area 5.1a (which this site is located within) confirms that the area comprises an 'island' of landscape bounded by busy roads to the west and east (A27 Southampton Road, Segensworth Roundabout and Segensworth Road) and by the rear boundaries of housing along Titchfield Park Road to the south.
- 8.17 Reference is made to the woodland and dense cover of trees/scrub and the designated Sylvan Glade SINC. The assessment goes on to confirm that there is scope for development within this area which is of lower landscape sensitivity but stresses the importance of maintaining the well-treed character, green infrastructure and that the role of the area in separating settlements is not compromised and landscape and settlement character is enhanced.

- 8.18 The defined urban settlement boundary is in close proximity to the site. The submitted documents have demonstrated that the protected trees and Sylvan Glade (SINC) located to the east can be appropriately buffered to ensure that the current tree line would remain. Officers consider that subject to the detailed reserved matters consideration of layout, scale and landscaping, the proposed number of units could be accommodated on this site to reflect the character of the surrounding area and to minimise any adverse impact on the countryside.
- 8.19 It is acknowledged that there would be a change in the character of the site when viewed from the immediate vicinity if the proposal were to go ahead. Officers consider that this change would primarily have a localised visual impact which could be sensitively designed to minimise any adverse impact. The proposal therefore accords with the test set out at point iii) of DSP40 and be in accordance with Policy CS17.

Policy DSP40 (iv)

- 8.20 The applicant has stated that Reside are an established house builder, with a track record of delivery and would be in a position to commence the development within the short-term (i.e. 2020/21). Officers consider that the site is therefore deliverable in the short term thereby satisfying the requirement of Policy DSP40(iv).

Policy DSP40 (v)

- 8.21 The final test of Policy DSP40: "The proposal would not have any unacceptable environmental, amenity or traffic implications" is discussed below:

Loss of Agricultural Land

- 8.22 The site is classified as Grade 2 agricultural land. Policy CS16 seeks to prevent the loss of the best and most versatile agricultural land. The NPPF does not place a bar on the development of the best and most versatile agricultural land. Paragraph 170 advises planning decisions should recognise the economic and other benefits of the best and most versatile agricultural land. Where significant development is demonstrated to be necessary, the use of poorer quality land should be used in preference to that of a higher quality.

Ecology

- 8.23 The Ecology Officer and Natural England are satisfied that the proposal is acceptable subject to planning conditions and appropriate mitigation. To fulfil the requirement under the Habitat Regulations, Officers have carried out an Appropriate Assessment in relation to the likely significant effects on the coastal Special Protection Areas (SPAs) and have concluded that the

application's compliance with the Solent Recreation Mitigation Strategy means that there will be no adverse effect on the integrity of the designated sites.

- 8.24 Since the CJEU judgement, Natural England has confirmed to the Council that in cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is fully in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by this authority's Appropriate Assessment, the authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.
- 8.25 A contribution towards the Solent Recreation Mitigation Partnership (SRMP) can be secured through a Section 106 legal agreement. Subject to this contribution being secured, the imposition of conditions to secure mitigation measures, the proposal is considered acceptable from an ecological perspective in accordance with Policy CS4 of the adopted Fareham Borough Core Strategy and Policies DSP13 and DSP15 of the adopted Fareham Borough Local Plan Part 2.

Amenity

- 8.26 The proposal is in outline form with matters of scale, appearance and layout reserved for later consideration. At the reserved matters stage, the detailed layout and scale would need to be policy compliant to ensure that there would unlikely be an adverse unacceptable impact on the amenity of neighbouring residents. Officers are satisfied that the development would be acceptable in accordance with Core Strategy policy CS17 and Local Plan Part 2 policy DSP40(v).

Highways

- 8.27 The Highway Authority has provided detailed comments as set out in the consultation section of this report. A number of representations requested that Titchfield Park Road is closed from left turn movement from the A27. The Highway Authority have considered the closure of Titchfield Park Road left turn movement in from the A27 through a review of traffic flows and accident history at the junction of the A27/Titchfield Park. There is no current accident history which would raise concern regarding the safe operation of the junction. For the current proposal, it is therefore not foreseen at this time that turning movements could not be undertaken safely.
- 8.28 Information submitted within the transport assessment, states that traffic flow along Titchfield Park Road is relatively low at present; although the percentage increase (approximately 40%) is relatively high. Over a daily

profile, the actual increased flow is not significant through increasing vehicle movements from 50 to 100 during the morning peak hour which would mean less than one vehicle a minute to less than two vehicles a minute in either direction.

