

OFFICER REPORT FOR COMMITTEE

DATE: 17/03/2021

**P/18/0756/OA
GR DIMMICK, CD DIMMICK &
AW WILLIAMS**

**WARSASH
AGENT: WOOLF BOND PLANNING**

OUTLINE APPLICATION FOR UP TO 28 DWELLINGS TOGETHER WITH ASSOCIATED LANDSCAPING, AMENITY SPACE, PARKING AND A MEANS OF ACCESS FROM GREENAWAY LANE

LAND BETWEEN AND TO THE REAR OF 56-66 GREENAWAY LANE, WARSASH

Report By

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1.0 Introduction

- 1.1 The application is being presented to the Planning Committee following the receipt of 22 third party representation responses.
- 1.2 Members will note from the 'Five Year Housing Land Supply Position' report, presented to the Planning Committee on 17th February 2021 that this Council currently has a housing land supply of 4.2 years.
- 1.3 The following applications, which are situated within proximity to the planning application site have either been granted planning permission, have a resolution to grant planning permission from the Planning Committee, or are currently undetermined:

Permitted applications:

- P/17/0752/OA - Outline planning permission for up to 140 dwellings on land east of Brook Lane, north of Warsash Road
- P/18/0107/OA - Outline planning permission for up to 30 dwellings on land to the east and west of 79 Greenaway Lane
- P/18/0884/FP – Planning permission for 6 dwellings adjacent 79 Greenaway Lane

Planning applications with a resolution to grant from the Planning Committee

- P/17/0845/OA - Outline planning permission for up to 180 dwellings on land to the east of Brook Lane

- P/17/0998/OA- Outline planning permission for up to 157 dwellings on land to the east of Brook Lane, west of Lockswood Road
- P/19/0402/OA – Outline planning permission for up to 100 dwellings on land adjacent to 125 Greenaway Lane

Applications currently undetermined

- P/18/0590/OA – Outline planning permission for up to 62 dwellings to the west of Lockswood Road
- P/19/0313/RM – Construction of 85 dwellings pursuant to outline planning permission (P/16/1049/OA) on land to the east of Brook Lane
- P/20/0730/OA – Outline planning permission for up to 6 self build dwellings on land north of Greenaway Lane

1.4 A plan will be shown at the Planning Committee meeting, showing the relationship between these different planning applications and the current planning application site.

2.0 Site Description

2.1 The application site is located to the north side of Greenaway Lane and comprises 1.29 hectares of land, designated as countryside for planning purposes. The site comprises an unmade field, formerly used as a paddock. The site is generally flat with mature woodlands located to the northern and eastern boundaries. The western boundary comprises existing paddocks, which are still in use, and the site wraps around the side and rear boundaries of 56 Greenaway Lane (to the eastern boundary) and 66 Greenaway Lane (to the western boundary).

2.2 The site has a 45m long frontage with Greenaway Lane, comprising a mature laurel hedgerow, with an existing gated field entrance approximately midway along the road frontage. The site is classified as Grade 2 agricultural land.

2.3 Greenaway Lane is a predominantly low density residential lane which is a cul-de-sac having been closed off when Lockswood Road was constructed. Greenaway Lane connects to Brook Lane, located approximately 350 metres to the west of the site.

3.0 Description of Proposal

3.1 Outline planning permission is sought for the construction of up to 28 dwellings with all matters reserved apart from the means of vehicular access

to the site which would be from Greenaway Lane. The layout, appearance, scale and landscaping of the site are reserved for a future reserved matters application and not for consideration at this time.

- 3.2 An illustrative masterplan has been submitted which identifies the vehicular access point to the site, and an indicative layout to demonstrate how up to 28 dwellings can be accommodated on the site, including suitable landscaping and the inclusion of ecological buffers.
- 3.3 The application has been supported by a number of technical reports including a Planning Statement, Design and Access Statement, Ecological Surveys and Mitigation Reports, Arboricultural Impact Assessments, Transport Statement, Contaminated Land Assessments, and Flood Risk and Drainage Strategy.

