

OFFICER REPORT FOR COMMITTEE

DATE: 16TH December 2020

P/19/0402/FP

WARSASH

**BARGATE HOMES LTD
PLANNING**

AGENT: PEGASUS

OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 100 RESIDENTIAL DWELLINGS, ACCESS FROM GREENAWAY LANE, LANDSCAPING, OPEN SPACE AND ASSOCIATED WORKS.

LAND ADJACENT 125 GREENAWAY LANE, WARSASH

Report By

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1.0 Introduction

- 1.1. This application is being presented to the Planning Committee due to the number of third party representations received.
- 1.2. Members will note from the 'Five Year Housing Land Supply Position' reported to the Planning Committee on 24th June 2020 this Council currently has a housing land supply of 4.03 years (a shortfall of 522 dwellings within the 5 year period.)
- 1.3. Members will also note that the Planning Committee has resolved to grant planning permission for the following applications in close proximity to the site:

P/17/0746/OA Outline application for up to 85 dwellings, land to the east of Brook Lane and South of Brookside Drive, Warsash

P/17/0845/OA Outline application for up to 180 dwellings land to the East of Brook Lane, Warsash

P/17/0752/OA Outline application for up to 140 dwellings, land east of Brook Lane, North of Warsash Road,

P/17/0998/OA	Outline application for up to 157 dwellings land to the East of Brook Lane and West of Lockwood Road
P/18/0107/OA	Outline application for up to 30 dwellings, East and West of 79 Greenaway Lane, Warsash
P/18/0884/FP	Full permission for 6 dwellings, East and West of 79 Greenaway Lane, Warsash

1.4. The Planning Inspectorate also granted outline planning permission for up to 85 dwellings, land to the east of Brook Lane and South of Brookside Drive, Warsash on 17 May 2018 (P/16/1049/OA).

1.5. This is an outline planning application for up to 100 dwellings. The previous application was considered at the Planning Committee meeting in January 2019 during which Members resolved to defer the application in order to allow Officers time to address the following concerns:

(i). Whether access to the scheme could solely be achieved via land to the south: Further clarity from HCC Highway Authority regarding the impact of additional traffic on Greenaway Lane and the cumulative impact of development within Warsash and local roads with a request that a HCC Highway Authority officer attend the Planning Committee; and

(ii). To seek independent legal advice from a QC following the QC opinion that has been submitted by 'Save Warsash and the Western Wards'

1.6. An appeal was subsequently submitted against the non-determination of the application. A further report was taken to the planning committee on 17th July 2019 to confirm the decision that members would have made had they been able to determine the application at that point in time. Members concluded that had the application been determined it would have been refused for the following reasons:

The proposal would have likely significant effects upon designated European Protected Sites in combination with other developments due to the adverse effects of increased waste-water.

There is uncertainty in respect of the impact of increased emissions from traffic associated with this development in combination with other developments upon designated European Protected Sites

The Planning Inspectorate should further be advised that had the impacts upon the European sites been satisfactory mitigated and had planning permission been granted, the Local Planning Authority would have first sought a Section 106 planning obligation to secure the following:

- a) Provision and transfer of the areas of open space to Fareham Borough Council, including associated financial contributions for its future maintenance;*
- b) A financial contribution towards the delivery of a play area and associated maintenance;*
- c) A financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);*
- d) 40% of the proposed units as on-site affordable housing including the Local Housing Affordability cap; the type, size, mix and tenure to be agreed to the satisfaction of officers;*
- e) Vehicular, pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity and a financial contribution towards the maintenance and associated lighting of the pedestrian and cycle link;*
- f) A downgrade of the proposed Greenaway Lane access if an alternative access route to the south of the site can be secured subject to there being sufficient specification and capacity and agreement of the Highway Authority.*
- g) A financial contribution towards education provision;*
- h) A financial contribution towards highway impacts at the following junctions' A27/Barnes Lane Barnes Lane/Brook Lane, A27/Station Road roundabout*
- i) A Travel Plan and related monitoring cost and bond.*
- j) A sustainable travel contribution to be used towards offsite improvements*

- 1.7. The appeal was subsequently dismissed solely on the ground that the development would have a likely adverse effect on the integrity of the Solent sites due to the additional generation of nutrients and the lack of appropriate and appropriately secured mitigation. The Inspector's

conclusions regarding other matters are referred to in relevant sections later in this report.

2.0 Site Description

- 2.1. The application site is located to the south of Greenaway Lane and comprises 3.4 hectares of land, designated as countryside for planning purposes. There are glasshouses and buildings on the site which reflect the sites' former horticultural use. The site is generally flat with the northern half of the site mostly consisting of open grassland. Trees and scrub in the south western corner of the site extend along the western and southern boundaries. The eastern boundary is lined with trees which are located within the adjoining site and are covered by a tree preservation order. There is a telecommunication aerial mast within the south-eastern corner of the site. The site is classified as predominantly Grade 3b agricultural land.
- 2.2. Residential properties are located on the northern side of Greenaway Lane, to the western boundary of the site and north-eastern corner of the site. Beyond the southern boundary is a nursery with fields and glass houses. Commercial businesses are located beyond the eastern boundary together with agricultural land.
- 2.3. Existing access to the main part of the site is from Greenaway Lane with an additional access track located further to the east which leads to the telecommunication mast. Greenaway Lane connects to Brook Lane located a short distance to the west.

3.0 Description of Proposal

- 3.1. Outline planning permission is sought for the construction of up to 100 dwellings with all matters reserved apart from the means of vehicular access to the site which would be off Greenaway Lane. The layout, appearance, scale and landscaping of the site are therefore reserved for a future reserved matters application and not for consideration at this time.

- 3.2. An illustrative masterplan has been submitted which identifies the vehicular access point to the site, areas of public open space, the potential for enhanced landscaping and inclusion of ecological buffers. Pedestrian and cycle links are also indicated.
- 3.3. The application is supported by a number of reports including: ecological assessments, a tree report, a contamination report, a transport statement, an air quality assessment, a flood risk assessment, drainage strategy and nitrate assessment.

