

## OFFICER REPORT FOR COMMITTEE

DATE: 19/08/2020

P/20/0235/OA  
MR & MRS LUTON

TITCHFIELD  
AGENT: MAYPOOL ESTATES

OUTLINE APPLICATION FOR DEMOLITION OF EXISTING DWELLING &  
ERECTION OF SIX DWELLINGS (ACCESS & LAYOUT ONLY)

18 TITCHFIELD PARK ROAD, TITCHFIELD, FAREHAM, PO15 5RW

### **Report By**

Susannah Emery – direct dial 01329 824526

### **1.0 Introduction**

**1.1** This application is being presented to the Planning Committee due to the number of third-party representations received.

### **2.0 Site Description**

- 2.1** The application site lies to the west side of Titchfield Park Road and includes the residential curtilage of No.18 Titchfield Park Road and an area of land which extends to the rear of the frontage properties of Nos.12-22 Titchfield Park Road. This undeveloped land is used as grazing land, laid to pasture, in association with the stables which are sited at the western end of the curtilage of No.18 Titchfield Park Road.
- 2.2** The site is located primarily within the countryside although the existing dwelling lies within the urban settlement boundary.
- 2.3** The site is bounded by the rear gardens of properties fronting Titchfield Park Road to the south and east, by woodland to the north and north-west and partially by the Sylvan Glade SINC and Open Space to the west.
- 2.4** The trees along the north and eastern boundaries of the site are protected by a Tree Preservation Order (TPO) and there are also individual TPO's relating to two Oak trees within the centre of the site (FTPO591). The site is well screened by hedgerow planting.
- 2.5** The area of the site where development is proposed is located in Flood Zone 1, which has a low probability of flooding. However small areas of the site, along the western site boundary are located in Flood Zones 2 and 3. These areas of flooding are associated with a nearby stream (Brownwich Stream) which runs along the site boundary to the west. An overhead power line and pylons also follows the path of the stream.

2.6 The site slopes very gently down from the northern boundary to the south-west corner of the site but there is no significant drop.

### **3.0 Description of Proposal**

3.1 Outline Planning permission is sought for the demolition of the existing dwelling and the erection of six dwellings; five four-bed and one five-bed. Access and Layout are to be considered with all other matters reserved.

3.2 The dwellings would be set well back from the Titchfield Park Road frontage. A dedicated access drive with a shared surface for vehicles and pedestrians is proposed to the site from Titchfield Park Road which would traverse the length of the curtilage of the existing dwelling to be demolished.

3.3 The dwellings would be arranged in two separate clustered courtyards, with the largest courtyard located to the north of the site and the smallest to the south. The courtyard developments have been designed to replicate agricultural farmstead typologies characterised by rural aesthetics. The dwellings would sit within a parkland setting and this 'borrowed landscape' would surround the developable areas providing ample outdoor space for the use of residents with a natural transition in space between private garden to semi-private parkland areas provided by soft boundary planting.

3.4 Parking would be provided in the form of courtyard parking spaces as well as covered garage/car port spaces.

### **4.0 Policies**

#### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in the Western Wards & Whiteley

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

CS21 - Protection and Provision of Open Space

#### **Adopted Development Sites and Policies**

DSP1 - Sustainable Development  
DSP2 - Environmental Impact  
DSP3 - Impact on living conditions  
DSP6 - New residential development outside of the defined urban settlement boundaries  
DSP13 - Nature Conservation  
DSP15 - Recreational Disturbance on the Solent Special Protection Areas  
DSP40 - Housing Allocations

### **Other Documents**

Residential Car and Cycle Parking Standards Supplementary Planning Document (November 2009)  
Design Guidance Supplementary Planning Document excluding Welborne (Dec 2015)

## **5.0 Relevant Planning History**

5.1 None relevant

## **6.0 Representations**

6.1 Twelve representations have been received raising the following main concerns;

- Loss of open green space
- Increased traffic on Titchfield Park Road
- Inadequate visibility when emerging from the proposed access
- Titchfield Park Road should be closed to through traffic with the exception of residents
- Will the development be nitrate neutral?
- Flooding issues already evident
- Will existing sewage system cope?
- Impact on wildlife
- Loss of mature trees
- Increased noise
- Impact of access on adjacent properties and private rear gardens
- Replacement boundary wall requested on southern boundary
- Are these houses actually needed?
- Significant development already permitted/expected to the west adjacent to the A27 with significant associated traffic movements on Titchfield Park Road
- Increased pressure on local services

