

OFFICER REPORT FOR COMMITTEE

DATE: 17 February 2021

P/20/0418/OA

DRIFTSTONE DEVELOPMENTS LTD

STUBBINGTON WARD

AGENT: SENNITT PLANNING

OUTLINE APPLICATION FOR THE PROVISION OF UP TO 16 DWELLINGS AND TWO NEW VEHICULAR ACCESSES ONTO RANVILLES LANE AND THE RELOCATION OF THE EXISTING ACCESS ONTO OAKCROFT LANE (RE-SUBMISSION OF P/18/0263/OA)

THE GRANGE, OAKCROFT LANE, STUBBINGTON, FAREHAM, PO14 2EB

Report By

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1.0 Introduction

- 1.1 This application is being reported to the Planning Committee for a decision due to the number of third party letters of objection received.
- 1.2 Members will note from the 'Five Year Housing Land Supply Position' report considered earlier in the Planning Committee that this Council currently has a housing land supply of 4.2 years.
- 1.3 To meet the Council's duty as the competent authority under the Conservation of Habitats and Species Regulations 2017 ("the habitats regulations"), a Habitats Regulations Assessment is required to consider the likely significant effects of the development on the protected sites around The Solent. An Appropriate Assessment has been undertaken and concluded that the development proposal will not have an adverse effect on the integrity of the protected sites around The Solent subject to mitigation. Further details of this have been set out in the following report.
- 1.4 This planning application represents a re-submission following an earlier refused proposal (Application P/18/0263/OA). That application was refused by the Planning Committee in January 2019 for the following reasons:

The development would be contrary to Policies CS14, CS17, CS18, and CS22 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP15 and DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plans and is unacceptable in that:

- a) *The application site lies outside the defined urban settlement boundary where the introduction of residential development would fail to respond*

positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature. In addition the proposed development would adversely affect the integrity of the strategic gap and the physical and visual separation of settlements. Notwithstanding the Council's 5-year housing land supply position, the provision of dwellings in this location would not outweigh the harm;

b) Had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing and a commuted sum for an off-site provision at a level in accordance with the requirements of the Local Plan;

c) 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 Waters Special Protection Areas.

1.5 Following that refusal by the Planning Committee the applicant submitted a proposal for nine dwellings (reported elsewhere on this agenda), which seeks to address the concerns raised by the Planning Committee, namely the siting of nine of the dwellings within the defined residential curtilage of The Grange.

1.6 The applicant also lodged an appeal to the Planning Inspectorate in respect of the Council's refusal of the 16 unit scheme; that appeal was dismissed in October 2019. The Planning Appeal Inspector determined that the proposal would be fully compliant with Policy DSP40, and only dismissed the appeal on the issue of nitrate impact. That matter has now been addressed within the current submission.

2.0 Site Description

2.1 The application site is located on the northern edge of Stubbington, and comprises the site of a former, large detached dwelling known as The Grange and an adjoining field. The Grange, constructed in the late 1960s, was essentially abandoned by its owner which resulted in considerable health and safety issues and its subsequent demolition in 2018.

2.2 The site is bounded to the west by the southern end of Ranvilles Lane. Along its northern boundary is Oakcroft Lane, which forms the northern perimeter road of Stubbington.

2.3 To the east and south of the application site lies Crofton Cemetery, and to the southwest lie six existing two storey properties on Farm House Close. Between the cemetery and the application site lies a small stream, along

which runs a ribbon of mature trees and shrubs. The boundary of The Grange itself is contained by a belt of mature leylandii trees (to Ranvilles Lane and Oakcroft Lane), and to the southern-eastern boundary of the residential curtilage is a belt of mature poplar trees, which separate the residential plot from the open field to the south.

- 2.4 To the south of the site lies Crofton Old Church, a Grade II* listed property set within its historic churchyard. The larger cemetery on the eastern boundary of the application site is a more recent expansion to the churchyard and is connected by a bridge to the southeast of the application site. Glimpsed views of the church are achieved through the existing field entrance to the site from Oakcroft Lane.
- 2.5 The Church and properties along Farm House Close are set in an elevated position, with the ground on the application site gently sloping to the north and east towards the lower level of Oakcroft Lane.

3.0 *Description of Proposal*

- 3.1 The application proposal is submitted in outline form with access and layout to be considered for 16 dwellings. Nine of the dwellings are within the original residential curtilage of The Grange and are sited in with the same locations as shown in planning application P/19/0483/FP reported elsewhere on this agenda. The scheme has been carefully designed to ensure that the glimpsed views of Crofton Old Church are maintained from Oakcroft Lane.
- 3.2 The remaining seven dwellings are located on an undeveloped field to the southeast of the residential curtilage of The Grange, which is currently accessed by a field gate adjacent to the existing access to The Grange. Two new access points would be created along Ranvilles Lane, and a new altered access from Oakcroft Lane. In addition to the new accesses along Ranvilles Lane, the overall width of Ranvilles Lane would be widened along its length between the junction with Oakcroft Lane to the northern side of the proposed new main access into the site.
- 3.3 The low density, edge of settlement development would incorporate a large area of open space through the centre of the site, maintaining an unimpeded view of the church when viewed from Oakcroft Lane.
- 3.4 The planning application has been supported by a detailed Planning, Design and Access Statement, Ecological Surveys, Tree Reports, Transport Statements, Landscape and Visual Impact Assessment, and a Flood Risk and Surface Water Disposal Assessment. The applicant has secured nitrate mitigation credits via the Hampshire and Isle of Wight Wildlife Trust scheme at Little Duxmore Farm on the Isle of Wight.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2:	Housing Provision
CS4:	Green Infrastructure, Biodiversity and Geological Conservation
CS5:	Transport Strategy and Infrastructure
CS6:	The Development Strategy
CS11:	Development in Portchester, Stubbington & Hill Head and Titchfield
CS14:	Development Outside Settlements
CS15:	Sustainable Development and Climate Change
CS16:	Natural Resources and Renewable Energy
CS17:	High Quality Design
CS18:	Provision of Affordable Housing
CS20:	Infrastructure and Development Contributions
CS22:	Development in Strategic Gaps

