

OFFICER REPORT FOR COMMITTEE

DATE: 12/12/2018

P/18/1193/OA
MR PETER BEVERIDGE

TITCHFIELD
AGENT: C&L MANAGEMENT

OUTLINE APPLICATION FOR THREE DETACHED DWELLINGS WITH
ASSOCIATED LANDSCAPING AND PARKING (RE-SUBMISSION OF
P/18/0620/OA)

247 TITCHFIELD ROAD, STUBBINGTON, FAREHAM, PO14 3EP

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

- 1.1 The application represents the re-submission of an earlier application, considered by the September 2018 Planning Committee and refused planning permission for the following reasons:

“The development would be contrary to Policies CS14, CS17 and CS22 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

- a) the provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent residential development in the countryside which does not require a countryside location. Further, the development would not be sustainably located adjacent to or well integrated with the neighbouring settlement.*
- b) the development would harm the landscape character and appearance of the countryside and fail to respect or respond positively to the key characteristics of the surrounding area;*
- c) the development would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements.*
- d) 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.”*

- 1.2 Since that time, an Appeal Decision on the site for nine holiday chalets has been received. The Appeal Decision dismissed the proposal for the holiday chalets for the sole reason on the impact from noise disturbance on the neighbouring residential properties. The Inspector commented that the proposal would not have a detrimental impact on the character of the countryside or on the integrity of the Strategic Gap. This is considered to be a material consideration in the determination of this application.
- 1.3 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).
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 Officers will advise Members accordingly at the meeting.

2.0 Site Description

- 2.1 The application site is located within the defined countryside, to the west of Titchfield Road (B3334), and is located almost 750m away from the defined Stubbington Urban Settlement Boundary (to the southeast of the site). The site is located along the southern side of a private gravelled track which

serves two existing residential properties, and the site is set approximately 180m away from Titchfield Road. The site forms part of the former Grade II Listed Crofton House, the main part of which was destroyed by fire and demolished in 1974, although the western wing remains, and now forms 249 Titchfield Road (to the immediate west of the site).

- 2.2 The site comprises a single storey dilapidated barn/store and is largely laid to gravel, concrete and the former foundations and covered basements of the former Crofton House. The site is bounded by trees, with the trees to the east, south and much of the western boundaries subject to a tree preservation order, as well as peripheral shrubs and plants. The access track, which is gated to Titchfield Road is also bounded along its northern and southern sides by trees subject to tree preservation orders.
- 2.3 To the north of the site, beyond the access track lies 253 Titchfield Road and Titchfield Nursery (Optimus Flowers), and to the east of the site lies a large open field which is used on Sundays for car boot sales. The tree belt visible from the Titchfield Road across the car boot sales field is the eastern edge of the application site.
- 2.4 To the south of the site lies an existing paddock, beyond which lies Crofton Manor Equestrian Centre. To the east of the site lies the two neighbouring residential properties at 249 and 251 Titchfield Road.

3.0 *Description of Proposal*

- 3.1 This application, submitted in outline form seeks planning permission for the provision of three detached two storey eco-homes with access, layout and scale being considered. Appearance and landscaping would be considered as reserved matters. The site would be accessed along the existing private driveway, with the three properties sharing a single access point from the track, with the remainder of the site frontage landscaped.
- 3.2 The application has been supported by a detailed planning, design and access statement.

4.0 *Policies*

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS4	Green Infrastructure, Biodiversity and Geological Conservation
CS6	The Development Strategy
CS14	Development Outside Settlements
CS17	High Quality Design
CS20	Infrastructure and Development Contributions

CS22 Development in Strategic Gaps

Adopted Development Sites and Policies

DSP1	Sustainable Development
DSP2	Environmental Impact
DSP3	Impact on Living Conditions
DSP6	New Residential Developments Outside of the Defined Urban Settlement Boundaries
DSP13	Nature Conservation
DSP15	Recreational Disturbance on the Solent Special Protection Areas
DSP40	Housing Allocations

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document
(excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

5.1 The following planning history is relevant:

P/13/0919/FP	New Dwelling with associated car parking and driveway
REFUSE	31 January 2014
APPEAL	26 September 2014
DISMISSED	
P/17/1356/FP	Nine Holiday Let Properties (Use Class C3) and associated service unit, outdoor swimming pool, car parking, landscaping and replacement entrance gates to access with Titchfield Road
REFUSE	27 March 2018
APPEAL	5 October 2018
DISMISSED	
P/18/0505/FP	Use of land as a residential caravan site for five gypsy families, (10 caravans), including the laying of hardstanding, five utility buildings, fencing and installation of package sewage treatment plant
REFUSE	14 September 2018
APPEAL	
SUBMITTED	
P/18/0620/OA	Outline Application for three detached dwelling with

REFUSE

associated landscaping and parking
14 September 2018

6.0 Representations

- 6.1 Three letters of support have been received regarding this application. Both comments highlight the continual issues with the site and this proposal would end uncertainty and result in the creation of three houses which would have minimal impact on the local environment.