- Proximity to overhead power cables

## 7.0 Consultations

### EXTERNAL

#### **Highways (Hampshire County Council)**

- 7.1 The proposed visibility splays of 2.4m x 130m are in excess of that reasonably expected along this road and should be subject to a planning condition to ensure there is no obstruction within the splays over 0.6m in height. It is noted there is no dedicated provision for pedestrians to traverse the access road and this is proposed to be shared space.
- 7.2 The tracking drawings have been amended to show a super large refuse vehicle passing a large car at the access to the site to prevent the need for a vehicle to wait or reverse back out onto the highway. Passing can occur up to a point 8m back from the highway boundary. A car entering the development would be able to see a refuse vehicle coming from that distance and wait for it to pass. This aspect is now considered acceptable.
- 7.3 The parking standards for the site are laid down by Fareham Borough Council (FBC) as the local parking authority, in accordance with their Residential Car and Cycle Parking Standards Supplementary Planning Document (SPD) as adopted in November 2009. An excess of parking has been provided which is acceptable. No specific details regarding the cycle storage locations have been provided, however this can be secured through a suitably worded condition.

#### **Environment Agency**

- 7.4 No objection subject to planning condition concerning minimum floor levels of Plots 1 & 2

### INTERNAL

#### **Ecology**

- 7.5 The planning application is supported by a Phase 1 Bat Survey, Ecological Appraisal and Further Ecological Surveys (ABR ECOLOGY LTD March 2020). In summary, provided that the measures detailed within the submitted ecological report are implemented, no concerns are raised. However, it is requested that the location of the 10m buffer along the SINC is shown on the

Landscape Strategy Plan to ensure the deliverability of this mitigation measure.

- 7.6 Any impacts arising during the construction phase could be addressed with a suitable Construction Environmental Management Plan (CEMP), which could be conditioned.

### **Trees**

- 7.7 The proposed development can be achieved without any significant tree loss and provided the retained trees are protected in accordance with the arboricultural method statement included in the tree report produced by Evolve Tree Consultancy ref 3308-AIA – February 2020. The development proposals will have no significant adverse impact on the contribution of the trees to the public amenity or the character of the wider setting.
- 7.8 The only access to service the build out phase and the primary access for the development long term will have to be constructed between a small gap created by removal of several trees in the group of TPO oaks. To minimise tree loss and negative impact on the retained trees a piled raft is being proposed with utility connections attached to it. This will be a bespoke and specialist solution that will need to be specified by an engineer with support from a project arboriculturist. It will be important to have this as part of any full planning application so that it can be approved as part of any detailed permission. Detailed landscaping and tree planting schemes are required.

### **Urban Design**

- 7.9 The planning application is a proposal for 6 dwellings to the rear of properties fronting Titchfield Park road. Although the application is in outline both the access and the layout are for consideration at this stage. In support of the application various technical reports have been submitted. From an urban design perspective, the design and access statement together with the landscape appraisal and strategy, are key considerations.
- 7.10 The overriding objective is to ensure that the proposals will deliver a high-quality contextual development in response to the landscape and townscape character of the locality. I am satisfied that suitable townscape and landscape analysis has been undertaken, as set out in the design and access statement and landscape appraisal, from which a high quality design can be delivered. The design approach seeks to create collections of 'buildings' formed around courtyard spaces within an open landscape setting. This approach is referenced as a contemporary agrarian typology, which is a deliberate attempt to move away from the low density suburban ribbon development that typifies

Titchfield Park Road. In this way, the two collections of buildings will be read in connection with surrounding parkland and the open landscape such that it is not seen as an extension of the existing suburban character and settlement edge. I find this approach to be reasonable and, if detailed correctly in terms of built form, landscape and materials, could deliver a high quality scheme, as suggested by the exemplar imagery.

- 7.11 The exemplar images which I find to be attractive and high-quality, suggests the use of estate fencing to enclose private garden areas. This would be the most suitable form of treatment in relation to the design vision and approach set out and, in my opinion, this treatment needs to be maintained in the long term and therefore suitable conditions need to be attached if a grant of permission is forthcoming. It is also very important that normal permitted development rights for putting up fences are taken away as a condition of approval.
- 7.12 The design of the access road is also a key component to ensure that the overall design quality of the scheme remains high. The road should avoid an over-engineered approach that suggests a suburban arrangement. In this way the access should be minimal in width and avoid standard segregated footways. Accommodating refuse or service delivery vehicles should be done with an occasional build out or passing place rather than continuous overly wide carriageways.

## **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 (5YHLS);
- b) Residential Development in the Countryside;
- c) Policy DSP40 (Housing Allocations);
- d) Other Matters;
- e) 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 24<sup>th</sup> June 2020. The report concluded that this Council has 4.03 years of housing supply against the 5YHLS requirement.

8.3 Officers accept that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites.

8.4 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".*

8.5 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 NPPF.