Adopted Development Sites and Policies

DSP1:	Sustainable Development
DSP2:	Environmental Impact
DSP3:	Impact on Living Conditions
DSP5:	Protecting and Enhancing the Historic Environment
DSP6:	New Residential Development Outside of the Defined Urban Settlement
DSP13:	Nature Conservation
DSP15:	Recreational Disturbance on the Solent Special Protection Areas
DSP40:	Housing Allocations

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/18/0939/PA	Demolition of Four Bedroomed Detached House
Prior Approval	29/08/2018
Not Required	
P/18/0263/OA	Outline application for the provision of up to 16

dwellings and two vehicular accesses onto Ranvilles Lane, and the relocation of the existing access onto Oakcroft Lane

Refused 25/01/2019

Appeal Dismissed 10/10/2019

P/19/0483/FP Development comprising 9 dwellings, together with access, landscaping, car parking and associated works

**Pending
Determination**

6.0 Representations

6.1 Twenty four letters of objection (from twenty two addresses) raising objections to the application proposal. The reasons for their objection to the application are set out below:

- Development in the Strategic Gap;
- Development in the designated Countryside;
- Impact on local wildlife and ecology;
- Highway safety concerns with Ranvilles Lane;
- Inadequate car parking provision;
- Flood risk concerns;
- Impact on local services and facilities;
- Out of character;
- Loss of privacy and overlooking;
- Loss of trees;
- Impact on character of cemetery;
- Impact on nearby Public Right of Way;
- Contamination risk on stream;
- Noise and air pollution;
- Impact on setting of Listed Building;
- Increased disturbance of bird population;
- Impact on nitrogen loading onto the protected sites around the Solent.

7.0 Consultations

EXTERNAL

Natural England

7.1 No objection, subject to a suitable drainage system being installed to ensure no pollution of the nearby stream.

Environment Agency

- 7.2 Further details on the submitted Flood Risk Assessment needed. This information has been provided by the applicant to the Environment Agency which should address their objection. Final comments awaited.

HCC Highways Authority

- 7.3 No objection, subject to conditions and Section 106 legal agreement.

HCC Children's Services (Education)

- 7.4 No objection, no contribution required due to scale of proposal.

HCC Lead Local Flood Authority

- 7.5 No objection, subject to conditions.

HCC Archaeology

- 7.6 No objection

Southern Water

- 7.7 No objection.

Historic England

- 7.8 Concerns on heritage grounds due to setting of Listed Building. The Local Planning Authority need to consider the application having regard to the requirements of the National Planning Policy Framework.

INTERNAL

Conservation Planner

- 7.9 No objection raised – the proposal respects the setting of the Listed Building by retaining important views.

Affordable Housing Officer

- 7.10 No objection, subject to contributions being secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990.

Recycling Co-ordinator

- 7.11 No objection, subject to swept path diagram being agreed with the Transport Planner.

Principal Tree Officer

- 7.12 No objection, subject to conditions.

Ecology

7.13 No objection, subject to conditions.

Environmental Health (Contaminated Land)

7.14 No objection, subject to condition and informative.

Environmental Health (Noise and Pollution)

7.15 No objection, subject to conditions. Concerns about noise disturbance from the RSPCA Ark and By-pass, but can be addressed by acoustic windows and trickle vents in north facing windows.

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) Implications of Fareham's Current 5-Year Housing Land Supply Position (5YHLS);
- b) Residential Development in the Countryside;
- c) Policy DSP40 (Housing Allocations);
- d) Other Matters;
- e) The Planning Balance.

a) Implications of Fareham's Current 5-Year Housing Land Supply Position (5YHLS)

8.2 A report titled "Five Year Housing Land Supply Position" was reported for Member's information earlier in this Planning Committee. 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 4.2 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 indicated 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 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:

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

8.8 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 117 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 In this particular case an appropriate assessment has been undertaken and concluded that the development proposal will not have an adverse effect on the integrity of the protected sites around The Solent subject to the proposed

mitigation being secured. Officers consider that the presumption in favour of sustainable development set out in paragraph 11 of the NPPF applies.

- 8.11 The following sections of the report assesses the application proposals against this 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. Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. The application site lies within an area which is outside of the defined urban settlement boundary.

- 8.13 Policy CS14 (Development Outside Settlements) of the Core Strategy states that:

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

- 8.14 Policy DSP6 (New Residential Development Outside of the Defined Urban Settlement Boundaries) of the Local Plan Part 2: Development Sites and Policies Plan states – there will be a presumption against new residential development outside of the defined urban settlement boundaries (as identified on the Policies Map).

- 8.15 The site is clearly outside of the defined urban settlement boundary of Stubbington 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) Consideration of Policy DSP40: Housing Allocations

- 8.16 Policy DSP40: Housing Allocations, 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”.*

8.17 Each of these five bullet points are worked through in detail below.

Policy DSP40 (i)

8.18 The proposal, submitted in outline, is for the construction of 16 dwellings. This is considered to be relative in scale to the demonstrated 5 year housing land supply shortfall and would therefore accord with part (i) of Policy DSP40. This consideration was not raised as a reason for refusal in the original application and the Appeal Inspector concurred that the scheme accorded with part (i) of Policy DSP40.

