

LAND TO THE EAST OF DOWNEND ROAD, PORTCHESTER, FAREHAM BOROUGH

S78 APPEAL AGAINST THE DECISION BY FAREHAM BOROUGH COUNCIL TO
REFUSE PLANNING PERMISSION FOR DEVELOPMENT DESCRIBED AS:

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED (EXCEPT
THE MEANS OF ACCESS) FOR RESIDENTIAL DEVELOPMENT, DEMOLITION OF
EXISTING AGRICULTURAL BUILDINGS AND THE CONSTRUCTION OF NEW
BUILDINGS PROVIDING UP TO 350 DWELLINGS; THE CREATION OF NEW
VEHICULAR ACCESS WITH FOOTWAYS AND CYCLEWAYS; PROVISION OF
LANDSCAPED COMMUNAL AMENITY SPACE, INCLUDING CHILDREN'S PLAY
SPACE; CREATION OF PUBLIC OPEN SPACE; TOGETHER WITH ASSOCIATED
HIGHWAYS, LANDSCAPING, DRAINAGE AND UTILITIES.

LPA REFERENCE: P/18/0005/OA

FINAL STATEMENT OF COMMON GROUND PLANNING MATTERS

(TRANSPORT, HABITAT, HLS MATTERS ARE SUBJECT TO SEPARATE SCG)

LPA, FAREHAM BOROUGH COUNCIL
APPELLANT, MILLER HOMES

Signed on behalf of the Appellant:

A handwritten signature in blue ink that reads "J. Mulliner".

Date: 16 August 2019

Signed on behalf of the LPA:

A handwritten signature in black ink that reads "J. Kren".

Date: 20 August 2019

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1.0 The Appeal

- 1.1 This statement of common ground has been prepared by Terence O'Rourke Limited on behalf of Miller Homes (the appellant) to be agreed with Fareham Borough Council regarding the appeal against the decision of Fareham Borough Council to refuse planning permission for the residential development of land to the east of Downend Road, Portchester.
- 1.2 The description of the appeal proposal is:
- “Outline planning application with all matters reserved (except the means of access) for residential development, demolition of existing agricultural buildings and the construction of new buildings providing up to 350 dwellings; the creation of new vehicular access with footways and cycleways; provision of landscaped communal amenity space, including children's play space; creation of public open space; together with associated highways, landscaping, drainage and utilities.”
- 1.3 The proposals do not trigger the need for an Environmental Impact Assessment.
- 1.4 The application was submitted in January 2018, and registered with the reference: P/18/0005/OA on the 3 January 2018.
- 1.5 The application was submitted with the following plans and documents:
- Application drawings:
 - Site location plan(drawingnumber:2495-01/SK-017RevC)
 - Parameter Plan: Landscape parameter plan (drawing number: 2495-01/PP-003) (this plan has been superseded, please see paragraph 1.7 for the application drawings that the planning application was determined on and should be considered at appeal)
 - Detailed access proposals: site access arrangement–ghost island, drawing number: ITB12212-GA-014 rev A
 - In addition to the application drawings, the application comprised:
 - Planning application forms and certificated, including agricultural holding certificate.
 - It was also supported by:
 - Design and Access Statement (prepared by Terence O'Rourke Limited)
 - Planning Supporting Statement incorporating heads of terms for planning obligations and statement in regard to affordable housing (prepared by Terence O'Rourke)
 - Statement of Community Engagement (prepared by MPC)
 - Landscape and Visual Appraisal (prepared by Terence O'Rourke)

- Flood Risk Assessment, incorporating surface water and foul drainage strategy (prepared by Odyssey)
- Heritage Statement (prepared by CgMs)
- Transport Assessment (prepared by i-Transport)
- Framework Travel Plan (prepared by i-Transport)
- Arboricultural Impact Assessment (prepared by ACD Environmental)
- Air Quality Assessment (prepared by REC)
- Noise and Vibration Impact Assessment (prepared by REC)
- Odour Assessment (prepared by REC)
- Ecological Assessment (prepared by ECOSA)
- Geo-Environmental Desk Study and supporting letters dated 18 October 2017 (prepared by Geo-Environmental)
- Agricultural Land Assessment (prepared by Geo-Environmental)
- Services Appraisal (prepared by Odyssey)