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
CS9:	Development in the Western Wards and Whiteley
CS14:	Development Outside Settlements
CS15:	Sustainable Development and Climate Change
CS16:	Natural Resources and Renewable Energy
CS17:	High Quality Design
CS18:	Provision of Affordable Housing
CS20:	Infrastructure and Development Contributions
CS21:	Protection and Provision of Open Space

Adopted Development Sites and Policies

DSP1:	Sustainable Development
DSP2:	Environmental Impact
DSP3:	Impact on Living Conditions
DSP4:	Prejudice on Adjacent Land
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

National Planning Policy Framework (NPPF) 2019

Planning Practice Guidance (PPG)

5.0 Relevant Planning History

5.1 There is no recent planning history related to this site.

6.0 Representations

6.1 There have been 22 representations of objection received. The main issues raised within the representations can be summarised as follows:

6.2 Policy/Principle

- Site located in countryside;
- Not a sustainable location;
- Deviation from draft Local Plan policy;
- Cumulative impact of development needs to be considered on the local area;

6.3 Location

- Loss of countryside buffer between Locks Heath and Warsash;
- Not a brownfield site;
- Overdevelopment of the site/too high a density;
- Out of character with the area;

6.4 Highways

- Lane too narrow – no pavements or footpaths for pedestrians;
- Hazardous impact for cyclists and horse riders;
- Cumulative impact on highway safety;
- Inadequate on-site car parking provision;
- Traffic congestion at junction with Brook Lane and wider area;
- Impact on parking within the village centre;
- Access concerns onto Brook Lane;
- Insufficient street lighting;
- No bin collection points shown;
- Access onto Lockwood Road should be considered.

6.5 Ecology/Trees

- Loss of wildlife;
- Impact on Oak trees along Greenaway Lane.

6.6 **Impact on Local Services**

- Lack of local infrastructure – schools, healthcare, doctors, shops;
- Lack of public transport

6.7 **Other Matters**

- Increased pollution;
- Air Quality
- Flooding;
- Archaeology;
- Discrepancies in submitted information;
- Insufficient community involvement.

7.0 **Consultations**

EXTERNAL

HCC Archaeology

7.1 No objection, subject to planning condition.

Natural England

7.2 No objection, subject to appropriate mitigation being secured.

HCC Highways

7.3 No objection subject to S278 agreement and appropriate conditions.

HCC Lead Local Flood Authority

7.4 No objection, subject to conditions.

HCC Children's Services

Developer contribution towards primary and secondary education provision should be secured through a legal agreement.

Southern Water

7.6 No objection, subject to planning condition.

Crime Prevention Design Advisor

7.7 Provided advice in respect of crime prevention.

INTERNAL

Ecology

7.8 No objection, subject to conditions.

Transport Planner

- 7.9 No objection, subject to conditions and a Section 278 agreement to provide signage along Greenaway Lane warning of pedestrians in the road, and access junction construction.

Recycling Co-ordinator

- 7.10 Comments regarding provision of bin collection points and confirmation from the Transport Planner on access for refuse vehicles.

Environmental Health (Noise/Pollution)

- 7.11 No objection.

Environmental Health (Contaminated Land)

- 7.12 No objection, subject to conditions.

Tree Officer

- 7.13 No objection, subject to conditions.

Housing Officer

- 7.14 Advice has been provided in respect of the affordable housing mix to be secured which will be the subject of detailed negotiations.

8.0 *Planning Considerations*

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

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

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

- 8.2 A report titled "Five-year housing land supply position" was reported for Member's information to the February 2021 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 its Five-year housing land supply (5YHLS) requirement.

8.3 The starting point for the determination of this planning application is Section 38(6) of the Planning and Compulsory Purchase Act 2004:

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

8.4 In determining planning applications there is a presumption in favour of policies of the extant Development Plan, unless material considerations indicated otherwise. Material considerations include the planning policies set out in the NPPF.

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

8.6 Paragraph 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.

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 (in part):

“For decision-taking this means:

- c) Approving development proposals that accord with an up-to-date development plan without delay; or*
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (see footnote 7 below), 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 (see footnote 6 below); 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 Footnote 6 to paragraph 11 reads:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding

Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”

8.9 Footnote 7 to paragraph 11 reads (in part):

“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73);...”

8.10 This planning application proposes new housing outside the defined urban settlement boundaries. The Council cannot demonstrate a five-year housing land supply. Footnote 7 to NPPF paragraph 11 is clear that in such circumstances those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11(d) is engaged.

8.11 Taking the first limb of NPPF paragraph 11(d), as this report sets out, in this instance there are no specific policies in the NPPF which protect areas or assets of particular importance which provide a clear reason for refusing the proposed development. The key judgement therefore is that set out in the second limb of the paragraph, namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole (the so called ‘tilted balance’).

