

OFFICER REPORT FOR COMMITTEE

DATE: 22/01/2020

**P/18/1437/FP
MR & MRS A TRIMMINGS**

**PORTCHESTER EAST
AGENT: ROBERT TUTTON TOWN
PLANNING CONSULTANTS LTD**

USE OF LAND FOR STATIONING OF AGED PERSONS' RESIDENTIAL PARK HOMES (WITH COMMUNITY UNIT)

LAND TO WEST OF NORTHFIELD PARK, UPPER CORNAWAY LANE,
PORTCHESTER, FAREHAM

Report By

Richard Wright – direct dial 01329 824758

1.0 *Introduction*

1.1 This application has received a total of seven representations from six different households. The representations comprise a mixture of objection and support for the proposals.

2.0 *Site Description*

2.1 The application site comprises a parcel of land located to the immediate west of the existing residential park site of Northfield Park and to the immediate north of the Portchester Memorial Gardens. Whilst the existing residential park lies within the urban settlement area as defined in the adopted local plan, the application site lies within the countryside for planning purposes.

2.2 Vehicular access to the existing residential park is via Upper Cornaway Lane which continues northward to form public footpath 117.

2.3 To the immediate west of the site lies agricultural land at Winnham Farm which was the site of a recently refused application for 350 dwellings by Miller Homes which was subsequently dismissed on appeal (reference P/18/0005/OA). That land is part of the North of Downend Strategic Growth Area proposed in the Supplement to the Fareham Draft Local Plan 2036 which is currently being consulted on by this Council.

3.0 *Description of Proposal*

3.1 Permission is sought to use the land for the stationing of residential park homes. The stationing of mobile homes on the land would constitute a material change of use not operational development.

- 3.2 It is proposed that the site would be used for the stationing of 22 new residential park homes. The site would extend the existing residential park of Northfield Park which, together with the adjacent park of Eleanor's Wood, already comprises 71 residential park homes.
- 3.3 As well as new park homes a community unit is proposed. Described in the application in places as a "community lodge" this unit would be a bespoke park home approximately 60 ft x 20 ft used to facilitate residents' meetings, activities and services.
- 3.4 Submitted with the application is a proposed site plan indicating an ecology buffer zone around much of the eastern and southern perimeter of the site. Also shown on the proposed site plan is an indicative internal road layout arranged in a loop and the location of the proposed community unit. However, this application being for a change of use of the land, the precise location of the new park homes and community unit would be controlled through the site licence required from Fareham Borough Council.
- 3.5 The proposal also includes a new pedestrian footpath link between the existing Northfield Park residential park site and public footpath 117 as well as providing a financial contribution towards resurfacing and improvement of a short section of the public footpath to connect with Lancaster Close.

4.0 Policies

- 4.1 The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

CS20 - Infrastructure and Development Contributions

CS22 – Development in Strategic Gaps

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

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

5.0 Relevant Planning History

5.1 The following planning history is relevant:

Land west of Northfield Park (application site)

P/98/0866/CU Extension to the Gardens of Remembrance
Permission 22 September 1998

Northfield Park

FBC.1963/7 Use of part of site for equestrian centre/riding school
and mobile home site on remainder
Deemed Consent 27 September 1984

Eleanor's Wood

P/96/0845/CU Change of use of land for siting of residential mobile
homes
Permission 12 April 2000

6.0 Representations

6.1 Six representations have been received from five households in objection to, or raising concerns about, the application. The following material planning considerations were raised:

- Loss of green space
- Impact on physical and mental health of existing residents affected by increased disruption, noise and traffic
- Increased frequency and speed of traffic
- A one-way system for internal traffic would be a good idea
- Inadequate drainage
- Inadequate street lighting

6.2 One representation in support of the application has been received:

- A community hall would be an added bonus
- Traffic through Northfield Park would not increase that much

7.0 Consultations

EXTERNAL

Highways

- 7.1 The site would be served by a two-way access road leading into a one-way loop arrangement. No footways are proposed in the layout and none are available in the existing development.
- 7.2 The existing development is served by a 4.1m wide road network restricted to an advisory 10mph speed restriction and the current proposals include a more formal one-way traffic arrangement which would be satisfactory.
- 7.3 There is a concern that, beyond the existing site boundary where more general public access is available, there are no satisfactory pedestrian provisions. Upper Cornaway Lane, which serves the crematorium car park and memorial gardens has no footways whilst there is only an unsurfaced path connection to Dore Avenue shops and bus stops. Consequently, a highway objection is raised to the application until satisfactory off-site pedestrian provisions are made.