1.6 During the determination of the application, the following additional information was provided:

- Delivery briefing note
- Supplementary Technical note in response to Hampshire County Council'
- Ecologists comments
- Briefing note in response to Hampshire County Council as Mineral and Waster Planning Authority
- Briefing note urban design response
- Technical note confirming Southern Water New Charging Arrangements
- Transport Assessment Addendum dated 20 April 2018
- Addendum to Design and Access Statement dated May 2018
- Technical note: Network Rail Consultation Response
- Transport update note, dated 25 July 2018
- Information to support a Habitat Regulations Assessment, August 2018 and Natural England response dated 8 October 2018
- A27 / Downend Road Improvement – Delivery, dated 1 March 2019
- Downend Road Railway Bridge – Review of Pedestrian Options, dated 28 February 2019
- Nitrogen Budget Calculations
- Air Quality Information to support the Habitats Regulations Assessment

1.7 To clarify, the application drawings to be considered at the appeal are:

- Site Location Plan (drawing number: 249501/SK-017 rev C
- Landscape parameter plan (drawing number: 2495-01/PS-001 rev C

- Detailed access proposal: site access arrangement – ghost island, drawing number: ITB12212-GA-014 rev A

1.8 The application was refused by decision notice dated 26 April 2019. The decision notice provides the following reasons for refusal of the application as follows:

“The development would be contrary to Policies CS5 of the adopted Fareham Borough Core Strategy 2011 and Policy DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

- The proposal would result in a material increase in pedestrian movements along Downend Road across the road bridge over the railway line. The works to the bridge as shown on drawing no ITB12212-GA-003 rev B (titled “virtual footway proposal”) and the works to the bridge as shown on drawing no. ITB12212-GA-004-Rev B (titled “reduced width formal footway”) would provide inadequate footway provision to ensure the safety of pedestrians using the bridge and other highway users. The works to the bridge as shown on drawing no. ITB12212-GA-011 rev B (titled “priority shuttle working”) would result in unacceptable harm to the safety and convenience of users of the highway.
- The application site is not sustainably located in terms of access to local services and facilities”

2.0 The Appeal Site and Surroundings

- 2.1 The appeal site lies on the northern edge of the settlement of Portchester. It comprises agricultural fields and horse paddocks. There is a small cluster of agricultural sheds associated with the farm and a grassed bund which dissects the arable land. Electricity pylons and cables run north to south near the entrance to the site. The topography rises noticeably from south to north.
- 2.2 Existing residential development lies immediately to the east of the site. There is also residential development to the south, separated from the site by the railway line. The site is well contained and separated from the wider countryside to the north by the M27 motorway. To the north west of the site is an open-air waste / composting facility currently used as a storage site for recycling containers. There are a handful of small commercial and residential properties to the west of the site, but still on the eastern side of Downend Road.
- 2.3 Vehicle and pedestrian access to the site is achieved off Downend Road to the west, whilst there is further access route into the site to the south west over Cams Bridge from The Thicket and the potential for further pedestrian access route linking to Upper Cornaway Lane to the north east of the site.
- 2.4 Outline planning permission for improvements to Cams Bridge and the approaches to enable use by pedestrian and cyclist and continued vehicle access to the workshop was granted by Fareham Borough Council on 3 May 2019 (Application reference: 18/P/0001/OA).
- 2.5 The site is not designated for its nature conservation, landscape or heritage value. It is not at risk of flooding and does not fall within green belt.
- 2.6 The adopted Fareham Core Strategy (august 2011) identifies Portchester as a “sizeable settlement, with good facilities including a district centre, local doctors and dentists, primary school and two secondary schools and a community centre” (paragraph 2.11).

3.0 Relevant Planning Policy

The Development Plan

3.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan at the time of this appeal and relevant to the appeal proposals comprises:

- Local Plan Part 1: Core Strategy, adopted 4 August 2011
- Local Plan Part 2: Development Sites and Policies adopted 8 June 2015

3.2 The following local plan policies are most important to the appeal:

- DPS40: Housing Allocations
- CS5: Transport strategy and infrastructure

3.3 A number of other policies are relevant, insofar as they set out the overarching spatial strategy for development in the district and requirements for affordable housing etc. These policies are:

- CS2: Housing Provision
- CS4: Green Infrastructure, Biodiversity and Geological Conservation
- CS6: The Development Strategy
- CS14: Development Outside Settlements
- CS17: High Quality Design
- CS18: Provision of Affordable Housing
- DSP6: New Residential Development Outside of the Defined Urban Settlement Boundaries
- DSP13: Nature Conservation
- DSP15: Recreational Disturbance on the Solent Special Protection Areas

National Planning Policy Framework (NPPF)

3.4 The NPPF was updated in February 2019. The updated version is the only version relevant to the determination of this appeal.

