

OFFICER REPORT FOR COMMITTEE

DATE: 20 January 2021

**P/20/1007/FP
RGOM**

**SARISBURY WARD
AGENT: RGOM**

RESIDENTIAL DEVELOPMENT OF 4 SELF-BUILD DWELLINGS, AMENITY AREAS, WITH ACCESS OFF BURRIDGE ROAD (AMENDED SCHEME TO P/18/1252/FP)

21 BURRIDGE ROAD, BURRIDGE, FAREHAM, SO31 1BY

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

- 1.1 An appeal against the non-determination of this application has been submitted to the Planning Inspectorate. The Planning Inspectorate notified the Council on 11th December 2020 of the receipt of the appeal although no confirmation has yet been received that they have accepted it as valid.
- 1.2 Whilst this Council is no longer able to decide this application it is necessary for Members to confirm the case that this Council will present to the Planning Inspector. This report sets out all the relevant policies and relevant material considerations and invites Members to confirm the decision they would have made if they had been able to determine the planning application. This will then become the Council's case in respect of the forthcoming appeal.

2.0 Site Description

- 2.1 The application site is located within the defined countryside and is not located close to or adjacent to the existing defined urban area. The site is located on the southern side of Burrridge Road, which comprises an existing ribbon of residential development that extends westwards on the western side of Botley Road (B3051), which connects Botley (to the northwest) to the settlements of the Western Wards and the M27 to the east and southeast. Burrridge is a small village comprising limited services and facilities, formed along the Botley Road.
- 2.2 The application site is located in a backland position, to the rear of 23, 25, 27 and 29 Burrridge Road, and to the west of 21 and 21a (the annex to 21) Burrridge Road. The site is accessed via an existing single track access road serving 21/21a Burrridge Road, and is situated between 19 and 23 Burrridge Road.

- 2.3 The position of 21/21a Burr ridge road (to the immediate east of the site) is situated on an elevated position, and the ground drops sharply to the west beyond the raised gravelled parking area that serves 21/21a Burr ridge Road. Beyond the slope, the western part of the site is more level, and currently forms the lawned garden area of 21 Burr ridge Road. The site's boundaries are largely formed by mature trees and hedging, characteristic of the rural nature of the site.

3.0 *Description of Proposal*

- 3.1 The application, submitted in full, comprises four 4-bedroom detached chalet bungalow style dwellings, set in landscaped plots with car parking provision for the individual houses, access roads to serve the new dwellings and 21/21a Burr ridge Road.
- 3.2 The four dwellings share design ideas but are individually designed to seek to better reflect the varied character of properties along Burr ridge Road.
- 3.3 The application has been supported by a detailed planning statement, design and access statement, ecological reports and noise impact assessment.

4.0 *Policies*

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2: Housing Provision

CS4: Green Infrastructure, Biodiversity and Geological Conservation

CS5: Transport Strategy and Infrastructure

CS6: The Development Strategy

CS14: Development Outside Settlements

CS17: High Quality Design

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:

National Planning Policy Framework (February 2019)

- 4.2 Members will be aware that the Publication Version of the emerging Fareham Local Plan, which addresses the Borough's development requirements up until 2037 was until recently out for its first round of public consultation. At this early stage in the plan preparation process, the draft plan carries limited weight in the assessment and determination of planning applications.

5.0 Relevant Planning History

- 5.1 The following planning history is relevant:

P/18/1252/FP	Six 4-bedroom detached dwellings, amenity areas and a means of access from BurrIDGE Road
REFUSED	25 April 2019
APPEAL	21 April 2020
DISMISSED	

6.0 Representations

- 6.1 Twenty-seven representations have been received from twenty-six different addresses, of which twenty-one representations of objection have been received and five representations of support.