INTERNAL

Environmental Health

- 7.4 No objection. The applicant should note however that prior to occupation any new units will require a site licence from Fareham Borough Council's Environmental Health department.

Ecology

- 7.5 No objection subject to conditions in relation to mitigation measures and sensitive lighting scheme.

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) Principle of development in the countryside;
- c) Policy DSP40(i) & (iv);
- d) Policy DSP40(ii);
- e) Policy DSP40(iii) – including design and visual impact;
- f) Policy DSP40(v) – including highways, ecology and flood risk;
- g) Other matters;
- h) The planning balance.

- a) Implication of Fareham's current 5-year housing land supply position

- 8.2 A report titled "Five year housing land supply position" was reported for Members' information on the agenda for the Planning Committee meeting held on Wednesday 24th April last year. The report concluded that at the time this Council had 4.66 years of housing supply against its five year housing land supply (5YHLS) requirement.
- 8.3 During the latter part of 2019 several appeal decisions were received in which Planning Inspector's considered the Council's 5YHLS position, including the appeal by Miller Homes on the adjacent land at Winnham Farm (appeal reference APP/A1720/W/19/3230015). In that appeal decision the Inspector was of the view that the Council's claimed supply figure of 4.66 years was too optimistic and that the appellant's figure of 2.4 years better represented the situation at that time.
- 8.4 Officers will shortly be presenting an updated 5YHLS report to the Planning Committee. Members attention is drawn to the last such report presented in April 2019 and views of the Planning Inspector who considered the Winnham Farm appeal. Officers accept that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites.
- 8.5 The starting point for the determination of this planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004:
- "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".*
- 8.6 In determining planning applications there is a presumption in favour of the policies of the extant Development Plan, unless material considerations indicate otherwise. Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).
- 8.7 Paragraph 59 of the NPPF seeks to significantly boost the supply of housing.
- 8.8 Paragraph 73 of the NPPF states that local planning authorities should identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement including a buffer. Where a local planning authority cannot do so, and when faced with applications involving the provision of housing, the policies of the local plan which are most important for determining the application are considered out-of-date.

8.9 Paragraph 11 of the NPPF then clarifies what is meant by the presumption in favour of sustainable development for decision-taking, including where relevant policies are "out-of-date". It states:

“For decision-taking this means:

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:*
 - i. *The application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

8.10 Should Paragraph 11 of the NPPF be engaged, a key judgement for Members would be whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies taken as a whole.

8.11 Notwithstanding, Members will be mindful of Paragraph 177 of the NPPF which states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

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

b) Principle of development in the countryside

- 8.13 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 area. The land is not previously developed land and the site is not within the urban area. The proposal does not comply with this policy.
- 8.14 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.
- 8.15 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.”

- 8.16 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).
- 8.17 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(i) & (iv)

- 8.18 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.

- 8.19 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”.*

8.20 Firstly, in relation to the first of these criteria at Policy DSP40(i), the proposal is for a change of use of the land to allow the stationing of residential park homes. Whilst the exact number of units to be stationed on the site could vary depending on site licence provisions, this planning application has been assessed on the basis of 22 homes being created which is relative in scale to the current shortfall.

8.21 In relation to Policy DSP40(iv), Officers have no concerns that the proposed development could not be delivered in the short term.

8.22 The remaining three bullet points from Policy DSP40 are worked through in turn below.

d) Policy DSP40(ii)

8.23 The application site lies adjacent to the existing urban settlement boundary which abuts its eastern boundary. Officers consider that the proposed development would be capable of being well integrated with the adjacent urban area by forming a logical extension to the existing residential park.

