

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 18/03/2020**

**P/19/0915/FP  
FAREHAM BOROUGH COUNCIL**

**HILL HEAD WARD  
AGENT: MH ARCHITECTS LTD**

DEVELOPMENT OF 2 ONE-BED HOUSES, 7 TWO-BED HOUSES & 2 THREE-BED HOUSES, TOGETHER WITH ASSOCIATED PARKING, LANDSCAPING AND ACCESS ONTO STUBBINGTON LANE

LAND AT STUBBINGTON LANE, FAREHAM

### ***Report By***

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#### **1.0 Introduction**

- 1.1 The application, submitted on behalf of Fareham Housing, for Fareham Borough Council requires consideration by the Planning Committee as a Council Planning Application. The application has received 5 third party letters from the local community.
  
- 1.2 Members will note from the 'Five Year Housing Land Supply Position' report considered at the April 2019 Planning Committee that this Council currently has a housing land supply of 4.66 years. 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 land at Winnham Farm (appeal reference: APP/A1720/W/19/3230015). In that appeal decision the Inspector was of a 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 the time. The site is a Housing Allocation (Housing Site H12) within the Adopted Local Plan and therefore the principle of the residential development of the site has already been established.
  
- 1.3 To meet the Council's duty as the Competent Authority under the Conservation of Habitats and Species Regulations 2017 ("the Habitat Regulations"), a Habitat Regulations Assessment is required to consider the likely significant effects of the development on the protected sites around the Solent. An Appropriate Assessment has been undertaken as part of the consideration of this application, and the development has provided both necessary mitigation and appropriate evidence to demonstrate that the development proposal will not have a likely significant effect on the protected sites around the Solent. Further details of this have been set out later in the Report.

## **2.0 Site Description**

- 2.1 The application site lies on the western side of Stubbington Lane. The eastern side of Stubbington Lane at this location is the Daedalus Airfield. The site comprises an area of semi-managed grassland, formerly used as a paddock, with existing housing developments to the north and west of the field.
- 2.2. To the southern boundary is a mature hedgerow, which would be retained, with the access road to the Stubbington Study Centre beyond the hedgerow. To Stubbington Lane is a bus stop immediately outside the site entrance, which provides a regular services into Stubbington Village Centre. A bus stop providing buses to Lee-on-the-Solent and Gosport is located a short distance along Stubbington Lane, to the north of the site.
- 2.3 The site lies within the urban area of Stubbington & Hill Head. Stubbington Village Centre lies approximately 1.3 km to the north of the site. The Centre provides a good variety of local services and facilities.
- 2.4 The immediate area comprises a mixture of property types and sizes, including two storey, chalet bungalows and bungalows along Stubbington Lane.

## **3.0 Description of Proposal**

- 3.1 The development proposes the construction of 11 two storey dwellings, comprising one detached and 10 semi-detached properties. The development, to be constructed by Fareham Borough Council will provide all 11 dwellings as affordable dwellings for Shared Ownership on behalf of Fareham Housing. The scheme has been designed to largely front Stubbington Lane, whilst making use of the site depth by including a number of properties to the rear of the site. Access would be created from a new bell mouth roadway created to the south of the existing bus stop lay-by in order to ensure the retention of this stop facility.
- 3.2 The development will consist of two 1-bedroom houses, seven 2-bedroom houses and two 3-bedroom houses. There will be 20 car parking spaces provided, which includes the required number of spaces to accord with the Council's adopted car parking spaces, including two visitors spaces. Bin and secure cycle storage would also be provided for each of the dwellings. The scheme includes considerable landscaping, particularly along the frontage with Stubbington Lane, and to soften the hard landscaping to the rear parts of the site.

- 3.3 The application has been supported with detailed ecological reports, transport assessment, statement of community involvement, noise assessment, drainage assessment, contaminated land survey, arboricultural impact assessment and a nitrogen neutrality statement, together with a detailed planning, design and access statement.

#### **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;  
CS11: Development in Portchester, Stubbington & Hill Head and Titchfield;  
CS15: Sustainable Development and Climate Change;  
CS17: High Quality Design;  
CS18: Provision of Affordable Housing

##### **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;

Housing Site H12: Land at Stubbington Lane, Stubbington

##### **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 There is no recent relevant planning history with this site.