8.12 Members will be mindful of Paragraph 177 of the NPPF which states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats sites (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”.

8.13 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 applies.

8.14 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

- 8.15 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.
- 8.16 Policy CS9 (Development in the Western Wards and Whiteley) of the Core Strategy supports development in the Western Wards, within the settlement boundaries. The site is outside of the settlement boundary.
- 8.17 Policy CS14 (Development Outside Settlements) 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'.*
- 8.18 Policy DSP6 (New Residential Development Outside of the Defined Urban Settlement) 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)'.*
- 8.19 The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, CS9 and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

c) Policy DSP40 (Housing Allocations)

- 8.20 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’.*

8.21 Each of these five points are considered in turn below:

Policy DSP40 (i)

8.22 The proposal for up to 28 dwellings is relative in scale to the 5YHLS shortfall and therefore point (i) of Policy DSP40 is satisfied.

Policy DSP40 (ii)

8.23 The urban settlement boundary is located approximately 90m to the east of the application site, on the eastern side of Lockswood Road. Whilst the application site is not located immediately adjacent to the designated urban settlement boundary, there is a ribbon of residential development between the application site and the urban area which effectively connects the application site to the urban area. It is also important to highlight that development proposals to the south of the application site have the benefit of planning permission, and due to the scale and extent of those developments they will cumulatively connect the application site to the designated urban area to the south. Other proposals to the north of the site, of which one has a resolution to grant planning permission and the other is a current application, would also connect the application site to the designated urban area to the north and west. It is therefore considered that the proposed development site, whilst not directly adjacent to the designated urban area, is within close proximity to it, and if permitted would connect to the wider urban area around the site.

8.24 The site is in close proximity to leisure and community facilities, schools and shops in both Warsash, Sarisbury Green and Locks Heath. Officers consider that the proposal can be well integrated into the neighbouring settlement including other nearby development proposals that have planning permission or resolutions to grant outline planning permission. The proposal is therefore considered to be in accordance with point (ii) of Policy DSP40.

Policy DSP40 (iii)

8.25 The site is within an area of designated countryside, but not within a strategic gap. Policy CS14 of the Core Strategy confirms that built development in the

countryside will be strictly controlled to protect it from development which would adversely affect its landscape, character, appearance and function.

- 8.26 The area is identified within the Fareham Landscape Assessment 2017 (LLCA 02.2a – Lower Hamble Valley) as relatively visually contained from views from surrounding areas. This area is classed as being of a lower sensitivity mainly because the character and quality of the landscape has been adversely affected by urban influences. This area is therefore more tolerant of change and there is scope for development to bring about positive opportunities.
- 8.27 It is acknowledged that the development of this site would introduce a change in character and outlook particularly to those living immediately adjacent to the site, and those travelling past it on Greenaway Lane. This change would be localised in terms of a visual impact, with longer distance views limited by the existing woodlands to the north and east of the site. Some views of the site across the open paddocks to the west of the site would be visible from the rear of properties fronting Greenaway Lane west of the site. However, to the west beyond these existing paddocks, development by Foreman Homes for up to 180 dwellings already benefits from a resolution to grant permission, thereby restricting views beyond this.
- 8.28 The illustrative masterplan shows how the overall layout and form of the development might be laid out. Whilst acknowledging that this plan is for illustrative purposes only as the layout and design of the site would be the subject of a reserved matters application, Officers consider that this aspect will need to be the subject of careful consideration at the reserved matters stage to ensure that the proposal complies with adopted policy. The layout would need to incorporate areas of accessible public open space and consideration of ecological mitigation, including pedestrian and cycle links, particularly to other developments to the north of the site. This will ensure appropriate green infrastructure in compliance with Policy CS4 and comprehensive development in accordance with Policy DSP4.
- 8.29 Officers consider that subject to detailed consideration at the reserved matters stage, the development of up to 28 dwellings would be acceptable on this site in accordance with policy (iii) of Policy DSP40.

Policy DSP40 (iv)

- 8.30 In terms of delivery, the limited scale of the development ensures that the site is capable of being delivered in the short term. The applicant has also confirmed that the site is capable of being delivered to meet the existing identified shortfall and would therefore be in accordance with point (iv) of Policy DSP40.

