

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 14/07/2021**

**P/18/1258/FP**

**PARK GATE**

**FOREMAN HOMES**

**RESIDENTIAL DEVELOPMENT OF 29 DWELLINGS, ASSOCIATED PARKING,  
LANDSCAPING AND MEANS OF ACCESS FROM BEACON BOTTOM  
FOLLOWING REMOVAL/REDUCTION OF FRONTEAGE HEDGEROW**

**LAND AT BEACON BOTTOM WEST, PARK GATE**

### ***Report By***

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#### **1.0 *Introduction***

- 1.1 This application has been presented to the Planning Committee due to the number of third party representations received.

#### **2.0 *Site Description***

- 2.1 The application site lies at the western end and on the northern side of Beacon Bottom, Park Gate. The site measures 1.29 hectares in area and comprises a grass paddock with mature hedgerows/trees along the southern and eastern boundaries. An area of woodland extends to the north and west.
- 2.2 There are three sweet chestnut trees protected by a group tree preservation order (TPO) in the south-eastern corner of the site. There are also 8 oak trees along the northern site boundary covered by a group TPO. Two agricultural/stable buildings are on the site located near to the southern boundary and adjacent to the existing gated vehicular access from the road. The site slopes away from the road towards the northern boundary.
- 2.3 The application site lies outside of the urban settlement boundary as defined on the adopted local plan proposals map. Whilst the site on the northern side of Beacon Bottom is therefore in the countryside for planning purposes, the existing housing development that is located on the south side of the road is within the urban area.

#### **3.0 *Description of Proposal***

- 3.1 Full planning permission is sought for 29 dwellings on the site. The application proposes a mixture of housing all at two-storey scale comprising 3 x 1-bed flats, 3 x 2-bed flats, 13 x 3-bed houses and 10 x 4-bed houses.

- 3.2 The proposed layout involves dwellings fronting on to Beacon Bottom as well as along a new internal road which splits into two a short way into the site. A small area of open space/landscaping is included in the south-eastern corner of the site where the existing sweet chestnut trees (subject to a tree preservation order) are located. To the north-west corner of the site an area of compensatory ecological habitat is proposed as well as a buffer between new houses and the protected oak trees along the northern site boundary.
- 3.3 Access into the site is proposed via a new bell mouth in approximately the same position as the existing gated access into the field.
- 3.4 When originally submitted in November 2018 the application proposed 34 dwellings in a different layout. During the course of the application being considered, and following discussions with Officers, the applicant has revised the scheme to that described above.

#### **4.0 Policies**

- 4.1 The following policies apply to this application:

#### **Approved Fareham Borough Core Strategy**

- CS2 - Housing Provision
- CS4 - Green Infrastructure, Biodiversity and Geological Conservation
- CS5 - Transport Strategy and Infrastructure
- CS6 - The Development Strategy
- CS9 – Development in the Western Wards & Whiteley
- CS14 - Development Outside Settlements
- CS15 - Sustainable Development and Climate Change
- CS16 - Natural Resources and Renewable Energy
- CS17 - High Quality Design
- CS18 - Provision of Affordable Housing
- CS20 - Infrastructure and Development Contributions

#### **Adopted Development Sites and Policies**

- DSP1 - Sustainable Development
- DSP2 - Environmental Impact
- DSP3 - Impact on living conditions
- DSP6 - New residential development outside of the defined urban settlement boundaries
- DSP13 - Nature Conservation
- DSP15 - Recreational Disturbance on the Solent Special Protection Areas
- DSP40 - Housing Allocations

#### **Other Documents**

Residential Car and Cycle Parking Standards Supplementary Planning Document (November 2009)  
Design Guidance Supplementary Planning Document excluding Welborne (Dec 2015)

## **5.0 Relevant Planning History**

5.1 None

## **6.0 Representations**

6.1 During the course of the original application and subsequent revisions being consulted on, a total of 80 representations have been received from 47 different individuals raising the following concerns;

## **6.2 Objections**

### **General**

- Overdevelopment
- The site is allocated as countryside and should be retained
- Harmful to landscape character
- Additional housing is not required
- Design is not in keeping
- Any development over two storey height would not be appropriate
- Social housing should be more integrated
- The site would make an ideal community open space

### **Highways**

- Traffic survey does not reflect reality
- Beacon Bottom cannot cope with additional vehicle movements
- Limited width of road leading to the site does not enable vehicles to pass which has resulted in accidents or near misses
- Current roadside parking is detrimental to highway safety
- Vehicles mounting the pavement detrimental to pedestrian safety
- Vehicles parked on the pavement results in pedestrians using the road
- The road is used for parking by those commuting from Swanwick railway station
- Parking restrictions proposed would result in loss of residents parking
- Access points to frontage properties would conflict with those of neighbouring properties
- Difficulty in turning out of Beacon Bottom onto Botley Road and increased waiting times
- Traffic controls required on junction
- Further damage to carriageway
- The road cannot accommodate the construction vehicles

- Inadequate access for emergency services
- Consideration should be given to an alternative access/egress to Beacon Bottom
- Increased air pollution

### **Amenity**

- Overlooking and loss of privacy
- Increased noise levels during construction and on occupation
- Future occupants would be subject to noise disturbance from the M27
- No provision of play facilities

### **Environmental**

- Loss of hedgerows and trees
- Ancient hedgerow on frontage should be reinstated
- Impact to wildlife

### **Other Matters**

- Improvements are required to foul drainage system
- Additional strain on doctors'/dentist surgeries, schools
- Loss of property value

## **7.0 Consultations**

### **EXTERNAL**

#### **Hampshire County Council (Highways)**

7.1 The Highway Authority is satisfied that there is no direct or indirect impact upon the operation or safety of the local highway network and therefore, raise no objection subject to conditions.