#### **6.0 Representations**

- 6.1 Five third party letters have been received regarding the application proposal. Of those letters, only one raised concerns regarding the density of the development, and its impact on local services and traffic generation. Two letters were supportive of the scheme, although one commented on the transport statement submitted with the application. One letter raised an

objection to the scheme due to overrun local services and traffic, and the final letter raised comments only on the contaminated land survey.

## **7.0 Consultations**

EXTERNAL

### **Hampshire County Council – Highway Authority**

7.1 No objection, subject to appropriate conditions.

### **Hampshire County Council – Lead Local Flood Authority**

7.2 No objection, subject to appropriate conditions.

### **Natural England**

7.3 No objection, subject to compliance with the submitted Nitrogen Neutrality Statement.

INTERNAL

### **Ecology**

7.4 No objection, subject to appropriate conditions.

### **Refuse and Recycling**

7.5 No objection

### **Environmental Health (Noise and Pollution)**

7.6 No objection.

### **Environmental Health (Contaminated Land)**

7.7 No objection, subject to appropriate conditions.

### **Tree Officer**

7.8 No objection, subject to appropriate conditions

## **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) Principle of Development;
- b) Design and Character of the Area;
- c) Highways and Car Parking;
- d) Impact on Living Conditions of Neighbouring Properties;
- e) Ecology and the Environment.

### **a) Principle of Development**

- 8.2 The application site forms part of the adopted Housing Allocation within the Adopted Part 2 Local Plan (Development Sites and Policies) 2015. Therefore, the principle of residential development on the site has been considered and established through the last Local Plan review, and was subsequently allocated as Housing Site H12.
- 8.3 The site is located within the designated urban area, where the redevelopment of previously developed land for housing purposes is supported by Policies CS2 and CS6 of the adopted Local Plan.

### **b) Design and Character of the Area**

- 8.4 Housing site H12 states that any development on the site should front Stubbington Lane, and comprise a density of approximately 25 dwellings per hectare. The layout of the scheme includes a pair of semi-detached dwellings fronting Stubbington Lane. These properties have been designed to respect the mixed traditional character of Stubbington Lane, whilst achieving a density of 29 dwellings per hectare, which is only marginally higher than the suggested density on the adopted Local Plan.
- 8.5 Each dwelling will be provided with its own private amenity space, which accords with the minimum standards sought in the adopted Design Guidance, whilst ensuring the retention of the existing boundary hedgerow on the southern boundary, and allowing for a considerable amount of soft landscaping to the property frontages.
- 8.6 The scheme has also been considered by the Council's Urban Designer, who considers the overall design of the proposed dwellings, with simple brick and tile form with modern window designs to be acceptable. Therefore, Officers consider that in terms of residential development design expectations, the proposal complies with Policy CS17 of the adopted Core Strategy and the Design Guidance.

### **c) Highways and Car Parking**

- 8.7 The proposed development has been supported by a detailed Transport Assessment. The proposed development would be accessed by a new drive sited on the south eastern part of the site, onto Stubbington Lane, just south of the existing bus stop layby.
- 8.8 During the course of the application, further information was submitted regarding the initial comments raised by Hampshire County Highways

Department. Subsequently, the Highways Authority raised no objection to the scheme, subject to appropriate conditions.

- 8.9 The proposed scheme has been designed to enable a refuse vehicle to enter and exit the site in a forward gear. Further, the internal layout of the site has been designed to accommodate delivery vehicles and a fire engine.
- 8.10 Twenty-two car parking spaces would be provided. The Council's Residential Car Parking SPD states that a development of this size should provide 20 car parking spaces, to be allocated for each individual dwelling, and a further two spaces provided for visitors. The scheme therefore accords with the Council's adopted Residential Car Parking SPD. Secure cycle storage would be provided for each property.
- 8.11 The development proposals are therefore considered to comply with Policy CS5 of the Core Strategy and the Council's adopted Residential Car and Cycle Parking Standards SPD.

