

OFFICER REPORT FOR COMMITTEE

DATE: 14/07/2021

**P/20/1190/OA
AJ DEVELOPMENTS LTD**

**TITCHFIELD
AGENT: PURE TOWN PLANNING**

REPLACEMENT DWELLING AT 197 SEGENSWORTH ROAD AND ERECTION OF 9 DWELLINGS AND ACCESS AND PARKING AT LAND REAR OF 195-205 SEGENSWORTH ROAD

LAND TO REAR OF 195-205 SEGENSWORTH ROAD, TITCHFIELD

Report By

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1.0 Introduction

- 1.1 The application represents an alternative scheme to that approved by the Planning Committee in May 2021 (Application P/18/0625/OA) as it incorporates the property at 197 Segensworth Road within the application site, which would be demolished as part of the revised scheme. Plots 2 – 9 remain largely unaltered from the approved planning application.
- 1.2 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 17th February 2021. The report concluded that this Council has 4.2 years of housing supply against the 5YHLS requirement.
- 1.3 The planning application site comprises some land owned by an employee of Fareham Borough Council.

2.0 Site Description

- 2.1 The application site is located on the southern side of Segensworth Road, outside but immediately adjacent to the Urban Settlement Boundary (Western Wards). The properties at 195 and 197 Segensworth Road lie within the designated Urban area. The site comprises the rear gardens of 195, 197, 201 and 205 Segensworth Road, and a large area forming a paddock and stabling currently part of 195 Segensworth Road, that wraps around behind 195, 197 and 201 Segensworth Road. The extended area of rear garden to the rear of 205 Segensworth Road also extends beyond the rear elevation of 203 Segensworth Road.

- 2.2 The site is bounded by rear gardens to the northern, east and west boundaries, and open countryside to the southern boundary. The southern and western boundaries comprise ribbons of mature trees, covered by a woodland order Tree Preservation Order, although most of the protected trees are located outside the proposed site boundary. There are also several individual Protected Trees within the front and rear gardens of 193 Segensworth Road (to the east of the site).
- 2.3 The houses fronting Segensworth Road comprise a mixture of bungalows and chalet bungalows, all set back from the road frontage. Segensworth Road is an unclassified road, subject to a 30mph speed limit. The road is a long straight road connecting to Barnes Wallis Way to the east and the main Segensworth roundabout to the west. The road is mainly residential in character, although to the east of the site lies Segensworth Business Centre, which is set to the south of Segensworth Road.

3.0 *Description of Proposal*

- 3.1 The application proposes the construction of 10 detached dwellings. Nine of the dwellings are additional dwellings, with the 10th being a replacement of number 197 Segensworth Road. The application is submitted in outline form with only access and layout for consideration at this time.
- 3.2 The ten dwellings comprise a mixture of 2 and 3 bedroomed bungalows, chalet bungalows and two storey properties, following the demolition of 197 Segensworth Road, and the outbuildings to the rear of 195 Segensworth Road.
- 3.2 The application differs from the extant planning permission granted very recently (under our reference P/18/0625/OA), through the inclusion of the residential curtilage of 197 Segensworth Road. This enables the existing dwelling at 195 Segensworth Road to be retained and for the provision of an additional dwelling within the rear part of the site.
- 3.3 A new dedicated shared pedestrian and vehicular access road would be created between 195 Segensworth Road and the replacement dwelling at 197 Segensworth Road. The access road would be 5.0 metres wide for the initial 11.5 metres from the edge of the highway, narrowing to 4.1 metres in width for much of its main run. The access road incorporates a passing place and two visitors' spaces, approximately half way along its main length.

3.0 *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

CS6: The Development Strategy

CS9: Development in the Western Wards & Whiteley

CS14: Development Outside Settlements

CS17: High Quality Design

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:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

Residential Car Parking Standards 2009

4.0 *Relevant Planning History*

5.1 The following planning history is relevant:

P/92/1228/OA	Erection of dwellings and the provision of associated access roads, open space and landscaping
APPEALED	21/04/1993 Dismissed: 19/11/1993
P/93/0322/OA	Erection of dwellings with the provision of associated access roads, open space and landscaping
APPEALED	21/04/1993 Dismissed: 19/11/1993
P/18/0625/OA	Outline planning application for up to eight dwellings, with access and parking following the demolition of 195 Segensworth Road
APPROVED	04/06/2021

5.0 *Representations*

6.1 Seven third party letters from four households have been received regarding this application, raising the following matters of concern:

- Surface water drainage concerns;
- Narrow access road will result in cars backing up onto Segensworth Road and other highway safety concerns;
- Inadequate car parking provision on site;
- No pedestrian access – conflict with vehicles using the access road;
- Over development of the site;
- Overlooking and loss of privacy;
- Loss of countryside;
- Impact on local wildlife and adjacent Sylvan Glade Site of Importance for Nature Conservation (SINC);
- Impact on local infrastructure; and,
- Impact on trees surrounding the site.