National Planning Practice Guidance (NPPG)

3.5 Sections of the National Planning Practice Guidance (NPPG) are relevant to the appeal proposals.

Emerging Fareham Local Plan 2036

- 3.6 The draft Local Plan 2036 (Regulation 18) was published for consultation between October and December 2017. Within this document the appeal site is allocated for development through draft policy HA4. Draft policy HA4 suggests the site has an indicative capacity for “350 dwellings”. The draft policy states:

“Planning permission will be granted provided that detailed proposals accord with the policies in the Local Plan and meet the following site specific requirements:

- a) The quantum of housing proposed shall be broadly consistent with the indicative site capacity; and*
- b) A design and layout that takes account of the site’s constraints and context, in particular the site’s landscape setting on Portsdown Hill, the Downend Chalk Pit SSSI and the potential presence of Palaeolithic archaeological remains; and*
- c) Primary highway access shall be focused on Downend Road; and*
- d) A network of interconnecting green and public access corridors throughout the site incorporating existing ecological and archaeological features and allowing only minimal highway cross over points (kept minimal in width); and*

The provision of pedestrian and cycle connectivity from the site to Downend Road, The Thickett and Upper Cornaway Lane; and

Buildings heights limited to a maximum of 2.5 storeys, except for buildings which front onto the site access or perimeter, where heights will be limited to a maximum of 2 storeys; and

A robust archaeological survey of the site to determine the Palaeolithic potential at the site, with areas identified as having high potential being designed within areas of open space or green corridors; and

Proposals shall either provide directly, or provide a financial contribution towards the delivery of the following infrastructure:

- 1. Off-site highway improvement and mitigations works to the junction of Downend Road with the A27 and Delme Roundabout; and*
- 2. Local schools and early-years childcare improvements (as identified by the Local Education Authority); and*
- 3. A Neighbourhood Equipped Area of Play (NEAP) on-site within an accessible location.”*

- 3.7 The draft plan is supported by a ‘Housing Site Selection Background Paper’ (produced by Fareham Borough Council in October 2017) which states, in regard to the allocation HA4 (the appeal site):

“Overall the site has a good sustainability appraisal outcome with low landscape sensitivity and minimal highways works required to support this quantum of development. The site has no detrimental impact to settlement definition and is capable of delivering new homes within the short/ medium term.”

- 3.8 There has been delay in progressing the local plan, primarily because the local assessment of housing need (calculated according the standard methodology) is greater than the housing requirement proposed in the draft plan as published in 2017. The Council needs to identify additional sites (beyond the original draft allocations) and have recently published an ‘Issues and options’ document which is intended for consultation provided it is endorsed by Fareham’s Executive Committee on 13 May. The consultation will seek views on additional locations for development.

- 3.9 The programme for local plan production is:

Spring 2019	Consultation on "Issues and Options"
Autumn/Winter 2019	Consultation on Revised Development Strategy and additional allocations
Spring 2020	Consultation on Publication Local Plan
Summer 2020	Submission of Plan to Secretary of State
Estimated Autumn/ Winter 2020	Examination

4.0 Matters considered not to be in dispute

- 4.1 The following matters are considered to not be in dispute between the Appellant and Local Planning Authority (LPA).

NPPF Paragraph 11

- 4.2 It is agreed that the appeal must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 It is agreed that the NPPF is a material consideration. It is agreed that paragraph 11 'for decision-taking' is in play.
- 4.4 It is agreed that if the Inspector concludes that the appeal scheme complies with the development plan then planning permission should be granted under NPPF paragraph 11 (c).
- 4.5 In any event, if the Inspector concludes conflict with the most important policies DSP40 and/or CS5, then paragraph 11 (d) is engaged. This is the effect of NPPF footnote 7 given that a five-year housing land supply cannot be demonstrated in Fareham. In these circumstances, planning permission should only be withheld if any adverse impacts of the proposal significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.
- 4.6 It is agreed that there is no restriction on the development of this site, as proposed, as a consequence of NPPF footnote 6. It is agreed that the first limb (ii) of 11 (d) cannot be engaged. This is because the site is not within a protected area, as listed in footnote 6. Also, with respect to ecology / habitats, NPPF paragraph 177 allows for the presumption in favour of sustainable development to remain engaged if an appropriate assessment (if one is needed – as is the case in this appeal) has concluded that the project will not adversely affect the integrity of the habitats site (see below para 4.11).
- 4.7 In both cases (NPPF 11 (c) & (d ii)), a decision to depart from an up to date development plan can be taken, if material considerations indicate the plan should not be followed (i.e. either under the normal or tilted planning balance).