4.0 Policies

- 4.1. The following policies apply to this application:

National Planning Policy Framework (NPPF) 2019

Adopted 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

CS18 - Provision of Affordable Housing

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

DSP4 - Prejudice to adjacent land

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:

Publication Fareham Local Plan 2037

Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne) 2015

Planning Obligation SPD for the Borough of Fareham (excluding Welborne) (April 2016)

Residential Car and Cycle Parking Standards SPD 2009

5.0 Relevant Planning History

5.1. The following planning history is relevant:

5.2. P/18/0482/OA

Outline application with all matters reserved (except for access) for the construction of up to 100 residential dwellings, access from Greenaway Lane, landscaping, open space and associated works'.

As explained in the introduction to this report, Members confirmed that the application would have been refused has an appeal against non-determination not been made. The Inspector dismissed the appeal for the sole reason that: *“the development would have a likely adverse effect on the integrity of the Solent sites due to the additional generation of nutrients on the integrity of the Solent sites due to the additional generation of nutrients and the lack of appropriate and appropriately secured mitigation.”*

6.0 Representations

6.1. Representations from 30 addresses have been received.

Of these representations, 2 are neutral and make the following points:

- The development should provide fibre optic broadband
- If permission is granted a condition should be included requiring at least 100 swift nest boxes to be provided

The remaining representations object to the application and raise the following concerns:

- Impact on countryside
- Unnecessary numbers of housing
- Inappropriate density and design
- Impact on character of the area
- Access must be from Brook Lane not Greenaway Lane
- Impact on highway safety
- The Transport Statement is misleading
- Insufficient car parking provision
- The visibility splay relies on land not within the applicant's ownership
- Impact on infrastructure
- Access via land to the south cannot be guaranteed
- Ecological concerns
- Impact on the European Protected Sites
- Increased air, light and noise pollution
- Loss of trees

-Surface water flooding

-Impact on residents' amenity

-Impact on disabled residents' ability to exit adjacent sites due to potential traffic congestion

-Lack of information regarding a nutrient budget

-The University Hospital Southampton NHS Foundation Trust have commented that the Trust is currently operating at full capacity in the provision of acute and planned healthcare. Although the Trust has plans to cater for the known population growth, it cannot plan for unanticipated additional growth in the short to medium term. They have requested a financial contribution of £15,861 to provide services needed by occupants of the proposal. They consider that without it the development is not sustainable and should be refused.

6.2. PETITION (signed by 2,390 people)

Members attention is also drawn to the fact that a petition has been received in response to the previous draft local plan consultation. It is titled "STOP the building of 1500 new homes in Warsash, Locks Heath, Park Gate and Titchfield Common" and includes the following Statement:

We the undersigned petition the Council to Stop the building of 1500 new homes in Warsash, Locks Heath, Park Gate and Titchfield Common. Whilst it is appreciated that the task is not an easy one, there are many sites that we believe the Council should be looking at that are more suitable than Warsash and the Western Wards, such as Newlands Farm. We also request that FBC look at SHLAA Ref 3127 and the surrounding area of Fareham north and east of the town centre. This appears to be a prime location as it already has direct access to the motorway and easy access to the public transport links in Fareham town centre and three senior schools. Fareham centre is also an ideal place for leisure facilities, and has space for doctors etc. to service the needs of any new houses. It would inject a

new lease of life into what is already an established but underused town that is essentially being allowed to slide into disrepair.

Justification:

Below are the sites that we are protesting about.

HA1 - North and South of Greenaway Lane, Warsash - 700 dwellings

HA3 - Southampton Road, Titchfield Common - 400 dwellings

HA7 - Warsash Maritime Academy, Warsash -100 dwellings

HA9 - Heath Road, Locks Heath- 71 dwellings

HA11- Raley Road, Locks Heath- 49 dwellings

HA13- Hunts Pond Road, Titchfield Common- 38 dwellings

HA14 -Genesis Community Youth Centre, Locks Heath - 35 dwellings

HA15 -Beacon Bottom West, Park Gate -30 dwellings

HA17 -69 Botley Road, Park Gate -24 dwellings

HA19- 399 - 409 Hunts Pond Road, Titchfield Common- 22 dwellings

Traffic in this area is already at a gridlock during peak hours and since the new Strawberry Fields, Hunts Pond and Coldeast developments it has doubled the time for people to get to work. Improvements on major roads and motorways will try and ease congestion but it's not satisfactory as residents will not be able to actually get to these major roads. Local roads such as Brook Lane, Osborne Road, Warsash Road and Barnes Lane cannot be made wider, they were built to service the traffic and community of small villages and the resulting influx of 3000+ cars in such a small square area will lead to more accidents. Warsash specifically is on a peninsular and the only roads in and out are Brook Lane and Warsash Road. Emergency vehicles will be unable to ensure safe response times - during rush hour it is likely they will not have space to get to their

destination. The consequences will be catastrophic. Flooding is inevitable especially with recent climate changes; residents in local back garden developments are already experiencing this. Fareham is presently in trouble for poor air quality due to the amount of rush hour traffic. Bring another 3000+ cars in to the Western Wards and there will be more cases of asthma, lung disease and related illnesses - all for the surgeries with not enough resources to treat. Doctors, schools, hospitals and emergency services are already stretched to breaking point. If the plans go ahead there will be hundreds of children needing school places. New schools might take pressure off the overcrowded ones - then the influx of new children will put it back on again. Children walking to Brookfield already face a perilous journey due to the amount of traffic on Brook Lane. Brook Lane, Lockwood, Jubilee and Whiteley surgeries struggle to cope with the amount of patients they have. They wait an unacceptable amount of time for routine appointments (1 month plus) and often have very long waits when they get to there (30 minutes plus). Emergency appointments are becoming harder to book as there are not enough doctors or time. The very young, elderly and chronically ill are already vulnerable and bearing the brunt of this - add another 1,500 homes and these overstretched surgeries will be at crisis point. There will be an increased need for care homes, for which there is just no space. Residents' health will be at risk and possibly their lives. Warsash is a place of outstanding natural beauty and home to precious wildlife such as badgers, bats and deer. The greenfield land proposed as the area for development also provides a defined strategic gap from neighbouring villages. Residents have the right to breathe clean air, have facilities, space and sufficient infrastructure and the assurance that emergency vehicles have access and can meet response times in life threatening situations. We genuinely fear for the health and safety of people in the Western Wards.