6.0 Consultations

EXTERNAL

HCC Highways

7.1 No objection, subject to conditions.

Natural England

7.2 No objection, subject to conditions securing nitrate mitigation and water consumption, in accordance with the Council's submitted Appropriate Assessment.

INTERNAL

Tree Officer

7.3 No objection, subject to conditions requiring compliance with the submitted Arboricultural Method Statement.

Ecology

7.4 No objection, subject to conditions.

8.0 Planning Considerations

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

- a) Implications of Fareham's 5 year housing land supply position
- b) Residential development in the countryside
- c) The Impact upon Protected Sites

- d) High Quality Design
- e) Policy DSP40 (Housing Allocations)
- f) Other matters
- g) The Planning Balance

a) Implications of Fareham's 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 17th 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.

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

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

8.3 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.

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

8.5 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.

8.6 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 which are most important for determining the application are out-of-date, grant 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.”*

8.7 Footnote 6 to paragraph 11 reads:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitat sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; and 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.”

8.8 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);...”

8.9 This planning application proposes new housing outside the defined urban settlement boundaries. The Council cannot demonstrate a five-year housing land supply. Footnote 7 of the 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.

8.10 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 taken as a whole (the so called ‘tilted balance’).

8.11 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.”

8.12 In this particular case an Appropriate Assessment has been undertaken and concluded that the development 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.

8.13 The following sections of the report assesses the application proposals against the 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

8.14 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 largely outside of the defined urban settlement boundary of the Western Wards, although two of the existing houses (195 and 197 Segensworth Road) are located in the designated settlement boundary.

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

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

8.16 Policy DSP6 (New Residential Development outside of the Defined Urban Settlement Boundaries) 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).

8.17 The greater part of the site is located outside of the defined urban settlement boundary and a substantial part of 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.

c) The Impact upon Protected Sites

8.18 The Solent is internationally important for its wildlife. Each winter it hosts over 90,000 waders and wildfowl including 10 percent of the global population of Brent Geese. These birds come for 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.

8.19 In light of their importance, areas within The Solent have been specifically designated under UK law. The site is located within 5.6km of The Solent, and therefore the development is likely to have a significant effect on the Protected Sites around The Solent (Solent and Southampton Water Special Protection Area and Ramsar site, Portsmouth Harbour Special Protection Area and Ramsar site, Solent and Dorset Coast Special Protection Area, Chichester and Langstone Harbour Special Protection Area and Ramsar site, The Solent Maritime Special Areas of Conservation and the Solent and Isle of Wight Special Area of Conservation). Policy CS4 sets out the strategic approach to biodiversity in respect of sensitive 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.

8.20 To fulfil the requirement under the Habitat Regulations, Officers have carried out an Appropriate Assessment to consider the likely significant effects on the Protected Sites around The Solent.

8.21 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on the designated Protected Sites, or if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated Protected Sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority in this case is the Local Planning Authority.

- 8.22 The impact of increased recreational disturbance as a result of new residential developments has long been established, and The Solent Recreational Mitigation Strategy, sets out how developers can mitigate the impact of their development on the likely significant effect on the Protected Sites.
- 8.23 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.
- 8.24 Natural England has further advised that the effects of emissions from increased traffic along roads within 200 metres of the Protected Sites also have the potential to cause a likely significant effect. The Council's Air Quality Habitat Regulations Assessment undertaken as part of the Local Plan Review highlights that developments in the Borough would not, in combination with other plans and proposals, have a likely significant effect on the Protected Sites up to 2037.
- 8.25 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.
- 8.26 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of the Solent and Southampton Water SPA and is therefore considered to contribute towards an impact of the Protected Sites as a result of increased recreational disturbance in combination with other development around The Solent area. The applicant has acknowledged the need to make the appropriate financial contribution in accordance with the adopted Solent Recreational Mitigation Strategy, which would be secured via a Section 111 agreement. Had the application been recommended for approval, the requirement to make this contribution would have formed part of the recommendation. The Appropriate Assessment concludes that subject to the payment of the contribution to fund the mitigation identified in the Solent Recreation Mitigation Strategy, the proposals would not have an adverse effect on the integrity of the Protected Sites as a result of recreational disturbance either in isolation, or in combination with other plans or projects.
- 8.27 Secondly, in respect of the impact of the development 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

6.66kg 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.