- 8.29 Officers acknowledge that the use of Titchfield Park Road has raised considerable local concern. Having considered the issue carefully and in taking account of the Highway Authority comments, officers do not consider it necessary, reasonable or proportionate to close left turn movement from the A27 from a highway safety perspective.
- 8.30 It is anticipated that the occupiers of Titchfield Park Road would notice a difference as a result of additional traffic that the proposed development would generate. However, in terms of the resultant impact of this traffic on the amenity of the residents, officers do not consider that this would be such that would justify refusal of planning permission.
- 8.31 The Highway Authority have acknowledged that if further development were to be proposed in addition to that set out in this planning application, there may be a need to consider measures to mitigate an impact on the Titchfield Park Road as part of that wider development. This can be secured via a financial contribution.
- 8.32 Through the imposition of planning conditions and the completion of a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990, Officers are satisfied that the proposal would not have any unacceptable environmental, amenity or traffic implications in compliance with criteria (v) of DSP40.

d) Other Matters
Affordable Housing

- 8.33 The proposal includes the provision of 40% affordable housing which subject to appropriate size, mix, tenure being agreed to meet identified local need would meet the policy requirement within Policy CS18 of the adopted Core Strategy. The provision of those units would be secured via a Section 106 legal agreement.

Open Space and Play Provision

- 8.34 It is proposed that the provision of on site open space and a Locally Equipped Area of Play would be secured via a Section 106 legal agreement in accordance with the adopted Planning Obligations SPD.

Green Infrastructure, Connectivity and Nature Conservation

- 8.35 In accordance with Policy CS5, CS17 of the Core Strategy and DSP4, DSP13 of Local Plan Part 2, officers recommend that the green infrastructure and the potential for vehicular, pedestrian and cycle connectivity is secured via a Section 106 legal agreement.

Effect upon Local Infrastructure

- 8.36 A number of residents have raised concerns over the effect that 105 further homes would have upon schools, doctors and other services in the area. Officers acknowledge the strength of local concern on these issues.
- 8.37 With regard to schools, Hampshire County Council have identified a need to increase the number of primary school places available within the area in order to meet the needs generated by the development. The comments of the County's Children's Services can be found in full earlier in this report. A financial contribution can be secured through the Section 106 agreement.
- 8.38 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. Officers do not believe a refusal on these grounds would be sustainable.
- 8.39 With regard to the University Hospital Southampton NHS Foundation Trust request for a financial contribution, the Local Planning Authority can seek appropriate financial contributions in situations where the absence of a contribution would render the proposal unacceptable. Officers will provide an update on this issue at the Planning Committee.

Other Third Party Concerns

- 8.40 With regard to concern over pollution, the Environmental Health officer does not raise concern in this regard.
- 8.41 Disruption during the construction period can be mitigated to a degree through the imposition of the recommended planning conditions.
- 8.42 Concern over potential crime and anti-social behaviour would be a police matter. For the number of dwellings proposed, it would not be proportionate to require on site facilities such as a shop, bank or post office.
- 8.43 With regard to potential changes to the central reservation and access to the land to the south, this is an issue that needs to be considered and balanced against the provision of dwellings and facilitating a safe access to the development site.

- 8.44 In respect of publicity of the application, Officers can confirm that publicity was undertaken beyond that required of legislation including residents of Titchfield Park Road.

Draft Local Plan

- 8.45 Members will also be aware that the Draft Local Plan which addresses the Borough's development requirements up until 2036, was subject to consultation between 25th October 2017 and 8th December 2017.
- 8.46 The site of this planning application is proposed to be allocated for housing within the draft local plan. A number of background documents and assessments support the proposed allocation of the site in terms of its deliverability and sustainability which are of relevance. However, at this stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of this planning application.

e) The Planning Balance

- 8.47 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".

- 8.48 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.
- 8.49 Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS. Officers have also given due regard to the updated 5YHLS position report presented to the Planning Committee in October and the Government steer in respect of housing delivery.
- 8.50 In weighing up the material considerations and conflict between policies; the development of a greenfield site weighted against Policy DSP40, Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall, well related to the existing urban settlement boundaries such that it can be integrated with those settlements whilst at the same time being sensitively designed to reflect the areas existing character and minimising any adverse impact on the Countryside.