8.6 Paragraph 59 of the NPPF seeks to significantly boost the supply of housing.

8.7 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.

8.8 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."*

8.9 Footnote 6 to Paragraph 11 reads:

*“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”*

8.10 The key judgement for Members therefore is 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 Paragraph 177 of the NPPF 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 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. The following sections of the report assesses the application proposals against 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) Residential 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 areas. Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.

8.14 Policy CS14 (Development Outside Settlements) 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’.*

- 8.15 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). However, new residential development will be permitted in instances where either it has been demonstrated that there is an essential need for a rural worker to live there permanently, it involves a conversion of an existing non residential building or it comprises one or two new dwellings which infill a continuous built-up residential frontage. Officers can confirm that none of these exceptions apply to the application proposal.
- 8.16 A large proportion of the site is located 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 (Housing Allocations)**

- 8.17 Local Plan Policy DSP40 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 demonstrate 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.*

Each of these five points are considered further below.

**Policy DSP40(i)**

- 8.18 Firstly, in relation to the first of these criteria at Policy DSP40(i), the proposal

is for six dwellings, or a net increase of five dwellings, which is relative in scale to the current shortfall.

### **Policy DSP40(ii)**

- 8.19 It is acknowledged that the majority of the site is located beyond the settlement policy boundary and is therefore contrary to policies which aim to secure the majority of new housing within the urban area. The application site is however located immediately adjacent to the defined urban settlement boundary of the Western Wards (Segensworth), with good accessibility to local services, facilities, schools and employment provision.
- 8.20 The nearest bus stops are located nearby on Segensworth Road connecting the site to both Whiteley Shopping Centre (via Swanwick Train Station) and Fareham Town Centre. This bus service provides good quality access to a wider bus network and Fareham Railway Station. There are several primary schools and retail and retail stores within a 30 minute walk of the site.
- 8.21 The proposal presents a different form and arrangement of development to that visible fronting Titchfield Park Road. However this layout has been specifically designed to respect the landscape characteristics of the site and the scale and secluded nature of the development would ensure that it would integrate with existing development. Officers consider the proposal would satisfy point (ii) of Policy DSP40.

### **Policy DSP40(iii)**

- 8.22 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.
- 8.23 The site is within an area of countryside but is not designated as Strategic Gap. The Fareham Landscape Assessment 2017 (which is part of the evidence base for the published draft Fareham Local Plan 2036) identifies that the site lies within the Titchfield Corridor Character Area. It sets out that the defining characteristics comprise linear gardens and small scale pasture bounded by hedging with abundant mature trees closing the land. The Assessment highlights that the character area is capable of absorbing some built form, provided it does not impact on the intrinsic character of woodland and Site of Importance for Nature Conservation (SINC) areas.

- 8.24 The site is enclosed in nature and is not visible from Titchfield Park Road due to the screening offered by the frontage properties and the generous length of the rear gardens of these properties. The relationship to the adjacent SINC and protected woodland to the north ensure that public views of the site would be limited to those along the access road. The Landscape Assessment highlights that development within the Titchfield Corridor area would have limited visibility impact due to these prevailing features so that development of this site would not have an adverse impact on the surrounding countryside.
- 8.25 The maximum scale of development for the proposed layout is 2.5 storeys. It is considered that this will ensure the height of the proposed buildings would sit comfortably within the context of the existing surrounding development, limiting their prominence within the landscape. The layout of the site may not be typical of surrounding development but it is considered that the proposal represents locally distinctive and high quality development fitting of its more edge of settlement location.
- 8.26 The proposed landscape strategy would ensure the retention of key landscape features on site, enhancing these with additional and complementary planting. Existing hedgerows and trees that bound the site would be largely retained and additional native hedgerow planting would screen and filter views into the development from adjacent properties. Additional tree planting would also be sought along the site access to mitigate the visual impact of this hardsurfacing. A full landscaping scheme would be secured by planning condition.
- 8.27 Whilst the appearance of the dwellings is a reserved matter it is suggested that a limited and carefully selected material palette would be used to bed the scheme into its setting. The materials palette would be likely to include natural stone, timber cladding and rustic brick for the proposed dwellings, with stone and gravel characteristic of the courtyard landscape. It is envisaged that the proposed access drive would not be overly engineered, enabling it to blend more easily into the streetscene, and would be finished with self-binding gravel rather than tarmac for a higher quality finish.
- 8.28 The developable area of the site lies in the countryside beyond the urban settlement boundaries. Whilst the proposed development would change the character of the existing landscape, the location of the proposed dwellings behind the existing dwellings on Titchfield Park Road, their small footprint and their sensitive environmental design would reduce the overall impact. It is considered that the proposed development would respond positively to the existing and permitted built form within the vicinity of the site. It is considered by Officers that the proposal has been appropriately designed and laid out to

integrate with the character of the neighbouring settlement. The proposal would therefore satisfy point (iii) of Policy DSP40 and comply with Policy CS17.