- 8.28 The nitrogen budget assumes an occupancy rate for the new development of 2.4 people. Natural England recommends that, as a starting point, local planning authorities should consider using the average national occupancy rate of 2.4 persons per dwelling as calculated by the Office for National Statistics (ONS), as this can be consistently applied across all affected areas. However competent authorities may choose to adopt bespoke calculations where they are satisfied that there is sufficient evidence to support this approach. In this case, there is no evidence to justify adopting a bespoke occupancy rate, nor have there been any representations suggesting that an alternative rate should be used, and therefore a rate of 2.4 persons is appropriate.
- 8.29 The previous use of the land has been classified in the nitrogen budget as a mixture of lowland grazing and urban land. The majority of the site forms paddocks associated with 195 Segensworth Road, with the remainder of the site forming the established residential curtilages of 195, 197, 201 and 205 Segensworth Road.
- 8.30 The nitrogen budget shows a surplus of 6.66kg/TN/yr that would enter The Solent via the wastewater treatment works. The applicant has entered into a contract (conditional on the grant of planning permission) to purchase 6.75kg 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. In the event that planning permission was being recommended, a condition would be required 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.
- 8.31 In addition to the above mitigation, and in order to ensure compliance with the Natural England methodology, a further condition would be required to ensure the development meets the Building Regulations optional requirement of a water consumption limit of a maximum 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 ensure no adverse effect on the integrity of the Protected Sites either alone or in combination with other plans or projects.

- 8.32 Natural England has been consulted on the Council's Appropriate Assessment, and they have raised no objection to the conclusions.
- 8.33 The proposal is therefore considered to accord with the Habitat Regulations and complies with policies CS4, DSP13, DSP15

d) High Quality Design

- 8.34 The majority of the layout at the rear part of the site is largely unaltered from the extant planning permission granted planning permission in June 2021. However, the current proposal has an altered access arrangement leading down from Segensworth Road, and the relationship between the access road and adjacent dwellings is now markedly different.
- 8.35 Each property within the development achieves a rear garden length of 11 metres or more, in accordance with the Council's adopted Design Guidance, and some plots also have generous garden widths.
- 8.36 Plots 3 and 4 would be located over 30 metres away from the rear elevations of 199, 201, 203 and 205 Segensworth Road, and these plots would be limited in height by condition as per the extant permission in order to reduce their visual impact on the adjacent occupiers.
- 8.37 It is therefore considered that the proposed development would not have an unacceptable adverse impact on the living conditions of the occupiers of the adjoining existing residents in terms of light, outlook and privacy.
- 8.38 In terms of the future living conditions of the occupiers of the development, as stated above, each of the properties would have a garden size in accordance with the Design Guidance, therefore providing a suitable area of private amenity space for each for the proposed dwellings. It is noted that the southern and western boundaries of the site are bounded by a mature belt of protected trees. A daylight and sunlight report has been provided to support the application, demonstrating the levels of daylight and sunlight that would be provided in the rear gardens of those proposed properties that back onto the trees. This Report has been assessed by the Council's Tree Officer who is content that the level of light entering the gardens would be unlikely to result in added pressure to cut back or remove the adjacent protected trees.

Officers are content that the level of light likely to enter the gardens is sufficient not to warrant an objection to the proposal.