Policy DSP40 (v)

- 8.31 The final test of Policy DSP40 seeks to ensure that the proposal should not have any unacceptable environmental, amenity or traffic implications. These are discussed individually below.

Environmental/Ecology

- 8.32 Phase I and II Ecological Surveys have been provided to support the application, together with a Biodiversity Mitigation and Enhancements Report, having regard to numerous protected species including badgers, Great Crested Newts, dormice, roosting and foraging bats, and reptiles. The Council's Ecologist and Natural England have reviewed the proposals and are satisfied that subject to the imposition of appropriate planning conditions and appropriate mitigation, the scheme would not have an unacceptable adverse impact on protected species or designated sites.
- 8.33 The Council's Tree Officer has also reviewed the application in respect on the potential impact of the development on the surrounding woodland, and the application has been supported by a detailed Arboricultural Impact Assessment. The illustrative layout shows a good relationship with the existing trees on the boundary with sufficient views between buildings from the main estate road, with various opportunities for new tree planting and landscaping throughout the scheme. Detailed landscaping, including tree planting would be subject to a reserved matters application.
- 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, the Solent Maritime Special Area of Conservation and the Solent and Isle of Wight Lagoons 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 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants,

habitats and other animals within The Solent which are of both national and international importance.

- 8.36 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 Species Regulations 2017 provides that planning permission can only be granted by a 'competent authority' if it can be shown that the proposed development will either not have a likely significant effect on designated 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 (Fareham Borough Council in this instance) is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations.
- 8.38 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 agreed to make the necessary contribution towards the Solent Recreation Mitigation Partnership Strategy (SRMP), which would be secured via the Section 106 legal agreement, and therefore the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the Protected Sites as a result of recreational disturbance in combination with other plans or projects.
- 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 (prepared by Ricardo Energy &

Environment, dated December 2019) 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 33.60kg 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 33.75kg 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 In addition, to the above mitigation, and in order to ensure compliance with the Natural England methodology, a condition would be required ensuring the development can meet the Building Regulations optional requirement of a water consumption limit of 110 litres per person per day. With these mitigation measures secured, the Council has carried out an appropriate assessment and concluded that the proposed mitigation and condition will be adequate for the proposed development to 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 is likely to 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 their formal response is currently awaited.
- 8.46 Subject to the receipt and consideration of the comments of Natural England upon the Appropriate Assessment undertaken by this Council, it is considered that the development accords with the Habitat Regulations and complies with policies CS4, DSP13 and DSP15 of the adopted Local Plan.

Amenity

- 8.47 In terms of the consideration of the amenity impact, matters of scale, landscaping, appearance and layout are reserved for consideration at the future reserved matters application stage. It is at that stage that the detailed consideration of these issues would need to comply with Policies DSP3 and CS17, and the adopted Design Guidance SPD to ensure appropriate amenity standards are met. At that stage it would be important to ensure that the proposals would not result in an unacceptable adverse impact on the living conditions of both existing neighbouring occupiers and future residents of the development. Officers are satisfied that there is sufficient flexibility and control in the description of up to 28 units that this can be satisfactorily addressed to ensure that the proposal would be policy compliant.
- 8.48 Several third party comments raise concerns regarding increased noise, air and light pollution as a result of increased numbers of vehicles using Greenaway Lane. Given the relatively low number of dwellings proposed, it is considered that the proposed development would not result in levels of noise, air or light pollution significantly above what would normally be associated with a residential development, and as such is considered acceptable. The Council's Environmental Health Officer has also not raised any concerns in this regard.
- 8.49 It is therefore considered that the proposal is capable of complying with policy (v) – amenity issues of Policy DSP40, and Policies CS17, DSP2 and DSP3 of the Local Plan.

Traffic

- 8.50 The Council's Transport Planner and Hampshire County Highways Department have considered the application and have raised no objection to the proposed works to create the access onto Greenaway Lane and Brook Lane. The responses above highlight the general concerns regarding the resultant increase in traffic along Greenaway Lane associated with the development, however considered that with the provision of several signs along the road warning drivers of the presence of pedestrians would overcome this concern.
- 8.51 Concern was raised in respect of the southward visibility at the junction of Greenaway Lane with Brook Lane due to the presence of a large cherry laurel hedgerow which extends onto highway land and forms the boundary to the garden of 74 Brook Lane. The Council's Transport Planner and HCC Highways highlighted that the visibility issue could be readily overcome with the hedgerow being cut back. Due to the presence of the hedgerow on highway land, it is within the control of Hampshire County Council as the

Highway Authority to see the hedgerow is cut back for highway safety purposes to ensure adequate southward visibility is provided. It is therefore considered that the highway safety concerns raised by the Council's Transport Planner and HCC Highways can be overcome. This matter was also raised in respect of application P/19/0402/OA, Land adjacent to 125 Greenaway Lane, which now has a resolution to grant planning permission.