- 8.51 It is acknowledged that the proposal would have an urbanising impact through the introduction of housing and related infrastructure onto a site which is at present largely undeveloped. However that impact would be localised. Officers consider that the change in the character of the site and the resulting visual effect would not cause any substantial harm.
- 8.52 The loss of BMV agricultural land needs to be balanced against the shortage in 5YHLS. Whilst there would be a conflict with policy CS16 of the Core Strategy, this needs to be considered in the context of the NPPF and development plan policy DSP40. The scale of loss is not considered to be significant. Officers are satisfied that there are no outstanding amenity and ecology issues which cannot otherwise be addressed through planning conditions and obligations. There would be no materially harmful impact on highway safety.
- 8.53 Affordable housing as 40% of the units, along with the delivery of onsite open space, and play provision can be secured through a planning obligation.
- 8.54 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 105 dwellings, including affordable housing, in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply is a substantial material consideration, in the light of this Council's current 5YHLS.
- 8.55 There is a conflict with development plan policy CS14 and CS16 which ordinarily would result in this proposal being considered unacceptable. Ordinarily CS14 would be the principal policy such that a scheme in the countryside should be refused. However, in light of the Council's lack of a five-year housing land supply, development plan policy DSP40 is engaged and officers have considered the scheme against the criterion therein. The scheme is considered to satisfy the five criteria and in the circumstances, officers consider that more weight should be given to this policy than CS14 such that, on balance, when considered against the development plan as a whole, the scheme should be approved.
- 8.56 Officers are satisfied that amenity and ecology issues can be addressed through the design of the scheme, planning conditions and a section 106 planning obligation. In addition a section 106 planning obligation can secure an education contribution, highway contribution and connectivity.
- 8.57 Officers consider that the implications of the CJEU judgement (People Over Wind, Peter Sweetman v Coillte Teoranta) and paragraph 177 of the NPPF

mean that the application of the presumption in favour of sustainable development set out in paragraph 11 of the same Framework is not a relevant consideration.

- 8.58 In the event that this approach is subsequently found to be incorrect as a consequence of a Court decision or a clarification in government policy, Officers have considered the application in the alternative and assessed the proposals having regard to the 'tilted balance' test set out at paragraph 11 of the NPPF.
- 8.59 In undertaking a detailed assessment of the proposals throughout this report and now applying the 'tilted balance' to those assessments, Officers consider that:
- (i) there are no policies within the National Planning Policy Framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposed, particularly when taking into account that any significant effect upon Special Protection Areas can be mitigated through a financial contribution towards the Solent Recreation Mitigation Strategy; and
 - (ii) any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 8.60 Therefore, even if paragraph 11 of the NPPF were a relevant consideration, Officers find that having applied the 'tilted balance', they would have similarly concluded that planning permission should be granted for the proposals.
- 8.61 Having carefully considered all material planning matters, officers recommend that outline planning permission should be granted subject to the following matters.

9.0 Recommendation

9.1 Subject to:

- 1) 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 in respect of the following:
 - a) To secure the provision and transfer of the areas of open space, wildlife corridor and buffer zones to Fareham Borough Council, including associated financial contributions for its future maintenance;
 - b) A financial contribution towards the delivery of a play area and associated maintenance;
 - c) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);

- d) To secure 40% of the proposed units as on-site affordable housing; the type, size, mix and tenure to be agreed to the satisfaction of officers;
- e) To secure vehicular, pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity;
- f) To secure a financial contribution towards education provision;
- g) Financial contribution towards mitigating offsite highway impacts at Segensworth Roundabout, Titchfield Park Road and any physical or educational measures required to improve safety at the A27 controlled crossing; and,
- h) Travel Plan and related monitoring cost and bond.

GRANT OUTLINE PLANNING PERMISSION:

9.2 Subject to the following conditions:

1. Details of the appearance, scale, layout and landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
REASON: To comply with the procedures set out Section 91 of the Town and Country Planning Act 1990.
2. Applications for approval of all reserved matters shall be made to the local planning authority not later than 24 months beginning with the date of this permission.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall be begun before the expiration of 12 months from the date of the approval of the last of the reserved matters.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.
4. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents: Site Location Plan 6374 02 E; Parameters Plan 6374 03 J; Access plans, 17/0604/SK13A and 17/0604/SK14A.
REASON: To avoid any doubt over what has been permitted.
5. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority). This shall include traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision to address any abnormal wear and tear to the highway and a programme for construction including the areas to be used for the storage of building materials, plant, excavated materials

and huts associated with the implementation of the development. The approved measures shall be fully implemented upon the commencement of development and shall be retained for the duration of construction of the development unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of the area.

6. No part of the development shall be occupied/brought into use until the access junctions and visibility splays have been constructed in accordance with the approved details. 17/0604/SK13A and 17/0604/SK14A. The visibility splays shall thereafter be kept free of obstruction at all times.