#### **Hampshire County Council (Flood and Water Management)**

7.2 No objection.

#### **Southern Water**

7.3 No objection.

#### **Hampshire County Council (Archaeology)**

7.4 No objection.

#### **Natural England**

7.5 No objection subject to securing mitigation [in response to Appropriate Assessment consultation].

### **Portsmouth Hospitals NHS Trust**

- 7.6 The Trust commented on the application in December 2018 to request a financial contribution of £1,026 per dwelling.

The Trust is currently operating at full capacity in the provision of acute and planned healthcare. It is further demonstrated that although the Trust has plans to cater for the ageing population and growth, it will not be able to plan for the growth in a piecemeal manner.

The contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new homes. The development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without contributions to maintain the delivery of health care services at the required quality standard and to secure adequate health care for the locality the proposed development will put too much strain on the said service infrastructure, putting people at significant risk. This development imposes an additional demand on existing over-burdened healthcare services, and failure to make the requested level of healthcare provision will detrimentally affect safety and care quality for both new and existing local population. This will mean that patients will receive substandard care, resulting in poorer health outcomes and pro-longed health problems. Such an outcome is not sustainable.

### **INTERNAL**

#### **Ecology**

- 7.7 No objection subject to conditions.

#### **Environmental Health**

- 7.8 The noise impact assessment has identified the need for alternative ventilation within certain buildings and elevations. It is suggested that trickle vents may be the resolution to this issue however trickle vents may not adequately provide suitable and sufficient ventilation to a room or property. As such it is recommended that a condition is added to any permission granted to provide a scheme of suitable and sufficient ventilation, to those properties identified, which would also allow for the integrity of the noise protection measures to be maintained. In respect of outdoor noise to gardens, the 2.5m high fence proposed, should be satisfactory to protect the amenity of future occupiers.

#### **Contaminated Land**

- 7.9 No objection subject to condition.

### **Trees**

- 7.10 The revised June 2020 layout and updated arboricultural impact assessment addressed all previous concerns relating to the spatial relationship between trees and development. No objection subject to condition.

### **Fareham Housing**

- 7.11 With the 29 dwellings proposed at the site 11.6 (i.e. 40%) should be provided as affordable housing. With 11 proposed on site the 0.6 equivalent should be provided as a financial contribution in lieu of on-site provision. The proposed split between affordable rent and intermediate is acceptable as it closely reflects the 65:35 sought. The mix of property sizes is also acceptable as it adequately reflects local need (and follows previous advice given to the applicant).

## **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) The Impact on European Protected Sites
- d) Policy DSP40
- e) Other matters
- f) The Planning balance

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

- 8.2 A report titled "Five year housing land supply position" was reported for Members' information on the agenda for the Planning Committee meeting held on Wednesday 17<sup>th</sup> February 2021. The report concluded that this Council has 4.2 years of housing supply against the 5YHLS requirement. Officers accept that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites.
- 8.3 The starting point for the determination of this planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004:

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

- 8.4 In determining planning applications there is a presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise. Material 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 177 of the NPPF which states that

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

- 8.10 The wording of this paragraph means that in cases such as this one where an appropriate assessment had concluded that the proposal would not adversely affect the integrity of the habitats site the presumption in favour of sustainable development set out in Paragraph 11 does apply.
- 8.11 In the absence of a five-year supply of deliverable housing sites, Officers consider that policy DSP40 is the principal development plan policy that guides whether schemes will be considered acceptable. The following sections of this report assess the application proposals against this Council's adopted local planning 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 of the Core Strategy states that:

*'Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.'*
- 8.14 Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).
- 8.15 The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

**c) The Impact upon Protected Sites**

- 8.16 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 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.
- 8.17 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.
- 8.18 In light of their importance, areas within The Solent have been specially designated under UK law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as ‘Protected Sites’ (PS).
- 8.19 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 PS 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 PS. This is done following a process known as an Appropriate Assessment (AA). 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.
- 8.20 To fulfil the requirements of the Habitat Regulations, Officers have carried out an AA in relation to the likely significant effects arising from the proposed development on PS which concludes that there would be no adverse effects on the integrity of protected sites subject to mitigation measures. Natural England have been consulted on the AA and responded raising no objection.
- 8.21 The AA identifies four likely significant effects on PS none of which would result in adverse effects on the integrity of the PS provided mitigation measures are secured.