7.0 Consultations

INTERNAL

Ecology:

- 7.1 No objections, subject to conditions

Environmental Health (Contaminated Land)

- 7.2 No objection, subject to condition on remediation

Environmental Health (Noise/Odour)

- 7.3 No objection raised.

Highways

- 7.4 No objection, subject to conditions.

Trees

- 7.5 No objection subject to detailed tree planting and landscaping scheme.

Waste and Recycling

- 7.6 No objection subject to a bin collection point made adjacent to the access road.

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) Implications of Fareham's Current 5-Year Housing Land Supply Position (5YHLS);
 - b) Residential Development in the Countryside;
 - c) – g) Policy DSP40: Housing Allocation;

- h) Planning History;
- i) The Planning Balance.

a) Implications of Fareham's Current 5-Year Housing Land Supply Position (5YHLS):

- 8.2 A report titled "Five year housing land supply position" is reported for Members' information elsewhere on this agenda. That report set 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 A report from the October 2018 Planning Committee also advised that:
'...the Government are considering adjustments to the new standard method used to calculate Local Housing Need, following publication of the new housing 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 in November'.
- 8.4 On the 26 October, the Government issued a 'Technical consultation on updates to National Planning Policy and Guidance'. The consultation on the proposed updates ran 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 of the Adopted Core Strategy highlights that priority should be given to the reuse of previously developed land within the urban area. Policy

CS6 goes on to say that development will be permitted within the settlement boundaries. The site is located outside and approximately 750m away from the defined urban settlement boundary of Stubbington.

- 8.8 Policy CS14 highlights what forms of development in the countryside would be acceptable, and include that essential for agriculture, forestry, horticulture and required infrastructure.
- 8.9 Policy DSP6 of the Adopted Part 2: Development Site (New Residential Development Outside of the Defined Urban Settlement Boundaries) states that there will be a presumption against new residential development outside of the defined urban settlement boundary, subject to a few exceptions, such as conversion of existing buildings and infilling of an existing and continuous built-up residential frontage.
- 8.10 The planning proposal involves residential development outside of the defined urban area which does not have an overriding need for a countryside location. The application is therefore contrary to policies CS2, CS6 and CS14 of the adopted Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Sites and Policies Plan.
- 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 5-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 c) - g) Policy DSP40.

8.13 It is also important to highlight that the site has been considered under the Council's Strategic Housing Land Availability Assessment (SHLAA), (site id: 1172). Within the SHLAA, the site was considered to be a suitable, available and an achievable site for development.

c) Policy DSP40(i)

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

8.15 The application proposes the erection of three dwellings; the current shortfall is in the region of 27 dwellings (4.95 years) (as per the latest position statement). Officers are satisfied that bullet point (i) of Policy DSP40 is satisfied.

d) Policy DSP40(ii)

8.16 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 aim of part ii of Policy DSP40 is twofold: to ensure developments read as being visibly connected to the existing settlement and to ensure that they are functionally linked to the existing settlement and that future residents can easily access amenities.

8.17 In terms of being visibly connected to existing settlements, the site would be relatively close to the settlement policy boundary of Stubbington (to the southeast). The development would not be visually connected to the existing urban settlement, but would sit adjacent to an existing collection of dwellings within a secluded part of the countryside.