8.24 At present no dedicated pedestrian footway exists between Dore Avenue and the existing residential park site. Pedestrians are required to walk in the carriageway of Upper Cornaway Lane and/or to use an unmade path across an adjacent area of public open space.

8.25 Policy CS5 (Transport Strategy and Infrastructure) of the adopted Fareham Borough Core Strategy states that development will be permitted which “is designed and implemented to prioritise and encourage safe and reliable journeys by walking, cycling and public transport”. Policy CS17 (High Quality Design) meanwhile expects development to “ensure permeable movement patterns and connections to local services, community facilities, jobs and shops”.

8.26 In order to improve pedestrian connectivity the proposal includes the creation of a new pedestrian footpath link between the existing Northfield Park residential park site and public footpath 117. The applicant has also indicated

they would be willing to make a financial contribution towards the resurfacing and improvement of a short section of the public footpath to connect the new link footpath with Lancaster Close.

8.27 Using the proposed new footpath connection the nearest bus stop would lie on Dore Avenue close to the junction with Jute Close approximately 250 metres from the site. From that stop regular bus services run to Fareham and Portchester centres. A number of other services and facilities would be located within a reasonable walking distance from the site. Red Barn Primary School would be located 650 metres away and the nearby convenience store on Linden Lea 750 metres away.

8.28 Subject to the new pedestrian footpath link being created and the applicant making the required financial contribution towards improvement of footpath 117, the proposal would accord with Policy DSP40(ii) in that it would be sustainably located. However, in the absence of a financial contribution the proposal fails to provide suitable improvements to pedestrian accessibility and is not considered to be sustainably located. Pedestrian connectivity to local services and facilities would be poor and the proposal would not provide, prioritise or encourage safe and reliable journeys on foot.

e) Policy DSP40(iii)

8.29 The third test of Policy DSP40(iii) 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*”. The application site is not located within a Strategic Gap.

8.30 Policy CS17 of the adopted Fareham Borough Core Strategy sets out a similar, but separate policy test that, amongst other things, “*development will be designed to: respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials*”. Core Strategy Policy CS14 meanwhile seeks to protect the landscape character, appearance and function of the countryside as explained earlier in this report.

8.31 As referred to already in this report, this proposal seeks permission for the change of use of the land for the stationing of residential park homes. Because of this it is not possible to be precise over the visual appearance of the park homes or indeed how they may change over time as mobile homes are replaced within their individual pitches. The units will however be single storey in nature in order to comply with site licensing requirements. When viewed from the adjacent farmland to the west these homes will be seen against the backdrop of the existing urban area with the existing park homes

of Northfield Park and the two-storey scale housing of nearby streets beyond. That land at Winnham Farm comprises part of the proposed North of Downend Strategic Growth Area. It is also noted that the proposed development of 350 houses on that land, which was the subject of the recent dismissed appeal, was not refused planning permission by this Council on the basis of adverse landscape character or visual impact.

- 8.32 Officers are satisfied that the proposed stationing of park homes on the site would sensitively reflect the character of the existing residential park and, subject to details of any proposed level changes on the site and a suitable landscaping scheme for the western and northern site boundaries, would minimise the adverse impact on the countryside. Notwithstanding there would be compliance with Policy DSP40(iii), there would still be a limited degree of harm in visual and landscape terms contrary to Policies CS14 & CS17.

f) Policy DSP40(v) – including highways, ecology and flood risk

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

Ecology

- 8.34 In terms of protected species which may be present on the site itself, the Council's ecologist has raised no concerns following consideration of the ecological appraisal submitted with the application which proposes appropriate ecological buffers around the perimeter of the site. The proposal will however have likely significant effects on protected habitats nearby as explained in the following paragraphs.
- 8.35 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within the Solent which are of both national and international importance.
- 8.36 In light of their importance, areas within the Solent have been specially designated under UK/European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'European Protected Sites'(EPS). The application site lies approximately 1.3km from Portsmouth Harbour SPA and Ramsar site and the Solent and Dorset Coast pSPA. Other European protected sites would also potentially be impacted by the development proposal including Solent and Southampton Water SPA,

Chichester and Langstone Harbours SPA and Solent Maritime SAC. The Council has a legal duty to consider whether any impact from new developments are likely to have a significant effect upon EPS. Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality.

