

OFFICER REPORT FOR COMMITTEE

DATE: 11/12/2019

**P/19/0864/RM
RESIDE DEVELOPMENTS LIMITED
AND ATHERFOLD INVESTMENTS
LTD**

**FAREHAM NORTH
AGENT: TURLEY**

TWENTY-SEVEN DWELLINGS, INTERNAL ROADS AND PARKING (LAYOUT ONLY)

LAND NORTH OF FUNTLEY ROAD, FUNTLEY

Report By

Richard Wright – direct dial 01329 824758.

1.0 Introduction

- 1.1 This application has been reported to the Planning Committee for a decision to be made due to the number of third party comments received in response to its publication.
- 1.2 Outline planning permission was granted in November 2018 for up to twenty-seven dwellings on this site along with associated infrastructure, means of access and demolition of existing agricultural building. A Section 106 agreement secured, amongst other things, the provision of a permissive footpath from Funtley Road to Thames Drive and associated works to upgrade the existing bridge over the M27 motorway.
- 1.3 Since the grant of outline consent the applicant has been working to discharge and meet the requirements of the Section 106 agreement. The applicant has developed a scheme of works to be carried out to the M27 bridge and has agreement from the highway authority Highways England to carry out those works immediately at the start of the new year. Highways England have agreed a two week window to carry out the works starting on the 7th January 2020. As a result of these works being carried out in the very near future the applicant has requested that this application be considered by the Planning Committee at this meeting. This is to provide enough certainty that an acceptable layout of 27 dwellings on the site can be achieved in order that the works and the investment required in those bridge works may proceed.

2.0 Site Description

- 2.1 The site measures 0.96 hectares (2.4 acres) in area and is situated immediately to the north of Funtley Road.

- 2.2 To the north and east the site adjoins housing development on the site of the former Funtley Abattoir. To the north west of the site is a designated area of public open space. To the west of the site are a small number of frontage dwellings with long rear gardens.
- 2.3 The site is relatively flat, falling gently to the north. It currently comprises horse paddocks.
- 2.4 There is an existing access to the site in the south eastern corner and an unmade track runs diagonally across the site to an agricultural storage building/stables located in the north west corner.
- 2.5 The existing southern boundary to Funtley Road is marked by a hedgerow containing some trees towards its eastern end. The western boundary is largely defined by an evergreen hedgerow, with the eastern and northern boundaries formed with varying types and sizes of planting.
- 2.6 The site lies outside of the urban settlement boundary.

3.0 *Description of Proposal*

- 3.1 This reserved matters application seeks approval of the layout of the site following the grant of outline permission for up to twenty-seven dwellings which was granted in November 2018. The means of access to the site was a matter agreed at the outline stage.
- 3.2 The layout proposed comprises a mixture of detached, semi-detached and terraced 2, 3 & 4-bed houses all with private rear gardens and allocated parking spaces.
- 3.3 Aside from this application which deals with the layout of the development only, a separate planning application for the remaining reserved matters of scale, appearance and landscaping has also been submitted (ref P/19/1185/RM).

4.0 *Policies*

- 4.1 The following policies apply to this application:

Adopted 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

Adopted Development Sites and Policies

DSP1 – Sustainable Development
DSP2 – Environmental Impact
DSP3 – Impact on Living Conditions
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/17/1135/OA	OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 27 DWELLINGS (USE CLASS C3) WITH ASSOCIATED INFRASTRUCTURE, MEANS OF ACCESS AND DEMOLITION OF AGRICULTURAL BUILDING
PERMISSION	27/11/2018
P/19/1185/RM	TWENTY-SEVEN DWELLINGS, INTERNAL ROADS AND PARKING (APPEARANCE, SCALE AND LANDSCAPING - RESERVED MATTERS) <i>UNDER CONSIDERATION</i>

6.0 *Representations*

6.1 Five letters have been received in response to the application objecting on the following grounds:

- Environmental impact
- Highway safety
- Impact on public services such as doctors, dentists, etc.

- Concern over effect on boundaries with existing neighbouring properties, privacy, security, etc.
- Impact on wildlife
- Density of development is too high
- Lack of parking provision
- Drainage problems
- Flawed nitrates mitigation strategy
- Affordable units will not be truly affordable

7.0 Consultations

EXTERNAL

Crime Prevention Design Adviser (Hampshire Constabulary)

- 7.1 Advice provided on definition of public areas and private front gardens, boundary treatments and rear access.