- 6.2 The representations of objection raise the following concerns regarding the development proposal:

- Contrary to Local Plan policies;
- Development in the countryside;
- Inappropriate backland development;
- New development of 3,500 houses at North Whiteley will already burden local infrastructure;
- Overstretched public services – doctors, dentists, schools...
- Out of character – ribbon road frontage development with long back gardens;
- Overly dense development compared to remainder of BurrIDGE Road;
- Highway safety concerns - steep narrow access track;
- Access from BurrIDGE Road to Botley Road already dangerous;
- Inadequate visitors parking;
- Drainage and flooding issues;
- Impact on wildlife;
- Impact on designated sites around The Solent;
- Unsustainable location – no public transport;

- It would encourage others to try developing in their gardens;
- Bin storage on Burrridge Road a health and safety risk;
- Noise disturbance to neighbouring properties along access track;
- Self build properties could exacerbate the disturbance due to elongated built time;
- Impact on ancient woodland and ancient/veteran trees;
- Overlooking and loss of privacy.

6.3 The representations of support highlight that the development proposal would result in a discrete development, with good sized properties in well-proportioned plots, sympathetic to the character of Burrridge. Policies of the Draft Local Plan supports the provision of small-scale development outside the defined urban area.

7.0 Consultations

EXTERNAL

HCC Highways

7.1 Following receipt of additional and amended information, no objection was raised to the proposed development, subject to conditions.

INTERNAL

Ecology

7.2 Enhancements to boundary planting supported together with the provision of other biodiversity enhancements which would need to be controlled by planning condition. However, due to the age of submitted reports, updated ecology surveys would be required to ensure that the site conditions remain unchanged.

7.3 Further, in accordance with Natural England advice, the development is likely to have a significant effect on European designated sites due to increases in wastewater and recreational disturbance from the new housing.

Trees

7.4 No arboricultural grounds for refusal. Condition required for tree protection.

Environmental Health (Noise and Pollution)

7.5 The developer has submitted a letter from a noise consultant which concludes no significant adverse impact. No objections raised in respect of noise from the development.

Streetscene (Waste and Recycling)

- 7.6 The bin collection point at the site entrance to the development is acceptable.

Streetscene (Open Space)

- 7.7 The developer or residents would need an appropriate management company to ensure the communal areas are properly maintained.

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) Implications of Fareham's current 5-year housing land supply position;
- b) Residential development in the countryside;
- c) Policy DSP40 (Housing Allocations);
- d) Other matters; and,
- e) The planning balance.

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

- 8.2 A report titled 'Five Year Housing Land Supply Position' was reported to Members' at the Planning Committee in June 2020. That report set out this Council's local housing need along with this Council's current housing land supply position. The report concluded that this Council has a 4.03 years of housing supply against the new 5YHLS.

- 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 the policies of the extant Development Plan, unless material considerations indicate otherwise. Material consideration include the planning policies set out in the National Planning Policy Framework 2019 (NPPF).

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

- 8.6 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.

- 8.7 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:

- a) Approving development proposals that accord with an up-to-date development plan without delay; or,*
- b) 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.”*

- 8.8 A 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 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.”

- 8.10 The following sections of the report assesses the application proposals against national planning policy and this Council's adopted Local Plan policies and considers whether it complies with those policies or not. A further material consideration is a determination of an appeal for a similar scheme which was dismissed in April 2020. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

- 8.11 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. This view was shared by the Planning Appeal Inspector in the 2020 appeal decision.

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

- 8.13 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).”

- 8.14 The site is clearly outside of the defined urban settlement boundary and the proposal does not comprise one of the acceptable forms of development listed in Policy CS14. 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. The previous Planning Appeal Inspector concurred with this assessment.

c) Policy DSP40 (Housing Allocations)

- 8.15 Policy DSP40 of the Local Plan Part 2 states that:

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

- i) The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall;*
- ii) The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;*
- iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;*

- iv) *It can be demonstrated that the proposal is deliverable in the short term; and,*
- v) *The proposal would not have any unacceptable environmental, amenity or traffic implications'.*

8.16 Each of these five points are considered in turn below.

Policy DSP40 (i)

8.17 The proposal is for 4 dwellings and is therefore relative in scale to the 5YHLS shortfall and as such point (i) of Policy DSP40 is satisfied.