Location

- 4.8 The site is located adjacent to the built-up edge of Portchester.
- 4.9 Its location relative to local facilities are illustrated on the attached plans (Appendix 1, 2 and 3: i-Transport, Figure T2 'Facilities Plan'; T6 'Walking Catchment Plan' and 'Final Distances Table'). Distances to those facilities from the site are also considered in the submitted TA, including updates.
- 4.10 The officer's report confirmed:

“the site is in a sustainable location in close proximity to local schools (Red Barn Primary School, Northern Infant and Junior Schools, Wicor Primary School and Cams Hill Secondary School), Portchester Community Centre and Westlands Medical Centre. The A27 is close by where regular bus services run eastwards towards Portsmouth and westwards towards Fareham.” (paragraph 8.21).

In addition, the report acknowledges that the pedestrian connections proposed will help to integrate the site to the adjacent residential areas (paragraph 8.22).

Highways

- 4.11 A separate Statement of Common Ground will be agreed with HCC Highways in regard to transport matters.

Education

- 4.12 There is no reason to refuse planning permission, and no specific reference in the refusal reasons, with regard to education provision. No objection was raised by the County Education Authority subject to a financial contribution towards off site primary school provision to mitigate the impact of the development.

Archaeology

- 4.13 Hampshire County Council has no objection to the proposals subject to securing appropriate mitigation through condition. There is no reason for refusing planning permission, or specific reference in the refusal reasons, which relates to archaeological impacts.

Flood Risk and Drainage

- 4.14 There is no reason for refusing planning permission, or specific reference in the refusal reasons, which relates to flood risk or drainage. Hampshire County Council, as Lead Local Flood Authority, is in agreement with the principles of the strategy and that further details can be agreed at a later stage.
- 4.15 Network Rail had some questions about the location of the attenuation ponds in relation to the railway line but have agreed that these details can be secured by planning condition.

Noise

- 4.16 There is no reason for refusing planning permission, or specific reference in the refusal reasons, which relates to noise impacts. FBC Environmental Health team has no concerns subject to planning conditions being secured.

Air Quality

- 4.17 There is no reason for refusing planning permission, or specific reference in the refusal reasons which relates to air quality impacts. FBC Environmental Health team has no concerns subject to planning conditions being secured.

BMV Agricultural Land

- 4.18 There is no reason for refusing the application on the ground of the loss of the best and most versatile agricultural land. The Agricultural Land Assessment submitted with the application demonstrates that the site has limiting factors which mean it is very likely to be grade 3b or 4, which would mean it is not best and most versatile agricultural land.
- 4.19 Natural England's response to the application (dated 28 February 2018) concluded that the development does not appear to lead to the loss of 20ha of BMV agricultural land.

Ecology

- 4.20 There is no reason for refusing the application due to impact on ecology. Consultation response from Natural England and Hampshire Council confirm that provided the appropriate mitigation is secured the proposed development is acceptable.

Built Heritage

- 4.21 While the proposed development has the potential to impact on one Grade I listed building (which is also scheduled) and two Grade II* listed buildings (one of which is also scheduled) any impacts will remain low in magnitude. As such any potential harm will remain less than substantial and, specifically, at the lowest end of this spectrum.
- 4.22 The public benefits, including the delivery of housing, are considered to outweigh the harm, even in giving the harm considerable weight.

DSP40

- 4.23 Policy DSP40 is engaged because the Council is unable to demonstrate a five-year housing land supply. Whilst planning officers considered the five tests of DSP40 to have been met, as described in the officer's report to Planning Committee (April report, paragraphs 8.18 to 8.31), members took a different view specifically with regards to the following criteria:

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;

v) The proposal would not have any unacceptable environmental, amenity or traffic implications.

Benefits

4.24 The parties agree that the benefits of the appeal proposal include:

- Delivery of housing would boost the supply, delivering a mix of housing to widen opportunities for home ownership and further the sustainability and inclusivity of the local community
- Delivery of affordable housing at a provision of 40% and providing a mixture of dwelling types, sizes and tenures reflecting the identified housing needs of the local population
- Economic benefits including the creation of construction jobs in the short term, investment in the locality and increased spending in local shops and services in the long term
- Infrastructure enhancements to local pedestrian, cycle and public transport facilities, and highway improvements.