Highways (Hampshire County Council)

- 7.2 Awaiting final comments.

Ecology (Hampshire County Council)

- 7.3 No objection.

Lead Local Flood Authority (Hampshire County Council)

- 7.4 Awaiting final comments.

INTERNAL

Trees

- 7.5 No objection

8.0 Planning Considerations

a) Design and layout

- 8.1 The principle of residential development on this site has already been established in the granting of outline consent by this Council (reference P/17/1135/OA).
- 8.2 The site lies in the countryside beyond the urban settlement boundaries. However, it is bound on its western, eastern and much of its northern side by built form and residential properties. The adjacent housing development of Roebuck Avenue, Deer Leap and Stag Way abuts the site's northern and eastern boundaries. This housing estate, which was granted planning

permission in the late 1990s on the site of an abattoir, is also within the countryside in terms of its status within the current adopted local plan however its character and appearance is typical of an area found within the urban settlement boundary. The proposed layout shows a housing development arranged at a density broadly consistent with the existing adjacent estate.

- 8.3 The position and nature of the access in to the site was agreed at the outline planning stage. A separate pedestrian footpath connection at the south-eastern corner of the site is proposed and a new section of footpath along the north side of Funtley Road already secured through the Section 106 agreement which accompanied the outline consent.
- 8.4 There is a generous landscaping buffer along the southern boundary of the site punctuated only by the vehicular and pedestrian accesses beyond which there are access drives off the central street serving detached frontage properties (plots 1 – 2, 23 – 27) which face out onto the landscaping buffer and towards Funtley Road. Behind those frontage properties the character of the street diversifies through detached to semi-detached and short terraces of three houses. Officers are satisfied that the proposed layout provides sufficient space for reasonable sized, landscaped frontages to properties so that dwellings are set back an appropriate distance from the street. The applicant has provided details confirming that the roads, footpaths and landscaping areas (including the frontages of some plots) would be managed by a private management company. It is not at this stage the applicant's intention to offer the roads up for adoption by the local highway authority.
- 8.5 Sufficient car parking provision is made to meet the Council's adopted Residential Car & Cycle Parking Standards SPD. The spaces are provided on an allocated basis with an additional 8 visitor car parking spaces spread around the development.

b) Living conditions of neighbours and future residents

- 8.6 With the exception of those houses which face towards Funtley Road, all units around the perimeter of the site back on to existing neighbouring properties. The applicant has demonstrated that all rear gardens exceed the minimum 11 metre length sought in order to protect the privacy of neighbouring gardens. Similarly, each property is positioned so as to retain more than 22 metres between elevations which are likely to contain habitable room windows at upper floor level and neighbouring dwellings.
- 8.7 Based on the proposed layout, Officers are satisfied that the light to, outlook from and privacy currently enjoyed by neighbouring properties would not be materially harmed.

8.8 The private rear gardens of each of the dwellings appear sufficient in terms of their size and the overall quality of the amenity space being provided. Officers are satisfied that an acceptable level of internal and external space would be provided to meet the needs of future occupiers.

c) Drainage

8.9 The outline consent already granted includes a planning condition requiring certain additional information in relation to surface water drainage. The applicant has sought to address this matter in this reserved matters submission and in response the lead local flood authority Hampshire County Council have requested further details which the applicant has now provided.

8.10 Officers will endeavour to update Members on the position of the lead flood authority prior to the committee meeting taking place.

d) Impact on internationally protected sites

8.11 The site lies within close proximity to three statutory designated sites of European nature conservation importance:

- the Solent and Southampton Water Special Protection Area (SSW SPA);
- the Portsmouth Harbour Special Protection Area (PW SPA); and
- the Solent Maritime Special Area of Conservation (SM SAC).

8.12 The site also lies close to the Solent and Dorset Coast potential SPA.

8.13 The SPAs and SAC (known as Natura 2000 sites) receive statutory protection under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).

8.14 The site also lies within close proximity to:

- the Solent and Southampton Water Ramsar and
- the Portsmouth Harbour Ramsar sites.

8.15 Ramsar sites are designated as wetlands of international importance and are afforded similar legislative and policy protection to SPAs and SACs.

8.16 The Habitats Regulations require Fareham Borough Council as the competent authority to carry out an Appropriate Assessment to determine whether the proposed development would have an adverse effect on the integrity of the SPAs and SACs either alone or in combination with other sites and projects.

