

OFFICER REPORT FOR COMMITTEE

DATE: 21/04/2021

**P/21/0133/RM
LORRAINE HANSLIP**

**WARSASH
AGENT: PAUL AIREY**

RESERVED MATTER APPLICATION FOR THE LAYOUT, APPEARANCE, SCALE AND LANDSCAPING FOR PHASE 1-7 OF P/18/0107/OA (OUTLINE APPLICATION FOR THE ERECTION OF UP TO 30 RESIDENTIAL UNITS AND ASSOCIATED DETACHED GARAGES. REVISED SCHEME INCORPORATING ACCESS TO THE SOUTH) AND DISCHARGE OF CONDITION 9 (BIODIVERSITY ENHANCEMENT AND MITIGATION PLAN).

LAND ADJOINING 79 GREENAWAY LANE, WARSASH

Report By

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1.0 Introduction

- 1.1 The application is being considered by the Planning Committee because the number of representations received exceeds the threshold which enables delegated decisions to be made.
- 1.2 The outline application (for up to thirty houses) was initially considered by the Planning Committee on 20th June 2018 where it was resolved to grant planning permission subject to conditions and the applicant entering into a Section 106 legal agreement.
- 1.3 An updated report was taken to the planning committee again on the 10th October 2018 and included (amongst other items) details of the Appropriate Assessment together with a consideration of the implications of the recent judgement of the Court of Justice of the European Union. The committee noted the contents of the report.
- 1.4 On 5th December 2019, full Council delegated authority to the Head of Development Management to determine planning applications where the application had already been considered by the Planning Committee, the Planning Committee had resolved to grant planning permission and an Appropriate Assessment had been carried out and concluded that the proposed development would not have an adverse effect on European designated sites subject to mitigation where identified. The outline application met these criteria and it was granted planning permission under this delegated authority on 20th January 2021.

- 1.5 The outline application proposed six houses fronting Greenaway Lane with access from Greenaway Lane. The remaining twenty-four houses were located in the southern portion of the site with access proposed from Lockswood Road. The application contained a phasing plan with phase 1 comprising the access from Greenaway Lane and phases 2-7 comprising the 6 houses fronting Greenaway Lane. This reserved matter application is for the first 7 phases, that is the access from Greenaway Lane and the 6 houses fronting Greenaway Lane.
- 1.6 Members will recall resolving to grant planning permission for a separate application (reference P/18/0884/FP) also for six houses fronting Greenaway Lane at planning committee on 24th June 2020, subject to conditions and the completion of a s106. The application was subsequently approved on the 11th August 2020.
- 1.7 Members will be aware that this planning permission reference P/18/0884/FP, granted in respect of part of this site, is currently subject to a judicial review challenge. A number of representations request that the determination of this reserved matters application be deferred until the outcome of this judicial review is known. The Council has already accepted the principle of development on this site by approving the outline application, which is not subject to challenge. The outline planning permission will not be quashed if the Council loses the judicial review in respect of the permission relating to part of this site, and therefore there is no need to defer determining this application when the Council is under a statutory duty to do so.
- 1.8 Phases 1-7 of the outline permission that are the subject of this application propose six houses using the same access from Greenaway Lane and in the same location as the dwellings approved under P/18/0884/FP. The only differences between the applications insofar as this part of the site is concerned are that P/18/0884/FP proposed mitigation to ensure nitrogen neutrality in the form of on-site reed beds, whereas this application relies on nitrate mitigation secured under the outline permission in the form of nitrate 'credits' purchased from the Hampshire and Isle of Wight Wildlife Trust's scheme that removes land from agricultural production on the Isle of Wight. The materials proposed for plot 2 also differ between the approved and proposed plans.

2.0 Site Description

- 2.1 The application site measures 0.820 hectares and is located to the south of Greenaway Lane. The site comprises an open field which is predominantly flat with a gentle slope from the north-east corner towards the south-west.
- 2.2 A row of substantial trees fronting Greenaway Lane in addition to a treed western boundary are covered by Tree Preservation Orders. A single detached

house with access direct from Greenaway Lane is located in the centre of the field but outside of the application site.

- 2.3 Residential dwellings are located to the east, west and north of the application site. To the immediate south east of the site is a private road which links Greenaway Lane to Warsash Road in the south. The Vero Industrial site is located to the south of the site.
- 2.4 The site is located outside of the defined urban settlement boundary and therefore for planning policy purposes is considered to be countryside. It is located in close proximity to Warsash local facilities.