5. Matters in dispute

5.1 The following matters are in dispute:

- I. The compliance of the development with adopted policies CS5 (parts 2 and 3) and DSP40 criteria ii) and v) for reasons set out in the statements of common ground with respect to Highway Safety and convenience and Accessibility to Services and Facilities
- II. The extent to which policy CS5 is up to date with regards to its consistency with the NPPF paragraphs 108 a) & c) and 109, specifically with regards to the tests that opportunities to promote sustainable transport should be taken up and that impacts can be cost effectively mitigated to an acceptable degree, further that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* The Appellant considers that the plan policy thresholds are significantly higher than the NPPF thresholds/approach and therefore inconsistent, FBC considers that the policy requirements are consistent with the NPPF.
- III. The accuracy of the pedestrian demand assessment with regards to the expected level of pedestrian movement across Downend Road Rail Bridge for reasons set out in the statement of common ground with respect to Pedestrian Access
- IV. The extent to which the options for improving pedestrian provision across Downend Road Rail Bridge provide safe access and does not unacceptably affect highway users for reasons set out in the statement of common ground with respect to Pedestrian Access
- V. The sustainability of the site location relative to access local services and facilities for reasons set out in the statement of common ground with respect to Accessibility to Services and Facilities

6. Planning Conditions

6.1 The following conditions have been discussed and were attached to the officer report. Further review of these conditions will take place through the appeal process, but in principle it is agreed that the scope of conditions cover relevant and necessary matters.

- 1) No development shall take place until details of the appearance, scale and layout of buildings and the landscaping of the site (hereafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than twelve months from the date of this permission.

The development hereby permitted shall be begun before the expiration of two years from the date of this permission, or before the expiration of one year from the date of the approval of the last of the reserved matters to be approved, whichever is later.

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) Site Location Plan (drawing number: 2495-01 / SK-017 rev C;
 - b) Landscape parameter plan (drawing number: 2495-01/PS-001 rev C
 - c) Detailed access proposal: site access arrangement – ghost island (drawing number: ITB12212-GA-014 rev A)

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

- 3) No development shall take place on site until a Development Parcel Plan has been submitted to and approved by the local planning authority in writing. The plan shall identify which phase of development shall relate to which part of the site (referred to as development parcels).

REASON: To allow the development to be carried out in phases and to enable the timely delivery of the development.

- 4) No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until a Written Scheme of Investigation (WSI) for that development parcel has been submitted to and approved in writing by the Local Planning Authority.

The submitted WSI shall:

- a) recognise, characterise, record and delimit areas of potentially significant Palaeolithic deposits to establish a “Development Exclusion Zone” and an “Area of Restricted Impact” in order to protect areas of potentially national significance from any impact of the development;
- b) recognise, characterise and record Holocene colluvium and negative archaeological features dating from the later prehistoric period onwards in the form of a series of trial trenches located across the whole of the application site.

No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until an archaeological mitigation strategy for that development parcel, based on the results of the approved WSI has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved mitigation strategy.

Following completion of all archaeological fieldwork a report will be produced setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement. That report shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings hereby permitted.

REASON: In order to assess the extent, nature and date of any archaeological deposits that might be present, the impact of the development upon these heritage assets and to secure appropriate mitigation. 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 potential adverse impacts.

- 5) No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until a detailed surface water drainage strategy for that development parcel has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following:

- a) The detailed design of Sustainable Drainage Systems (SuDS) to be used on the site in accordance with best practice and the CIRIA SuDs Manual (C753) as well as details on the delivery, maintenance and adoption of those SuDS features;

- b) An assessment of local geology to determine risks to saturating the railway cutting face located to the south of the site, the likely change to rate of water infiltration into the cutting and the adequacy of the current track to accommodate any additional infiltration;

- c) Identification of any proposed amendments to the principles detailed within the Flood Risk Assessment and Drainage Strategy rev D;

- d) A summary of surface run-off calculations for rate and volume for pre and post development;
- e) Evidence of sufficient attenuation on site for a 1 in 100 year plus climate change event;
- f) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this;
- g) Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SuDS Manual C753;
- h) Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element, evidence that those responsible/adopting bodies are in discussion with the developer and evidence of measures taken to protect and ensure continued operation of drainage features during construction;

The development shall be carried out strictly in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

REASON: To ensure satisfactory disposal of surface water from the site; to ensure no adverse effects on the integrity of designated sites for nature conservation purposes. 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 potential adverse impacts.