- 8.17 Natural England have previously advised this Authority that unmitigated new residential development in the Borough would have likely significant effects upon European Sites in particular as a result of the following:

Increased impact from recreational disturbance

- 8.18 Large numbers of birds come to the Solent coast for the winter and there are three Special Protection Areas (SPAs) to safeguard them. New housing around the Solent will lead to more people visiting the coast for leisure, with the potential to cause more disturbance to the birds. Research shows that additional disturbance will affect the birds' survival unless mitigation measures are put in place.

Impacts on designated sites from waste water from the development

- 8.19 Natural England advises that there is a likely significant effect on the European designated sites due to the increase in waste water from the new housing.
- 8.20 There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for South Hampshire (PfSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty as to whether housing development would require mitigation.
- 8.21 The PfSH water quality work has identified that there is uncertainty as to whether new local plan housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. It is Natural England's view that when an appropriate assessment is triggered, the existing uncertainty about the deterioration of the water environment must be appropriately addressed in order for the assessment to be legally compliant. Natural England therefore recommends that the proposals achieve nutrient neutrality.

Air quality

- 8.22 Being bordered by coasts and The Solent to the south, the River Hamble to the west, and adjacent to Portsmouth Harbour to the east, the area surrounding Fareham Borough includes numerous nature conservation areas of national and international significance. These sites may be adversely

affected by increases in air concentrations of pollutants from motor vehicles, particularly oxides of nitrogen and ammonia, and the deposition of these pollutants within the habitats.

- 8.23 Natural England has produced guidance to competent authorities on the impacts of road traffic emissions under the Habitats Regulations. Whilst the application site is greater than 200 metres from any European designated sites, an assessment will need to be undertaken to consider if there are any emissions from development traffic on road links within 200 metres from European sites.
- 8.24 In terms of recreational disturbance to Special Protection Areas, Members will be aware 'Bird Aware Solent' has been established to lessen potential impacts from increased local housing development. The initiative is run by the Solent Recreation Mitigation Partnership and funded by contributions from all new residential dwellings within 5.6km of the Special Protection Areas. The Section 106 planning agreement entered into in connection with the outline planning permission, ensures that the necessary financial contributions will be secured towards Bird Aware Solent.
- 8.25 The issue of nutrient neutrality has been thoroughly considered by the applicants and Officers. The applicant has provided a nutrient budget according with the advice on achieving nutrient neutrality issued by Natural England (v2 June 2019). The applicant has also proposed to take a defined amount of land located on the southern side of Funtley Road, and currently used for grazing, out of use for grazing and agricultural purposes in order to fully mitigate the effects of increased waste water from the development identified in the nutrient budget. A draft unilateral undertaking will be submitted by the applicant pursuant to Section 106 of the Town & Country Planning Act 1990 which would secure this mitigation. The undertaking is currently being finalised by the respective parties and will shortly be provided to the Council.
- 8.26 Turning to the potential impacts of pollutants from motor vehicles upon European sites, Members will be aware that consultants have been engaged by this Council to assess the 'in-combination' effects of such pollutants on a Borough wide basis. The consultants (Ricardo Energy and Environment) have prepared a draft 'Air Quality Habitat Regulations Assessment (HRA) for Short-Term Development in Fareham Borough' report. Natural England are being consulted on the draft report before the final version is published.

e) Summary

- 8.27 Officers are satisfied that the proposed layout is of a sufficiently high quality of design, would provide a satisfactory living environment for future residents with regards to internal and external space and would not result in any material harm to the living conditions of existing neighbours living nearby.
- 8.28 Should Members conclude that the development is acceptable in planning terms, Officers recommend that this is subject to this Authority undertaking an Appropriate Assessment, consulting Natural England on that Appropriate Assessment, and then securing any mitigation measures identified through the Appropriate Assessment, through the imposition of appropriate planning conditions.

