

OFFICER REPORT FOR COMMITTEE

DATE: 19th January 2022

P/20/1313/FP

**APPLICANT: ALPINE HOMES (UK)
LTD**

WARD: SARISBURY

AGENT: NOVA PLANNING LTD

REDEVELOPMENT COMPRISING 9 NO. FLATS TOGETHER WITH ASSOCIATED WORKS.

200 BRIDGE ROAD, SOUTHAMPTON SO31 7ED

Report By

Rachael Hebden – direct dial 01329 824424

1.0 Introduction

1.1 The application is reported to planning committee as more than five third party letters of representation have been received.

2.0 Site Description

2.1 The site is located on the north side of Bridge Road approximately 25m west of the urban settlement policy boundary (at its closest point.)

2.2 There are detached residential dwellings set within large plots on either side of the site (to the east and west.) The land to the north of the site is undeveloped with woodland to the north east and grassland to the north west.

2.3 The land within the site slopes from the south down to the north (with a difference in height of 12m across 110m.) The site previously contained a dwelling which has been demolished. The site now comprises unmanaged grassland with a small area of woodland in the north east of the site.

3.0 Description of Proposal

3.1 The application proposes 2 residential buildings providing 9 flats in total. The larger of the two residential buildings would provide 5 no. 2 bed flats and 2 no. 3 bed flats. It would be centrally located within the site and front onto Bridge Road. This building would be set within the slope with two and a half storeys at the front and three and a half storeys at the rear with a small single storey section on the east elevation.

- 3.2 The second building would be significantly smaller and positioned south of the main building, perpendicular to Bridge Road. This building would provide 1 no. 1 bed flat and 1 no. 2 bed flat.
- 3.3 Vehicular access is proposed via the existing vehicular access to no. 200 Bridge Road. Unallocated car parking is proposed together with a large communal garden, bin and cycle storage.
- 3.4 The site benefits, already, from a planning permission for a significant replacement dwelling (see 5.1 below). This proposal is broadly within the development envelope of that previously permitted scheme.

4.0 Policies

- 4.1 The following policies and guidance apply to this application:
National Planning Policy Framework (NPPF).

Adopted Fareham Borough Core Strategy

CS2 Housing Provision

CS4 Green Infrastructure, Biodiversity and Geological Conservation

CS5 Transport Strategy and Infrastructure

CS6 The Development Strategy

CS11 Development in Portchester, Stubbington and Hill Head and Titchfield

CS17 High Quality Design

CS20 Infrastructure and Development Contributions

Adopted Development Sites and Policies

DSP1 Sustainable Development

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

Planning Obligation SPD for the Borough of Fareham (excluding Welborne) (April 2016)

5.0 Relevant Planning History

- 5.1 P/17/1134/FP Replacement dwelling (with 2-bed annex) and garage.
Approved 16th October 2017

6.0 Representations

- 6.1 Objections have been received from 16 households raising the following concerns:

- Inappropriate countryside location
- Overdevelopment
- Increase in traffic
- Impact on highway safety
- Insufficient car and cycle parking
- Impractical refuse collection
- Not in keeping with character of the area
- Inappropriate form and scale of development
- Increase in noise pollution
- Increase in air pollution
- Impact on infrastructure
- Loss of privacy from drivers queuing in traffic
- Inadequate outlook from bedrooms in the second floor flat
- Some of the flats don't meet the national minimum space standards
- Impact on ecology
- Development has started prior to determination of the application

7.0 Consultations

EXTERNAL

7.1 Natural England

- 7.2 Natural England considers that without appropriate mitigation the application would have significant adverse effect on the integrity of: Solent and Southampton Water SPA and Ramsar, Portsmouth Harbour SPA and Ramsar, and Chichester and Langstone Harbours SPA and Ramsar, Solent Maritime SAC. Solent and Dorset Coast. Solent and Isle of Wight Lagoons and the New Forest SPA and Ramsar.

- 7.3 In order to mitigate these adverse effects and make the development acceptable, mitigation should be secured to address recreational disturbance and ensure nitrogen neutrality.