- 8.22 The first of these likely significant effects relates to recreational disturbance on The Solent coastline resulting from an increase in population. Policy DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies explains that planning permission for proposals resulting in a net increase in residential units may be permitted where the 'in combination' effects of recreation on the Special Protection Areas are satisfactorily mitigated through the provision of a financial contribution to The Solent Recreation Mitigation Strategy (SRMS). The applicant has confirmed that they would be happy to provide such a contribution to be secured through a Section 106 legal agreement.
- 8.23 The second likely significant effect relates to hydrological changes and the risk of flooding on the site during the lifetime of the development once the homes are occupied. The AA finds that adverse effects could be avoided through the implementation of the drainage system set out in the Flood Risk Assessment & Surface Water Drainage Strategy provided by the applicant. The provision of this drainage system will avoid any adverse effects on the integrity of the PS and a suitable planning condition is proposed to secure this mitigation.
- 8.24 The third likely significant effect relates to the site's proximity to a watercourse with hydrological links to the River Hamble and the risk of pollution from the site affecting the water quality of the PS. The AA explains that in order to ensure no deterioration of the water quality of the PS, an appropriate Construction Environmental Management Plan (CEMP) must be secured via a planning condition and implemented.
- 8.25 Finally, Members will be aware of the potential for residential development to have likely significant effects on PS as a result of deterioration in the water environment through increased nitrogen. Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) is likely to have a significant effect upon the PS.
- 8.26 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England have provided a methodology for calculating nutrient budgets and options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best-available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advise local planning authorities to

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

- 8.27 The applicant has submitted a nutrient budget for the development 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 22.47kg/TN/year. In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be grazing land. Due to the uncertainty of the effect of the nitrogen from the development on the PS, 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.
- 8.28 The applicant has entered into a contract (conditional on the grant of planning permission) to purchase 23.5 kg 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.
- 8.29 The AA carried out by the Council has concluded that the proposed mitigation and condition will be adequate for the proposed development and ensure no adverse effect on the integrity of the EPS either alone or in combination with other plans or projects. The difference between the credits and the output will result in a small annual net reduction of nitrogen entering The Solent. Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings.
- 8.30 It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

**d) Policy DSP40**

- 8.31 In the absence of a five year supply of deliverable housing sites, Officers consider that policy DSP40 is the principal development plan policy that guides whether schemes will be considered acceptable.
- 8.32 Policy DSP40: Housing Allocations, of 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".*
- 8.33 Each of these five bullet points are worked through in turn below.

**Policy DSP40 (i)**

- 8.34 The proposal is for 29 dwellings which Officers consider to be relative in scale to the 5YHLS shortfall and therefore bullet point i) of Policy DSP40 is satisfied.

**Policy DSP40 (ii)**

- 8.35 The application site immediately abuts the urban settlement boundary to the south. It occupies a parcel of land enclosed by the urban area to the south, woodland to the north and west and existing residential curtilages to the east. The proposal is for a logical extension to the urban area and the proposal is well related to the existing urban settlement boundary as a result. The development has been laid out with pedestrian and vehicular connections to and from Beacon Bottom and a footpath along the northern side of the road.
- 8.36 The application site is also considered to be sustainability located within close proximity to the local centre of Park Gate where various shops and local

services can be found. Park Gate Employment Area at Botley Road and Duncan Road is also close by as is Park Gate Business Centre. Swanwick train station lies within a 500m walk from the site and the nearest general use bus services are also located at the train station. From here, bus services are available between Fareham and Whiteley (28/28A route). A further bus stop is located on the A27, approximately 590m walking distance from the centre of the site. From here, services are available to Southampton and Portsmouth (X4 route). A number of school bus services are available from both stops, and these serve Barton Peveril College, Swanmore School and Peter Symonds College.

- 8.37 The site is located adjacent to the existing urban settlement boundary in a sustainable location and is clearly accessible and well served by public transport which provides the opportunity for future residents to travel by alternative modes of transport, other than the private car. It is therefore considered that point (ii) of Policy DSP40 is satisfied.

### **Policy DSP40 (iii)**

- 8.38 The first part of this policy test relates to the sensitivity of the proposed design in relation to the existing settlement area. Policy CS17 sets out a similar, but separate policy test that, amongst other things, *“development will be designed to: respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials”*.
- 8.39 Having considered the submitted details, Officers are satisfied that the scale, design and layout of the scheme is of a high quality which would respond positively and be respectful of the established character and appearance of the area complying with Policy CS17. The scheme has been sensitively designed to reflect the suburban character of the immediate surrounding settlement area in accordance with the first part of Policy DSP40(iii).
- 8.40 The second part of the policy test considers to what extent any impact on the countryside is minimised. The site is within an area of countryside but is not designated as Strategic Gap. The Fareham Landscape Assessment 2017 (which is part of the evidence base for the published draft Fareham Local Plan 2037) identifies that the site lies within the North Sarisbury Character Area. This area is described as being of semi-rural, wooded landscape that is sandwiched between the M27 to the north and the urban edges of Lower Swanwick, Sarisbury and Park Gate. It is noted that its isolation from surrounding countryside to the north and the influence of its urban context lend a distinctive ‘fringe’ character to the landscape.

- 8.41 The area is identified in the Fareham Landscape Assessment 2017 as having some potential to accommodate limited small-scale development within the existing framework of small fields and woodland, particularly in areas adjacent to existing built development where landscape character and quality is already influenced by urban/suburban features, and where the effects could be mitigated by the existing framework of woodland or by new planting.
- 8.42 In this instance the application site is strongly enclosed by mature woodland on its northern and western edges and residential curtilage to the east. The visual effects of the proposed development would be confined to the existing field within which it sits, and more distant views would be heavily screened. There would be no harmful effects in this regard on the wider landscape. As a result, the impact of the development in visual and landscape terms would be satisfactorily minimised so as to accord with the second part of the policy test at Policy DSP4(iii).