Policy DSP40 (ii)

- 8.18 The application site lies within the designated countryside on the western side of Botley Road, which opens out to the wider countryside stretching down to the banks of the River Hamble, which is less than a kilometre to the west. Much of this land comprises the Swanwick Lakes Nature Reserve with the only substantive built form comprising the existing ribbon of residential development along BurrIDGE Road. The defined urban settlement boundary is located approximately 300 metres to the east of the site, on the eastern side and beyond the road frontage development of Botley Road. The urban settlement boundary currently comprises the western edge of the higher density development of Whiteley.
- 8.19 BurrIDGE Road is a quiet, ribbon of road frontage residential development stretching into the open countryside, with many of the properties comprising long rear gardens with the open countryside beyond. The proposal would not therefore be sustainably located adjacent to, or well related to the existing urban area. Its backland character would also be fundamentally contrary to the road frontage development and would not therefore be well integrated with the neighbouring settlement.
- 8.20 In addition, BurrIDGE contains very limited services and facilities, meaning most residents are required to access local services and facilities, such as doctors, shops, cafes, schools and employment by private vehicles. The closest railway station (Swanwick) is a considerable walk away along a busy, heavily trafficked road, and all services and facilities in Whiteley are located on the eastern side of Botley Road.
- 8.21 In paragraph 17 of the Planning Appeal Decision, the Inspector incorrectly stated that there are frequent buses along Botley Road, whilst acknowledging that the railway station is within 2 kilometres of the site. There are no public buses that operate through BurrIDGE along this section of Botley Road, and mapping indicates that the station is 2.25 kilometres away, an estimated 30 minute walk away on an undulating, in part narrow footpath. The relative

distance, over 2 kilometres, to the railway station and the lack of any public buses along Botley Road through Burrridge greatly reduces the sustainability of the site, of which the Inspector considered were material considerations that could outweigh the conflict to point (ii) of Policy DSP40. However, Officer's remain of the opinion that the development of the site would not sustainably located or well related to the urban settlement boundary.

- 8.22 It is therefore considered that the proposal fails to accord with point (ii) of Policy DSP40.

Policy DSP40 (iii)

- 8.23 As stated in the preceding paragraphs Burrridge Road is characterised by road frontage residential properties along its length. The only exception to this is the adjoining property at 21 Burrridge Road, which largely predates the majority of the other properties along Burrridge Road. However, despite this, its backland presence has not been replicated elsewhere along the road with all other properties essentially fronting the street. This view has also been corroborated in recent appeal decisions for backland development along Burrridge Road (including the appeal for the current application site).
- 8.24 In view of this, road frontage development is the prevailing character of Burrridge Road, and therefore the introduction of this small backland residential estate would appear wholly incongruous with the general pattern of development. Policy CS17 requires that new development respond positively to and be respectful of the key characteristics of the area, including scale, form and spaciousness.
- 8.25 Whilst the development has been reduced from six dwellings to four dwellings, and the overall design of the proposed properties are more sympathetic to the mixed style along Burrridge Road, the scheme would still result in a higher density development than the remainder of Burrridge Road, and fail to accord with the overarching ribbon, road frontage character.
- 8.26 Paragraph 6 of the dismissed appeal decision which related to the scheme of 6 dwellings states that:

'Whilst the site would be screened from the main road the introduction of this pattern of development, which would fail to create a positive layout or respect the more varied ribbon style development that dominates the wider area, would be significantly harmful to the character of the area. The fact that the character is semi-urban does not justify the introduction of a cramped and ill-considered layout'.

- 8.27 The Inspector continued to confirm in paragraph 8 that the development proposal would result in '*significant harm to the character and appearance of the area*', conflicting with policies CS17 and criteria (iii) of DSP40.
- 8.28 Despite the changes made since the earlier application and appeal, Officer's remain of the opinion that the proposal would not be sensitively designed to reflect the mixed character of the area and its back land situation fails to accord with the prevailing character of road frontage, ribbon development along BurrIDGE Road. The application therefore fails to comply with Policy CS17 and point (iii) of DSP40.