3.0 *Description of Proposal*

- 3.1 The application is for those reserved matters relating to the appearance, landscaping, layout and scale of phases 1-7 of the approved outline application for up to 30 dwellings. Phases 1-7 comprise 6, two storey dwellings with parking and soft landscaping. Access to the dwellings (the only matter considered as part of the outline permission) would be via the existing access from Greenaway Lane to no. 79 as approved at the outline stage.
- 3.2 The application also seeks to discharge condition 9 (in relation to phases 1-7 only) of the outline permission which requires the submission of a biodiversity enhancement and mitigation plan.
- 3.3 The application is supported by a planning statement, a materials specification for plot 2 and an ecological assessment.

4.0 *Policies*

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2 - Housing Provision
CS4 - Green Infrastructure, Biodiversity and Geological Conservation
CS5 - Transport Strategy and Infrastructure
CS6 - The Development Strategy
CS14 - Development Outside Settlements
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

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact
DSP3 - Impact on living Conditions
DSP4 - Prejudice to adjacent land
DSP6 - New residential development outside of the defined urban settlement boundaries
DSP13 - Nature Conservation
DSP15 - Recreational Disturbance on the Solent Special Protection Areas
DSP40 - Housing Allocations

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Planning Obligation SPD for the Borough of Fareham (excluding Welborne) (April 2016)
Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

5.1 The following planning history is relevant:

P/18/0107/OA	Outline application for the erection of up to 30 residential units and associated detached garages. Revised scheme incorporating access to the south
APPROVED	20.1.21
P/18/0884/FP	6 detached residential units
APPROVED	11.8.20

6.0 *Representations*

6.1 20 representations have been received of which 4 support the application and raise the following points:

- The appropriate access
- Minimal increase in traffic
- Support for small, local construction businesses
- The dwellings are of a low density and a high quality of design
- Inclusion of wildlife corridors
- Provision of self-build houses to diversify the housing market and increase consumer choice
- The only objections that should be considered are those that relate to the layout, appearance, scale and landscaping of the first phase of development.

16 objections have been received which raise the following issues:

- Objection to the principle of development in this location
- Increased pollution
- Increased traffic
- Concerns regarding the access
- The site does not have permission for dual access
- Request the installation of a footpath next to the new road to the south of the site
- What is the purpose of the connecting road to land to the south required by the s106?
- Concerns re site traffic trying to use the track to the south as access to Warsash Road
- It is not clear where construction traffic will enter and leave the site.
- The site is visible from within the public realm
- The documents submitted only refer to the houses fronting Greenaway Lane
- The application should be deferred until the outcome of the judicial review is known.

7.0 Consultations

INTERNAL

Ecology

- 7.1 No objection subject to conditions requiring the measures in the ecological assessment to be implemented and for a lighting scheme to be submitted and approved to ensure minimal impact on the wildlife buffers.

8.0 Planning Considerations

- 8.1 The principle of residential development with access from Greenaway Lane has already been established in the granting of permission for six houses under application reference P/18/0884/FP and under the outline application.

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

- a) Layout;
- b) Appearance;
- c) Scale;
- d) Landscaping;
- e) Ecology

- a) Layout

8.3 The proposed layout comprises six detached dwellings which would front Greenaway Lane and is identical to that approved under P/18/0884/FP. The position and orientation of the buildings would be consistent with both 79 Greenaway Lane and the properties to the immediate east and west of the site. Car parking is provided in line with the adopted standards and laid out in an attractive manner that would not dominate the frontage.

8.4 The proposed layout would therefore respond to the local character and would be in accordance with policy CS17.

b) Appearance

8.5 The proposed houses consist of variations of two different designs. Design A has a pitched roof and an open sided, oak framed porch and design B which has a partially hipped roof together with a gable end and two gablets on the front elevation. The materials palette consists of traditional materials including red brick, black timber cladding and cream render together with oak framed porches. The use of 2 house types together with a simple palette of high quality materials ensures that each house is different, however there is a sufficient degree of uniformity to ensure that there is enough coherence and they sit comfortably together within the street scene.