#### **d) Impact on Living Conditions of Neighbouring Properties**

- 8.12 Only one property would be directly impacted by the proposed development, 170 Stubbington Lane, directly to the north of the site. 170 Stubbington Lane, includes a single first floor window in their southern elevation, facing this site, which appears to serve a bedroom. This window would not be obstructed by the proposed development, and would be set approximately 9 metres away from nearest window of the adjacent plot (Plot 11). The property itself would obstruct views from the rear windows of Plots 10 and 11 into the rear garden of 170 Stubbington Lane. It is therefore considered that the proposal would not have an unacceptable adverse impact on the living conditions of this property.
- 8.13 180 Stubbington Lane is located to the west of the site, beyond the rear boundary. The first floor windows of plots 5-7 would be located 22 metres away from this property. In between this property and the site is a large outbuilding which appears to be associated with 8 Seamead (to the northwest of the site). However, the single storey structure adjacent to the site is only a flat roofed outbuilding and the proximity of the proposed dwellings would not have an unacceptable adverse impact on this structure.
- 8.14 To the south of the site, beyond the retained hedgerow and the private road that leads to The Stubbington Study Centre lies three further residential properties. However, due to the extent of the hedgerow and level of separation, (28 metres at their closest point) the level of impact on these properties is not considered to be adverse.

8.15 Officers are therefore satisfied that the development proposal complies with the requirements of Policy DSP3, and would not result in unacceptable adverse impacts on the living conditions of neighbouring occupiers in relation to light, outlook and privacy.

#### **e) Ecology and the Environment**

8.16 The application has been subject to detailed consultations with the Council's Ecologist and has been supported by an Ecological Appraisal and a Nitrogen Neutrality Statement. The Council's Ecologist has raised no concerns regarding the proposed development, subject to appropriate conditions.

8.17 No objection has been raised by the Council's Tree Officer, subject to tree protection method statement being provided to ensure that the mature hedgerow surrounding parts of the site are not detrimentally impacted during or after the construction. A condition is proposed to ensure the retention of the established beech hedgerow along the southern boundary.

8.18 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 percent 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.

8.19 Policy CS4 sets out the strategic approach to biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.

8.20 In light of their importance, areas within the Solent have been specially designated under European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC).

8.21 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent 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 will have a likely 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. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must

consult with Natural England and have regard to their representations. The Competent Authority is either the Local Planning Authority or the Planning Inspectorate, depending on who is determining the application.

- 8.22 Natural England has 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 European Protected Sites.
- 8.23 Natural England has further advised that the effects of emissions from increased traffic along roads within 200 metres of EPS also has the potential to cause a likely significant effect. The Council's Air Quality Habitat Regulations Assessment highlights that developments in the Borough would not, in combination with other plans and proposals, have a likely significant effect on air quality on the European Protected Sites up to 2023, subject to appropriate mitigation.
- 8.24 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the EPS based on the information in the submitted Nitrogen Neutrality Statement, following consultation with Natural England. The key considerations for the assessment of the likely significant effects are set out below.
- 8.25 Due to the location of the site within 5.6 km of the Solent, the development is likely to have a significant effect on the following designated sites: Solent and Southampton Waters Special Protection Area and Ramsar Site, Portsmouth Harbour Special Protection Area and Ramsar Site, Solent and Dorset Coast Special Protection Area, Chichester and Langstone Harbours Special Protection Area and Ramsar Site and the Solent Maritime Special Area of Conservation – collectively known as the European Protected Sites.
- 8.26 Firstly, in respect of Recreational Disturbance, the applicants have made the appropriate financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP). Therefore, the Appropriate Assessment concludes that the proposals would not have a likely significant effect on the EPS from recreational disturbance. Secondly, in respect of Air Quality, as set out above, the Council's Air Quality Habitat Regulations Assessment has screened out the impact on air quality, so it is possible to conclude that the development would not have a significant impact in this respect.
- 8.27 The final key aspect of the Appropriate Assessment is to consider the impact of the development on Water Quality as a result of surface water and foul



water drainage. The submitted Nitrogen Neutrality Statement highlights that through the retrofitting of the Council's existing housing stock with modern water efficient measures (showers, low flush toilets, and flow restricted taps), sufficient water could be saved to ensure that the provision of 11 additional dwellings would not result in increased wastewater disposal to Peel Common Wastewater Treatment Works and therefore offset the nitrogen loading generated by the proposed development. The Borough Council as competent authority can be certain that this can be achieved since it is in control of all aspects of the off-setting measures, as both the developer of the site and the housing authority responsible for the properties to be retrofitted. Therefore, Officers consider that the provision of the retrofitting of existing FBC housing stock is sufficient to ensure the proposed development would not have an adverse effect on the integrity of the European Protected Sites.