Policy DSP40 (iv)

- 8.29 Whilst the application proposes that the four dwellings would be self-builds, the application has been submitted in full detail and therefore, given the scale of the proposed development, it would be capable of being delivered in the short term. The proposal would therefore comply with point (iv) of DSP40.

Policy DSP40 (v)

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

Environmental/Ecology

- 8.31 The application has been supported by a Preliminary Ecological Survey, Dormouse Survey and 2019 Ecology Addendum. Given the nature of the site, maintained grassland, there were no significant ecological issues regarding the proposed development of the site. However, the Council's Ecologist had requested updated survey work be undertaken to ensure no significant changes had taken place, particularly in view of the boundary planting and trees. However, no updated survey work was provided and as such the potential ecological implications remain unconfirmed and could result in a detrimental impact on protected species on or around the site.
- 8.32 The Council's Tree Officer raised no objection to the scheme, subject to a condition requiring boundary tree protection is provided during the course of the construction period.
- 8.33 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.

- 8.34 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.
- 8.35 In light of their importance, areas within The Solent have been specifically designated under UK law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC).
- 8.36 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 the 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, or the Planning Inspectorate in regard to an Appeal.
- 8.37 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.
- 8.38 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England has provided a methodology for calculating nutrient budgets and options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advise Local Planning Authorities to

take a precautionary approach when addressing uncertainty and calculating nutrient budgets.

- 8.39 No nitrate neutrality information has been provided by the applicant in relation to this application, and therefore it can only be concluded that the development would increase nitrogen loading onto the EPS and would therefore have an unacceptable impact, conflicting with Policies CS4, DSP13.
- 8.40 In addition to the impacts set out above, it is recognised that increasing the number of houses close to the Special Protection Areas could result in increased recreational disturbance to over-wintering birds and have a likely significant effect. The Solent Recreation Mitigation Partnership Strategy (SRMP) has been developed to address this potential impact. Subject to appropriate financial contribution being secured, which the applicant confirms would be forthcoming in the event that planning permission was being recommended, Officers believe that this likely significant effect can be satisfactorily mitigated. However, no mitigation has been provided and therefore the likely significant effect remains.
- 8.41 The application proposal is therefore considered contrary to point (v) – Environmental Impact of DSP40, whilst also conflicting with CS4, DSP13 and DSP15.

Amenity Implications

- 8.42 The applicants have had regard to the various concerns raised regarding the impact of the earlier development proposed on the living conditions of existing and future occupiers. The application has been supported by the noise assessment highlighting that the increased level of activity along the access track, and in particular the relative proximity to habitable rooms in 19 and 21a BurrIDGE Road, would not be excessive. The noise assessment has been considered by the Council's Environmental Health Officers who have raised no objection. The matter was also considered by the Planning Appeal Inspector to the scheme for 6 dwellings, and again raised no concerns.
- 8.43 In terms of the revised layout and the reduction in number of units, there would now be no direct overlooking between the existing and proposed dwellings, and the levels of separation are acceptable. Despite the fact that the proposal would result in a density of development greatly higher than the prevailing character along BurrIDGE Road, largely to the extensive gardens most of the houses along BurrIDGE Road benefit from, each of the dwellings would have gardens in excess of 11 metres in length (lengths ranging from 17 metres to 20 metres).

- 8.44 However, despite the suitability of the current layout on the living conditions of existing and future occupiers, household waste and recycling are proposed to be collected from a bin collection point adjacent to the site entrance with Burr ridge Road. The distance for Plot 3 to the kerbside at Burr ridge Road would be in excess of 130 metres, including having to pull full wheelie bins up a steep slope. The earlier proposal for six dwellings included provision for the entering and exiting of refuse vehicles in a forward gear on the site for their weekly collections. Given the excessive distances it represents a poor quality of design, detrimental for future occupiers of the proposed dwellings.
- 8.45 It is therefore considered that the proposed development would result in an unacceptable adverse impact on the living conditions for future occupiers, and therefore fails to accord with point (v) – amenity implications of DSP40.