#### **Policy DSP40(iv)**

- 8.29 In terms of delivery, the agent has confirmed that strong interest has been received to develop the site from two parties and it is anticipated that should permission be granted that the site could be deliverable in the short term. It has also been agreed that the timeframe for submission of the reserved matters application can be reduced from three years to two years. It is therefore considered that point (iv) of Policy DSP40 is satisfied.

#### **Policy DSP40(v)**

- 8.30 The final test of Policy DSP40 requires that proposals would not have any unacceptable environmental, amenity or traffic implications. These are discussed in turn below.

### ***Environmental/Ecology***

#### *Trees*

- 8.31 The key arboricultural feature within the vicinity of the site is a group of mature oak trees that form a belt of trees to the rear of the gardens along Titchfield Park Road (G4 and G5) and the paddock extending up to the northern boundary. Two mature oak trees stand isolated within the paddock (T1 and T2). The garden of No 18 contains several trees, but the only notable specimen is a young ash tree situated immediately adjacent to the highway (T4).
- 8.32 Tree loss as a result of the proposal has been kept to a minimum and includes a number of less significant trees within the curtilage of the existing property and three Oak trees within the group on the eastern boundary where the new access into the paddock area would be formed. These Oaks trees are located centrally within the wider group of Oaks whose canopy coalesces to extend along the eastern boundary. As a group these trees attract a higher collective rating than they would as individuals. The eastern edge of the group is visible from the highway, but they are not individually prominent. It is considered that the three trees to be felled make an insignificant contribution to visual amenity and that the crown spread of more dominant trees within the group will mitigate the effects of their loss.

- 8.33 The access drive would be constructed partially within the root protection area (RPA) of a significant Oak to be retained. The RPA of this tree is already currently compromised by the stables and associated hard standing. Furthermore it is considered that the potential adverse effects from the construction of the driveway can be mitigated by elevating the driveway above ground level within the RPA of the tree (a root protection bridge). A method statement and specification would be required for this aspect of the proposal which would be secured by planning condition.

#### *Non-statutory Designated Sites*

- 8.34 Sylvan Glade Site of Importance for Nature Conservation (SINC) is located immediately to the west of the site. A 10m buffer is proposed along the western boundary to abut the SINC consisting of woodland edge shrub planting and wildflower meadow. This buffer would be safeguarded with estate fencing which would restrict human activity and separate the buffer from the remainder of the open space which would be subject to a maintenance regime.

#### *Protected Species*

- 8.35 The ecological report confirms that the buildings on site have no potential for roosting bats and the trees with bat potential will not be affected by the proposals. A sensitive lighting strategy would be conditioned to ensure no adverse impacts on foraging and commuting bats. No evidence of badgers was recorded on the site. Dormice are known to be present in the area however the hedge along the western boundary which provides suitable habitat would be retained and a buffer provided. The main habitat on site is improved, short sward grazed grassland and is considered to be unsuitable for reptiles including Great Crested Newts. The Sylvan Glade SINC supports a ditch immediately adjacent to the western boundary. It has been assessed as providing suitable habitat for water voles. Surveys have noted that water voles may have historically been using the ditch however subject to the provision of the 10m buffer along the western boundary there would be no further concerns.
- 8.36 In summary it is not considered that the proposal would have any significant adverse impact on protected species subject to appropriate mitigation measures being exercised as set out within the submitted ecological appraisal. Further on-site biodiversity enhancements are proposed including bee bricks, bird nesting and bat roosting features, hedgehog boxes and gravel boards along with native planting to ensure compliance with Policy CS4 of the Core Strategy and the NPPF.

### *Impact on European Protected Sites*

- 8.37 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 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.
- 8.38 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.
- 8.39 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).
- 8.40 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 (the Council in this instance) is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations.
- 8.41 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 (EPS).
- 8.42 As the proposal results in additional dwelling, in the absence of any nitrates mitigation the proposal would have a likely significant effect on EPS by virtue of the deterioration of the water environment. The form of development has been carefully considered and the proposal would result in the change of use

of the site from primarily low land grazing with a smaller proportion of urban land to a combination of urban land and open space. The calculated nitrogen budget for the site confirms that the development proposal is nitrogen neutral, resulting in a negative nitrogen output of -3.5 kg/N/yr. The retention of the land to be used as open space will be secured by a S106 in perpetuity to ensure that this benefit is maintained.