Policy DSP40 (ii)

- 8.19 The site is located within the designated countryside but does lie in close proximity to the defined urban settlement boundary of Stubbington and Hill Head, with good accessibility to local services, facilities, schools and employment provision. Pedestrian links to the existing public footpath along Ranvilles Lane and through the site to the public right of way linking to Marks Tey Road will ensure connectivity from the site to the remainder of Stubbington.
- 8.20 A modern residential development is located immediately to the southwest of the site (Farm House Close), and the proposed development would be well related to this development, and seen as an extension to the urban development along this part of Stubbington. The low density, landscaped character of the proposed development would ensure a soft transition for this edge of settlement location, which would provide a strong defensible boundary along this part of Ranvilles Lane and Oakcroft Lane to the northern part of Stubbington.
- 8.21 Officers therefore consider that the proposals can be well integrated with the neighbouring settlement, whilst offering a considerable enhancement to the site and the character of Ranvilles Lane, in accordance with point (ii) of Policy

DSP40. Consideration of part (ii) was not raised as a reason for refusal in the original application and the Appeal Inspector concurred that the scheme accorded with part (ii) of Policy DSP40.

Policy DSP40 (iii)

- 8.22 The site is within an area designated as countryside, and forms part of the Fareham-Stubbington Strategic Gap. The site is identified within the Fareham Landscape Assessment (2017) as being within the Fareham – Stubbington Gap, as Enclosed Coastal Plain. The application is also supported by a detailed Landscape and Visual Appraisal. The Council's Landscape Assessment highlights that:

'There may be some limited scope for development in areas where there is an existing structure of vegetation to help integrate it into the landscape and where it is closely associated with existing built development around the fringes of the settlement (i.e. not out in open countryside) or character is already affected by urban influences, e.g. enclosed land on the northern edge of Stubbington... However, any such development would need very sensitive siting, design and mitigation to avoid piecemeal attrition of the area's overall rural character'.

- 8.23 Whilst the existing site is well contained, and the proposal includes the removal of the existing mature unsympathetic biodiversity poor leylandii hedgerow fronting Ranvilles Lane/Oakcroft Lane, it would be replaced with a more traditional mixture of native hedgerow and tree planting to ensure the site is well contained. It is considered that the low density of the development proposal and its proposed landscaped character would create a new soft urban fringe to Stubbington, whilst ensuring it does not extend into the open, arable farmland on the northern site of Oakcroft Lane. The Appeal Inspector also agreed that the *'removal and replacement with more appropriate planting along Ranvilles Lane would lead to a visual improvement to the appearance of this area, albeit that the housing would be visible within the site from these public vantage points'*.
- 8.24 The development of the site would see a minor incursion into the Strategic Gap. Having regard to the sensitivity and development potential in the Landscape Assessment, carefully sited, designed and mitigated development in this location would be needed to ensure it would not have a significant impact on the overall integrity of the Strategic Gap. The proposal would represent an appropriate urban fringe development, in a heavily landscaped setting, respecting its location within the countryside.
- 8.25 In respect of the Appeal Decision the Inspector commented that the proposals would make only a;

‘minor incursion into the Gap, and the boundary of the development would be clearly defined by the cemetery, Ranvilles Lane and Oakcroft Lane’.

- 8.26 The Inspector considered the potential conflict with Policy CS22, which he highlighted does not exclude all development within the Strategic Gap but requires an assessment of the impact against the policy criteria. The Inspector concluded that;

‘as the scheme would make only a minor incursion into the Gap, the integrity of the Gap and the physical and visual separation of Fareham and Stubbington would not be significantly affected’.

- 8.27 The Inspector concluded that by developing the site, there would be no material conflict with Policy CS22 in these circumstances.
- 8.28 Officers therefore consider that this development proposal would respect the character of the neighbouring settlement, minimising any adverse impact on the character and appearance of this part of the countryside, and maintain the integrity of the Strategic Gap. The proposal therefore accords with policy (iii) of Policy DSP40 and complies with Policy CS17.

Policy DSP40 (iv)

- 8.29 In terms of delivery the applicants would be happy to work with the Local Planning Authority to ensure that the proposed redevelopment is brought forward quickly. The site has already been cleared of the original dwelling, and the relatively undeveloped nature of the site would ensure that the application could be commenced in the short term. It is therefore considered that point (iv) of Policy DSP40 is satisfied. This consideration was not raised as a reason for refusal in the original application and the Appeal Inspector concurred that the scheme accorded with part (iv) of Policy DSP40.

Policy DSP40 (v)

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

Environment/Ecology

- 8.31 In respect of environmental implications, the application has been supported by detailed Ecological Surveys, and the Council’s Ecologist has raised no objection to the proposals, subject to the provision of appropriate conditions, including the provision of a Biodiversity Enhancement Strategy, in accordance with the 2018 Ecology Report and the Revised Ecology Update Note 2020. It is considered that subject to compliance with the recommendations of the

ecological reports, the development would not have an adverse impact on those protected species on the site, and the development could result in the provision of protected habitats for bats and water voles. It is considered that the proposal would not have a detrimental impact on the local ecology of the area.