8.18 In terms of being functionally linked to the existing urban settlements, and therefore close to amenities, the closest local services and facilities such as shops and cafes are to be found in Stubbington along Cuckoo Lane, are within walking and cycling distance to the south of the site, and Stubbington Village Centre, to the southeast of the site. Titchfield Village Centre is located to the northwest of the site, accessible along footpaths. Therefore, whilst the location of the proposed development is not located adjacent to the existing urban areas, the area has been considered on appeal to be sustainably located, and the proposed dwellings would be well integrated with the existing neighbouring properties, forming a small hamlet of dwellings surrounded by open countryside.

e) Policy DSP40(iii)

- 8.19 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".
- 8.20 The site is largely bounded by mature planting and trees to the perimeter. Under the 2013 Appeal decision, this boundary vegetation was noted by the Appeal Inspector when considering the construction of a single dwelling on the site, and it was concluded that the proposal would not significantly harm the character and appearance of its surroundings, having particular regard to the location of the site within a Strategic Gap.
- 8.21 Further, the recent 2018 Appeal decision for the nine holiday chalets specifically referred to the impact of the development on both the countryside and the integrity of the Strategic Gap. The Inspector noted on the impact on the countryside by referring to the 2013 Appeal Decision, and highlighted that where development is set away from the boundaries, it would not adversely affect the boundary screening, and as such, given the level of trees and shrubs along all boundaries, views from Titchfield Road would be concealed. On the impact on the countryside, the Inspector concluded that the proposal would not have an adverse effect on the landscape character and appearance of the countryside.
- 8.22 In respect of the Strategic Gap, the 2018 Appeal decision also referred to the 2013 Appeal Decision, and the Inspector commented that proposed developments on this site, which retain the landscape screen and provides the opportunity to enhance it through additional planting, would not have a significant adverse effect on the integrity of the gap or on the physical and visual separation of settlements in this location. This approach has been supported by two separate appeal inspectors, and therefore adds significant weight to support an appropriate development on the site.
- 8.23 The current proposal for three detached dwellings would represent an increased number of dwellings over that considered in 2013, but would represent less built form than that considered by the nine holiday chalets. Given the level of boundary vegetation, which could be further enhanced when landscaping is considered, and given the separation distance from views of the site from both Titchfield Road (to the east of the site), and from a public right of way to the south of the site, there would be limited views of the site from the surrounding countryside, and as such, it is considered by Officers that the provision of the development would not harm the character and appearance of the area or the integrity of the Strategic Gap.

8.24 It is therefore considered that the development accords with the requirements of point iii) of Policy DSP40 and Policy CS22 regarding development in the Strategic Gap.

f) Policy DSP40(iv)

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

8.26 The application has been submitted on behalf of a local landowner, and the supporting statement indicated that if planning permission is granted that the site could be deliverable immediately, with the aim of completion within 18 months. The proposed development would therefore be in accordance with the fourth criteria of Policy DSP40.

g) Policy DSP40(v)

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

Environmental Implications:

8.28 In respect of environmental implications, the application has been derelict for a considerable number of years, with many parts of the site covered in areas of concrete hardstanding, dilapidated outbuildings and the former foundations and basements of the former Crofton House. Much of the site is incapable of supporting biodiversity due to the current ground conditions, which has also been subject to ground contamination from the use of the land as a scrapyard and for illegal fly tipping. As part of the re-development of the site, the land would be subject to full remediation prior to the commencement of the development, including the removal of the capped basements to Crofton House. The resultant works would improve the biodiversity of the site, with much of the site forming the rear gardens and landscaping to support the overall proposal. As such, it is considered that the current condition of the site could be significantly improved through a grant of planning permission, resulting in overall environmental improvements to the area. In addition, the application proposes the erection of eco-homes, including the provision of solar panels, solar water heating systems, ground or air source heat pumps, mechanical ventilation heat recovery systems, and rainwater harvesting, all thereby improving the environmental credentials of the proposed development.

8.29 The Solent coastline provides feeding grounds for internationally protected populations of overwintering birds and is used extensively for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Following the recent European Court of Justice ruling, applications for

residential development within the Borough must be subject to screening in order to demonstrate the likely significant effects on the SPA. This screening must be undertaken by a competent Authority, prior to the determination of the application. An appropriate assessment has been undertaken by the Local Planning Authority, where it was determined that the potential likely significant effects of the development can be adequately addressed. This can be done by the provision of a financial contribution paid per dwelling. The payment of this contribution is required to be paid before the determination of this application, as set out in the recommendation of this report.

- 8.30 The proposals have been considered by the Council's Tree Officer who raised no objection given the level of separation between the proposed development and the surrounding Tree Preservation Order.

Amenity Implications:

- 8.31 In terms of consideration of the amenity impact, the site layout plan indicates that the western most property would be located approximately 5m away from the eastern elevation of 249 Titchfield Road (whose eastern elevation forms part of the boundary of the site) which contains a single first floor window serving a landing area. Whilst no specific details of the proposed dwellings have been submitted, as these would be considered under a reserved matters application, the western part of this property would appear to be a single storey element, with the two storey element of the property located over 8.5m away from the side elevation of 249 Titchfield Road. It is considered, given the level of separation that the proposals would not have an adverse impact on the living conditions of the occupiers of 249 Titchfield Road. No other neighbouring occupiers would be affected by the development proposal. The development would comply with the requirements of Policies DSP2 and DSP3 of the Local Plan.