- 8.39 Many of the proposed properties also benefit from front gardens, with the main estate road at the rear part of the site being relatively wide offering good levels of separation within the site, provide a spacious and well landscaped setting for future residents.
- 8.40 The current proposal seeks permission to erect two properties upon the Segensworth Road frontage with a 4.1 metre wide access road passing between them. The permitted scheme proposed one property upon this frontage, which allowed for a 5 metre wide access road with robust levels of landscaping either side.
- 8.41 The layout now proposed results in only limited space between the side elevation of the proposed dwellings and the access road. Plot 1 would be located around 0.75 metres from the edge of the access road; the retained dwelling at 195 Segensworth Road would be located 1.75 metres from the access road; and Plots 2 and 10 would be located only 1.5 metres from the edge of the access road,.
- 8.42 The rear gardens serving the two properties on the frontage, along with the rear gardens serving plots 2 and 10, would be situated immediately alongside the access road. Given this relationship, it is highly likely that a 1.8 metre high fence or similar will be erected along the boundaries of these gardens to secure privacy. Whilst a narrow landscaping strip is proposed between the access road and any boundary treatment, the narrowness of the access road coupled its close proximity to the two properties on the frontage and plots 2 and 10, will give rise to a cramped appearance and unwelcoming appearance to the development. This kind of arrangement is not characteristic of development in the vicinity, which is far more spacious, and in itself would not represent a high quality of design.
- 8.43 In addition to this, the access road would be in very close proximity to the dwellings proposed on plots 2 and 10, the dwelling proposed and that retained on the frontage, and the private rear garden areas associated with these four properties. The relationship of the access road to the adjacent properties would result in a significant adverse impact by virtue of noise upon the occupiers of those dwellings.
- 8.44 It is considered that the development would fail to accord with Policy CS17 (High Quality Design) of the adopted Core Strategy and Policy DSP2 (Environmental Impact) of the Local Plan Part 2.

e) Policy DSP40 (Housing Allocations)

8.45 Local Plan Policy DSP40 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 demonstrate 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'.*

8.46 Each of these five points are considered further below.

Policy DSP40 (i)

8.47 The development proposal is for the construction of 10 dwellings (net increase of 9 dwellings), following the demolition of 197 Segensworth Road. This is considered to be relative in scale to the 5YHLS shortfall and therefore point (i) of Policy DSP40 is satisfied.

Policy DSP40 (ii)

8.48 The planning application site is located both within and immediately adjacent to the defined urban settlement boundary of the Western Wards (Segensworth), with good accessibility to local services, facilities and employment provision.

8.49 The nearest bus stops are located a few metres away to the east along Segensworth Road connecting the site to both Whiteley Shopping Centre and Park Gate (to the northwest) and Fareham Town Centre (to the east). This provides good quality access to a wider bus network and Fareham Railway Station.

8.50 Existing dwellings within the urban area are located to the immediate north fronting Segensworth Road, and to the east along Titchfield Park Road. It is also important to highlight that the Council has already considered the site to

be suitable for development, having recently approved application P/18/0625/OA. Officers therefore consider that the proposals can be well integrated with the neighbouring settlement, and make good use of the site, in accordance with point (ii) of Policy DSP40.

Policy DSP40 (iii)

- 8.51 The site is within an area of countryside which is not designated as Strategic Gap. The Fareham Landscape Assessment (2017) identifies that the site falls within the Titchfield Corridor – 05.1a Wooded Valley: Heath Associated character. It sets out that the defining characteristics comprise linear gardens and small-scale pasture bounded by hedging with abundant mature trees enclosing the land. The Assessment highlights that the area can absorb some built form, providing it does not impact on the intrinsic character of woodland and Site of Importance for Nature Conservation (SINC) areas.
- 8.52 Given the enclosed nature of the land, fronted by existing properties along Segensworth Road, by the SINC and protected woodland to the south and west of the site, views of the site would be limited to those along the access road. The Landscape Assessment highlights that development within the Titchfield Corridor area would have limited visibility impact due to these prevailing features, ensuring the development of this site would not have an adverse impact on the surrounding countryside.
- 8.53 There are also other examples of ‘backland’ developments nearby that have infilled the land to the rear of properties fronting Segensworth Road. It is considered by Officers that the proposal has been designed to integrate with the character of the neighbouring settlement and would ensure the retention of the protected boundary trees. The proposal would therefore satisfy point (iii) of Policy DSP40.

Policy DSP40 (iv)

- 8.54 In terms of delivery, the applicant has confirmed that should permission be granted that the site could be deliverable in the short term and has agreed that a reduced 12 month limit on the submission of reserved matters would be acceptable. It is therefore considered that point (iv) of Policy DSP40 is satisfied.

Policy DSP40 (v)

- 8.55 The final test of policy DSP40 requires that proposals would not have any unacceptable environmental, amenity or traffic implications. These are discussed in turn below.

Environmental/Ecology

- 8.56 The application has been supported by a Phase 1 Bat Survey and Ecological Survey, which has been assessed by the Council's Ecologist, who has raised no objection to the proposals, subject to appropriate conditions. The Ecologist raises no concerns regarding the potential impact of bats or reptiles on the site, and sufficient information has been provided to demonstrate that the off-site woodland be protected.
- 8.57 The Council's Tree Officer has also reviewed the proposals due to the relative proximity of the woodland order Tree Preservation Order located on the southern and western boundary of the site, raising no objection to the proposals.
- 8.58 The proposal is therefore considered to not have any environmental or ecological impacts directly related to the development of the site itself, and therefore accords with the first part of point (v) of Policy DSP40.