7.0 Consultations

EXTERNAL

7.1. Archaeology

No objection subject to conditions.

7.2. Southern Water

7.3. No objection subject to conditions.

7.4. HCC Highways

7.5. No objection subject to the following obligations:

7.6. £298,71.29 towards identified improvement schemes within the area;

7.7. £30,000 towards sustainable travel improvements;

7.8. Delivery of the site access and footway works in accordance with the proposed plans;

7.9. Payment of HCC fees to approve and monitor the Framework Travel Plan prior to commencement;

7.10. Provision of financial measures to secure the measures proposed within the Travel Plan.

7.11. Conditions:

7.12. A construction traffic management plan to be submitted prior to commencement.

7.13. Provisions to prevent surface water drainage from discharging onto the highway.

7.14. HCC Lead Local Flood Authority

7.15. No objection subject to a condition requiring the submission of a detailed surface water drainage scheme for the site.

7.16. HCC Children's Services

7.17. Request for contribution towards education facilities.

7.18. Natural England

- 7.19. The following information is required in order to determine the impact of nitrates on designated sites and the scope for mitigation:
- Evidence to support the land uses in the nutrient neutrality methodology
 - Identification of mitigation measures to achieve nitrogen neutrality required
 - Clarification of the designated sites within 200m from the road network
- 7.20. A contribution is required towards the Bird Aware mitigation strategy to mitigate against the potential adverse effects of recreational disturbance on the integrity of the European sites.
- 7.21. The HRA should include the key measures required to protect the designated sites from pollution.
- 7.22. The proposed SUDS strategy should be secured.
- 7.23. All new development should adopt the Building Regulations higher standard of water efficiency of 110l per person per day
- 7.24. Consideration should be had to the incorporation of local landscape features into the site.
- 7.25. Officer Comment: Information regarding the nitrates mitigation has been submitted and Natural England have been re-consulted.

INTERNAL

- 7.26. Ecology
- 7.27. The proposed purchase of nitrate 'credits' is an appropriate form of mitigation that will ensure no adverse impact on the integrity of the Solent SPAs.
- 7.28. No objection subject to conditions to secure:
- A biodiversity mitigation strategy
 - A sensitive scheme of lighting
 - A biodiversity enhancement scheme

7.29. Environmental Health – Contamination

7.30. No objection subject to conditions.

7.31. Housing

7.32. The application proposes 40% affordable housing in accordance with policy. The tenure split required for social/affordable rent: intermediate housing is 65:35%. Affordable rents to be capped at local housing allowance levels.

7.33. Trees

7.34. No objection subject to conditions

8.0 Planning Considerations

8.1. The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Implication of Fareham's current 5-year land supply housing supply position (5YHLS)
- b) Residential development in the countryside
- c) Policy DSP 40
- d) Other matters including affordable housing and local infrastructure
- e) The planning balance

A) IMPLICATION OF FAREHAM'S CURRENT 5 YEAR HOUSING LAND SUPPLY POSITION (5YHLS)

8.2. A report titled "Five-year housing supply position" was reported for Members' information on the agenda for the Planning Committee meeting held on 24th June 2020. That report set out this Council's local housing need along with this Council's current housing land supply position. The report concludes that the Council currently has a housing land supply of

4.03 years meaning there is a shortfall of 522 dwellings within the 5 year period.

- 8.3. 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”
- 8.4. In determining planning applications there is a presumption in favour of policies of the extant Development Plan, unless material considerations indicated otherwise. Material considerations include the planning policies set out in the NPPF.
- 8.5. Paragraph 59 of the NPPF seeks to significantly boost the supply of housing.
- 8.6. Paragraph 74 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.
- 8.7. 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 permission unless:

- i. The application of policies in this Framework that protect areas or 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.”
- 8.8. The Council is currently unable to demonstrate a five year housing land supply therefore the development plan cannot be considered up-to-date. 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.
- 8.9. Members will be mindful of Paragraph 177 of the NPPF which states that:
- “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats sites (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”.*
- 8.10. The Local Planning Authority has carried out an appropriate assessment that concludes that the proposed development would not adversely affect the integrity of the habitats site, therefore the presumption in favour of sustainable development applies and the 'tilted balance' of paragraph 11 is engaged.
- 8.11. The following sections of this report assess the application proposals against the Council's adopted Local Plan 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

8.12. 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. Policies CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. The application site lies within an area which is outside of the defined urban settlement boundary.

8.13. Policy CS14 of the Core Strategy states that:

'Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.'

8.14. Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).

8.15. The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

C) POLICY DSP40

8.16. Local Policy DSP40 states that:

8.17. "Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

- i. The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall;

- ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;
- iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;
- iv. It can be demonstrated that the proposal is deliverable in the short term; and
- v. The proposal would not have any unacceptable environmental, amenity or traffic implications.

8.18. Each of these five bullet points are considered further below.

POLICY DSP40 (i)

8.19. Members will note from the 5 Year Housing Land Supply Position that the present shortfall of dwellings needed to achieve a 5YHLS is in the region of 522, therefore bullet point i) of Policy DSP40 is satisfied.