Traffic Implications:

- 8.32 Turning to the matter of highway safety and traffic implications, the application would result in the provision of three additional dwellings accessing Titchfield Road and using the unmade access track that currently serves 249 and 251 Titchfield Road. No objection has been raised by the Council's Transport Planner, subject to a number of conditions. Suitable access visibility splays have been provided and the existing gated entrance would be amended to be widened from 3.9m to 5.1m to allow for two vehicles to pass through the open gates. It is considered that the likely level of additional traffic accessing the site and entering Titchfield Road would not be so significant to warrant an objection on highway safety grounds.
- 8.33 It is therefore considered that the proposed access arrangements and increased activity along the access track would not cause harm to other road

users or pedestrians. Adequate off-street car parking would be provided for each plot.

- 8.34 In summary, it is therefore considered given the impact on the character and appearance of the area as set out above, that the proposal complies with the requirements of criteria (v) of Policy DSP40, and Policies CS5 and CS17 of the Local Plan.

h) Planning History:

- 8.35 The planning history for the site records the granting of permission for the conversion of Crofton House into a Children's Home in 1948 and the grant of Listed Building Consent for the demolition of the Grade II Listed Building following fire damage on 5 January 1973. The building was subsequently demolished in 1974/75.
- 8.36 As set out in Section 5.0 above, and as detailed in paragraph 8.20, a recent Appeal decision (dated 2 October 2018) in respect of the nine holiday chalets and service unit was dismissed by the Planning Inspectorate. However, in dismissing the Appeal, the Inspector referred in detail to the potential impact of development in this location on the character and appearance of the countryside and on the integrity of the Strategic Gap, referring to the earlier Inspectors consideration in the 2013 Appeal decision. This decision represents a material consideration in the determination of this application, and adds further significant weight to 2013 Appeal Decision, which dismissed a single dwelling on the site, which also identified limited impact on the countryside or Strategic Gap from development on the site.
- 8.37 In delivering his decision in 2013 the Planning Inspector noted that there would be conflict with Policy CS14 of the Core Strategy and the National Planning Policy Framework, which seek to restrict certain forms of development in the countryside such as housing where there is no overriding need.
- 8.38 However, he found that "the proposal would not significantly harm the character and appearance of its surrounding, having particular regard to the location of the site within a Strategic Gap". He explained that "...given the substantial vegetation that lines the edges of the site including the eastern and southern boundaries, views of the proposed development would be limited even in the winter when the vegetation is not in full leaf". "In terms of the impact that the proposal would have on the Strategic Gap, I note that the site has been devoid of any structure during the period of the Strategic Gap policy. Although this contributes to the character of the site given I consider that views of the proposal from public vantage points would be limited and the perception of the undeveloped nature of the site would not be substantially

affected to the detriment of the integrity of the Strategic Gap". These points were reiterated by the Inspector in the 2018 Appeal Decision, where the Inspector directly quoted the consideration of the 2013 Inspector.

8.39 These appeal decisions, which relate to the same site are important material considerations to take into account when determining the current proposal.

8.40 It is however acknowledged that this site has been considered by the Planning Committee three times already this year, including for this existing proposal. Officers are aware of the concerns raised by Members of the Planning Committee to the provision of development on the site, as defined in the reasons for refusal set out in Section 1.0. Those reasons represent a material consideration in the determination of this application proposal. However, having regard to the wider considerations in this report, and the greater weight that can be added to the more recent Appeal Decision, it is considered that the proposals would not have a detrimental impact on the character and appearance of the countryside in this location or on the integrity of the Strategic Gap.

i) The Planning Balance

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

"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".

8.42 The site is located outside of the defined urban settlement boundary and does not relate to agriculture, forestry, horticulture or 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 the Local Plan Part 2: Development Sites and Policies Plan.

8.43 Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations, which is engaged as the Council cannot demonstrate a 5YHLS. In weighing up the material considerations and conflicts 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 and can be delivered in the short term. The development would be integrated into the existing collection of residential properties along this part of Titchfield Road, and would be sustainably located, in terms of proximity to local services and facilities (complying with the second test of DSP40), and as acknowledged by Appeal Inspectors.