#### **Policy DSP40 (iv)**

- 8.43 Officers are satisfied that if full planning permission were to be granted the scheme would be delivered in the short term and all 29 dwellings built out in a single phase completed within the next five years.
- 8.44 Officers consider that the site is deliverable in the short term thereby satisfying the requirement of Policy DSP40(iv).

#### **Policy DSP40 (v)**

- 8.45 The final test of Policy DSP40: "The proposal would not have any unacceptable environmental, amenity or traffic implications" is discussed below. In summary, Officers consider this policy test to be satisfied.

#### **Highways**

- 8.46 Officers raised concerns with the applicant shortly after the application was submitted in relation to the extent of overgrown vegetation on the carriageway along Beacon Bottom. The hedgerow, extending from immediately east of the proposed access to east of the junction of Beacon Bottom and Beacon Mount, has been allowed to grow over the highway verge and carriageway over a number of years. The applicant has produced a Carriageway Width Note which demonstrates that some hedge clearance will be required to achieve the required carriageway width of 4.8m (to allow a light vehicle to pass a heavy vehicle). The note states that such clearance works can be undertaken on the public highway without undermining the integrity of the hedge and the highway authority HCC have no objection. Following consultation with HCC

highways on this point, Officers consider that such works should be secured through a suitably worded obligation in a Section 106 agreement.

- 8.47 Following the revisions made to the scheme by the applicant, the highway authority have raised no objection to the proposals and have stated that they are satisfied that there would be no direct or indirect impact upon the operation or safety of the local highway network. The applicant would be required to provide a financial contribution to amend the existing traffic regulation order (TRO) on Beacon Bottom as outlined in the submitted Transport Statement and Carriageway Width Note. The amended TRO would seek to deter long-stay parking on the road, such as the parking by commuters using nearby Swanwick Railway Station, which could comprise the introduction of day-time parking restrictions or through the extension of existing parking restrictions on Beacon Bottom. Such amendments would ensure the carriageway is kept available at a suitable width without being narrowed by parked cars.
- 8.48 In terms of the proposed site layout, the proposal would comply with the Council Car & Cycle Parking Residential Car & Cycle Parking SPD in terms of car parking provision. In order to meet these standards however, certain plots would need to be provided with car ports as opposed to garages. Clarification is sought from the applicant on the provision of car ports and garages and will be reported to Members by way of an update. Refuse vehicle tracking has also been carried out to ensure the Council's refuse lorry can access the development, service the plots and turn to leave the site in forward gear.

## **Environmental**

- 8.49 The revised site layout has been produced by the applicant in response to previous advice given by Officers in relation to the need for compensatory habitat for protected species and for more space around protected trees. As a result plots 14 – 17 in the north-west corner of the site have been turned to address the adjacent woodland at a satisfactory distance to allow an appropriate buffer and habitat clear of the overhanging TPO tree canopies. Similarly, a better arrangement has been reached for plots 26 – 29 which face onto a small area of open space and TPO trees.
- 8.50 The Council's Principal Tree Officer has advised that in his opinion the development proposals would have no significant adverse impact on the contribution of the trees on site to the public amenity or the character of the wider setting.
- 8.51 The ecology reports submitted by the applicant show that there are two outbuildings on the site which were assessed as having low potential for

roosting bats. The subsequent emergence surveys confirmed the absence of roosting bats. The northern and western boundaries of the site, which are the woodland edges, are of more value to foraging/commuting bats.

- 8.52 Initially concerns were raised concerning the provision of insufficient replacement habitat for dormice, inappropriate mitigation for reptiles and inadequate measures to protect the adjacent woodland to the north and west. The site layout has been amended to provide a buffer along the northern boundary which would be appropriate for reptiles and therefore the proposed reptile mitigation strategy is considered acceptable. New planting would also be provided along the western boundary which would provide compensatory habitat for dormice. It is not considered that the proposal would have an adverse impact on protected species.
- 8.53 The application proposes the removal of the majority of the frontage hedgerow along the southern boundary of the site. Other parts of the hedgerow are shown to be reduced and cut back. This hedgerow removal and reduction is required to provide suitable visibility splays for the vehicular access into the site, to widen the carriageway appropriately and to provide the new footpath and access points to dwellings as shown on the submitted plans. A submitted Landscape Proposals Plan shows areas of new planting including a new hornbeam hedge along sections of the new frontage. The precise details and specification of the landscaping scheme would be secured by using a suitably worded planning condition.
- 8.54 The Lead Local Flood Authority, Hampshire County Council, have raised no objection in response to being consulted on the proposals and the applicant's Flood Risk Assessment and Surface Water Drainage Strategy.

### **Amenity**

- 8.55 The applicant has worked to revise the proposed layout to the satisfaction of Officers and to comply with the Council's Design Guidance SPD (excluding Welborne). During the course of the application the number of dwellings proposed has been reduced from 34 to 29 in order to do so. The proposal provides private gardens and amenity areas to each unit in accordance with the standards set out in the SPD.
- 8.56 The proposals provide internal space for each dwelling in accordance with the standards set out in the Nationally Described Space Standards (March 2015).
- 8.57 Officers are satisfied that the development would be acceptable in accordance with Core Strategy Policy CS17 and Local Plan Part 2 Policies DSP3 and DSP40(v).