POLICY DSP40 (ii)

8.20. The site is currently close to rather than immediately adjacent to the urban settlement boundary, however members attention is drawn to the introduction to this report which lists a number of applications which the planning committee has resolved to grant Planning Permission for. (P/16/1049/OA and P/17/0845/OA are located on land between the north of the site and the settlement policy boundary to the north. P/18/0884/FP and P/18/0107/OA are located on the land between the east of the site and the settlement policy boundary that lies to the east of the site, and P/17/0998/OA and P/17/0752/OA are located on land between the south of the site and the settlement policy boundary to the south.) The resolutions by the Committee to grant permission for residential development in between this site and the settlement policy boundaries to the north, east and south will ensure that the site is well integrated into the neighbouring

development. The site is also near to leisure and community facilities, schools and shops. It is also of relevance to note that the appeal was dismissed solely because of the impact on the effect on the integrity of the Solent sites, therefore confirming that the location for the proposed development is acceptable. and in accordance with point ii of Policy DSP40.

POLICY DSP40 (iii)

- 8.21. The site is within an area of countryside but is not designated as a strategic gap. Policy CS14 of the Core Strategy confirms that built development will be strictly controlled to protect it from development which would adversely affect its landscape character, appearance and function.
- 8.22. The area is identified within the Fareham Landscape Assessment 2017 (LLCA 2.2A) as relatively visually contained from views within the surrounding areas. This area is classed as being of a lower sensitivity mainly because the character and quality of the landscape has been adversely affected by urban influences. This area is therefore more tolerant of change and there is scope for development to bring about positive opportunities.
- 8.23. If the development were to go ahead, the main people who would be potentially affected by visual changes would be residents close to the site. It is therefore acknowledged that the development of this site would introduce a change in character and outlook particularly from nearby properties and the Greenaway Lane frontage of the site. This change would primarily have a localised visual impact and the visual impact from longer distance views would be limited.
- 8.24. The illustrative masterplan shows how the overall layout and form of the development might be laid out. Whilst acknowledging that this plan is for illustrative purposes only as the layout and design of the site would be the subject of a reserved matters application, Officers consider that this aspect will need to be the subject of careful consideration at the reserved matters stage to ensure that the proposal complies with adopted policy. The layout

would need to incorporate areas of accessible public open space, consideration of play provision and ecological mitigation and would need to accommodate a pedestrian and cycle link as well as the opportunity to have vehicular connectivity to land to the south. This is to ensure appropriate green infrastructure in compliance with Policy CS4 and comprehensive development in accordance with Policy DSP4.

- 8.25. Officers consider that subject to more detailed considerations at the reserved matters stage, the development of up to 100 dwellings could be acceptable on this site in accordance with point iii) of Policy DSP40.

POLICY DSP40 (iv)

- 8.26. In terms of delivery, the agent has advised that the site is capable of delivering 20 dwellings in 2022/23 and 40 dwellings in 2023/24 and 2024/25. The proposal would therefore be in accordance with point iv of policy DSP40.

POLICY DSP40 (v)

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

Ecology

- 8.28. An Ecological Appraisal and surveys in respect of reptiles, bats, badgers, wintering birds and dormouse have been submitted. The Ecology Officer and Natural England are satisfied with the proposal in terms of impact on protected species subject to the imposition of planning conditions and appropriate mitigation.
- 8.29. The development is likely to have a significant effect on the following designated sites in respect of recreational disturbance, air quality and water quality: 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, Solent and Isle of Wight Lagoons Special Area of Conservation and the Solent Maritime Special Area of Conservation – collectively known as the European Protected Sites (EPS). 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.

- 8.30. 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.
- 8.31. 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).
- 8.32. 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 the Local Planning Authority.
- 8.33. The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the EPS. The key

considerations for the assessment of the likely significant effects are set out below.

- 8.34. Firstly, in respect of Recreational Disturbance, the development is within 5.6km of the Solent SPAs and is therefore considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in the Solent area. The applicants have made the appropriate financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP) and therefore, the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the EPS as a result of recreational disturbance in combination with other plans or projects.
- 8.35. Secondly, in respect of Air Quality, Natural England has advised that the effects of emissions from increased traffic along roads within 200 metres of EPS has the potential to cause a likely significant effect. The applicant has submitted an Air Quality Ecological Impact Assessment (AQEIA) to support the application to address this matter.
- 8.36. The AQEIA concludes that the proposed development would not have a significant effect, in combination with other plans or projects, on the integrity of the EPS. The Council is therefore content that the development would be acceptable in this respect. Finally, in respect of the impact of the development on water quality as a result of surface water and foul water drainage, 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 EPS.
- 8.37. A nitrogen budget has been calculated in accordance with Natural England's *'Advice on Achieving Nutrient Neutrality for New Development in the Solent Region'* (June 2020) which confirms that the development will

generate 95.86/TN/year. Due to the uncertainty of the effect of the nitrogen from the development on the EPS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.

- 8.38. The applicant has entered into a contract (conditional on the grant of planning permission) to purchase 96kg of nitrate mitigation 'credits' from the Hampshire and Isle of Wight Wildlife Trust (HIWWT). Through the operation of a legal agreement between the HIWWT, Isle of Wight Council and Fareham Borough Council dated 30 September 2020, the purchase of the credits will result in a corresponding parcel of agricultural land at Little Duxmore Farm on the Isle of Wight being removed from intensive agricultural use, and therefore providing a corresponding reduction in nitrogen entering the Solent marine environment. A condition will be imposed to ensure that the development does not commence on site until confirmation of the purchase of the credits from the HIWWT has been received by the Council.
- 8.39. The Council has carried out an appropriate assessment and concluded that the proposed mitigation and condition will be adequate for the proposed development and ensure no adverse effect on the integrity of the EPS either alone or in combination with other plans or projects. The difference between the credits and the output will result in a small annual net reduction of nitrogen entering the Solent.
- 8.40. Natural England has been consulted on the Council's Appropriate Assessment and their formal comments are expected shortly. Members will be updated at the Committee Meeting in this regard.
- 8.41. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

Agricultural land

8.42. Policy CS16 seeks to prevent the loss of the best and most versatile agricultural land. The NPPF does not place a bar on the development of the best and most versatile agricultural land. The site is classified as Grade 3b which is outside of the 'best and most versatile' agricultural land category. Notwithstanding the categorisation of the land, the site is small for an agricultural unit and given modern farming practices would not be practical for use on its own. There are resolutions to grant permission for the land adjacent to the site which further diminishes the contribution this site would make to the rural economy as required in the NPPF. Given the premium that land with permission for residential development attracts, increasing the size of the site is unlikely to be financially viable.