- 8.32 The Council's Tree Officer has reviewed the proposals, due to the relative proximity of the trees on the eastern boundary with Crofton Cemetery, and to assess the impact on the existing vegetation along the southern boundary of Ranvilles Lane and Oakcroft Lane. None of the trees on the site are subject to any preservation orders, and despite the loss of the biodiversity poor leylandii along Ranvilles Lane, those significant trees along the boundary with the cemetery, at the site entrance along Oakcroft Lane and several trees adjacent to the boundary with Farm House Close will be retained and protected during the course of the development. The line of poplar trees through the site would be largely lost as a result of the development. These trees are in a relatively poor condition, several of which are resting on others, and the scheme proposes the provision of a substantial number of additional, native trees around the periphery of the site and along the roadways within the site.
- 8.33 The Council's Tree Officer has raised no objection to the proposed loss of trees and considers that those trees which are proposed to be retained would be adequately protected during the course of the construction, subject to appropriate conditions. Detailed landscaping would be a reserved matter, and the applicants are aware of the need to ensure that a good level of mature planting is proposed to ensure that the proposal integrates quickly into the edge of settlement location.
- 8.34 The site is located within 5.6km of the Solent, and therefore the development is likely to have a significant effect on the following designated sites: Solent and Southampton Waters Special Protection Area and Ramsar Site, Portsmouth Harbour Special Protection Area and Ramsar Site, Solent and Dorset Coast Special Protection Area, Chichester and Langstone Harbours Special Protection Area and Ramsar Site, and the Solent Maritime Special Area of Conservation. These designations are collectively known as the Protected Sites around The Solent. Policy CS4 sets out the strategic approach to biodiversity in respect of sensitive protected 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.

- 8.35 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.
- 8.36 In light of their importance, areas within the Solent have been specifically designated under UK law, and comprise those designations set out above.
- 8.37 Regulation 63 of the Habitats and Special 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 Protected 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 Protected 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.
- 8.38 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the Protected Sites. The key considerations for the Assessment of the likely significant effects are set out below.
- 8.39 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 Protected Sites as a result of increased recreational disturbance in combination with other development in The Solent area. The applicant has acknowledged the need to make the appropriate financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP) and therefore, the Appropriate Assessment concludes that the proposals would not have a likely significant effect on the Protected Sites from recreational disturbance. The SRMP payment would be secured through a Section 106 legal agreement.
- 8.40 Natural England has also 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 Protected Sites.

- 8.41 Natural England has further advised that the effects of emissions from increased traffic along roads within 200 metres of the Protected Sites also has the potential to cause a likely significant effect. The Council's Air Quality Habitat Regulations Assessment highlights that developments in the Borough would not, in combination with other plans and proposals, have a likely significant effect on air quality on the Protected Sites up to 2023, subject to appropriate mitigation.
- 8.42 Finally, in respect the impact on water quality, 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 15.5kg TN/year. Due to the uncertainty of the effect of the nitrogen from the development on the Protected Sites, 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.
- 8.43 The applicant has entered into a contract (conditional on the grant of planning permission) to purchase 15.5kg 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.
- 8.44 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 Protected Sites 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.
- 8.45 Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings that the proposed development will not have a likely significant effect, either alone or in combination with other plans and proposals on the Protected Sites.
- 8.46 It is therefore considered that the development accords with the Habitat Regulations and complies with policies CS4, DSP13 and DSP15 of the adopted Local Plan.

Amenity Implications

- 8.47 In terms of consideration of the amenity impact, the layout of the development largely follows on from that of the earlier refused planning application, which despite being dismissed on appeal, was considered acceptable in all respects regarding Policy DSP40 other than the technical reason of the impact from increased nitrogen loading onto the Protected Sites. The current proposal has been assessed against the advice set out in the Council's adopted Design Guidance. Each of the proposed dwellings would comprise rear gardens broadly in compliance with the minimum standards, with the majority comprising gardens in excess of the minimum 11 metres sought.
- 8.48 In terms of the impact on future occupiers, each property has been orientated to ensure a good level of private outdoor amenity space would be provided for each dwelling. Levels of separation between dwellings also accord with the required standards, ensuring the privacy within the proposed dwellings are acceptable.
- 8.49 The neighbouring properties that back onto the site from Farm House Close all comprise garden lengths of 11 metre or more, and much of the existing boundary vegetation is proposed to be retained along the southern boundary of the site. The only properties likely to have an impact on the living conditions of the neighbouring occupiers are Plots 1 and 7. The side elevation of Plot 1 would be located approximately 11.5 metres away from the rear elevation of 1 Farm House Close, although this part of 1 Farm House Close is a link attached, pitched roof double garage. The main residential part of the property would be located 13.5 metres away, and the two-storey element approximately 23 metres away. It is considered that this relationship is acceptable, provided no habitable room windows are orientated towards 1 Farm House Close.
- 8.50 The properties at 2, 3, and 4 Farm House Close all comprise garden lengths of over 11 metres long, which together with the intervening boundary vegetation, would not have a direct view of Plot 1. The proposed rear elevation of Plot 1 would be located 21.5 metres away from the side elevation of 5 Farm House Close and would be set 15 metres from their mutual boundary.
- 8.51 The main garden area for 5 Farm House Close is located to the north of the property, although it is acknowledged that their patio area is located to the west of the property. The area to the west of the property is well screened by boundary vegetation and would not be significantly impacted by the presence of Plot 1. The other proposed plots associated with the development would be located over 30 metres from the rear elevation of 5 Farm House Close, at

oblique angles, and would not therefore have an unacceptable adverse impact on the living conditions of these occupiers.

- 8.52 The rear elevation of Plot 7 is orientated almost directly southwards, towards the rear gardens of 5 and 6 Farm House Close. The first floor windows of Plot 7 are located 12 metres from the mutual boundary, and over 22 metres from the rear elevation of 6 Farm House Close. Views of the rear garden of 5 Farm House Close would be at an oblique angle and therefore the proposed levels of separation comply with the advice in the adopted Design Guidance and as such it is considered that the proposals would not result in an unacceptable adverse impact on the living conditions of existing occupiers.
- 8.53 The proposal therefore is considered to comply with Policy CS17, DSP2 and DSP3 of the Local Plan.