- 8.37 The following paragraphs of this report set out potential impacts arising from the increased wastewater from these new homes entering the water environment and the increased recreational disturbance generated by new residents visiting the coastline.
- 8.38 Natural England has recently highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering the Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the EPS. In the case of this application, Officers consider that the development would result in an increase in total nitrogen output into the water environment by increased wastewater discharge from the new residential park homes stationed on the land. The uncertainty over increased levels of nitrogen and phosphorous in the Solent means that Officers have not been able to conclude the development would not have likely adverse effects on the European protected sites resulting from that increased waste water.
- 8.39 The applicant has proposed several ways in which mitigation might be provided to offset the adverse effects on protected sites. This has included using land outside the Borough currently in a more intensive use for the grazing of horses being turned to meadow. In principle such measures may address the issue through a reduction in the amount of nitrogen being deposited on the land and in turn the amounts of nitrates entering The Solent.
- 8.40 Natural England have been consulted on the applicant's proposals and have advised that as currently submitted they do not address the likely significant effects upon European Protected sites. Natural England have further provided technical advice on what further information and clarification is still required from the applicant to demonstrate that the impacts could be mitigated.
- 8.41 The applicant has been invited to submit the required further information and clarification. To date the applicant has not provided the required information and clarification and has been reluctant to extend the determination period for the application any further. The application is therefore presented to the Planning Committee for determination based on the information presently submitted.

- 8.42 In the absence of appropriate and appropriately secured mitigation, the adverse effects arising through increased wastewater output on European designated sites is contrary to Policies CS4 and CS6 of the Core Strategy and Policy DSP13 of the Local Plan Part 2: Development Sites & Policies.
- 8.43 Policy DSP15 (Recreational Disturbance on the Solent Protection Areas) of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies explains that planning permission for proposals resulting in a net increase in residential units may be permitted where the 'in combination' effects of recreation on the Special Protection Areas are satisfactorily mitigated through the provision of a financial contribution to the Solent Recreation Mitigation Project (SRMP). The applicant has indicated they would be willing to make this financial contribution however since this application is being recommended for refusal principally as a result of the lack of appropriate nitrate mitigation, that contribution has not been sought or secured. In the absence therefore of a financial contribution towards the SRMP the proposal fails to provide adequate mitigation of these in-combination effects contrary to Policy DSP15 of the Local Plan Part 2.
- 8.44 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' (in this case the Local Planning Authority) if it can be shown that the proposed development will either not have a likely significant effect on designated European sites or, if it is likely to have a significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated European sites. However, Officers have found that the proposal would not appropriately mitigate the impact of increased wastewater from the development and principally for that reason are recommending that planning permission be refused. As a result no Appropriate Assessment is required and one has not been carried out by the Local Planning Authority under the 'habitat regulations' on this occasion.

Amenity

- 8.45 Officers are satisfied that the development would not be harmful to the living conditions of neighbouring residents. As referred to already, since the proposal is for a change of use of the land for the stationing of residential park homes, the layout and positioning of the individual park homes would not be a matter to be considered through this application but instead addressed through the relevant site licence.

Highways

- 8.46 The highway authority Hampshire County Council have raised the issue of the currently poor pedestrian accessibility to the site. This is discussed earlier in this report with regards to Policy DSP40(ii) as well as Policies CS5 & CS17.

g) Other matters

8.47 The proposal to use the land to station residential park homes attracts a requirement for affordable housing provision under Policy CS18 of the adopted Fareham Borough Core Strategy. The applicant has provided a viability assessment which has been independently reviewed by the Council's own consultants. That review has revealed that the development is considered able to viably provide an off-site contribution of £529,341 towards affordable housing provision. The applicant has indicated that they would be willing to enter into a Section 106 legal agreement to secure the payment of that contribution.

h) The planning balance

8.48 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 purposes 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”.

8.49 As set out in paragraph 8.10 above, the effect of Paragraph 177 of the NPPF is that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats sites (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”.