- 8.52 In summary, it is therefore considered that the proposal should not have any unacceptable environmental, amenity or traffic implications, and the proposal fully accords with the requirement of criteria (v) of Policy DSP40, and Policies CS17 and DSP3 of the adopted Local Plan.

d) Other Matters

Affordable Housing

- 8.53 If the development makes provision for 28 dwellings, the scheme will be required to provide 11.2 dwellings to be affordable homes in order to comply with the 40% requirement of policy CS18. The applicant has agreed to provide the required whole number on-site contribution, with the remaining amount comprising an off-site financial contribution. This approach has the support of the Council's Affordable Housing Strategic Lead Officer.
- 8.54 The provision and type of affordable housing would be secured through the completion of a Section 106 legal agreement.

Comprehensive Development

- 8.55 The scheme represents a constituent part of the wider Warsash Cluster development. Policy DSP4 seeks to ensure that piecemeal developments are avoided and that where possible a comprehensive development can be achieved.
- 8.56 Due to local residents' concerns regarding increased vehicular movements along Greenaway Lane, alternative means of access were investigated, particularly through connecting the site to the adjoining development proposed to the north and east of the site. Due to significant ecological implications, access to the north and east has been discounted. A further consideration regarding the creation of a Greenaway Lane junction with Lockswood Road was also discounted due to concerns regarding the impact on the flow of traffic along Lockswood Road at this point. Following consideration of the suitability of the access onto Greenaway Lane by the Council's Transport Planner and HCC Highway Officers, the use of the existing access arrangement, and the provision of (up to) 28 dwellings from this development, it was considered that the likely impact upon the character of Greenaway Lane and highway safety would not be significant. The site will however be

linked for pedestrians and cyclists through the woodland to the adjoining development to the north.

- 8.57 It is therefore considered that the proposed development accords with the provisions of policy DSP4 and would ensure suitable links to the surrounding developments. The provision of the public open space and pedestrian and cycle links to the adjoining development would be secured through a Section 106 legal agreement.

Loss of Agricultural Land

- 8.58 The site is classified as Grade 2 Agricultural Land and is therefore considered best and most versatile agricultural land. The NPPF does not place a bar on the development of the best and most versatile agricultural land, and Policy CS16 seeks to prevent the loss of this type of land. The impact of the loss of this land is therefore a material consideration and weighs against the proposal in the planning balance.

e) The Planning Balance

- 8.59 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.'

- 8.60 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.

- 8.61 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.

- 8.62 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.
- 8.63 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 presented earlier to the Planning Committee and the Government steer in respect of housing delivery. It is acknowledged that the proposal would make a meaningful contribution to the shortfall of houses in the Borough and would be relative in scale to the current shortfall, and thereby accord with point (i) of the Policy DSP40.
- 8.64 In weighing up the material considerations and conflict between policies, the development of a greenfield site weighed against Policy DSP40, Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall, it 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 areas existing character and minimising any adverse impact on the countryside.
- 8.65 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 undeveloped. However, that impact would be localised and would 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.
- 8.66 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 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 site is classified as Grade 2 Agricultural Land resulting in a conflict with Policy CS16. However, the relatively limited size of the site, and the fact that it would be largely surrounded by permitted residential development are considered sufficient to outweigh this minor reduction in the amount of agricultural land in the Borough.