- 7.4 Provided that the applicant provides appropriate mitigation Natural England is satisfied that the development would not have an adverse effect on the integrity of the European sites with regard to recreational disturbance.
- 7.5 Provided the Council as competent authority can be satisfied that, based on a sufficient level of evidence, the development will achieve nutrient neutrality by first occupation and that the appropriate level of mitigation can be fully secured in perpetuity, Natural England would advise that the Appropriate Assessment can conclude there will be no adverse effect on the integrity of the Solent European Sites in relation to water quality impacts.

Comment:

Natural England have been reconsulted regarding the HRA and their updated comments are awaited.

- 7.6 Hampshire County Council – Highways
No objection subject to conditions

INTERNAL

- 7.7 Ecology
- 7.8 No objection subject to conditions and the provision of mitigation to ensure no impact on the integrity of the European Protected Sites (EPS.)
- 7.9 Trees
- 7.10 No objection subject to conditions.

8.0 Planning Considerations

- 8.1 The following matters represent the key material planning considerations which need to be considered to determine the suitability of the development proposal:
- a) Implications of Fareham's 5-year housing land supply position
 - b) Residential development in the countryside
 - c) Policy DSP40 (Housing Allocations)
 - d) Other Issues
 - e) The Planning Balance

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

- 8.2 A Report entitled 'Five year housing land supply position' is reported for Members' information elsewhere on this agenda. That Report set out this Council's local housing need along with this Council's current housing land supply position. The Report concluded that this Council has 4.31

years of housing supply against its five year housing land supply (5YHLS) requirement.

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

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

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

- 8.5 Paragraph 60 of the NPPF confirms the Government’s objective to significantly boost the supply of housing.

- 8.6 Paragraph 75 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:

c) Approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. The application of policies in this Framework that protect areas or 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 Footnote 7 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 68); and areas at risk of flooding or coastal change.”

8.9 Footnote 8 to paragraph 11 reads (in part):

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

8.10 This planning application proposes new housing outside the defined urban settlement boundaries. The Council cannot demonstrate a five-year housing land supply. Footnote 8 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.

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

8.12 Members will be mindful of paragraph 182 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.”

- 8.13 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.
- 8.14 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

- 8.15 Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban areas. Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. The application site lies within an area which is outside of the defined urban settlement boundary.
- 8.16 Policy 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.*
- 8.17 *Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.'*
- 8.18 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).
- 8.19 The site is 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) Policy DSP40 (Housing Allocations)

- 8.20 Local Policy DSP40 states that:
- 8.21 *"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.*

8.22 This policy is engaged in the absence of a five year supply of deliverable housing sites. Each of these five bullet points are considered further below.

POLICY DSP40 (i)

8.23 Members will note from the 5 Year Housing Land Supply Position that this Council currently only has 4.31 years of housing supply against its five-year requirement. The proposed net increase of 8 dwellings is therefore in accordance with bullet point i) of Policy DSP40 is satisfied.

POLICY DSP40 (ii)

8.24 The size, position and orientation of the buildings would be compatible with built form to the immediate east and west of the site. The site is located 24m from the settlement policy boundary (separated by 1 residential plot) therefore the proposed development would not be immediately adjacent to the defined settlement boundary and technically the scheme fails this policy test. The development would, however, be well integrated with existing built form which links the site to the neighbouring settlement of Sarisbury and it would be in close proximity to the settlement policy boundary and leisure and community facilities. Schools and shops would also be easily accessible.

8.25 It is considered that the proposed development would be well related to the existing urban settlement boundary and well integrated with the neighbouring settlement despite not being adjacent to the defined settlement boundary.