Traffic Implications

- 8.54 The application includes the creation of two new vehicular access onto Ranvilles Lane, and the realignment of the existing access onto Oakcroft Lane. In addition to the new access arrangements, the application also proposes the overall widening of the length of Ranvilles Lane south of the junction with Oakcroft Lane to the northern side of the proposed new main access into the site. The widening would be considered by Hampshire County Council under a separate Section 278 Agreement and secured by the Section 106 Legal Agreement.
- 8.55 Ranvilles Lane currently has a 'National' unrestricted speed limit, although the narrowness of the land limits the general speed of vehicles along this part of the road (average speeds recorded at only 26 mph). Presently the southern part of Ranvilles Lane and Oakcroft Lane are known to be 'rat runs' providing a link between Peak Lane (to the east) and Titchfield Road (to the west). It is likely that the completion of the Stubbington by-pass (which has now commenced and is due for completion in 2022), would, is anticipated to see the volume of traffic along these lanes reduced. Funding to secure the provision of a Traffic Regulation Order to reduce the speed limit along Ranvilles Lane to 30mph would be secured by a Section 106 Agreement under the Town and Country Planning Act (as amended).
- 8.56 The proposal would include an extension of the pavement from the northern side of 1 Farm House Close along Ranvilles Lane (set behind a new hedgerow and tree line) to the proposed main new access into the site. Pedestrians would then be able to traverse through the site, linking to the revised access on Oakcroft Lane. The path would also link across the proposed open space to the link with the cemetery and the public right of way that connects to Marks Tey Road. The paths would remain in private

ownership, maintained by the management company but would be subject to a planning condition ensuring public access through the site.

- 8.57 The application is supported by Hampshire County Council Highways and the works to Ranvilles Lane would result in an overall improvement to all users of the Lane. The development of the site would also improve pedestrian and cycle access, enabling them to avoid the junction of Ranvilles Lane and Oakcroft Lane. The layout demonstrates that the proposal can accommodate the necessary level of off-street car parking for each of the proposed dwellings, in addition adequate visitors car parking, and appropriate bin storage and collection points for the Borough's Refuse Collection teams.
- 8.58 It is therefore considered that the proposed development accords with point (v – traffic issues) of Policy DSP40, and policy CS17 of the Local Plan.
- 8.59 Overall therefore, it is considered that the development of the site would be fully compliant with the five criteria of Policy DSP40 and would not have a significant visual or physical impact on the overall integrity of this part of the Fareham to Stubbington Gap. This opinion was also the conclusion of the Appeal Inspector to the earlier dismissed scheme for 16 dwellings. The low density, urban fringe character of the proposal would complement the edge of settlement location and has resulted in no objection from the Council's Urban Designer.

d) Other Matters

Affordable Housing

- 8.60 The development proposal requires an on-site contribution of 40% affordable dwellings (equivalent to 6.4 units). The scheme sets out an on-site provision of four units, and therefore the remaining 2.4 units would to be secured as a financial contribution, secured by a Section 106 agreement under the Town and Country Planning Act 1990. This approach has the support of the Council's Affordable Housing Strategic Lead Officer. The type, size, mix and tenure of the properties to be provided on site would need to be agreed with this Authority.

Flood Risk and Land Drainage

- 8.61 The site is located in close proximity to a small stream that forms a tributary to the River Meon (to the east of the site). Plots 12-16 adjacent to the stream have been sited outside the designated Flood Zones and would be constructed to ensure adequate resilience to potential extreme flooding events. Detailed drainage assessments have been undertaken, and no objections have been received from Hampshire County as Lead Local Flood Authority, subject to appropriate conditions. Detailed comments from the

Environment Agency are awaited, although it is considered that their concerns are not insurmountable as they raised no objection to the earlier application P/18/0263/OA.

- 8.62 A detailed Sustainable Urban Drainage System will be employed on the site, draining to two attenuation basins, which will form features in the open space, and will include comprehensive filtration systems, which will be managed in the long term by the estates management company to ensure no pollutants enter the stream, which in turns feeds into the Special Protection Areas. Natural England has been consulted on this approach and is content with the mitigation measures.

Open Space

- 8.63 The development site would comprise a significant proportion of the site converted to public open space, and there would be a significant level of landscaping throughout. These areas would be retained by the developers and transferred to a management company administered by the residents when the site is completed. The open space and landscaping would be considered in detail at Reserved Matters stage, and provision to ensure public access to the open space would be secured by the Section 106 Legal Agreement.

National Space Standards

- 8.64 The application has been considered under the minimum national space standards. The Council's adopted Design Guidance highlights for internal space standards that *'the internal dimensions of a dwelling should seek to meet at least the minimum sizes set out in the National Technical Standards'*. Therefore, Policy CS17, from which the Design Guidance was established applies and developers should seek to meet these standards in order to adhere to the advice in the adopted Local Plan and to meet high quality design standards.
- 8.65 Whilst the planning application has been submitted in outline, a general assessment of the proposed dwellings can be considered based on the floor areas set out in the nine unit scheme (P/19/0483/FP) which is submitted in full detail. It is clear that the scheme would be fully compliant with the space standards, although a detailed assessment would need to be undertaken following the submission of the Reserved Matters application.