- 8.67 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 a net increase of 28 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.
- 8.68 There is a conflict with Local Plan policy CS14 which ordinarily would result in this proposal being considered unacceptable. Ordinarily Policy 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 considered 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.
- 8.69 In undertaking a detailed assessment of the proposals throughout this report and applying the 'tilted balance' to those assessments, Officers consider that:
- (i) There are no policies within the National Planning Policy Framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposal, 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 the impact of nitrogen loading on the Solent can be adequately mitigated; and,
 - (ii) Any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 8.70 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) The receipt and consideration of comments from Natural England, delegate authority to the Head of Development Management to make changes to/ impose additional conditions or heads of terms, if necessary;

And

- ii) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:
- Financial contributions to provide for satisfactory mitigation of the 'in combination' effects that the increase in residential units on the site would cause through increased recreational disturbance on the Solent and Southampton Water Special Protection Areas;
 - Financial contributions towards highway improvements to the highway network resulting from impacts of the development;
 - Provision and future management arrangements of an area of publicly accessible open space;
 - Pedestrian and cycle access to adjoining land;
 - Developer contributions towards the provision of primary and secondary school education;
 - The delivery of 40% of the permitted dwellings as a mixture of on-site affordable housing and off-site financial contribution.

GRANT OUTLINE PLANNING PERMISSION, subject to the following Conditions:

1. Application for approval of details of the appearance/layout and scale of the building(s), and the landscaping of the site (all referred to as the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
REASON: To comply with the procedures set out in Section 91 of the Town and Country Planning Act 1990
2. Applications for approval of all reserved matters shall be made to the Local Planning Authority not later than 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 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 drawings:

- a) Location Plan (Drawing: LP01 Rev P1); and,
- b) Sketch Layout – 01 (Drawing: SKL—1 Rev L).

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

5. No development shall commence until details of the width, alignment, gradient and type of construction proposed for any roads, footways and/or access(es), including all relevant horizontal and longitudinal cross sections showing the existing and proposed ground levels, together with details of street lighting (where appropriate), the method of disposing of surface water, and details of a programme for the making up of roads and footways, have been submitted to and approved by the Local Planning Authority in writing. The development shall be subsequently carried out in accordance with the approved details.

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

6. No dwelling hereby permitted shall be first occupied until it has a direct connection, less the final carriageway and footway surfacing, to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the commencement of the penultimate building or dwelling for which permission is hereby granted. The roads and footways shall be laid out and made up in accordance with the approved specification, programme and details.

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

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

REASON: In the interests of highway safety.

8. None of the dwellings hereby permitted shall be first occupied until the bicycle storage relating to them, as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To encourage cycling as an alternative mode of transport.

9. None of the development hereby approved shall be occupied until details of the proposed bin storage areas [including bin collection points if necessary] have been submitted to and approved by the Local Planning Authority and the approved areas fully implemented. The details shall include the siting, design and the materials to be used in construction. The areas shall be subsequently retained for bin storage or collection at all times.

REASON: To ensure that the character and appearance of the development and the locality are not harmed.

10. 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

11. 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 Greenaway 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.

12. 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.

13. No development shall commence until an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources has been carried out. The site investigation assessment should be submitted to and approved in writing by the Local Planning Authority.

Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the Local Planning Authority. It shall also include the nomination of a competent person (to be agreed with the Local Planning Authority) to oversee the implementation of the measures.

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

this condition are considered essential to be agreed prior to the commencement of the development on the site to ensure adequate mitigation against land contamination on human health.

14. None of the residential dwellings hereby permitted until the agreed scheme of remedial measures have been fully implemented. Remedial measures shall be validated in writing by an independent competent person as agreed with the Local Planning Authority. The validation is required to confirm that the remedial works have been implemented in accordance with the agreed remedial strategy and shall include photographic evidence and as built drawings where required by the Local Planning Authority. The requirements of the Local Planning Authority shall be agreed in advance.

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

15. The development hereby permitted shall be undertaken in full accordance with the recommendations of the SJ Stephens Tree Report (ref: 1147 – June 2018). There shall be no deviation from this report without the prior written approval of the Local Planning Authority.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.

16. The development hereby permitted shall proceed in accordance with the measures set out in the Biodiversity Mitigation and Enhancement report by Ecosupport (September 2018). Thereafter the enhancements shall be permanently retained in accordance with the approved details. On completion of the works, a report of action detailing the implemented mitigation and enhancement measures, with photographic evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling on site.

REASON: To conserve and enhance biodiversity.