Traffic Implications

- 8.46 In respect of the traffic impact from the development proposal, the application has been considered by Hampshire County Council, as the Highway Authority. The County Transport Planner has raised no objection on the suitability of the access driveway, including passing places and visibility splays onto Burr ridge Road, together with the confirmation of the provision of a sprinkler system for each dwelling, addressing the need for a fire tender vehicle to enter the site.
- 8.47 The development provides sufficient private car parking provision for each of the dwellings, comprising driveway parking and open car ports. A further six spaces outside the application site would be retained for 21 and 21a Burr ridge Road. In addition, one additional visitors' space would be provided.
- 8.48 The car parking arrangement and level of car parking accords with the Council's Residential Car Parking Standards SPD and is therefore acceptable.
- 8.49 Therefore, the access arrangements are considered to be acceptable and the car parking provision meeting the adopted standards. Therefore, the proposal accords with point (v) – traffic implications of DSP40.
- 8.50 In summary therefore, the proposed development fails to accord with requirements of points (ii), (iii) and (v) of Policy DSP40 of the adopted Local Plan.

d) Other Matters

- 8.51 Nationally Described Space Standards: The proposed dwellings, which are all four bedroomed, two storey dwellings, all comply the minimum requirements of the nationally described space standards, which is sought within Policy CS17 of the adopted Local Plan.

e) The Planning Balance

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

“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”.

- 8.53 As set out above, the effect of paragraph 177 of the NPPF is that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats 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”.

- 8.54 In this instance Officers have identified likely significant effects on a habitats site, and in particular, the lack of mitigation against the impact of increasing levels of nitrogen on the protected sites around The Solent as a result of increased numbers of residential properties. Officers have not undertaken an Appropriate Assessment. Accordingly, the presumption in favour of sustainable development set out in paragraph 11 of the NPPF does not apply.

- 8.55 The site is outside of the defined urban settlement boundary and the proposal does not relate to agriculture, forestry, horticulture or required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Sites and Policies Plan.

- 8.56 Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations which is engaged as this Council cannot demonstrate a 5YHLS. Officers have also given due regard to the updated 5YHLS position report from the June 2020 Planning Committee and the Government steer in respect of housing delivery.

- 8.57 In weighing up the material considerations and conflict between policies, the development of the site in the countryside weighed against Policy DSP40, Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall and could be achieved in the short term. However, the proposal fails to accord with points (ii), (iii) and (v) of Policy DSP40, in that it would be poorly related to the existing urban area, out of character with the current pattern and scale of residential development in

Burrige Road, and the layout of the scheme would result in an unacceptable means of refuse and recycling collection for future occupiers. Furthermore, if it had not been for these overriding objections, updated survey work would have been sought to ensure that protected species on or immediately around the site would not be materially harmed by the proposals.

8.58 Having carefully considered all relevant material planning considerations, Officers would have recommended that planning permission should be refused for this proposal.

8.59 Members are invited to confirm that had they been able to determine the application they would have refused it for the reasons set out below. The position agreed by Members will then be presented as the Council's case to the Planning Inspector.

9.0 Recommendation

Members confirm that had they had the opportunity to determine the application they would have REFUSED it for the following reasons:

The development would be contrary to Policies CS2, CS6, CS14 and CS17 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP1, DSP2, DSP3, DSP6, DSP13, DSP15 and DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plan, and is unacceptable in that:

- i) The provision of dwellings in this location would be contrary to adopted local plan policies which seeks to prevent residential development in the countryside. Further, the development would not be sustainably located adjacent to or well integrated with the neighbouring settlement area.
- ii) The introduction of dwellings in this location would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped, backland location, which would be out of character with the prevailing pattern of development in the area.
- iii) As a result of the poor layout design, the proposal would result in an excessive distance for refuse/recycling bins to be taken to and from the proposed properties, to the detriment of future residents.
- iv) Insufficient information has been provided to adequately demonstrate that no harm would be caused to features of ecological importance on and surrounding the site and protected species.