Heritage Assets

- 8.66 The southern boundary of the site is bounded by the historic churchyard of Crofton Old Church. The Church is a Grade II* Listed building, and is located next to 17 Lychgate Green, which is a Grade II Listed building (formally known as the Crofton Manor Hotel). The scheme includes a large central area of

public open space that wraps around the boundary of the historic church yard and ensures an important view of the Church from Oakcroft Lane is maintained through the development. Historic England consider the development to have a 'low level' impact, and the revised layout has the support of the Council's Conservation Planner. The large area of open space contributes not only to maintain the view of the Church from the site, but also contributes towards maintaining the edge of settlement/countryside setting of the Church. The development is therefore considered to preserve the setting, character and appearance of the nearby Listed Buildings.

- 8.67 Due to the appeal being dismissed on the grounds of nitrates, the Inspector did not consider it necessary to have regard to the matter of impact on heritage assets. However, having regard to the comments raised by both Historic England and the Council's Conservation Planner, it is considered that the proposal would not have a detrimental impact on the designated heritage assets.
- 8.68 Further, having regard to the relevant advice in the National Planning Policy Framework (NPPF), the low level of impact considered by Historic England needs to be balanced against the response of the Council's Conservation Planner who raised no concerns, particularly as the public perception of the church, when viewed from Oakcroft Lane would be unimpeded by the proposed development. Paragraph 196 of the NPPF highlights that where development proposals would lead to less than substantial harm, the harm should be weighed against the public benefits. The scheme would provide 16 dwellings to contribute towards the current HLS shortfall, whilst also ensuring that the public perception of the heritage assets are unaffected by the development. The level of harm is therefore considered acceptable.
- 8.69 In applying the statutory tests required under Sections 66 and 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works would preserve the setting of Crofton Old Church and The Manor House. It is therefore considered that the development proposal accords with Policies CS17 and DSP5 of the Local Plan.

Loss of Agricultural Land

- 8.70 Part of the site is classified as Grade 2 Agricultural Land and is therefore considered best and most versatile agricultural land. Policy CS16 seeks to prevent the loss of the best and most versatile agricultural land. However, due to the size of the site, its containment by previously developed land and the relative topography, it is considered that its loss would not have a significant impact on the overall level of agricultural land in the Borough.

e) The Planning Balance

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

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

- 8.72 Paragraph 11 of the NPPF clarifies the presumption in favour of sustainable development in that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- The application of policies in the Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
- 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.

- 8.73 The approach detailed within the preceding paragraph, has become known as the 'tilted balance' in that it tilts the planning balance in favour of sustainable development against the Development Plan.

- 8.74 The site lies 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.

- 8.75 The site also lies within the Fareham-Stubbington Strategic Gap, where it is important that development should not significantly affect the integrity of the Gap and the physical and visual separation of the settlements. The location of the site immediately north of the existing urban area of Stubbington, part of which formerly contained a large detached dwelling, and bounded by the northern perimeter road of the settlement, is considered to contribute to the containment of the site. The development would not have a significant effect on the overall integrity of the Gap and the physical and visual separation of settlements. This was also the conclusion reached by the Appeal Inspector in the determination of the appeal for the scheme for 16 dwellings.

- 8.76 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 and the Government steer in respect of housing delivery.
- 8.1 In weighing up the material considerations and conflict between policies, the development of a site in the countryside weighed against Policy DSP40, Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall. The scheme relates well to the existing urban settlement boundary such that it can be integrated with the adjacent settlement whilst at the same time being sensitively designed to reflect the area's existing character and minimising any adverse impact on the countryside and Strategic Gap.
- 8.2 It is acknowledged that the proposal would have an urbanising impact through the introduction of housing and related infrastructure onto a site which is at present comprises partially undeveloped land and partially the curtilage of the former property known as The Grange (previously developed land). However, that impact would be localised and merely extend the existing built form. Officers consider that the change in character of the site and the resulting visual effect would not cause any substantial harm.
- 8.3 In respect of environmental, amenity and traffic issues (including ecological mitigation), Officers are satisfied that these issues have been appropriately addressed in the submitted application, subject to appropriate conditions, the S.106 legal agreement and habitat mitigation. Subject to the payment of the habitat mitigation contribution, and following completion of the Appropriate Assessment, it is considered that the likely significant effect on The Solent's Protected Sites would be adequately mitigated. Further, it is acknowledged that the undeveloped field is classified as Grade 2 Agricultural Land resulting in a conflict with Policy CS16. However, the limited size of the site would result in a very minor reduction in agricultural land in the Borough.
- 8.4 In balancing the objectives of adopted policy which seeks to restrict development within the countryside and prevent the loss of the best and most versatile agricultural land alongside the shortage of housing supply, Officers acknowledge that the proposal could deliver an increase of 16 dwellings in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply is modest but would make a material contribution in light of the Council's current 5YHLS shortfall.

8.5 There is a conflict with development plan policy CS14 which would ordinarily result in this proposal being considered unacceptable. Ordinarily CS14 would be the principal policy such that a scheme in the countryside should be refused. However, in light of the Council's lack of a five-year housing land supply, development plan policy DSP40 is engaged and Officers have considered the scheme against the criterion therein. The scheme is considered to satisfy the five criteria and in the circumstances Officers consider that more weight should be given to this policy than CS14 such that, on balance, when considered against the development plan as a whole, the scheme should be approved.

8.6 In undertaking a detailed assessment of the proposals throughout this report and applying the 'tilted balance' to those assessments, Officers consider that:

- There are no policies within the National Planning Policy Framework that protects areas or assets of particular importance which provide a clear reason for refusing the development proposed, particularly when taking into account that any significant effect upon Special Protection Areas can be mitigated through a financial contribution towards the Solent Recreation Mitigation Strategy; and,
- Any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.

8.7 Having carefully considered all material planning considerations, Officers recommend that planning permission should be granted subject to the imposition of appropriate planning conditions, and subject to a Section 106 legal agreement.