- 8.43 In relation to recreational disturbance, 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 agreed to enter into a legal agreement to secure this contribution.

#### *Flooding & Surface Water Drainage*

- 8.44 The developable area and vast majority of the site lies within Flood Zone 1 which has the lowest risk of flooding. Small areas of the site adjacent to the western boundary fall within Flood Zones 2/3 due to the proximity of a stream within the adjacent SINC. Accordingly, the application is supported by a flood risk assessment.
- 8.45 The Environment Agency have been consulted and have advised that subject to the imposition of a planning condition securing minimum floor levels for Plots 1 & 2 there would be no further concerns in relation to the potential for surface water (pluvial) flooding. The floor level of Plot 1 would need to be approx. 0.75m above existing ground level and the floor level of Plot 2 would be approx. 0.5m above ground level and it is considered that levels on site could be regraded to avoid any adverse impact in terms of the prominence of these dwellings. A planning condition would be imposed requiring submission of details of finished floor levels and existing and proposed ground levels.
- 8.46 With regards to surface water drainage the drainage strategy involves conveyance of surface water by a lined permeable paving structure, and gravity fed pipe systems towards the south end of the site into an attenuation basin. The final basin outlet would be controlled by a vortex flow control valve (Hydro-Brake or similar) which would include shallow detention basins with flow controls to restrict the run off to existing greenfield rates. These basins would act as storage for the storm water runoff from the roofs however it is stated that other forms of attenuation such as swales, underground tanks or oversized pipes could be utilised dependant on the final site layout and levels.

As this is an outline application, a planning Condition will be in place to ensure there is evidence of sufficient attenuation on site and the detailed design of the drainage system to be used on the site as well as details on its future management, prior to commencement.

#### *Habitats Regulations Assessment*

- 8.47 To fulfil the requirements under the Habitat Regulations, Officers have carried out an Appropriate Assessment in relation to the likely significant effects on the Solent Special Protection Areas (SPAs). The proposal is nitrate neutral and the open space included within the site as mitigation will be subject to a legal agreement securing its retention for that purpose. The applicant has also agreed to enter into a legal agreement to secure a financial contribution in accordance with the Solent Recreation Mitigation Strategy to mitigate against recreational disturbance. A planning condition would be imposed to secure the submission of a Construction Environmental Management Plan (CEMP) which will ensure that the development is appropriately managed and adequate measures are in place to prevent any pollution incidents as a result of runoff water during the construction phase. Additionally, a planning condition would be imposed to secure the submission of an appropriate surface water drainage strategy which would ensure that surface water continues to be discharged from the site at the existing greenfield runoff rate to avoid any adverse effects. It has been concluded that the proposal would have no adverse effect on the integrity of the designated sites in terms of recreational disturbance, construction activities, hydrological changes or air quality. Natural England have been consulted and raised no objection.

#### *Amenity*

- 8.48 Each of the proposed dwellings would have access to suitable amenity space, good levels of daylight and sunlight, and privacy. Whilst the private rear gardens for the proposed dwellings do not all meet the Council's minimum standards of 11m in length, due to the arrangement of the shared open space which surrounds the development this is considered acceptable.
- 8.49 There are no concerns in relation to the impact of the development on the residential amenity of neighbouring properties. The nearest properties on Titchfield Park Road would be in excess of 70m from the proposed dwellings so there would be no detrimental impact in terms of loss of light, outlook or privacy. It is not considered that the number of vehicle movements on the access drive would be significant and therefore detrimental to the living conditions of the neighbouring properties. Furthermore, the access would be set off the boundary with the neighbouring properties to either side. It is



proposed that existing hedgerows alongside the access are retained but further details of boundary treatment would be considered at a later stage.

#### *Traffic*

- 8.50 Officers have consulted with the Highway Authority (HCC) who have raised no objection to the proposal in relation to the additional vehicle movements anticipated on the local highway network or highway safety.
- 8.51 The proposal would comply with the Council Car & Cycle Parking Residential Car & Cycle Parking SPD in terms of car parking provision. Refuse vehicle tracking has also been carried out to ensure the Council's refuse lorry can access the development, service the plots and turn to leave the site in forward gear. Details of cycle parking would be secured by planning condition.
- 8.52 Overall Officers are of the view that the proposed development fully accords with the requirements of Policy DSP40 of the Adopted Local Plan and would make a modest contribution to overcoming the current shortfall in housing supply in the Borough.

#### **d) Other Matters**

##### *Local service infrastructure*

- 8.53 Concerns have been raised that the proposal would lead to increased pressure on local services such as school and doctors as a result of increased residents however it is not considered the impact would be sufficient to justify refusal of the application.