POLICY DSP40 (iii)

- 8.26 The site is located within the countryside but is not part of a strategic gap. The site previously contained 1 dwelling which was demolished following the grant of permission for a larger, replacement dwelling (see para 5.1 above, P/17/1134/FP refers). The site currently comprises grassland with an area of woodland in the north east corner.
- 8.27 Concerns have been raised regarding the scale of the proposed development however, the proposed building has largely been designed within the envelope of the previously approved scheme (ref P/17/1134/FP.) The ridgeline of the approved building was stepped with 3 different heights whereas the main section of roof on the building currently proposed only has 2 steps in the ridgeline. The building currently proposed also incorporates small single storey elements on the north and east elevations. Neither of the single storey sections would be visible from within the public realm.
- 8.28 The smaller of the two proposed buildings has been designed to be of the same orientation and of a similar size to the previously approved garage/annex building. There is a large mature hedge along the front of the site which will screen much of the building from view. The ground levels within the site combined with the building's position set back from the frontage will mean that the overall size of the building would not be immediately apparent when viewed from within the public realm. The proposed visual impact on the character of the area is no greater than that previously approved and is considered to be acceptable and in accordance with part (iii) of Policy DSP40.

POLICY DSP40 (iv)

- 8.29 In terms of delivery, the development is relatively small in scale and therefore deliverable within a short period of time. The proposal would therefore be in accordance with part iv of policy DSP40.

POLICY DSP40 (v)

- 8.30 The final test of Policy DSP40: "The proposal would not have any unacceptable environmental, amenity or traffic implications" is discussed below:

Environmental Considerations

- 8.31 The application is supported by a Preliminary Ecological Appraisal which contains measures designed to minimise the impact on protected species. Representations received have raised concerns regarding the impact on protected species in general, however the Council's Ecologist is satisfied with the proposal in terms of impact on protected species subject to the imposition of planning conditions and appropriate mitigation.

- 8.32 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. 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).
- 8.33 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 European 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 European 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 is the Local Planning Authority.
- 8.34 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the PS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.35 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The applicants have provided the appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP).
- 8.36 Natural England have also advised that the development's location within a 13.8km radius of the New Forest designated sites also requires mitigation. In order to mitigate the impact of increased recreational disturbance in combination with other development on the New Forest designated sites the applicant has also provided the appropriate financial contribution towards the Council's interim Mitigation Solution on New Forest Recreational Disturbance. The Appropriate Assessment therefore concludes that the proposals would not have an adverse effect on the integrity of the PS as a result of recreational disturbance either alone or in combination with other plans or projects.

- 8.37 Secondly in respect of the impact of the development on water quality as a result of surface water and foul water drainage, 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) will have a likely significant effect upon the PS.
- 8.38 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 kg/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 people in line with the NE advice. The existing use of the land for the purposes of the nitrogen budget is considered to be urban. Due to the uncertainty of the effect of the nitrogen from the development on the EPS, 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.
- 8.39 The applicant has purchased 6 nitrate mitigation 'credits' from the Hampshire and Isle of Wight Wildlife Trust. Through the operation of a legal agreement between the HIWWT, Isle of Wight Council and Fareham Borough Council dated 30th September 2020m, the purchase of the credits will result in a corresponding parcel of agricultural land (0.258 hectares) 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.
- 8.40 The Council has concluded within an Appropriate Assessment that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the PS either alone or in combination with other plans or projects. The difference between the credits and the output will result in no increase in the amount of nitrogen entering The Solent. Natural England has been consulted on the Council's Appropriate Assessment and although their comments are outstanding, they have endorsed the principle of using nitrate credits to off-set nitrate production from new development.
- 8.41 The proposal is therefore considered to accord with the Habitat Regulations and complies with policies and criteria (v) – environmental issues, of Policy DSP40.

Amenity Considerations

- 8.42 The larger of the two proposed buildings would be located over 13m to the east of no. 202 Bridge Road and 9.9m from the boundary therefore ensuring a limited