## **e) Other Matters**

### **Affordable Housing**

- 8.58 Policy CS18 of the adopted Fareham Borough Core Strategy sets out that developments of 15 dwellings or more should provide on-site affordable housing provision at a level of 40%. For a scheme of 29 dwellings this equates to 11.6 units.
- 8.59 The application includes the provision of seven dwellings for affordable rent and four dwellings for shared ownership. The remaining 0.6 equivalent would be provided as a financial contribution in lieu of on-site provision. The proposed split between affordable rent and intermediate is acceptable as it closely reflects the 65:35 sought. The mix of property sizes is also acceptable as it adequately reflects local need. If planning permission were to be granted, the provision of those units would be secured via a Section 106 legal agreement entered into by the applicant/landowner.

### **Comments from Portsmouth Hospitals NHS Trust**

- 8.60 In December 2018 the Portsmouth Hospitals NHS Trust wrote to the Council to make representations about the application. The Trust is commissioned to provide acute healthcare services to a number of Clinical Commissioning Groups (CCGs) including Fareham and Gosport CCG. The CCGs commission planned and emergency acute healthcare from the Trust.
- 8.61 A summary of the comments made by the Trust is included earlier in this report. The Trust request a financial contribution of £1,026 per dwelling to provide services needed by the occupants of the new homes.
- 8.62 The tests for obligations are set out in paragraph 56 of the NPPF and reflect those in Regulation 122 of the Community Infrastructure Levy Regulations 2010. The tests for an obligation are whether they are:
- 1. necessary to make the development acceptable in planning terms;*
  - 2. directly related to the development; and*
  - 3. fairly and reasonably related in scale and kind to the development.*
- 8.63 There is no specific policy in the adopted local plan that relates to hospital infrastructure or contributions towards hospital services. The comments from the Trust refer however to Policy CS20 of the adopted Core Strategy which seeks to ensure that developments will contribute towards or provide

infrastructure or mitigate an impact of a development upon infrastructure. The representations are clear that they do not seek a contribution towards health infrastructure rather it is the impact upon the hospitals through the delivery of the health care service. Whilst the thrust of Policy CS20 seeks to secure contributions towards infrastructure, it could be argued that the broad nature of Policy CS20 could be material in assessing the Trust's request.

- 8.64 Furthermore, the NPPF, in Chapter 8 seeks to promote healthy and safe communities. The NPPF identifies that decisions should “*...enable and support healthy lifestyles, especially where this would address identified local health and well-being needs*” and “*...take into account and support the delivery of local strategies to improve health...of the community*” (paragraph 91-92).
- 8.65 The first point to note in relation to the Trust's comments is that the UK provides its citizens with healthcare on a national basis regardless of district or county boundaries. The funding is collected via central government taxation and distributed locally to provide healthcare. Whilst delivered locally the service is a National Health Service and as such the government has a system to ensure that each area of the country has enough funds to provide the service on the basis of the population it serves. Regardless of where someone lives, they are entitled to receive healthcare on a national basis.
- 8.66 The Trust's comments explain the way in which the hospitals are currently funded. The Trust indicate that the residents who will be living in the development are likely to use the hospitals and increase pressure on the hospital services as a result. A formula is provided with an estimated number of the proposed population predicated as being likely to need to use the hospital services. From this estimated number of hospital visits, a cost is attributed and multiplied to provide the suggested contribution.
- 8.67 In considering the requests it is noted that the construction of houses does not itself lead to population growth. Officers consider that the need for housing is a consequence of population growth. Furthermore, there is no account in the representations, it seems, for the potential for the residents of the new development to be moving locally around the Borough or adjoining boroughs such that their residence locally is already accounted for by the current services and funding commissioned by the hospital. In addition, the cost attributed to the proposed patient trips to the hospital is not considered to be clearly calculated or justified.
- 8.68 The representations from the Trust state that “*...although the Trust has plans to cater for known population growth it cannot plan for unanticipated additional growth in the short to medium term*”.

- 8.69 The length of time between sites being identified, planning permission being granted, and the houses actually being constructed and subsequently occupied is many years. The amount of residential development coming forward in the Borough which has not been reasonably foreseeable for a period of years is therefore very limited.
- 8.70 For the reasons set out above, Officers do not consider that the contribution sought by the Trust is necessary to make the development acceptable in planning terms and thus the tests for planning obligations as set out above are not considered to have been met. Furthermore given the adopted policy framework it is considered that in the absence of the contribution, the application does not fail as a consequence as this issue alone would not justify a reason for refusal, which it must do in order to make the contribution necessary to make the development acceptable in planning terms and meet the tests for a planning obligation.

### **Publication Version of the emerging Fareham Local Plan**

- 8.71 Members will be aware of the Publication Local Plan, which addresses the Borough's development requirements up until 2037. The latest consultation stage is currently underway and will close at the end of July. Following the submission of the Publication Local Plan to the Secretary of State, and the subsequent Examination, it is intended that the Publication Local Plan will replace Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Development Sites & Policies).
- 8.72 The site of this planning application is proposed to be allocated for housing within the Publication Local Plan (reference HA15). A number of background documents and assessments support the proposed allocation of the site in terms of its deliverability and sustainability which are of relevance. The Council published the Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. The application site is included and has been given a housing yield of 29 dwellings which is reflective of the current application.
- 8.73 This site was previously consulted on as part of the Regulation 18 draft local plan in 2017. In response to this consultation the Council received responses from 59 individuals and/or organisations, including 56 objections. Following the consultation, work has been undertaken to respond to/resolve these objections. In 2020 the site was included in the Regulation 19 consultation on the Publication Local Plan, one consultation response was received in respect of the site in the form of support from the site promoter. Therefore, as the plan has reached publication plan stage, has been subject to a number of high

level assessments that support its allocation and the allocation policy in respect of this site has not received any objections as to its soundness, it can be considered that some weight can be applied to the policy in accordance with para 48 of the NPPF.