8.28 Natural England has been consulted about this approach and has provided a response to the submission of the Nitrogen Neutrality Statement. No objection has been received regarding this approach. The Council has therefore completed a Habitat Regulations Assessment and Appropriate Assessment, where it is considered that the proposed development will not have a likely significant effect, either alone or in combination with other plans and proposals on the European Protected Sites. No formal response has yet been received from Natural England to this Appropriate Assessment, although based on their comments regarding this approach, it is considered by Officers that the application can be recommended for approval.

8.29 It is therefore considered that the development accords with the Habitat Regulations and complies with policies CS4, DSP13, and DSP15 of the adopted Local Plan.

## **9.0 Recommendation**

9.1 GRANT PLANNING PERMISSION, subject to:

- confirmation from Natural England that they raise no objection to the submitted Habitat Regulations Assessment and Appropriate Assessment; and,
- the following Conditions:

1. The development hereby permitted shall be commenced within three years of the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
- a) Site Location Plan (Drawing: LSS-MHA-00-XX-DR-A-0001);
  - b) Site Survey (Drawing: LSS-MHA-00-XX-DR-A-0002);
  - c) Proposed Block Plan (Drawing: LSS-MHA-00-XX-DR-A-0003 Rev P01);
  - d) Proposed Site Layout (Drawing: LSS-MHA-00-XX-DR-A-0004 Rev P01);
  - e) Proposed Technical Site Plan (Drawing: LSS-MHA-00-XX-DR-A-0015 Rev P01);
  - f) Proposed Site Sections (Drawing: LSS-MHA-00-XX-DR-A-0050 Rev P01);
  - g) Proposed Site Sections (Drawing: LSS-MHA-00-XX-DR-A-0051);
  - h) Proposed Site Boundary Elevations (Drawing: LSS-MHA-00-XX-DR-A-0052);
  - i) Proposed Images: Land at Stubbington Lane (Drawing: LSS-MHA-00-XX-DR-A-0053 Rev P01);
  - j) Proposed Plans Plots 1 - 2 (Drawing: LSS-MHA-00-XX-DR-A-0060);
  - k) Proposed Elevations Plot 1 - 2 (Drawing: LSS-MHA-00-XX-DR-A-0061);
  - l) Proposed Plans Plot 3 & Plot 4 Handed (Drawing: LSS-MHA-00-XX-DR-A-0062);
  - m) Proposed Elevations Plot 3 & Plot 4 Handed (Drawing: LSS-MHA-00-XX-DR-A-0033);
  - n) Proposed Plans Plot 5 & 6 Handed (Drawing: LSS-MHA-00-XX-DR-A-0064);
  - o) Proposed Elevations Plot 5 & 6 Handed (Drawing: LSS-MHA-00-XX-DR-A-0065);
  - p) Proposed Plans Plot 7 (Drawing: LSS-MHA-00-XX-DR-A-0066);
  - q) Proposed Elevations Plot 7 (Drawing: LSS-MHA-00-XX-DR-A-0067);
  - r) Proposed Plans Plot 8 (Drawing: LSS-MHA-00-XX-DR-A-0068);
  - s) Proposed Elevations Plot 8 (Drawing: LSS-MHA-00-XX-DR-A-0069);
  - t) Proposed Plans Plots 9, 11 & Plot 10 Handed (Drawing: LSS-MHA-00-XX-DR-A-0070) and,
  - u) Proposed Elevations Plots 9, 11 & Plot 10 Handed (Drawing: LSS-MHA-00-XX-DR-A-0071).

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

3. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.  
REASON: To secure the satisfactory appearance of the development.
4. No dwelling shall be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per day has been complied

with. The water efficiency measures for each dwelling shall be retained for each dwelling for the lifetime of the property.

REASON: In the interests of preserving water quality and resources.

5. No development shall take place until details of the width, alignment, gradient and type of construction proposed for the roads, footways and access(es), including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposal of surface water, and details of a programme for the making up of roads and footways have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

7. The visitor parking spaces marked on the approved plans shall be kept available for visitors at all times and not be used for private purposes.

REASON: To ensure adequate off-street parking provision on site is maintained.

8. None of the dwellings hereby permitted shall be first occupied until the car parking area relating to them as shown on the approved plan have been laid out/constructed and made available. These areas shall thereafter be retained and kept available for their respective purposes at all times.

REASON: In the interests of highway safety.

9. No dwelling shall be occupied until the bin and cycle stores have been made available in accordance with the approved plans. These designated areas shall thereafter be kept available and retained at all times for the purpose of bin and cycle storage.