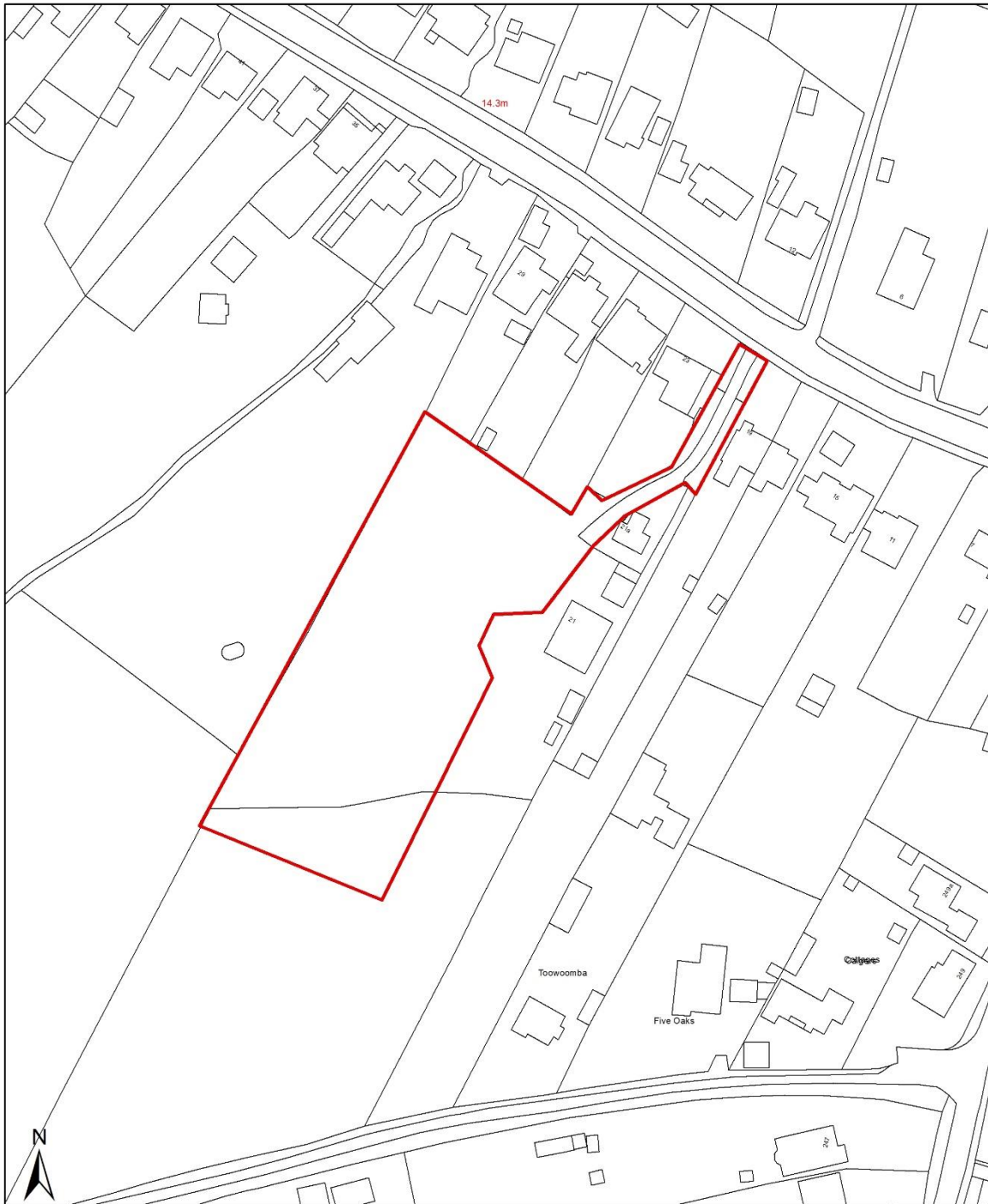
- v) The proposal would have likely adverse effects on the integrity of European Protected Sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.
- vi) In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent and Southampton Waters Special Protection Area and the Portsmouth Harbour Special Protection Area.

10.0 Background Papers

P/20/1007/FP

FAREHAM

BOROUGH COUNCIL



21 Burrige Road
Scale 1:1,250

© Crown copyright and database rights 2020 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.