## **Planning Balance**

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

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

- 8.75 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.

- 8.76 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 and against the Development Plan.

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

- 8.78 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 to the Planning Committee in February 2021 and the Government steer in respect of housing delivery.

- 8.79 In weighing up the material considerations and conflict between policies Officers have concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall and if granted, the development could be delivered in the short term. The site is located adjacent to the existing urban area and is considered to be in a sustainable location with good access to local services and public transport. The proposal would have an urbanising impact locally however any adverse impact on the wider landscape character would be minimised by the site's visual containment.
- 8.80 Officers are satisfied that there are no amenity, traffic or environmental issues which cannot otherwise be addressed through planning conditions and obligations. Affordable housing is to be provided with a type and tenure which reflects the identified needs of the local population and which again can be secured through a planning obligation.
- 8.81 In balancing the objectives of adopted policy which seeks to restrict development within the countryside alongside the shortage in housing supply, Officers acknowledge that the proposal could deliver 29 dwellings in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply is a material consideration, in the light of this Council's current 5YHLS.
- 8.82 There is a conflict with development plan Policy CS14 which ordinarily would result in this proposal being considered unacceptable in principle. Ordinarily CS14 would be the principal policy such that a scheme in the countryside would be considered to be contrary to the development plan. 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.
- 8.83 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 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

(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.

- 8.84 Having carefully considered all material planning matters, Officers recommend that outline planning permission should be granted subject to the following matters.

#### **9.0 *Recommendation***

- 9.1 GRANT OUTLINE PLANNING PERMISSION subject to:

- i) The receipt of clarification from the applicant in relation to provision of car ports and garages to the satisfaction of Officers and to comply with the Council's adopted Residential Car & Cycle Parking Standards SPD;
- ii) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
  - a) To secure a financial contribution towards The Solent Recreation Mitigation Strategy (SRMS);
  - b) To secure the provision of affordable housing on-site in the form of 7no. houses for social rent (2 x 1 bed, 4 x 3 bed & 1 x 4 bed) and 4no. houses as intermediate housing (2 x 2 bed & 2 x 3bed) and a financial contribution for the remaining requirement equivalent to 0.6 dwellings;
  - c) To secure the provision of the following highway improvements to be delivered by the developer through a Section 278 agreement with the highway authority:
    - i. Delivery of the site access as detailed in drawing no. ITB14211-GA-002 rev H in submitted Transport Statement 19<sup>th</sup> June 2020;
    - ii. Provision of a footpath on the northern side of Beacon Bottom as detailed in drawing no. ITB14211-GA-002 rev H in submitted Transport Statement 19<sup>th</sup> June 2020;
    - iii. Removal/reduction of overgrown vegetation along Beacon Bottom as detailed in the Carriageway Width Note produced by i-Transport dated 2<sup>nd</sup> May 2019.
  - d) To secure a financial contribution towards funding of amendments to the existing traffic regulation order (TRO);

- e) To secure details of the maintenance and management arrangements for areas of the site not within the defined curtilage of any of the residential units hereby permitted.
- iii) Delegate to the Head of Development Management in consultation with the Solicitor to the Council to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification which may include the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions; and
- iv) The following planning conditions:
  - 1. The development shall begin within 3 years from the date of this decision notice.  
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
  - 2. The development shall be carried out in accordance with the following drawings and documents:
    - a) 18.105.01A\_Location Plan
    - b) 18.105.02\_Site Plan (1) - Revised June 2020
    - c) DD230L01D\_Landscape Proposals Plan - Revised June 2020
    - d) 18.105.08\_Blk J\_Floor Plans and Elevations - Revised June 2020
    - e) 18.105.04D\_HT Ah\_Floor Plans and Elevations
    - f) 18.105.06D\_Blk A-C&E\_Floor Plans and Elevations
    - g) 18.105.07F\_Blk F\_Floor Plans and Elevations
    - h) 18.105.10E\_HT K\_Floor Plans and Elevations
    - i) 18.105.11D\_HT L\_Floor Plans and Elevations
    - j) 18.105.12C\_Blk GV Floor\_Plans and Elevations
    - k) 18.105.21E\_Blk L Floor\_Plans and Elevations
    - l) 18.105.22D\_HT ZB\_Floor Plans and Elevations
    - m) 18.105.24C\_HT Jh\_Floor Plans and Elevations
    - n) 18.105.25B\_HT JV\_Floor Plans and Elevations
    - o) 18.105.27B\_HT M\_Floor Plans and Elevations
    - p) 18.105.28A\_HT ZBV\_Floor Plans and Elevations
    - q) Preliminary Ecological Appraisal (April 2019)
    - r) Bat Survey (April 19)
    - s) Beacon Bottom Reptile Surveys and Outline Mitigation (Dec 2020)
    - t) DD230D01\_Dormice Mitigation Plan
    - u) Beacon Bottom Dormouse Mitigation Strategy (DMS) (Jan 21)