REASON: In the interests of highway safety.

7. Other than initial site preparation, no development shall commence until details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, to include all relevant horizontal and longitudinal cross sections showing the existing and proposed ground levels, together with details of street lighting (where appropriate), the method of disposing of surface water, and details of a programme for the making up of roads and footways have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the roads are constructed to a satisfactory standard.

8. No dwelling erected on the site subject to this planning permission shall be first occupied until there is a direct connection from it, less the final carriageway and footway surfacing, to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the date upon which erection is commenced of the penultimate building/dwelling for which permission is hereby granted. The roads and footways shall be laid out and made up in accordance with the approved specification, programme and details.

REASON: To ensure that the roads and footways are constructed in a satisfactory manner.

9. No development shall take place until the applicant, or their agents, or successors in title, have secured the implementation of a programme of archaeological evaluation and, where necessary, subsequent archaeological mitigation. The Written Schemes of Investigation shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be undertaken in accordance with the approved details.

Following the completion of all fieldwork the post investigation assessment will be submitted to and approved in writing by the Local Planning Authority and the applicant, or their agents, or successors in title shall make provision for analysis, publication and dissemination of results as well as the deposition of the archive with the relevant receiving body.

REASON: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets and mitigate and record the effect of the associated works upon any heritage assets.

10. No development hereby permitted shall commence until an intrusive site investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority (LPA). The intrusive site investigation and risk assessment shall include assessment of the risks posed to human health, the building fabric and the wider environment such as water resources, and where the site investigation and risk assessment reveal a risk to receptors, it shall include a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the LPA. This shall be investigated to assess the risks to human health and the wider environment and a remediation scheme implemented following written approval by the Local Planning Authority. The approved scheme for remediation works shall be fully implemented before the permitted development is first occupied or brought into use. On completion of the remediation works and prior to the occupation of any properties on the development, an independent competent person shall confirm in writing that the works have been completed in full and in accordance with the approved scheme. Such confirmation shall include photographic evidence and, if considered necessary by the local planning authority, as built drawings of the development.

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

11. Prior to the construction of the dwellings, details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and to assess the impact on nearby residential properties.

12. No development shall proceed beyond damp-proof course level until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and

type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times.

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

13. The development hereby permitted shall be carried out in accordance with the recommendations contained within section 4 of the submitted noise report, Hepworth Acoustics Ltd Report No. P16-322-RO1v2, January 2018.

REASON: In the interest of the amenity of occupiers.

14. No development shall proceed beyond damp proof course level until details of the finished treatment [and drainage] of all areas to be hard surfaced have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and the hard-surfaced areas subsequently retained as constructed.

REASON: To secure the satisfactory appearance and drainage of the development.

15. The landscaping scheme, submitted under Condition 1 shall be implemented in accordance with a scheme to be submitted (including a delivery timetable) or as otherwise agreed in writing with the local planning authority and shall be maintained commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

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

16. No work relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

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

17. No development shall commence on site until details of foul sewerage and surface water drainage works to serve the development hereby

permitted including implementation phasing works have been submitted to and approved in writing by the local planning authority. Where possible a Sustainable Urban Drainage System (SUDS) shall be used and full details of predicted flows, responsibilities and future management provided. The dwellings shall be occupied in accordance with the submitted drainage scheme.

REASON: In order to ensure adequate drainage is provided to serve the permitted development.

18. Full details of all ecological mitigation, compensation and enhancement measures (to be informed as necessary by up-to-date survey and assessment) shall be submitted for approval to the Local Planning Authority with each Reserved Matters application. Such details shall be in accordance with the outline ecological mitigation, compensation and enhancement measures detailed within the submitted Ecological Assessment Report (Ecology Solutions Ltd., May 2018) and subsequent updating addendums. Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection, compensation and enhancement in accordance with the Habitats Regulations 2017, Wildlife & Countryside Act 1981 (as amended), NERC Act 2006, NPPF and Policy DSP13 of the Fareham Local Plan Part 2

19. The development shall be undertaken in accordance with the recommendations contained within the submitted Arboricultural Impact Assessment and Arboricultural Method Statement, Challice Consulting Ltd Ref. CC/860/AR3046 19 April 2018. The tree/hedgerow protection shall be retained through the development period until such time as all equipment, machinery and surplus materials have been removed from the site.

REASON: To ensure protection of important trees and hedgerows.

20. No materials obtained from site clearance or from construction works shall be burnt on the site.

REASON: In the interests of the living conditions of the occupiers of neighbouring properties.