REASON: In the interests of visual amenity and in order to facilitate modes of transport alternative to the private car.

10. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

a) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;

b) The measures the developer will implement to ensure that operatives'/contractors'/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;

c) Arrangements for the routing of lorries and details for construction traffic access to the site;

d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;

e) The measures for cleaning the wheels and underside of all vehicles leaving the site;

f) A scheme for the suppression of any dust arising during construction or clearance works;

g) The measures for cleaning Stubbington Lane to ensure that it is kept clear of any mud or other debris falling from construction vehicles, and

h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;

i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;

j) Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms<sup>-1</sup> at the boundary of the SPA;

k) Provision for storage, collection, and disposal of rubbish from the development during construction period;

l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

m) Temporary lighting;

n) Protection of pedestrian routes during construction;

o) No burning on-site;

p) Scheme of work detailing the extent and type of piling proposed;

q) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;

r) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

REASON: In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

11. Prior to the commencement of the development, contact with an UXO (Unexploded Ordnance) Consultant and details of a protocol for the identification and risk assessment of possible ordnance that may be disturbed during construction (watching brief), and shall be submitted to and approved in writing by the Local Planning Authority.

If, during the construction period any suspected historic ordnance (UXO/UXB) is found to be present, no further development shall be undertaken until the object has been assessed by an appropriately qualified person, appropriate actions have been undertaken to remove or make safe the object, and the Local Planning Authority is notified. The provisions of the approved watching brief shall be observed throughout the undertaking of all relevant construction activities (i.e. below ground works – excavation for foundations, buried services and SUDS).

Should contamination be encountered during the works that has not been investigated, or considered in the agreed scheme of remedial works, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the Local Planning Authority. The

remediation works shall be fully implemented and validated in writing by an independent competent person as agreed with the Local Planning Authority.  
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 on human health.

12. Prior to the commencement of the development, a Biodiversity enhancement strategy to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently proceed in accordance with any such approved details.  
REASON: To ensure the protection of wildlife and a net gain in biodiversity. 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 ecological enhancement can be provided.

13. 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 and 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.

14. No development shall commence until the measures of tree and hedgerow protection submitted and approved as part of the planning permission have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site.  
REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

15. The existing beech hedgerow along the southern boundary of the site shall be retained at a height of not less than 4 metres at all times. Any part of the hedge which is removed without consent or dies or becomes severely damaged or diseased during a period of five years from the date of the completion of the development, shall be replaced in the next planting season

with a hedge of a similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of preserving the visual amenities of the area.

16. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Detailed Surface Water Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority. The submitted details should include:

- a) Agreement in principle from Southern Water for the proposed discharge rate and connection. The condition of the existing surface water sewer should be investigated, and any required improvement should be carried out before any connection is made.
- b) Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element (including the drainage under the highway). Evidence that those responsible/adopting bodies are in discussion with the developer. This should include the pump maintenance and resilience strategy for a pump failure event.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

17. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

18. The landscaping scheme, submitted under Condition 15, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

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

19. None of the development hereby approved shall be occupied until a plan of the 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 numbers 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 property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

20. No development hereby permitted shall commence until details of the means of foul water drainage from the site have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

REASON: To ensure satisfactory disposal of foul water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

21. None of the development hereby permitted shall commence until a scheme for the delivery of on-site affordable housing has been submitted to and approved in writing by the local planning authority. The scheme shall include the following details:

- a) The plot numbers and type of affordable housing;
- b) Details of the timing of the construction of the affordable housing including any phasing arrangements;
- c) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing or, in the case of shared ownership, allowing for occupants to staircase up to full ownership;



- d) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.

The provisions of this condition shall not be binding on a mortgagee or chargee or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver) of the whole or any part of the affordable housing units or any persons or bodies deriving title through such mortgagee or chargee or Receiver.

REASON: In order to secure the provision of affordable housing within the site.

**Informatives:**

- a) Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake the building works outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough examination of the affected areas must be carried out before clearance starts. If occupied nests are present, then work must stop in that area, a suitable (approximately 5 metre) stand-off maintained, and works can only recommence once the nest becomes unoccupied of its own accord.

**11.0 Background Papers**

[P/19/0915/FP]

# FAREHAM

BOROUGH COUNCIL



Land at Stubbington Lane  
Scale: 1:1,250



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