9.0 Recommendation

9.1 Subject to:

- a) The applicant providing a completed unilateral undertaking to the satisfaction of the solicitor to the Council pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the proposed nitrogen mitigation solution;
- b) Members delegating to Officers the making of an Appropriate Assessment under the habitat regulations and that assessment concluding the development would not adversely affect the integrity of the designated sites;
- c) Officers consulting Natural England as the appropriate nature conservation body in relation to that Appropriate Assessment;
- d) Members delegating to Officers to impose any additional planning conditions including those necessary for mitigation purposes following the making of an Appropriate Assessment;
- e) No objection being raised by the lead local flood authority Hampshire County Council in response to the additional information provided by the applicant in relation to surface water drainage;

APPROVE

10.0 Notes for Information

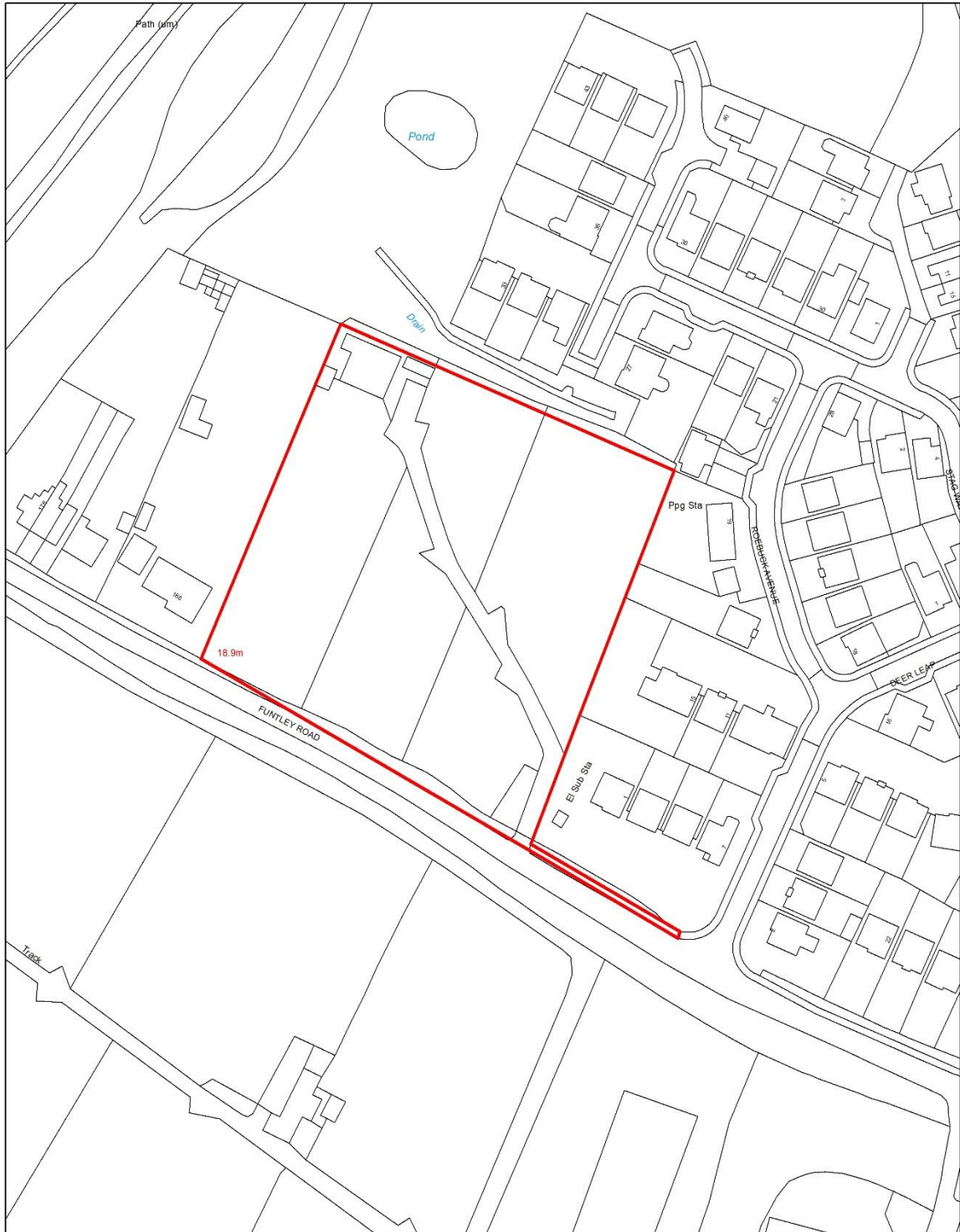
None.

11.0 Background Papers

P/17/1135/OA; P/19/0864/RM

FAREHAM

BOROUGH COUNCIL



Land North of Funtley Road
Scale: 1:2,500



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