INFORMATIVES:

- a) A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- b) Applicants should be aware that, prior to the commencement of development, contact must be made with Hampshire County Council, the Highway Authority. Approval of this planning application does not give approval for the construction

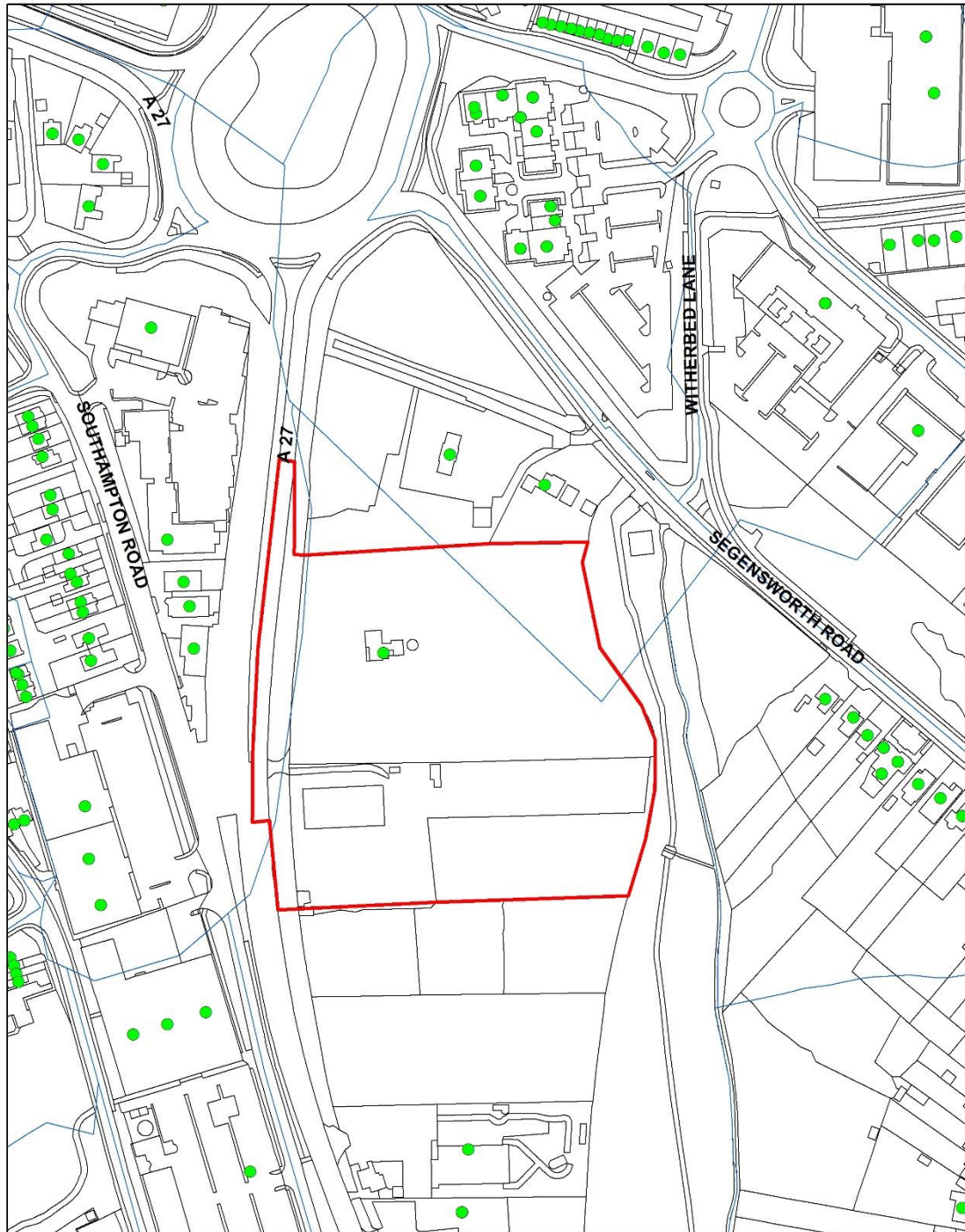
of a vehicular access, which can only be given by the Highway Authority. Further details regarding the application process can be read online via <http://www3.hants.gov.uk/roads/apply-droppedkerb.htm> Contact can be made either via the website or telephone 0300 555 1388.(II))

10.0 Background Papers

[P/18/0068/OA]

FAREHAM

BOROUGH COUNCIL



Land East of Southampton Road

Scale 1:2,500



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