- v) J1128 01 05 Arboricultural Impact Assessment (AIA) - Revised June 2020
- w) Beacon Bottom - Phase II Geo environmental assessment
- x) AC105923-1r4 - Noise Impact Assessment - Revised June 2020
- y) ITB14211-004 Carriageway Width Note
- z) Transport Statement (June 2020)
- aa) Transport Statement Appendices (June 2020)
- bb) Flood Risk Assessment and Drainage Strategy (Odyssey dated June 2020)
- cc) Preliminary Drainage Strategy Plan dwg no. 18-188/001 (Odyssey dated Feb 2020)
- dd) Hydraulic calculations (Odyssey dated Feb 2020)
- ee) Site Investigation data (REC dated Oct 2018)

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

3. No development shall commence until details of the internal finished floor levels of all of the proposed buildings and proposed external finished ground levels, in relation to the existing ground levels on the site and the adjacent land, 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 safeguard the character and appearance of the area and to assess the impact on nearby residential properties. 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.

4. No development shall commence until a scheme of lighting along the northern and western boundaries of the site (during construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats, 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 and retained 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 in accordance with Policy DSP13 of the Fareham Borough Local Plan Part 2: Development Sites & Policies.

5. No development shall commence until a detailed biodiversity enhancement and management scheme, supported by drawings, and stating management aims, objectives and prescriptions as well as a monitoring and review process, 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: To conserve and enhance biodiversity in accordance with the NPPF and the Natural Environment and Rural Communities Act.

6. No development shall commence until additional ground gas monitoring has been undertaken to provide further evidence on the ground gas assessment of the site, as advised within the approved Phase II Geo environmental assessment. The gas monitoring should comprise no less than two additional rounds of monitoring and one should be in a falling pressure event. The results of this monitoring shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place on the site.

Where the gas monitoring 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 by the LPA in writing. This shall include the nomination of a competent person (to be agreed with the LPA) to oversee the implementation of the measures.

On completion of the remediation works and prior to the occupation of any properties on the development, the developers and/or their approved agent shall confirm in writing that the works have been completed in full and in accordance with the approved scheme.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the LPA. This shall be investigated to assess the risks to human health and the wider environment and a remediation scheme implemented following written approval by the Local Planning Authority. The approved scheme for remediation works shall be fully implemented before the permitted development is first occupied or brought into use.

REASON: To ensure that any 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.

7. No development shall 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.

8. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):
  - a) Details of 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 implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
  - c) Arrangements for the routing of lorries and details for construction traffic access to the site;
  - d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
  - e) The measures for cleaning the wheels and underside of all vehicles leaving the site;
  - f) A scheme for the suppression of any dust arising during construction or clearance works;
  - g) The measures for cleaning Beacon Bottom ensure that it is kept clear of any mud or other debris falling from construction vehicles, and
  - h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;
  - i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
  - j) Provision for storage, collection, and disposal of rubbish from the development during construction period;

- k) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- l) Temporary lighting;
- m) No burning on-site;
- n) Scheme of work detailing the extent and type of piling proposed;
- o) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;
- r) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

**REASON:** In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of 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.

9. No development hereby permitted shall commence until details of the maintenance of the SuDS drainage system have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the SuDS drainage system shall be maintained in accordance with the approved details at all times thereafter.

**REASON:** In the interests of protecting protected species and their habitat; 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.

10. No development hereby permitted shall proceed beyond damp proof course (dpc) level until details of all proposed external facing and hardsurfacing materials 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.

11. No development hereby permitted shall proceed beyond damp proof course (dpc) level until details have been submitted to and approved by the LPA in writing of how electric vehicle (EV) charging points will be provided at the following level:

- One EV charging point installation per residential 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.

12. No development shall proceed beyond damp proof course (dpc) 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 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

13. The development shall be carried out in accordance with the Arboricultural Impact Assessment and Tree Survey (Sapling Arboriculture, June 2020) unless otherwise agreed in writing with 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; in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

14. The development hereby permitted shall be carried out in accordance with the submitted revised Dormouse Mitigation Strategy (Dec 2020) and revised Reptile Surveys and Outline Mitigation by Ecosupport (Jan 2021).

REASON: To ensure the protection of reptiles and dormice in accordance with the Wildlife and Countryside Act 1981 (as amended).

15. 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 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.

16. 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 thereafter be retained at all times unless otherwise 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 property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

17. None of the development hereby approved shall be occupied until details of the proposed bin storage areas, including bin collection points, 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.

18. None of the development hereby approved shall be occupied until details of secure cycle storage have been submitted to and approved by the Local Planning Authority in writing. The secure cycle stores shall be provided before any dwelling is first occupied and shall thereafter be retained and kept available for use at all times.

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

19. No dwelling hereby permitted shall be occupied until 2.4m by 43m visibility splays have been provided at the site access junction with Beacon Bottom in accordance with the approved details. These visibility splays shall thereafter be kept free of obstruction (nothing over 1m in height) at all times.

REASON: In the interests of highway safety; in accordance with Policies CS5 and CS17 of the Fareham Borough Core Strategy.

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 a maximum 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. No dwelling hereby approved shall be first 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 for that purpose.

REASON: In the interests of highway safety.