- 6) No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until an intrusive site investigation and risk assessment for that development parcel has been carried out, including an assessment of the risks posed to human health, the building fabric and the wider environment such as water resources. Where the site investigation and risk assessment reveal a risk to receptors, no development shall commence until a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use has been submitted to and approved by the local planning authority in writing.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the local planning authority. 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.

On completion of the remediation works and prior to the occupation of any properties on the development in that development parcel, 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.

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 development on the site so that appropriate measures are in place to avoid potential adverse impacts.

- 7) No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until a Construction Environmental Management Plan (CEMP) for that development parcel 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. The submitted CEMP 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 Down End Road to ensure that it is kept clear of any mud or other debris falling from construction vehicles;

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) Protection of pedestrian routes during construction;
- n) No burning on-site;
- o) Scheme of work detailing the extent and type of piling proposed;
- p) A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site;
- q) 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 potential adverse impacts.

- 8) No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until a reptile and great crested newt (GCN) mitigation strategy for that development parcel has been submitted to and approved by the local planning authority in writing. The strategy shall include:

detailed proposals for the protection of reptiles and GCNs during the construction phase, timings of the works, location of the on-site receptor site, provisions for loss of suitable habitat and enhancement/management measures to ensure the long-term suitability of the receptor site during the operational phase including a planting scheme. The development shall be carried out in accordance with the approved strategy.

REASON: To provide ecological protection and enhancement. 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 potential adverse impacts.

- 9) No development hereby permitted shall commence in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until details of the internal finished floor levels of all of the proposed buildings for that development parcel and finished external ground levels in

relation to the existing and finished 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 in the interests of residential amenity. 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 potential adverse impacts.

- 10) No development hereby permitted shall proceed beyond damp proof course (dpc) level in any development parcel, as shown on the Development Parcel Plan approved pursuant to Condition 3 above, until an Electric Vehicle Charging Strategy has been submitted to and approved by the Local Planning Authority in writing. The strategy shall identify the nature, form and location of electric vehicle charging points that will be provided across that development parcel, including the level of provision for each of the dwellings hereby approved and the specification of the charging points to be provided. 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.

- 11) No work relating to the construction of any development hereby permitted (including works of demolition or preparation prior to operations) shall take place before the hours of 08:00 or after 18:00 hours Monday to Friday, before the hours of 08:00 or after 13:00 on 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 living conditions of existing residents living nearby.

- 12) The development shall be carried out in accordance with the measures set out Sections 5.5.3, 5.7.3 and 5.12 in the Ecological Assessment report (Ecosa, October 2017) unless otherwise agreed by the local planning authority in writing.

REASON: To ensure the protection of species that could be adversely affected by the development.

- 13) The development shall be carried out in accordance with the mitigation measures contained within the submitted Noise & Vibration Impact Assessment (REC Reference: AC102510-1R3) unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure satisfactory living conditions for future residents.

14) None of the dwellings hereby permitted shall be occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved LEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