- 8.44 It is acknowledged that the proposal would have an urbanising impact through the introduction of housing and related infrastructure onto the site and introduce a degree of change to the character of the site. However, Officers consider that the layout of the proposal, together with the existing level of boundary landscaping, has been carefully undertaken to minimise the impact on the countryside and the integrity of the Strategic Gap.
- 8.45 In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, the proposal would deliver three dwellings to contribute to the 5-year housing land supply shortage in the Borough.
- 8.46 In respect of environmental and amenity issues, and subject to appropriate planning conditions and mitigation, Officers are satisfied that amenity and ecology issues have been appropriately addressed in the submitted application.
- 8.47 There is a clear conflict with the development plan policy CS14 as this is development in the countryside. Ordinarily, Officers would have found this to be the principal policy such that a scheme in the countryside should be refused. However, in light of the Council's lack of a 5YHLS, development plan policy DSP40 is engaged and Officers have considered the scheme against the criteria therein. The scheme is considered to satisfy the five criteria and in the circumstances, Officers consider that more weight should be afforded to policy DSP40 than CS14 such that, on balance when considered against the development plan as a whole, the scheme should be approved.
- 8.48 As set out 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' from the 10 October 2018 Planning Committee, Officers consider that the implications of the CJEU judgment (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.
- 8.49 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.

8.50 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.

8.51 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.

8.52 Having carefully considered all material planning matters, including all new planning considerations arising since the proposal was considered by the Planning Committee on the 12 September, Officers recommend that planning permission be granted subject to the following matters.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to:

- The completion of a S.111 Agreement and the payment of the appropriate Habitat Mitigation Contribution, and,
- The following conditions:
 1. Application for approval of details of the appearance of the building/s and the landscaping of the site (all referred to as 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 in 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 12 months from 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 constructed in accordance with the following approved documents:

- a) Location Plan (Drawing: 836-100 Rev A);
- b) Existing Site Plan (Drawing: 836-101 Rev A);
- c) Proposed Site Plan (Drawing: 836-102 Rev A);
- d) Site Plan (Enlarged) (Drawing: 836-103 Rev A);
- e) Gate Proposals (Drawing: 836-106 Rev A); and,
- f) Visibility Splays (Drawing: 836-107 Rev A).

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

5. Prior to development commencing, the applicant should submit the following to the Local Planning Authority:

An intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources shall be carried out. The site investigation shall not take place until the requirements of the Local Planning Authority have been fully established. This should be submitted to and approved in writing by the Local Planning Authority.

Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the Local Planning Authority. It shall also include the nomination of a competent person (to be agreed with the Local Planning Authority) to oversee the implementation of the measures.

REASON: To ensure that any potential contamination of the site is properly taken into account before development takes place. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site to ensure adequate mitigation against land contamination.

6. Prior to the occupancy of each unit the agreed scheme of remedial measures shall be fully implemented. Remedial measures shall be validated in writing by an independent competent person as agreed with the Local Planning Authority. The validation is required to confirm that the remedial works have been implemented in accordance with the agreed remedial strategy and shall include photographic evidence and as built drawings

where required by the Local Planning Authority. The requirements of the Local Planning Authority shall be agreed in advance.

Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, an investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the Local Planning Authority. The remediation shall be fully implemented and validated in writing by an independent competent person as agreed with the Local Planning Authority.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

7. The dwellings hereby permitted shall not be occupied until the existing access from Titchfield Road is finished in a bound material between the proposed gates and the adopted highway. Drainage of the surface area shall be contained within the site and not discharged onto Titchfield Road.

REASON: In the interests of highway safety.

8. No dwelling hereby approved shall be first occupied until detailed plans and proposals have been submitted to the Local Planning Authority for approval showing:

- a. Refuse bin storage (sufficient for 2no. 140 litre wheeled bins);
- b. Secure cycle storage.

The cycle storage required shall take the form of a covered building or other structure available on a 1 to 1 basis for each dwellinghouse hereby permitted. Once approved, the storage shall be provided for each dwellinghouse and shall be thereafter kept permanently available for the stated purpose.

REASON: To encourage non car modes of transport and to ensure proper provision for refuse disposal.

9. No work on site relating to the construction of any of the development hereby permitted (including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays, or at all on Sundays or recognised bank or 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.