9.0 Recommendation

9.1 Subject to:

- i) receipt of comments from the Environment Agency confirming no objection to the proposal, 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 these comments;

And,

ii) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) on terms drafted by the Solicitor to the Council to secure:

- On-site provision of 4 dwellings as affordable housing and a financial contribution to secure an equivalent of 2.4 units of off-site contribution of £249,638.00 for affordable housing. The type, size, mix and tenure to be agreed to the satisfaction of Officers.
- Financial contribution to secure satisfactory mitigation of the 'in combination' effects that the increase in residential units on the site would cause through increased recreational disturbance of the Solent Coastal Special Protection Areas.
- TRO for highway to extend the speed reduction along Ranvilles Lane to 30mph.
- The widening of Ranvilles Lane in accordance with the approved plans.
- Provision and long-term management and maintenance of the paths and open space within the site, and for their use by the general public.

GRANT OUTLINE PLANNING PERMISSION, subject to the following Conditions:

1. Application for approval of details of the appearance and scale of the building(s) and the landscaping of the site (all referred to as 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.
2. Applications for approval of all reserved matters shall be made to the Local Planning Authority not later than 12 months from the date of this permission.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall be 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 constructed in accordance with the following approved documents:
- a) Location Plan (Drawing: 17-1083-250-A);
 - b) Site Layout Plan (Drawing: 17-1083-251-D);
 - c) Proposed S278 Works (Drawing: 1714/S278/001 Rev B);
 - d) Access Visibility Splays (Drawing: 2020-6183-006);
 - e) Access Swept Path Analysis (Drawing: 2020-6138-007);
 - f) Vertical Visibility 1 (Drawing: 2020-6183-008);
 - g) Vertical Visibility 2 (Drawing: 2020-6138-009); and,
 - h) Ranvilles Lane Access Highway Widening (Drawing: 2020-6138-010).

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

5. No development shall take place within the 8m Easement Zone, as outlined on the approved Site Plan. The Easement Zone shall be retained thereafter and throughout the lifetime of the development.

REASON: In the interests of maintaining a buffer zone from the bank of the nearby river.

6. No development shall start on site until the access, including the footway and/or verge crossing has been constructed and lines of sight provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metres in height above the adjacent carriageway and shall be subsequently be retained at all times.

REASON: To provide satisfactory access and in the interests of highway safety.

7. The visitors parking spaces marked on the approved plans shall be kept available for parking at all times.

REASON: In the interests of highway safety.

8. No dwelling shall be occupied until the approved parking and turning areas for that property have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety.

9. No dwelling hereby approved shall be first occupied until detailed plans and proposals have been submitted to the Local Planning Authority for approval showing:

- (i) Refuse bin storage (sufficient for 2no. 140 litre wheeled bins);

(ii) Secure cycle storage.

The cycle storage required shall take the form of a covered building or other structure available on a 1 to 1 basis for each dwellinghouse hereby permitted. Once approved, the storage shall be provided for each dwellinghouse and shall thereafter be kept permanently available for the stated purpose.

REASON: To encourage non-car modes of transport and to ensure proper provision for refuse disposal.

10. No work on site relating to the construction of any of the development hereby permitted (including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays, or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

11. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered. Works shall not recommence before an investigation and risk assessment of the identified ground conditions have been undertaken and details of the findings, along with a detailed remedial scheme, if required, have been submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of the dwelling hereby permitted the remediation scheme shall be fully implemented and shall be validated in writing to the Local Planning Authority by an independent competent person.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

12. No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:

- a. How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
- b. the measures the developer will be implementing to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;

- c. the measures for cleaning the wheels and underside of all vehicles leaving the site;
- d. a scheme for the suppression of any dust arising during construction or clearance works;
- e. the measures for cleaning Ranvilles Lane and Oakcroft Lane to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
- f. the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.

The development shall be carried out in accordance with the approved CMP and areas identified in the approved CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA. No construction vehicles shall leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

13. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully implemented. The approved boundary treatment shall thereafter be retained at all times unless otherwise first agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed, details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring properties, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

14. Development shall proceed in accordance with the measures set out in the Revised Ecology Update Note (Ecosupport, June 2020), Sections 5.5 & 5.6 of the revised Phase I Ecological Assessment (Ecosupport, revised June 2018), Section 5 of the Dormouse Survey Report (Ecosupport, June 2018), Section 6.0 of the Bat Emergence Survey Report (Ecosupport, February 2018), Ecology Addendum (Ecosupport, August 2018) and all the measures set out in the revised Reptile Survey and Mitigation Strategy (Ecosupport, August 2018).

REASON: To protect bats, reptiles, dormice, badgers and water voles in accordance with the Habitat Regulations 2017 and the Wildlife and Countryside Act 1981.

15. No development shall proceed beyond damp proof course level until a scheme of lighting (during construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats and water voles, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting scheme shall be implemented in accordance with the approved details.

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

16. No development shall take place until a detailed Biodiversity Enhancement Scheme, detailing site-wide biodiversity enhancement features to be incorporated, has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

REASON: To conserve and enhance biodiversity. The condition is required to be considered before commencement to ensure no harm to protected species.

17. No development shall take place until an Ecological Management Plan (EMP) for the public open space, reptile receptor site and the eastern corridor comprising the existing stream, has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently proceed in accordance with the approved details.

REASON: To ensure the long-term protection, enhancement and management of suitable habitats on site for wildlife. The condition is required to be considered before commencement to ensure no harm to protected species.