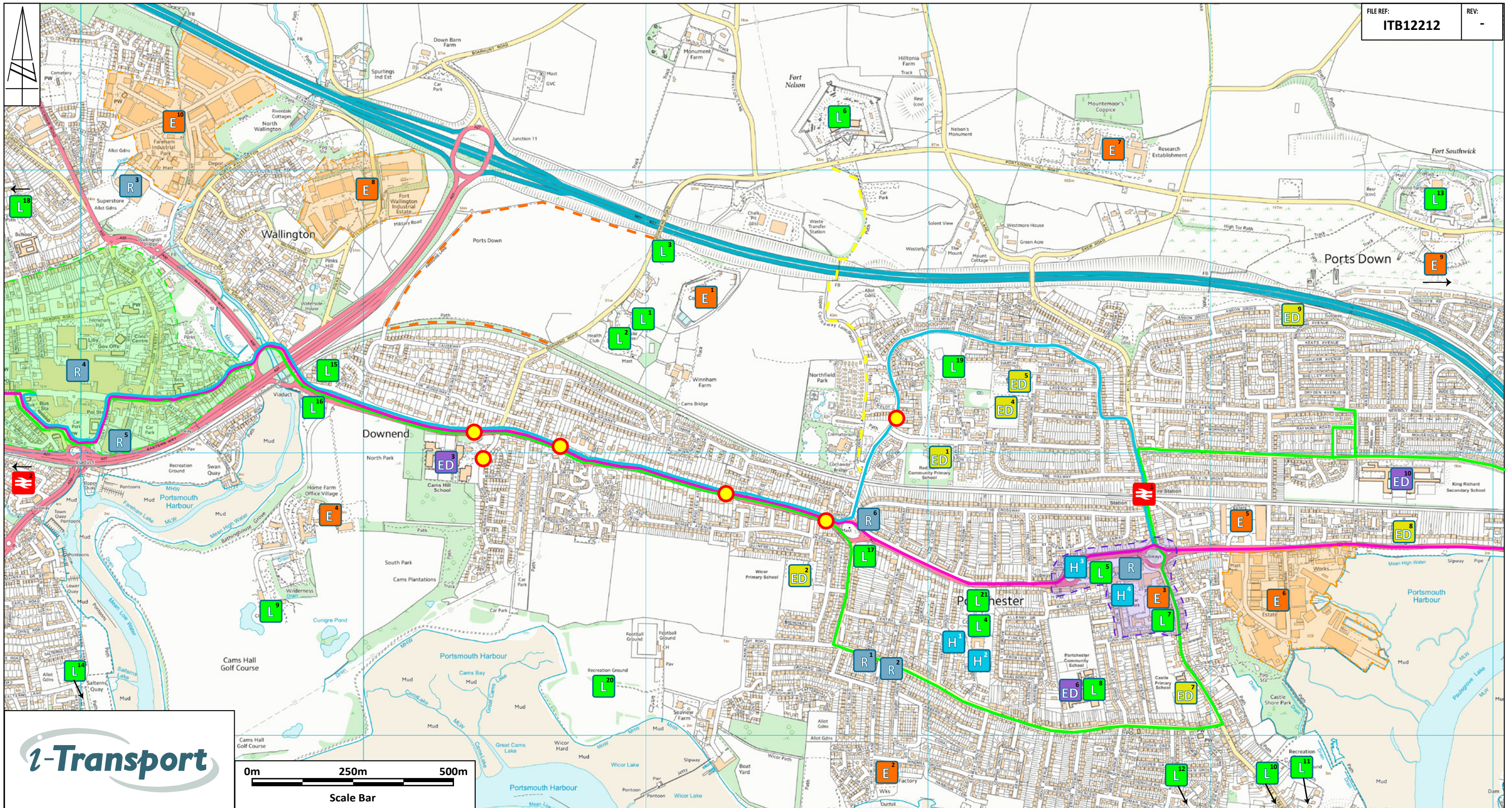
- a) A description, plan and evaluation of ecological features to be retained, created and managed such as grasslands, hedgerows, attenuation ponds and treelines;
- b) Details of a scheme of lighting designed to minimise impacts on wildlife, in particular bats, during the operational life of the development;
- c) A planting scheme for ecology mitigation areas;
- d) A work schedule (including an annual work plan);
- e) The aims and objectives of landscape and ecological management;
- f) Appropriate management options for achieving aims and objectives;
- g) Details of the persons, body or organisation responsible for implementation of the plan;
- h) Details of a scheme of ongoing monitoring and remedial measures where appropriate.

REASON: To ensure appropriate on-going management of new and retained habitats for wildlife and to enhance biodiversity within the site.

15) No dwelling shall be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per day has been complied with.

REASON: In the interests of preserving water quality and resources 9.2

Appendix 1



Grove House, Lutyens Close, Chineham Court,
Basingstoke, RG24 8AG
Tel: 01256 338 640
Fax: 01256 338 644
www.i-transport.co.uk

TITLE:
**LAND EAST OF DOWNEND ROAD,
PORTCHESTER
FACILITIES PLAN**

FIGURE No:
FIGURE T2

- KEY**
- ED RED BARN COMMUNITY SCHOOL AND PRE SCHOOL
 - ED WICOR PRIMARY SCHOOL
 - ED CAMS HILL SCHOOL
 - ED NORTHERN JUNIOR SCHOOL
 - ED NORTHERN INFANT SCHOOL AND PRE SCHOOL
 - ED PORTCHESTER COMMUNITY SCHOOL
 - ED CASTLE PRIMARY SCHOOL

- ED TEDDY BEARS NURSERY SCHOOL
- ED LITTLE PAWS NURSERY
- ED KING RICHARD SECONDARY SCHOOL
- E VEOLIA COMPOSTING
- E PORTCHESTER ENGINEERING
- E PORTCHESTER BUSINESS CENTRE
- E CAMS HALL

- E MURILLS ESTATE
- E TRAFALGAR WHARF
- E DSTL DEFENCE SCIENCE AND TECH LAB
- E FORT WALLINGTON INDUSTRIAL ESTATE
- E PORTSDOWN TECHNOLOGY PARK
- E FAREHAM INDUSTRIAL PARK
- E ELLERSLIE HOTEL
- E 24-7 FITNESS