Amenity

- 8.59 The impact upon the visual amenity of the area along with the residential amenity of residents have been considered in detail under the 'High Quality Design' section of this report at paragraphs 8.34-8.44.
- 8.60 Officers have concluded that the design of the scheme does not represent a high quality of design and is harmful to visual and residential amenity, contrary to Policies DSP2 and CS17. Officers similarly conclude that the proposal fails to satisfy policy DSP40 (v) in respect of amenity.

Traffic

- 8.61 The application, submitted in outline includes consideration of the access arrangements, and proposes the creation of a new vehicular access onto Segensworth Road following the demolition of 197 Segensworth Road. The access onto Segensworth Road, which has a restricted 30mph speed limit achieves the required visibility splays to enable safe egress onto the road, and Hampshire County Council as Highway Authority raises no objection to the proposals.
- 8.62 As stated above, unlike the extant planning permission, the access road has a reduced width of 4.1 metres along much of its length, widening to almost 4.5 metres adjacent to the passing place. The access road is 5 metres in width for the initial 11.5 metres (from the edge of highway), enabling two vehicles to pass at the site entrance clear of Segensworth Road. The lower part of the estate road, beyond the main access road, widens to between 4.5 metres and 6 metres in width, as per the extant planning permission. Limited landscaping would be created along the access road, with the exception of the area adjacent to the visitors' spaces and passing place.

- 8.63 The proposed site layout includes car parking provision in accordance with the Council's adopted Residential Car Parking Standards for each of the proposed dwellings. Visitors' parking is also provided. The site plan demonstrates that the Council's refuse vehicles will be able to enter and exit the site in a forward gear. This would also be suitable for emergency services vehicles. The construction of the road will need to be sufficiently robust to ensure it can withstand the weight of such vehicles.
- 8.64 It is considered that the proposed access arrangement would not cause unacceptable harm to other road users or pedestrians. Specific details regarding secure cycle storage, bin storage and electric charging points would be subject to conditions or reserved matters applications.
- 8.65 It is therefore considered that the proposal complies with the traffic implications point of Policy DSP40.
- 8.66 In summary, the proposed development would fail to accord fully with criteria (v) – amenity implications of the Policy DSP40.

f) Other Matters

- 8.67 **Affordable Housing:** Whilst the adopted Core Strategy sets out that affordable housing should be provided on sites over 5 dwellings (Policy CS18). This has however been superseded by the revised National Planning Policy Framework 2019, which only requires affordable housing provision for major development, comprising 10 or more dwellings. Therefore, as the scheme only represents a net increase of 9 dwellings there is no requirement for this development proposal to provide any affordable housing.

g) The Planning Balance

- 8.68 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.'

- 8.69 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.

8.70 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.

8.71 The greater part of 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.

8.72 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.

8.73 Officers have weighed up the material considerations and conflict between policies and the development of a greenfield site weighed against Policy DSP40. It has been concluded that the proposal is relative in scale to the demonstrated 5YHLS shortfall and would be well related to the existing urban settlement boundary such that it can be integrated with the adjacent settlement. The scheme has been sensitively designed to reflect the character of housing in the local area and would minimise any adverse impact on the wider countryside.

8.74 In respect of the fifth criteria of Policy DSP40, Officers consider that environmental and traffic issues are satisfied that these issues have been appropriately addressed in the submitted application, subject to appropriate conditions. However, Officers have identified that there is conflict with the amenity implications criteria of DSP40, which results in the development proposal failing to comply with Policy DSP40. The proposal also conflicts with Policies DSP2 and CS17.

8.75 Having carefully considered all material planning considerations, Officers recommend that planning permission should not be granted as the proposal does not represent a high quality design, is harmful to the visual amenity of the area and the residential amenity of dwellings adjoining the access road.