10. None of the development hereby approved shall be occupied until a plan of a position, design, materials and type of boundary treatment to be erected to all

boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and number and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

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

11. The dwellings hereby permitted shall be limited to two storeys only, with no accommodation provided within the roofspace, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To retain control over the scale of the development.

12. No works shall commence on site above damp proof course level until details of the proposed surface water and foul drainage and means of disposal have been submitted to and approved by the Local Planning Authority and no building shall be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

REASON: To ensure that the proposed development is satisfactorily drained.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

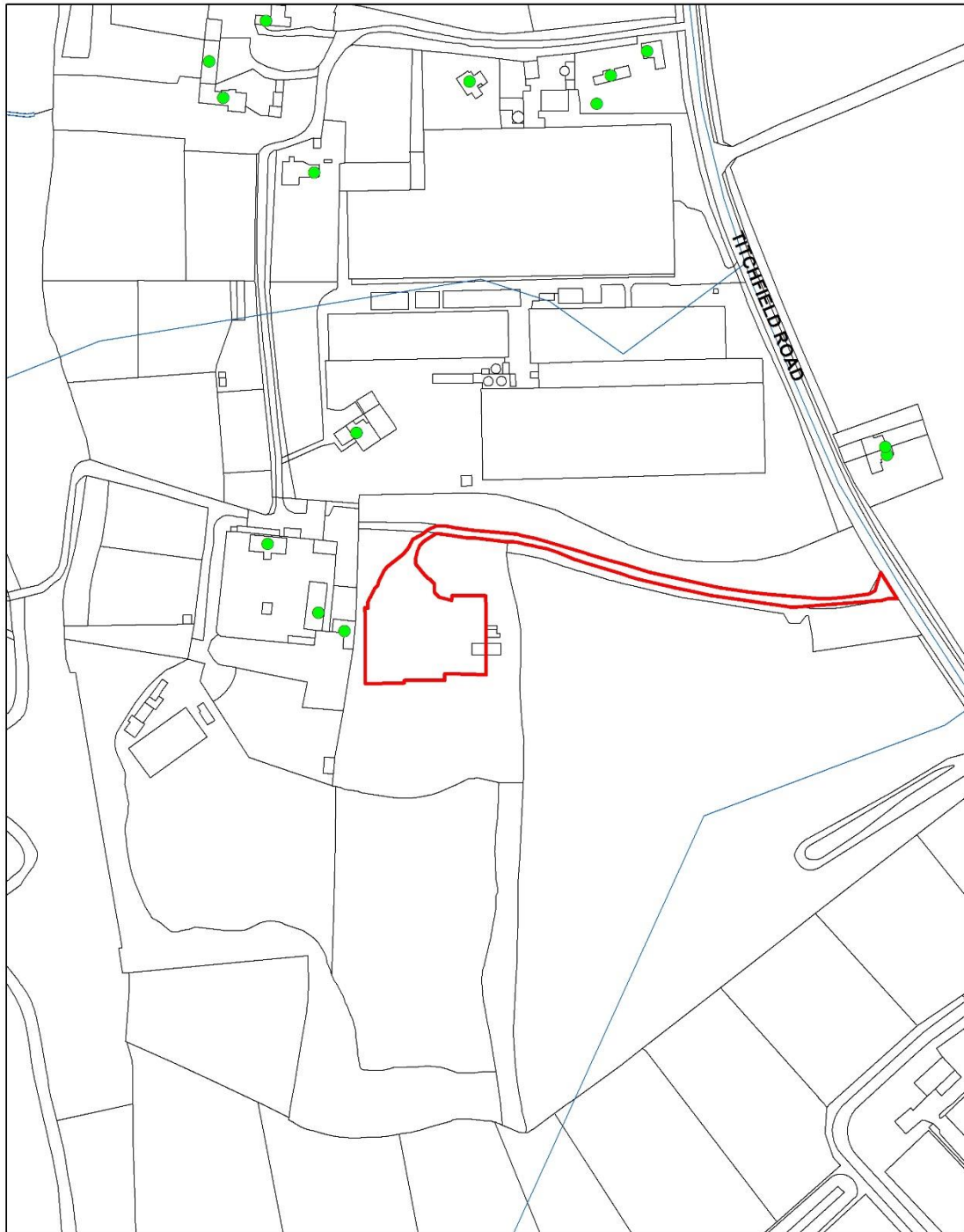
REASON: To enable the Local Planning Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

10.0 Background Papers

[P/18/1193/OA]

FAREHAM

BOROUGH COUNCIL



247 Titchfield Road

Scale 1:1,2500



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2018