- L ROSHAUNA RIDING SCHOOL
- L COMMUNITY CENTRE
- L PORTCHESTER LIBRARY
- L FORT NELSON
- L SOCIAL CLUB
- L YOUTH CENTRE
- L CAMS HALL GOLF COURSE
- L PORTCHESTER CASTLE
- L PORTCHESTER SAILING CLUB

- L PORTCHESTER ALLOTMENTS
- L FORT SOUTHWICK
- L GO KARTING
- L DELME ARMS
- L CAMS MILL
- L THE SEAGULL
- L FAREHAM LEISURE CENTRE
- L HIGHVIEW PARK
- L WICOR RECREATION GROUND
- L PORTCHESTER PARK PLAY AREA

- R WICOR POST OFFICE
- R CO-OP
- R SAINSBURYS SUPERSTORE
- R FAREHAM SHOPPING CENTRE
- R TESCO SUPERSTORE
- R BP GARAGE AND M&S SIMPLY FOOD
- R PORTCHESTER TOWN CENTRE
- R FAREHAM TOWN CENTRE

- H WESTLANDS MEDICAL CENTRE
- H LLOYDS PHARMACY
- H PORTCHESTER HEALTH CENTRE
- H ROWLANDS PHARMACY
- Site Boundary
- Portchester Rail Station
- Fareham Rail Station
- Bus Stops

- Public Footpath 117
- Public Footpath 505
- Regular Bus Services:
 - Route Solent Ranger X4 - Every 30 Minutes
 - Route 3 - Every 10 Minutes
 - Route F3 - Hourly (11:00 - 15:00)

Appendix 2

Appendix 3

Facility		Destination	Distance (Using Shortest Route)
Education	ED1	Red Barn Primary and Pre-school	1,050
	ED2	Wicor Primary School	1,300
	ED3	Cams Hill Secondary School	1,200
	ED4	Northern Junior School	1,300
	ED5	Northern Infant and Pre-School	1,300
	ED6	Portchester Community School	2,500
	ED7	Castle Primary School	2,600
	ED8	Teddy Bears Nursery School	2,700
	ED9	Little Paws Nursey	2,400
	ED10	Castle View (King Richard) Secondary School	2,700
Employment	-	Portchester Town Centre	2,100
	-	Fareham Town Centre	2,500
	E1	Veolia Composting Facility	1,000
	E2	Portchester Engineering	2,100
	E3	Portchester Business Centre	2,300
	E4	Cams Hall	2,000
	E5	Murrills Estate	2,500
	E6	Trafalgar Wharf	2,800
	E7	DSTL Defence Science and Tech Lab	2,300
	E8	Fort Wallington Industrial Estate	2,800
Leisure	E9	Portsdown Technology Park	4,000
	E10	Fareham Industrial Park	2,900
	L1	Ellersie Hotel	730
	L2	24-7 Fitness Fareham Gym	730
	L3	Roshauna Riding School	1,050
	L4	Portchester Community Centre	1,700
	L5	Portchester Library	2,000
	L6	Fort Nelson	1,400
	L7	Portchester Social Club	2,200
	L8	Portchester Youth Centre	2,500
	L9	Cams Hall Golf Course	2,400
	L10	Portchester Castle	3,500
	L11	Portchester Sailing Club	3,400
	L12	Portchester Allotments	3,100
	L13	Fort Southwick	2,900
	L14	Team Sport Go Karting	4,900
	L15	Delme Arms PH	1,800
	L16	Cams Mill	1,700
	L17	Seagull PH	1,200
	L18	Fareham Leisure Centre	3,500
	L19	Highview Park	850
	L20	Wicor Recreation Ground	2,400
	L21	Portchester Park Play Area	1,600
Retail	-	Portchester Town Centre	2,100
	R1	Wicor Post Office	1,600
	R2	Co-Op	1,700
	R3	Sainsburys	2,800
	R4	Fareham Shopping Centre	2,500
	R5	Tesco Superstore	2,700
	R6	BP Garage with M&S Food	1,100
Health	H1	Westlands Medical Centre	1,800
	H2	Lloyds Pharmacy	1,700
	H3	Portchester Health Centre	2,000
	H4	Rowlands Pharmacy	2,100
Transport	-	Nearest A27 Bus Stop	550
	-	Portchester Railway Station	1,900
	-	Fareham Railway Station	3,700