9.0 Recommendation

9.1 REFUSE OUTLINE PLANNING PERMISSION, for the following reasons:

1. The development would be contrary to Policies CS17 of the adopted Fareham Borough Core Strategy 2011, and Policies DSP2 and DSP40(v) of the adopted Local Plan Part 2: Development Sites and Policies Plan, and is unacceptable in that:

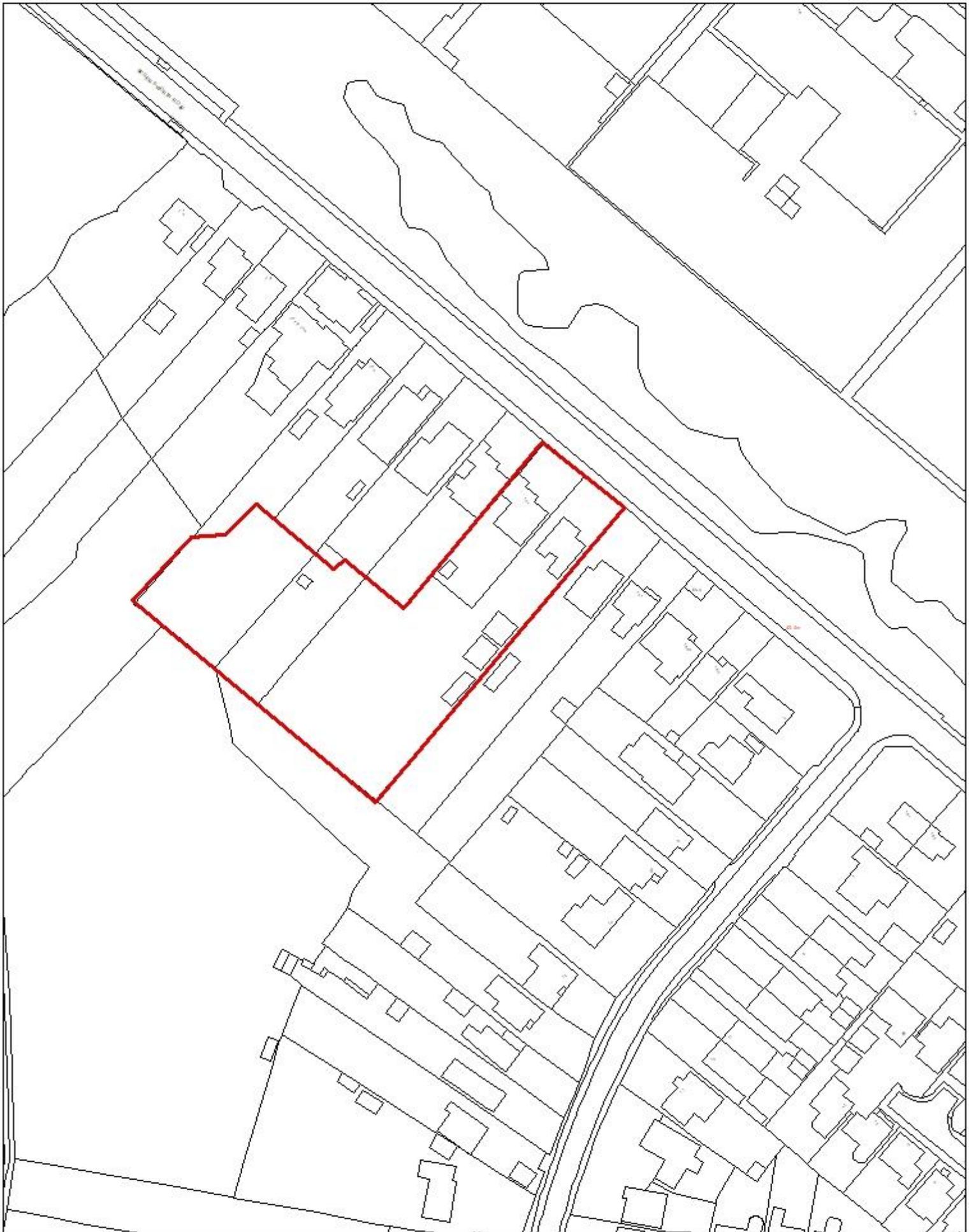
The narrow access road with its close relationship to the buildings and associated boundary treatments for 195 Segensworth Road and Plots 1, 2 and 10, along with the limited opportunities for landscaping alongside these properties, would result in a particularly cramped and uncharacteristic form of development in this locality, which does not represent a high quality of development and one which would be harmful to the amenity of the area. Furthermore, the close proximity of the access road to these four properties and their associated rear garden areas, would not provide a satisfactory level of amenity for the occupiers of these dwellings.

10.0 Background Papers

P/20/1190/OA

FAREHAM

BOROUGH COUNCIL



195-205 Segensworth Road
Scale: 1:1,250



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