8.43. The site falls outside of the 'best and most versatile' agricultural land category and is too small for modern commercial agriculture therefore the development of the site is considered to be in accordance with Policy CS16.

8.44. **Amenity**

8.45. Matters of scale, appearance and layout are reserved for consideration at the future reserved matters application stage. It is at that stage that the detailed consideration of these issues would need to comply with policy CS17 and the adopted design guidance SPD to ensure appropriate amenity standards. Officers are satisfied that there is sufficient flexibility and control in the description of up to 100 units that this can be satisfactorily addressed to ensure that the proposal would be policy compliant.

Highways

8.46. The Highway Authority comments are set out in the consultation section of this report and conclude that from a highway safety perspective, the proposal would be acceptable subject to the imposition of planning conditions and financial contributions.

- 8.47. A number of representations have raised concern over the impact of the development on the safety of users of Greenaway Lane and at the Greenaway Lane/Brook Lane junction. Reference to the draft local plan has also been made which discusses the preferred approach to ensure that the inherent character of Greenaway Lane is retained. The draft Local Plan however carries limited weight at this time.
- 8.48. The Highway Authority is satisfied that a safe means of access can be provided and this is a significant material planning consideration. Officers have carefully considered whether the impact on Greenaway Lane in terms of physical alterations is such that it would make the development otherwise unacceptable. The proposed bell mouth junction is located approximately 60 metres east of Brook Lane. The physical alterations would include the access to facilitate the development, a pavement on the southern side of Greenaway Lane which would extend towards Brook Lane and pedestrian crossing points, and a minor realignment of the carriageway. There would also be signage and bollards which would relate to pedestrian and cycle connectivity. It should be noted that the detailed highway works would be the subject of a S278 agreement with the Highway Authority. Officers have concluded that the physical 'interventions' are not of a level that would adversely detract from the character of Greenaway Lane or justify refusal of outline planning permission. The Planning Inspector for the previous scheme on this site also noted that: *"...it would be possible to secure complementary development of the Greenaway Lane frontage within the scope of the reserved matters."* and that: *"...highways works and any additional traffic generated by the development, would affect only a very short section of the land which lacks the more rural character seen towards the east."*(Para 42 of the appeal decision).
- 8.49. It is acknowledged that an alternative access to the south of the site would be preferred which would limit the number of vehicles that would enter and exit the proposed Greenaway Lane access. However, this current application needs to be determined as submitted and the Planning

Inspector noted that: “...no necessity for an alternative access has been demonstrated on highway grounds.” (para 38).

- 8.50. Members are advised that whilst vehicular connectivity to the south and a downgrading of the Greenaway Lane access is desirable. the appeal decision is a material consideration and this current application needs to be determined as submitted with the access off Greenaway Lane. On the basis of the Highway Authority advice and noting the discussion above, Officers consider that the proposal does comply with point (v) of DSP40, policy CS5 of the Core Strategy and DSP4 of the Local Plan part 2.
- 8.51. Overall, through the imposition of planning conditions and the completion of a planning obligation pursuant to Section 106 of the Town and Country Act 1990, Officers recommend that the proposal would not have any unacceptable environmental, amenity or traffic implications in compliance with criteria (v) of DSP40.

D) Other matters

Affordable Housing

- 8.52. The proposal includes the provision of 40% affordable housing. Subject to securing an appropriate size, mix and tenure of affordable housing by legal agreement in line with identified local need, Officers consider this acceptable and in accordance with Policy CS18.

Open Space, Play Provision, Green Infrastructure, Connectivity and Nature Conservation

- 8.53. On site open space is proposed and is shown illustratively on the submitted plans. As part of the recommended Section 106 legal agreement, it is considered appropriate to secure a plan to accompany the agreement to ensure that a swathe of open space links through to land to the south. This is to secure green infrastructure and vehicular, pedestrian and cycle connectivity. Pedestrian connectivity to the east of the site will

also be secured to enable movement between this site and the site to the east (P/18/0107/OA.)

- 8.54. In respect of play provision and in accordance with the Council's adopted Planning Obligation SPD, the proposed number of units would require the provision of a Locally Equipped Area of Plan (LEAP). It is noted that resolutions to grant planning permission have already sought to secure play provision on land to the south of Greenaway Lane.
- 8.55. Due to the development proposals coming forwarding at different times, it will be necessary to secure play provision on this application site should it be the first of the cluster in this area to be delivered south of Greenaway Lane. In the circumstance that play provision is delivered earlier on other land to the south of Greenaway Lane, a financial contribution towards the provision and maintenance of this equipment should be secured.
- 8.56. The above can be secured via a Section 106 legal agreement.