18. No development shall take place until the protective measures for the retained trees have been implemented in accordance with the Arboricultural Method Statement included within the Tree Report prepared by Johnston Tree

Consultancy (April 2020). The measures to protect the retained trees shall be retained throughout the construction period.

REASON: In the interests of tree protection. The condition is required to be considered before commencement to ensure no harm to retained trees.

19. The development hereby permitted shall be undertaken in full accordance with the Flood Risk Assessment and Drainage Strategy (by WSP ref: 70056252-1, dated April 2019) and the Drainage Strategy Addendum (by Bright Plan Civils ref: DRIFT/20/D1860/DSA1.0, dated 2 April 2020). There shall be no deviation from these approved reports unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In order to ensure satisfactory disposal of surface water.

20. None of the residential units hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed an average of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

21. The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between FBC, IWC and HIWWT 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.

22. No development hereby permitted shall proceed beyond damp proof course level until details regarding the provision of acoustic glazing and installation of trickle vents have been submitted to and approved in writing by the Local Planning Authority for all windows orientated towards Ranvilles Lane and Oakcroft Lane. Once installed, the windows shall thereafter be retained in that condition at all times.

REASON: In the interests of residential amenity and noise attenuation.

INFORMATIVES:

- a) Applicants should be aware that, prior to the commencement of the 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 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.

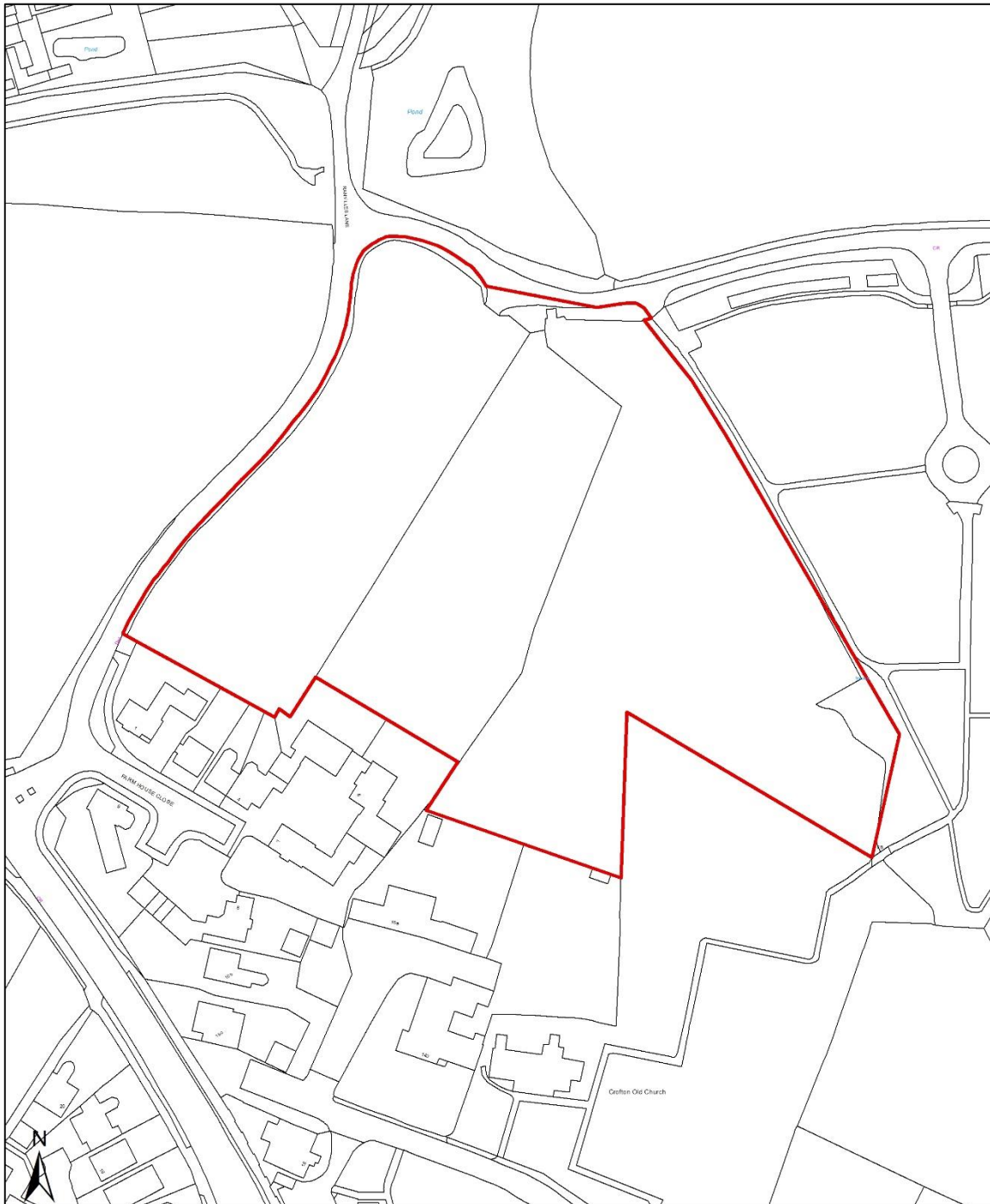
- b) Potentially contaminated ground conditions include: imported topsoil, made ground or backfill, buried rubbish, car parts, drums, containers or tanks, soil with extraneous items such as cement, asbestos, builders rubble, metal fragments, ashy material, oily / fuel / solvent type smells from the soil, highly coloured material or black staining and liquid fuels or oils in the ground. If in any doubt, please contact the Contaminated Land Officer on 01329 236100.

10.0 Background Papers

P/20/0418/OA

FAREHAM

BOROUGH COUNCIL



The Grange, Oakcroft Lane

Scale 1:1,250

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