22. The visitor parking spaces marked on the approved plans shall be kept available for visitors at all times and not be used for private purposes.

REASON: To ensure adequate off-street parking provision on site is maintained.

23. The landscaping scheme, submitted under Condition 12, shall be implemented and completed within the first planting season following the commencement of the development 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

24. The car ports hereby approved shall be constructed in accordance with the approved plan. Thereafter each car port shall be retained, without doors, at all times so they are available for their designated purpose.

REASON: To ensure adequate car parking provision; in accordance with Policy CS17 of the Fareham Borough Core Strategy.

25. Notwithstanding the provisions of Class F of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no additional hard surfaced areas shall be constructed forward of the principal elevation of the dwellings constructed on Plots 2, 3 or 4 hereby approved unless first agreed in writing with the Local Planning Authority following the submission of a planning application.

REASON: To protect the character and appearance of the locality; to prevent additional car parking spaces being formed with access from Beacon Bottom without further assessment of the likely highway implications.

26. The first floor windows proposed to be inserted into the:

1. East elevation of the dwelling at Plot 12;
2. South elevation of the dwelling at Plot 25;
3. East elevation of the dwelling at Plot 29;

shall be:

- a) Obscure-glazed; and
- b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;

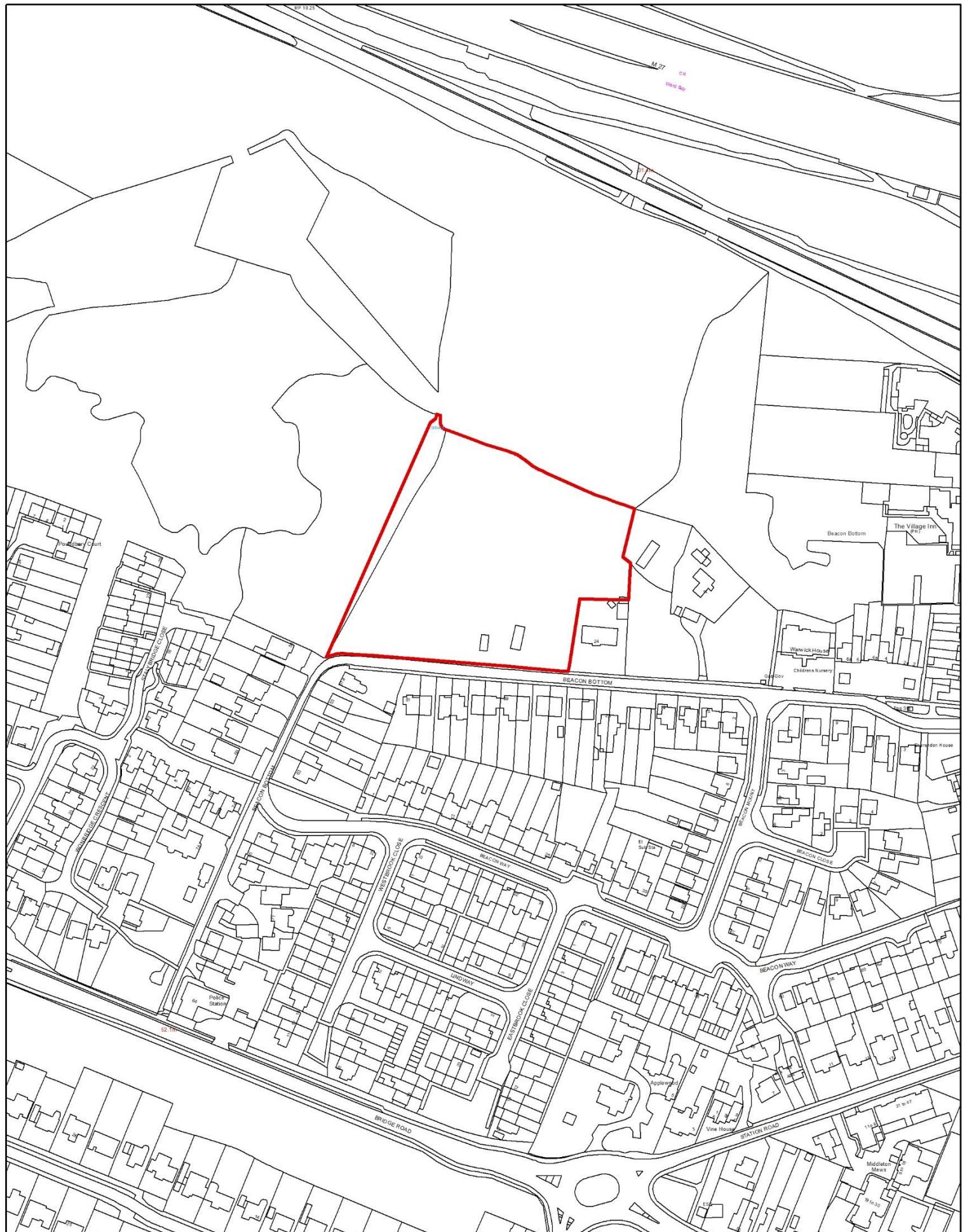
and shall thereafter be retained in that condition at all times.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent properties.

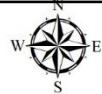
## **10.0 *Background Papers***

P/18/1258/FP

# FAREHAM BOROUGH COUNCIL



Beacon Bottom West  
Scale: 1:2,500



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