8.6 Overall, the appearance is considered to respond to the local character and would therefore be in accordance with policy CS17.

c) Scale

8.7 The proposed dwellings are two storeys and considered to be of an appropriate scale that relates well to existing dwellings in the immediate locality and would be in accordance with policy CS17. The dwellings exceed the National Minimum Space Standards.

d) Landscaping

8.8 The layout proposes the retention of the existing mature trees that front Greenaway Lane together with wildlife buffers along the north, east, south and west boundaries. There is also hedging around the perimeter of each of the six plots. The retention of the existing mature trees together with the areas of proposed soft landscaping will ensure that the proposed houses respect the verdant character of the area. Specific details regarding the additional soft and hard landscaping can be secured by condition.

e) Ecology

- 8.9 The application seeks to discharge condition 9 (in relation to phases 1-7 only) of the outline permission which requires the submission of a biodiversity enhancement and mitigation plan. Policy CS4 requires green infrastructure networks which buffer and link established sites to be maintained and enhanced and Policy DSP13 states that development may be permitted where it can be demonstrated that protected species and their habitat are protected and the proposal would not prejudice or result in the fragmentation of the biodiversity network.
- 8.10 The application proposes wildlife buffers along the north, east and west boundaries in accordance with the ecology strategy approved at the outline stage. The application is accompanied by an ecological appraisal that contains several measures designed to protect wildlife within the site and ensure that provision is made for suitable habitat to be retained and provided. The ecologist has confirmed that the proposed measures contained in the ecological appraisal are appropriate and in accordance with Policies CS4 and DSP13. The measures contained within the ecological appraisal can be secured by condition.

Other Issues

- 8.11 A number of concerns have been raised relating to issues that are not of relevance to this application including the principle of development in this location and concerns regarding traffic generation and the impact of the development on the safety of the highway. These concerns relate to issues that were previously considered and judged acceptable at the outline application stage and therefore are not able to be revisited as part of this application.

Conclusion

- 8.13 The appearance, landscaping, layout and scale of the proposed dwellings together with the ecological appraisal are considered to be appropriate and in accordance with planning policy.

9.0 Recommendation

- 9.1 APPROVE RESERVED MATTERS, subject to the following Conditions:

1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a. Location plan Drawing no. 170809/MP4/OS rev C
 - b. Site plan Drawing no. 18.079.101

- c. Plans and elevations Plot 1 Drawing no. Green001
- d. Plans and elevations House type A – plot 2 Drawing no. 200A
- e. Plans and elevations House type B – plot 3 Drawing no. 201
- f. Plans and elevations House type A1 – plot 4 Drawing no. 202
- g. Plans and elevations House Type A2 – plot 5 Drawing no. 204
- h. Plans and elevations House Type B1 – plot 6 Drawing no. 203
- i. Garages plans and elevations Drawing no. 206
- j. Plot 1 garage Drawing no. Green004
- k. Plot 2 Materials specification
- l. Ecological Assessment and Reptile Survey Report no. 0035 Dated 17th September 2020

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

- 2. No development hereby permitted of plots 1 and 3-6 shall proceed beyond damp proof course level (of the plot to which the materials relate) until details (including samples) of all proposed external facing (and hardsurfacing) materials for plots 1 and 3-6 have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

- 3. The development of plot 2 shall be undertaken in accordance with the plot 2 materials schedule unless otherwise agreed in writing with the Local Planning Authority.

REASON: To secure the satisfactory appearance of the development.

- 4. 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.

- 5. 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.

6. No development hereby permitted shall proceed beyond damp proof course (dpc) level until details of how 1 electric vehicle charging point will be provided for each dwelling. The development shall be carried out in accordance with the approved details.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

7. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials, and implementation plan and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

8. The landscaping scheme, submitted under Condition 7, shall be implemented and completed in accordance with the implementation plan or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

9. No development shall take place on site until a scheme of lighting designed to minimise impacts on wildlife and habitats has been submitted to and approved in writing by the local planning authority. Construction stage elements of the approved lighting scheme shall be implemented as agreed during the construction period. Prior to the first occupation of the development hereby permitted the operational stage elements of the approved lighting scheme shall be implemented in accordance with the approved details and those elements shall be permanently retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise impacts of lighting on the ecological interests of the site. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