Effect upon Local Infrastructure

- 8.57. The University Hospital Southampton NHS Foundation Trust wrote to the Council to make representations about the application. The Trust is commissioned to provide acute healthcare services to a number of Clinical Commissioning Groups (CCGs) including Fareham and Gosport CCG. The CCGs commission planned and emergency acute healthcare from the Trust.
- 8.58. A summary of the comments made by the Trust is included earlier in this report. The Trust request a financial contribution of £15,861 to provide services needed by the occupants of the new homes.
- 8.59. The tests for obligations are set out in paragraph 56 of the NPPF and reflect those in Regulation 122 of the Community Infrastructure Levy Regulations 2010. The tests for an obligation are whether they are:

1. necessary to make the development acceptable in planning terms;

2. *directly related to the development; and*
3. *fairly and reasonably related in scale and kind to the development.*

- 8.60. There is no specific policy in the adopted local plan that relates to hospital infrastructure or contributions towards hospital services. The comments from the Trust refer however to Policy CS20 of the adopted Core Strategy which seeks to ensure that developments will contribute towards or provide infrastructure or mitigate an impact of a development upon infrastructure. The representations are clear that they do not seek a contribution towards health infrastructure rather it is the impact upon the hospitals through the delivery of the health care service. Whilst the thrust of Policy CS20 seeks to secure contributions towards infrastructure, it could be argued that the broad nature of Policy CS20 could be material in assessing the Trust's request.
- 8.61. Furthermore, the NPPF, in Chapter 8 seeks to promote healthy and safe communities. The NPPF identifies that decisions should “...*enable and support healthy lifestyles, especially where this would address identified local health and well-being needs*” and “...*take into account and support the delivery of local strategies to improve health...of the community*” (paragraph 91-92).
- 8.62. The first point to note in relation to the Trust's comments is that the UK provides its citizens with healthcare on a national basis regardless of district or county boundaries. The funding is collected via central government taxation and distributed locally to provide healthcare. Whilst delivered locally the service is a National Health Service and as such the government has a system to ensure that each area of the country has enough funds to provide the service on the basis of the population it serves. Regardless of where someone lives, they are entitled to receive healthcare on a national basis.
- 8.63. The Trust's comments explain the way in which the hospitals are currently funded. The Trust indicate that the residents who will be living in the

development at the Magistrates Court site are likely to use the hospitals and increase pressure on the hospital services as a result. A formula is provided with an estimated number of the proposed population predicated as being likely to need to use the hospital services. From this estimated number of hospital visits, a cost is attributed and multiplied to provide the suggested contribution.

- 8.64. In considering the requests it is noted that the construction of houses does not itself lead to population growth. Officers consider that the need for housing is a consequence of population growth. Furthermore, there is no account in the representations, it seems, for the potential for the residents of the new development to be moving locally around the Borough or adjoining boroughs such that their residence locally is already accounted for by the current services and funding commissioned by the hospital. In addition, the cost attributed to the proposed patient trips to the hospital is not considered to be clearly calculated or justified.
- 8.65. The representations from the Trust state that “...*although the Trust has plans to cater for known population growth it cannot plan for unanticipated additional growth in the short to medium term*”.
- 8.66. The length of time between sites being identified, planning permission being granted, and the houses actually being constructed and subsequently occupied is many years. The amount of residential development coming forward in the Borough which has not been reasonably foreseeable for a period of years is therefore very limited.
- 8.67. In January 2019 the NHS launched its new 10-year plan. This plan sets out how the NHS thinks it can overcome the challenges that the NHS faces, such as staff shortages and growing demand for services. This is to be achieved essentially by doing things differently and at no point does it refer to the need for new developments to provide for healthcare services by means of financial contribution such as that requested by the Trust.

8.68. For the reasons set out above, Officers do not consider that the contribution sought by the Trust is necessary to make the development acceptable in planning terms and thus the tests for planning obligations as set out above are not considered to have been met. Furthermore, given the adopted policy framework it is considered that in the absence of the contribution, the application does not fail as a consequence as this issue alone would not justify a reason for refusal, which it must do in order to make the contribution necessary to make the development acceptable in planning terms and meet the tests for a planning obligation.

8.69. .

8.70. Concerns have also been raised over the effect of the number of dwellings on schools in the area. Hampshire County Council have identified a need to increase the number of primary school places within the area to meet needs generated by the development. A financial contribution can be secured through the Section 106 legal agreement.

8.71. With regard to concern over drainage and flood risk, the Lead Flood Authority are content with the submitted information. The drainage design will be addressed further at the detailed design stage.

Publication Version of the emerging Fareham Local Plan

8.72. Members will be aware that the Publication Version of the Fareham Local Plan which addresses the Borough's development requirements up until 2036 is currently out for consultation until 18th December 2020. The site of this planning application is proposed to be allocated for housing within the draft local plan. A number of background documents and assessments support the proposed allocation of the site in terms of its deliverability and sustainability which are of relevance. However, at this stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of this planning application.

8.73. With regard to concern over the cumulative effect of development and whether it would be so significant that to grant planning permission would

undermine the plan-making process, a number of background documents and assessments support the proposed allocation of the site in terms of its deliverability and sustainability which are of relevance. For the reasons set out in this report, Officers consider that the proposal is acceptable and would not therefore have a significant impact.

Other third party concerns

- 8.74. With regard to concern over noise, air and light pollution, the proposed development would not result in levels of noise, air or light pollution above what would be normally associated with residential development and considered to be acceptable. The Environmental Health Officer has not raised any concerns in this regard.

E) THE PLANNING BALANCE

- 8.75. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

"If regard is to be had to the development plan for the 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".

- 8.76. 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.
- 8.77. Officers have carefully assessed the proposals against Policy DSP40:
- 8.78. Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS. In weighing up the material considerations and conflicts between policies; the development of a greenfield site weighted against Policy DSP40,

- 8.79. Officers have concluded that the proposal is: relative in scale to the demonstrated 5YHLS shortfall (DSP40(i)); would be sustainably located adjacent to and well related to the existing urban settlement boundaries and well-integrated with the neighbouring settlement (DSP40(ii)); would be sensitively designed to reflect the character of the neighbouring settlement and would minimise any adverse impact on the countryside and strategic gap (DSP 40(iii)) and it can be delivered in the short-term (DSP40(iv)).
- 8.80. The proposed development would not have any unacceptable traffic or amenity implications and therefore accords with two of the three components of DSP40 part v. Part v of DSP40 also requires development to not have any unacceptable environmental implications. Officers have undertaken an appropriate assessment which concludes that the proposed development would not have an adverse impact on the integrity of the European Protected Sites. The proposed development would result in the loss of some agricultural land, however the site is small and is not 'best and most versatile' therefore the environmental implications are limited.
- 8.81. In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, Officers acknowledge that the proposal could deliver 100 dwellings in the short term.
- 8.82. The contribution the proposed scheme would make towards boosting the Borough's housing supply is a material consideration in the light of this Council's current 5YHLS.
- 8.83. 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 four of 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.