##### *Draft Local Plan*

- 8.54 Members will be aware of the Draft Local Plan which addresses the Borough's development requirements up until 2036. In due course this plan will replace Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Development Sites & Policies).
- 8.55 Within the Draft Local Plan 2036 it is proposed that the urban settlement boundary is altered to include the application site and all of the land which lies to the north of the A27 and extends to the rear of residential properties on both Segensworth Road and Titchfield Park Road. This adjustment to the boundary would leave no remaining allocated countryside within the vicinity of the application site and is proposed as a result of the landscape character of this land and the relationship and nature of surrounding development which suggest its allocation as countryside is no longer appropriate.

- 8.56 At this stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of this planning application. The Council is required to determine the application in accordance with adopted policies taking account of all material considerations at this time.

#### *Overhead Power Lines*

- 8.57 High voltage power lines and pylons run along the western boundary of the site, following the alignment of the stream. National Grid publish safety clearance distance requirements for any new dwellings which are to be constructed close to overhead power lines, and these have been taken into account in the design of the masterplan layout. There are no concerns in relation to the proximity of the proposed dwelling to the power line.

#### **e) The Planning Balance**

- 8.58 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.'*

- 8.59 The majority of the site is outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture and required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of Local Plan Part 2: Development Sites and Policies Plan.
- 8.60 In weighing up the material considerations and conflict between policies Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall and if granted, the development could be delivered in the short term. The site is located adjacent to the existing urban area and is considered to be in a sustainable location with good access to local services and public transport. The proposal would have an urbanising impact locally however any adverse impact on the wider landscape character would be minimised by the sites visual containment by surrounding vegetation and woodland and appropriately sought landscaping such that there would not be any substantial harm.
- 8.61 Officers are satisfied that there are no outstanding amenity and environmental

issues which cannot otherwise be addressed through planning conditions. There would not be any unacceptable impact on highway safety and the increase of vehicles on the local road network would not be significant.

- 8.62 There is a clear conflict with 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 given to this policy than CS14 such that, on balance, when considered against the development plan as a whole, the scheme should be approved.
- 8.63 As an Appropriate Assessment has been undertaken and concluded that the development would not have an adverse effect on the integrity of the sites, Paragraph 177 of the NPPF states that the presumption in favour of sustainable development imposed by paragraph 11 of the same Framework is applied.
- 8.64 Officers have therefore assessed the proposals against the 'tilted balance' test set out at paragraph 11 of the NPPF.
- 8.65 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;

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.
- 8.66 Having carefully considered all material planning matters, and after applying the 'tilted balance', Officers recommend that planning permission should be granted subject to the imposition of appropriate planning conditions and the prior completion of planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990.

## **9.0 Recommendation**

### **9.1 GRANT PLANNING PERMISSION** subject to

- i) completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure;
  - a) the retention of on-site nitrates mitigation, in the form of the areas of open space, in perpetuity
  - b) the payment of the appropriate Habitat Mitigation Contribution in accordance with the Solent Recreation Mitigation Strategy;
- ii) the following planning conditions:
  - 1. Application for approval of details of the appearance and scale 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 2 years 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 commenced in pursuance of this permission either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
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.
  - 4. The development shall be carried out in accordance with the following approved documents:
    - a) Site Location Plan (drwg No. 191310 L 01 01)
    - b) Illustrative Masterplan (drwg No. 190310 L 02 04 Rev M)
    - c) General Arrangement (drwg Nos 190310 L 02 01/02/03 Rev F)
    - d) Landscape Strategy Plan (drwg No. 190310 L 02 05 Rev D)
    - e) Planning Statement (March 2020)
    - f) Design & Access Statement (July 2020)
    - g) Transport Statement (Cambria dated March 2020)
    - h) Landscape & Visual Appraisal (Urban March 2020)

- i) Flood Risk Assessment & Drainage Strategy (Cambria June 2020)
  - j) Phase 1 Bat Survey, Ecological Appraisal and Further Ecological Surveys (ABR Ecology Ltd dated 6 March 2020)
  - k) Arboricultural Impact Assessment (Evolve Tree Consultancy dated 25 February 2020)
  - l) Tree Constraints Report (Evolve Tree Consultancy dated 1 April 2019)
- REASON: To avoid any doubt over what has been permitted.

5. No development hereby permitted shall proceed beyond damp proof course level until details 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.

6. 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.

7. Notwithstanding the provisions of Class F of Schedule 2, Part 1 and Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or additional hard surfaced areas shall be constructed within the curtilage of any of the dwelling houses hereby approved or on the surrounding open space unless first agreed in writing with the Local Planning Authority following the submission of a planning application.