10.0 Notes for Information

1. The development hereby permitted is subject to The Community Infrastructure Levy (CIL). The payment is due before development commences and the parties liable to pay the charge will receive a Liability Notice shortly to explain the amount due and the process thereafter. Further details about CIL can be found on the Council's website on the following link:

http://www.fareham.gov.uk/planning/local_plan/ciladopt.aspx

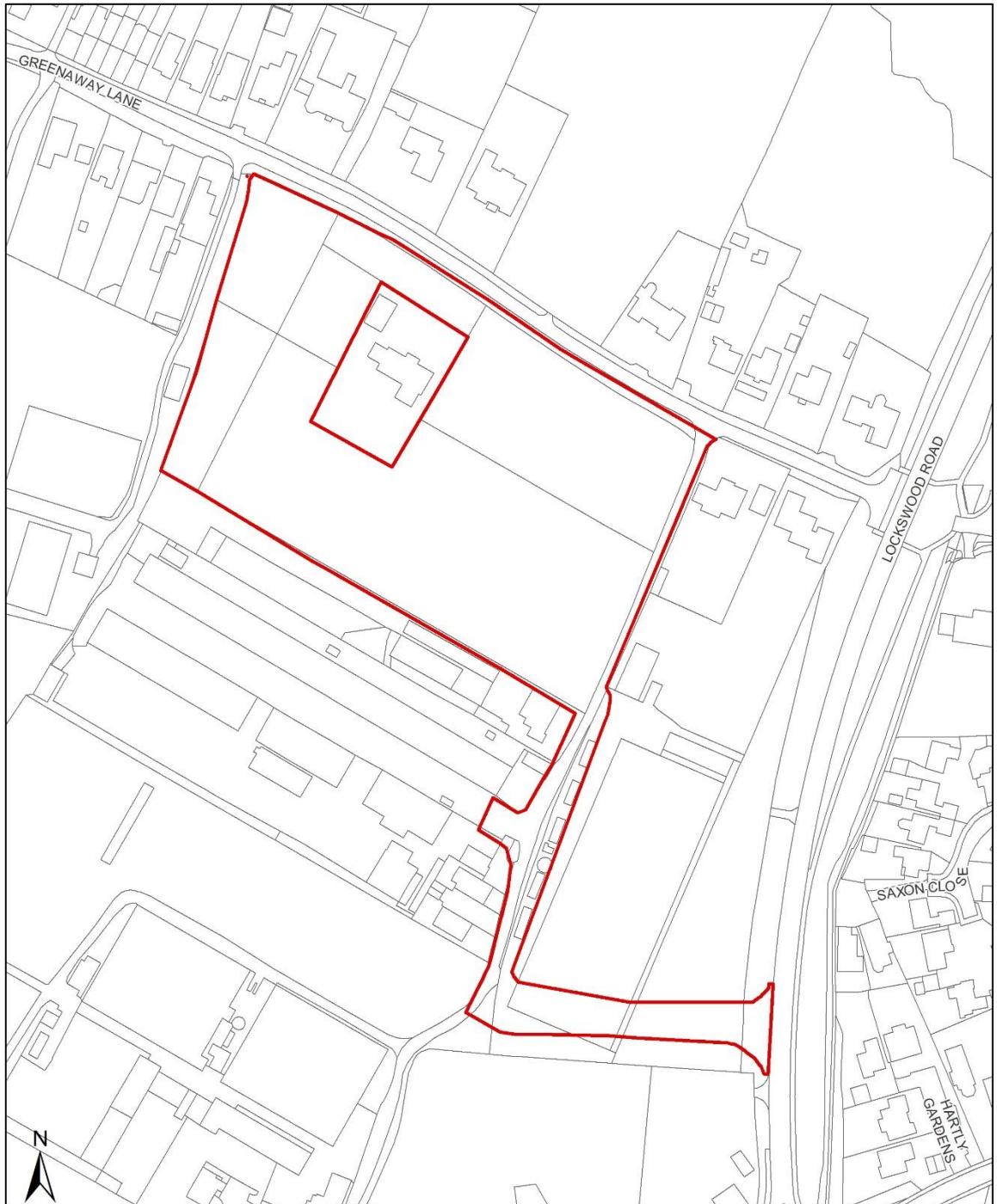
2. Notwithstanding the results of the ecological survey submitted with this application special care must still be taken not to disturb wild animals and plants protected by the Wildlife and Countryside Act 1981 (as amended). This includes birds and bats that nest or roost in trees. Should specimens of any protected species be discovered during building operations you should contact Natural England for further advice - 0300 060 3900 www.naturalengland.org.uk.

11.0 Background Papers

P/18/0107/OA; P/21/0133/RM.

FAREHAM

BOROUGH COUNCIL



Land Adjoining 79 Greenaway Lane

Scale 1:1,750

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