- 8.84. As an appropriate assessment has been undertaken Paragraph 177 of the NPPF states that the presumption in favour of sustainable development imposed by paragraph 11 of the same Framework is applied.
- 8.85. Officers have therefore assessed the proposals against the 'tilted balance' test set out at paragraph 11 of the NPPF.
- 8.86. In undertaking a detailed assessment of the proposals throughout this report and now applying the 'tilted balance' to those assessments, Officers consider that:
- 8.87. 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
- 8.88. ii) any adverse impacts of granting planning permission, (including the loss of grade 3b agricultural land) would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 8.89. Officers therefore conclude that having applied the 'tilted balance', that planning permission should be granted for the proposals. Having carefully considered all material planning matters, 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

Subject to:

- i) the receipt of comments from Natural England in response to consultation on the Council's Appropriate Assessment and delegate to the Head of Development Management to make any minor modifications to the proposed conditions or any subsequent minor changes arising after having had regard to those comments

And

- ii) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
 - a) To secure the provision and transfer of the areas of open space to Fareham Borough Council, including associated financial contributions for its future maintenance;
 - b) A financial contribution towards the delivery of a play area and associated maintenance;
 - c) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
 - d) To secure 40% of the proposed units as on-site affordable housing; the type, size, mix and tenure to be agreed to the satisfaction of Officers;
 - e) To secure pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity and a financial contribution towards the maintenance and associated lighting of the pedestrian and cycle link;
 - f) To secure a financial contribution towards education provision;
 - g) Financial contribution towards highway impacts at the following junctions' A27/Barnes Lane Barnes Lane/Brook Lane, A27/Station Road roundabout
 - h) Travel Plan and related monitoring cost and bond.
 - i) A sustainable travel contribution to be used towards offsite improvements

GRANT OUTLINE PLANNING PERMISSION:

9.1 Subject to the following conditions:

1. Details of the appearance, scale, layout and landscaping of the site (hereinafter called "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 Section 91 of the Town and Country Planning Act 1990.
2. Applications for approval of all reserved matters shall be made to the local planning authority not later than 12 months beginning with the date of this permission.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall be begun before the expiration of 12 months from the date of the approval of the last of the reserved matters.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.
4. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents: Site Location Plan BARG170909 SLP-01; Access plans, ITB13162-GA-013 Rev B and ITB13162-GA-016.
REASON: To avoid any doubt over what has been permitted.
5. No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway and a programme for construction including the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the development. The approved measures shall be fully implemented upon the commencement of development and shall be retained for the duration of construction of the development unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety and the amenity of the area.

6. No development shall take place until the Council has received the Notice of Purchase in accordance with the legal agreement between Fareham Borough Council, the Isle of Wight Council and the Hampshire and Isle of Wight Wildlife Trust dated 30 September 2020 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.
REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on European protected sites.
7. No development shall take place until a detailed biodiversity enhancement strategy has been submitted to and approved in writing by the Local Planning Authority. Development shall subsequently be carried out in accordance with the approved details.
REASON: To ensure that habitat is enhanced as a result of the proposed development.
8. Other than initial site preparation, no development shall take place until details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, to include all relevant horizontal and longitudinal cross sections showing the existing and proposed ground levels, together with details of street lighting (where appropriate), the method of disposing 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. Development shall be carried out in accordance with the approved details.
REASON: To ensure that the roads are constructed to a satisfactory standard.
9. (i) No development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation and, where necessary, subsequent archaeological mitigation. The assessment shall take the form of trial trenches. The Written Schemes of Investigation shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be undertaken in accordance with the approved details.

(ii) Following the completion of all fieldwork the post investigation assessment will be submitted to and approved in writing by the Local Planning Authority and the applicant shall make provision for analysis, publication and dissemination of results as well as the deposition of the archive with the relevant receiving body.
REASON: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the

development upon these heritage assets and mitigate and record the effect of the associated works upon any heritage assets.

10. If, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, all development in the affected area must stop unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence in the affected area before an investigation and risk assessment of the identified material/ground conditions has been undertaken and details of the findings along with a detailed remedial scheme, if required, has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall be fully implemented and shall be validated in writing by an independent competent person as agreed with the Local Planning Authority prior to the occupation of the dwellings.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place.

11. No development shall take place until details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site shall be submitted to and approved in writing by the local planning authority. 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.

12. No development shall take place on site until details of foul sewerage and surface water drainage works to serve the development hereby permitted including implementation phasing works have been submitted to and approved in writing by the local planning authority. Where possible a Sustainable Urban Drainage System (SUDS) shall be used and full details of predicted flows, responsibilities and future management provided. The dwellings shall be occupied in accordance with the submitted drainage scheme.

REASON: In order to ensure adequate drainage is provided to serve the permitted development.

13. No development shall take place on site until a scheme of lighting designed to minimise impacts on wildlife and habitats has been submitted to and approved in writing by the local planning authority. Construction stage elements of the approved lighting scheme shall be implemented as agreed during the construction period. Prior to the first occupation of the development hereby permitted the

operational stage elements of the approved 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.

REASON: In order to minimise impacts of lighting on the ecological interests of the site. 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.

14. No development shall take place beyond damp-proof course level until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, type of boundary treatment and timetable for the provision of said boundary treatments to be erected. The boundary treatment for a specific dwelling shall be completed before the occupation of the dwelling to which the boundary treatment is provided with other communal boundaries provided in accordance with the timetable agreed in writing with the local planning authority and shall thereafter be retained at all times.

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.

15. No part of the development shall be occupied/brought into use until the access junctions and visibility splays have been constructed in accordance with the approved details. ITB13162-GA-013 Rev B and ITB13162-GA-016. The visibility splays shall thereafter be kept free of obstruction at all times.