17. No development hereby permitted shall proceed until a surface water drainage system for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority, having regard to the specifications set out in the response from Hampshire County Council consultation in the letter dated 5 February 2019. The scheme shall subsequently be implemented in accordance with the approved details before the occupation of any dwelling.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior

to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

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

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

19. No development shall commence until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

REASON: In order to ensure that the site, which is located in an area where there is potential for archaeological discovery, is adequately investigated prior to development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

Informative:

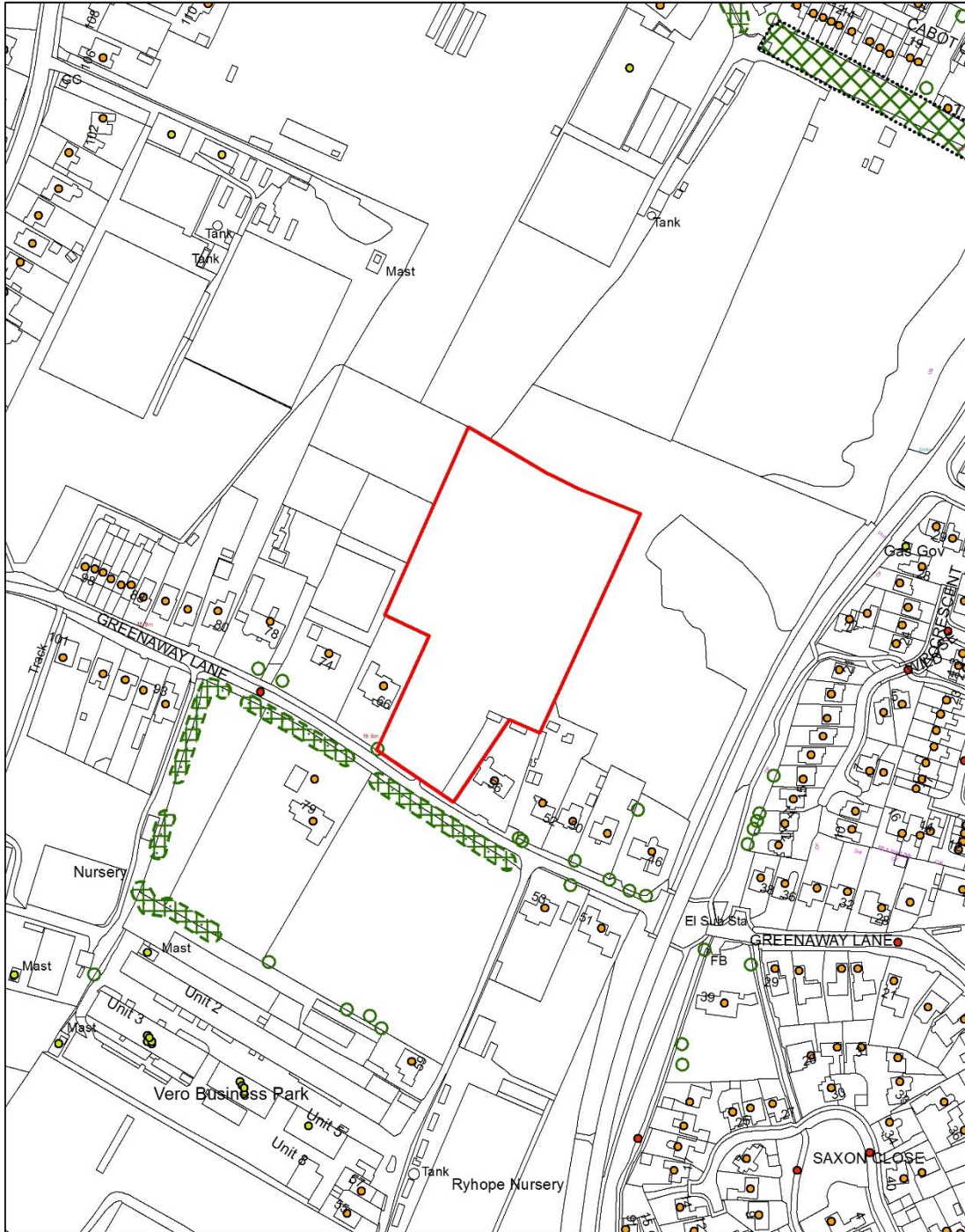
- a) The applicant is advised that since the consultation response from Southern Water, concerns regarding potential capacity issues in the area have been highlighted to the Local Planning Authority. Southern Water, as a statutory undertaker has a requirement to connect additional developments to the foul drainage network, and as such, prior to the commencement of any works, it is advised that they contact Southern Water directly to seek confirmation.

10.0 Background Papers

P/18/0756/OA

FAREHAM

BOROUGH COUNCIL



Land between and to the rear of
56-66 Greenaway Lane
Scale 1:2,500



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