REASON: To protect the character and appearance of the locality.

8. The dwellings hereby approved shall contain a maximum of four bedrooms with one single five bedroom dwelling (Plot 5) unless otherwise agreed in writing with the local planning authority.  
REASON: In order to ensure that the effects of recreational disturbance on the designated sites is satisfactorily mitigated in accordance with Policy DSP15 of the Fareham Borough Local Plan Part 2: Development Sites & Policies.
9. No dwelling hereby permitted shall be occupied until 2.4m by 130m visibility splays have been provided at the site access junction with Titchfield Park Road in accordance with the approved details. These visibility splays shall thereafter be kept free of obstruction (nothing over 0.6m in height) at all times.  
REASON: In the interests of highway safety; in accordance with Policies CS5 and CS17 of the Fareham Borough Core Strategy.
10. No dwelling, hereby approved, shall be first occupied until the approved parking and turning areas for that property have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.  
REASON: In the interests of highway safety.
11. The car ports hereby approved shall be constructed in accordance with the approved plan. Thereafter, the car port shall be retained, without doors, at all times so they are available for their designated purpose.  
REASON: To ensure adequate car parking provision; in accordance with Policy CS17 of the Fareham Borough Core Strategy.
12. No development shall proceed beyond damp proof course level until details of secure cycle storage have been submitted to and approved by the Local Planning Authority in writing. The secure cycle stores shall be provided before any dwelling is first occupied and shall thereafter be retained and kept available for use at all times.  
REASON: To encourage cycling as an alternative mode of transport.
13. None of the development hereby approved shall be occupied until details of the proposed bin storage areas [including bin collection points] have been submitted to and approved by the Local Planning Authority and the approved areas fully implemented. The details shall include the siting, design and the materials to be used in construction. The areas shall be subsequently retained for bin storage or collection at all times.  
REASON: To ensure that the character and appearance of the development and the locality are not harmed.

14. Development shall proceed in accordance with the mitigation and biodiversity enhancement measures set out in the Phase 1 Bat Survey, Ecological Appraisal and Further Ecological Surveys (ABR Ecology Ltd dated 6 March 2020). None of the development hereby approved shall be first occupied/used until the approved ecological enhancements have been fully implemented. These enhancement measures shall be subsequently retained.  
REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

15. No development shall commence on site until a scheme of external lighting designed to minimise impacts on wildlife and habitats has been submitted to and approved in writing by the local planning authority. Prior to the first occupation of the development hereby permitted the lighting scheme shall be implemented in accordance with the approved details and those elements shall be permanently retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

16. The development shall be carried out in accordance with the Arboricultural Impact Assessment (Evolve Tree Consultancy dated 25 February 2020) unless otherwise agreed in writing with the Local Planning Authority.  
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; in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

17. No development shall commence until an Arboricultural Method Statement in relation to the following aspects of the development has been submitted to and approved by the Local Planning Authority in writing;

- i) Provision of a construction exclusion zone (CEZ) and the installation of tree protection fencing (location, specification, phasing)
- ii) Driveway and parking bay construction within the RPA of retained trees
- iii) Monitoring and reporting regime.

The approved scheme shall be fully implemented. The tree/hedgerow protection 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.

18. 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

19. The landscaping scheme, submitted under Condition 18, 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.

20. No dwelling hereby permitted shall be occupied until details of water efficiency measures have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed an average of 110l per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

21. No development hereby permitted shall commence until a surface water drainage strategy has been submitted to and approved by the Local Planning Authority in writing. The strategy shall include the following elements:

- a) Updated surface run-off calculations for rate and volume for pre and post development using the appropriate methodology;
- b) The detailed design of Sustainable Drainage Systems (SuDS) to be used on the site in accordance with best practice and the CIRIA SuDs Manual (C753) as well as details on the delivery, maintenance and adoption of those SuDS features;

The development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

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.

22. No development shall commence until details of the internal finished floor levels of all of the proposed dwellings in relation to the existing and finished ground levels on 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.

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

23. The development shall be carried out in accordance with the submitted flood risk assessment ("Flood Risk Assessment and Drainage Strategy, Titchfield Park Road, Fareham ref: CC2045/REP01/D" Revision D and dated 12/06/2020) and the following mitigation measures it details:

i) 3.8.1 Finished floor levels shall be set no lower than 39.425 metres above Ordnance Datum (AOD) for unit 1 and no lower than 39.860 metres above Ordnance Datum (AOD) for unit 2.

ii) 7.1.1 Flood resilient construction techniques and materials should be used on unit 1 and unit 2 to minimise the damage should flooding occur.

These mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants

24. 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) The implementation of a construction exclusion zone where appropriate to be securely fenced to prevent access by heavy machinery;

b) The location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;

c) 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;

c) 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 Titchfield Park Road to ensure it is kept clear of any mud or other debris falling from construction vehicles, and

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.

25. 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 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.

## **10.0 Notes for Information**

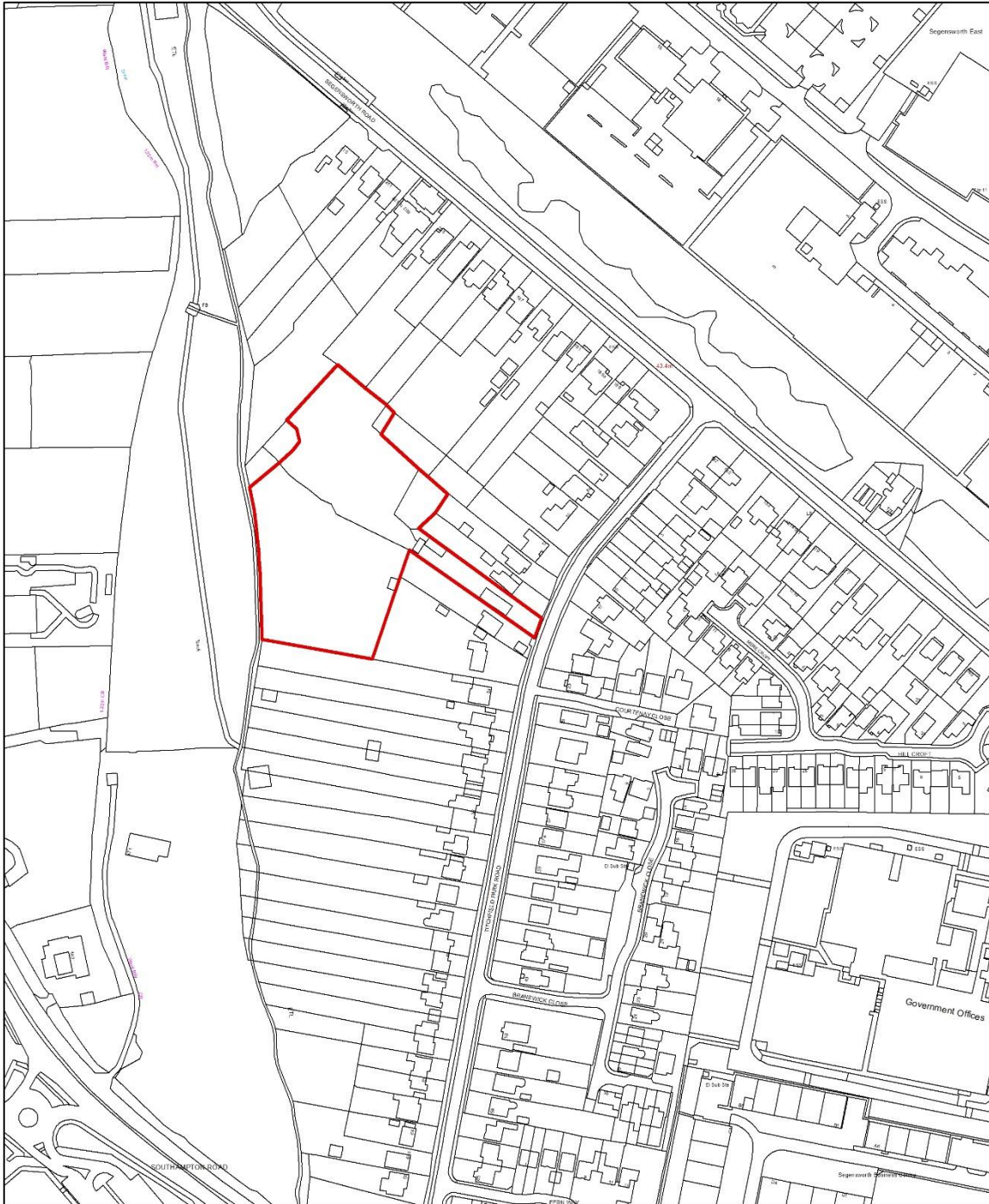
The applicant should be aware that as the proposals include the formation of a new or altered access onto the highway, which will include works within the highway, these works will be required to be undertaken in accordance with standards laid down by, and under a license agreement with, the Highway Authority. Full details of how to apply can be found at:  
<https://www.hants.gov.uk/transport/licencesandpermits/roadopening>.

## **11.0 Background Papers**

P/20/0235/OA

# FAREHAM

BOROUGH COUNCIL



18 Titchfield Park Road  
Scale 1:2,500

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