8.50 In this instance Officers have identified likely significant effects on European Protected sites and no Appropriate Assessment has been carried out. With that in mind the so called 'tilted balance' of Paragraph 11 of the NPPF is not engaged.

8.51 The site is outside of the defined urban settlement boundary and the proposal does not relate to agricultural, 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 the Local Plan Part 2: Development Sites and Policies Plan.

- 8.52 Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations, which is engaged as this Council cannot demonstrate a 5YHLS. The proposal relies on mitigation of key impacts in order to pass the policy tests. It is proposed to create a new pedestrian footpath link and to provide a financial contribution towards resurfacing an existing public footpath in order to improve accessibility in order to satisfy the test at DSP40(ii). However, in the absence of a legal agreement to secure such a contribution the proposal fails to deliver those improvements and without them the development site is not considered to be sustainably located. The visual impact of the development of the countryside meanwhile could be minimised to accord with DSP40(iii) by appropriate planning conditions to control any proposed level changes on site and to secure an appropriate landscaping scheme. The development would have some limited harm on the character and appearance of the countryside, contrary to Policies CS14 & CS17, however this needs to be balanced in the context of the adjacent proposed draft housing allocation at Winnham Farm which the Council previously did not resist on the basis of adverse visual impact. Finally, in relation to Policy DSP40(v), the development would generate additional wastewater containing nutrients which would adversely affect the integrity of the Solent's European Protected sites. Furthermore, the proposal would, in combination with other development, generate recreational disturbance on protected habitat sites. The applicant has failed to provide any mitigation of these adverse effects.
- 8.53 Officers have given due regard to the Council's lack of a five year supply of deliverable housing sites and the Government steer in respect of housing delivery. Officers note that the proposal would make a reasonable contribution towards addressing the shortfall of new homes in the Borough and would provide an appropriate financial contribution towards off-site provision of affordable housing. The benefits of granting planning permission would however not outweigh the harm identified to European Protected sites. Furthermore no means to secure the affordable housing contribution or pedestrian improvements has been provided.
- 8.54 In light of this assessment, and taking into account all other material planning considerations, Officers recommend that planning permission should be refused. A recommendation for refusal is set out below at paragraph 9.1.
- 8.55 In the event that the applicant demonstrates that the likely significant effects of the development on European Protected sites had been addressed and an Appropriate Assessment had concluded no adverse effects on the integrity of the habitats sites, Officers consider that any harm arising would not significantly and demonstrably outweigh the benefits of granting permission and would have recommended to the Planning Committee that the proposal be permitted. This would have been subject to a legal agreement securing the

affordable housing contributions and the pedestrian footway improvements, and the imposition of appropriate planning conditions.

- 8.56 The applicant is however not currently able to demonstrate that the likely adverse effects upon the integrity of the European Protected sites can be satisfactorily addressed and as a result Officers must recommend that the application be refused.

9.0 Recommendation

- 9.1 REFUSE PERMISSION for the following reasons:

The development is contrary to Policies CS4, CS5, CS15, CS17 & CS18 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP13, DSP15 & DSP40 of the Adopted Local Plan Part 2: Development Site and Policies Plan and is unacceptable in that:

- a) The proposal would have likely adverse effects on the integrity of European Protected Sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.
- b) In the absence of a legal agreement to secure such, the proposal fails to provide a financial contribution towards the widening and resurfacing a section of public footpath 117 between nearby Lancaster Close and the new footpath link to Northfield Park. As a result the proposal fails to provide for, prioritise and encourage safe and reliable journeys by walking;
- c) In the absence of a legal agreement to secure such, the development would fail to provide affordable housing at a level in accordance with the adopted local plan or an equivalent financial contribution towards off-site provision;
- 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;

10.0 Notes

1. Had the proposal been found to be acceptable in all other respects, the local planning authority would have sought to address reasons for refusal b) – d) by inviting the applicant to enter into a legal agreement pursuant to Section 106 of The Town and Country Planning Act 1990.

11.0 Background Papers

FAREHAM

BOROUGH COUNCIL



Northfield Park
Scale 1:3750



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