REASON: In the interests of highway safety.

16. No dwelling erected 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 erection 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.

17. The landscaping scheme, submitted under Condition 1 shall be implemented in accordance with a scheme to be submitted (including a delivery timetable) 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.
18. No work 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.
19. Full details of all necessary ecological mitigation and compensation measures (to be informed as necessary by up-to-date survey and assessment) shall be submitted for approval to the Local Planning Authority in the form of a Biodiversity Mitigation Strategy with each reserved matters application. Such details shall be in accordance with the outline ecological mitigation and compensation measures detailed within the submitted Ecological Appraisal Report (updated in September 2020) by Lindsay Carrington Ecological Services Ltd. Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority. REASON: to provide ecological protection and compensation in accordance with Wildlife & Countryside Act 1981.
20. The development shall be undertaken in accordance with the recommendations contained within the submitted Arboricultural Assessment and Method Statement report, Barrell Tree Consultancy, 29 March 2018, 17387-AA2-PB, accompanying Tree Protection Plan (17387-BT3) and Manual for Managing Trees on Development Sites information. The tree/hedgerow protection shall be retained through the development period until such time as all

equipment, machinery and surplus materials have been removed from the site.

REASON: To ensure protection of important trees and hedgerows.

21. No materials obtained from site clearance or from construction works shall be burnt on the site.

REASON: In the interests of the living conditions of the occupiers of neighbouring properties.

INFORMATIVES:

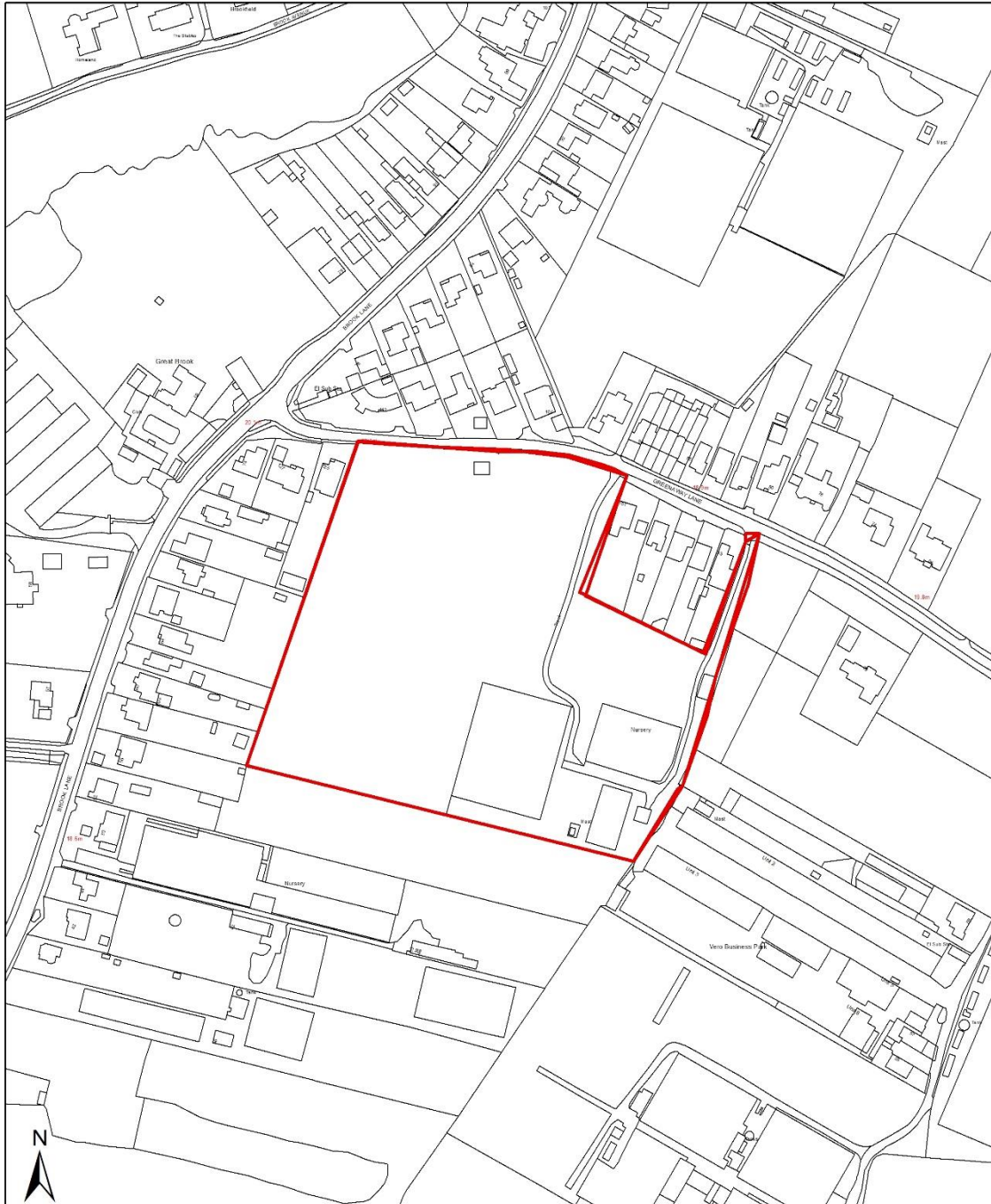
- a) A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
- b) Applicants should be aware that, prior to the commencement of development, contact must be made with Hampshire County Council, the Highway Authority. Approval of this planning application does not give approval for the construction of a vehicular access, which can only be given by the Highway Authority. Further details regarding the application process can be read online via <http://www3.hants.gov.uk/roads/apply-droppedkerb.htm> Contact can be made either via the website or telephone 0300 555 1388.(II)

10.0 Background Papers

P/19/0402/OA

FAREHAM

BOROUGH COUNCIL



Land Adjacent to 125 Greenaway Lane

Scale 1:2,500

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