- impact on no. 202 in terms of outlook and loss of available sunlight. The position and design of windows in the western elevation together with the configuration of rooms internally has been designed to ensure no loss of privacy to no. 202 Bridge Road. A condition is recommended to ensure that windows proposed to be obscure glazed and not capable of being opened below 1.7m above internal floor level remain of this design to ensure no future loss of privacy.
- 8.43 The smaller of the two proposed buildings would be located over 36m to the south east of no. 202 Bridge Road, beyond the larger of the two proposed buildings. The smaller of the proposed buildings would have no impact on the amenities of no. 202 Bridge Road.
- 8.44 The larger of the two proposed buildings would be located over 25m to the north west of no. 198 Bridge Road and would therefore have a limited impact on the amenities of this neighbour. The smaller of the two proposed buildings would be located 9.5m to the north west of no. 198 Bridge Road and would have a limited impact on no. 198's outlook and amount of available sunlight. There are no windows above ground floor level in the south elevation and the roof lights in the east facing roof light are high level therefore the proposed building would not result in a loss of privacy to no. 198.
- 8.45 The proposed buildings have been designed to ensure there is no overlooking between them, therefore ensuring that the amenity of future occupiers would be acceptable. Car parking spaces have also been positioned to ensure a degree of separation from ground floor windows as recommended in the Fareham Borough Residential Design Guidance SPD.
- 8.46 Despite third party representations suggesting inadequate floor areas being provided, all of the proposed flats would satisfy the Nationally Described Space Standards ensuring adequate internal living and storage space is provided. The proposed communal garden is large and far exceeds the standards specified in the Fareham Borough Residential Design Guidance SPD. The proposed development therefore provides an opportunity for future residents to benefit from the advantages associated with flatted accommodation while also enjoying access to a large outdoor space.

Traffic Implications

- 8.47 Representations have raised concerns regarding increased traffic and the associated increase in noise and air pollution. The proposed development would result in an increase in the amount of traffic (compared to the most recent use as a single dwelling and the recently approved application for a dwelling and an annex) however the increase is not anticipated to be significant enough to have any material impact in terms of pollution in the area or on the flow of traffic on Bridge Road, or to justify refusing the application.

- 8.48 Concerns have also been raised regarding the visibility splays and the number of car parking spaces provided. The application does not propose any changes to the existing access which HCC has confirmed has adequate visibility splays. The proposed development would include 12 unallocated car parking spaces together with secure cycle storage which is in accordance with the Residential Car Parking SPD.
- 8.49 The Highways Authority have reviewed the proposed development and have confirmed that it would not have an adverse impact directly or indirectly on the operation of safety of the local highway network. The proposed development would therefore satisfy part v of policy DSP 40.
- 8.50 It is considered that the proposed development would satisfy all of the component parts of policy DSP40.

d) Other issues

- 8.51 Concerns have also been raised regarding whether the refuse collection is practical. A condition has been recommended to ensure that the bin storage and collection points are practical and appropriate.
- 8.52 Third party letters have also been raised regarding construction work that has recently been undertaken at the site. Officers have reminded the applicant that any work undertaken without Planning Permission is at their own risk. The works undertaken are on land that was previously cleared therefore Officers do not consider that there are ecological implications that would justify taking enforcement action at this stage given that the application is anticipated to be determined shortly.
- 8.53 Concerns have been raised relating to the impact of the development on schools, doctors, dentists and other services in the area. No contributions are required towards school provision due to the number of units falling below that which would require an education contribution.
- 8.54 In respect of the impact upon doctors/ medical services, the difficulty in obtaining appointments is an issue that is raised regularly in respect of new housing proposals. It is ultimately for the health providers to decide how they deliver health services. Therefore, a refusal on these grounds would be unsustainable.

The Planning Balance

- 8.55 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 elsewhere on this agenda and the Government steer in respect of housing delivery.

- 8.56 Officers have weighed up the material considerations and conflict between Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Sites and Policies Plan and the development of a site against the requirements of 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.
- 8.57 The proposal would be located close to existing residential development, has been designed within the envelope of the previously approved replacement dwelling application and would have a limited urbanising impact given the existing soft landscaping which screens much of the site from view within Bridge Road. Officers consider that the change in character of the site and the resulting visual effect would not cause any substantial harm.
- 8.58 In respect of environmental, amenity and traffic issues (including ecological mitigation), Officers are satisfied that these issues have been appropriately addressed in the submitted application, subject to appropriate conditions and habitat mitigation. It is considered that the likely significant effect on the Protected Sites around The Solent would be appropriately mitigated.
- 8.59 In balancing the objectives of adopted policies which seek to restrict development within the countryside alongside the shortage of a 5YHLS, Officers acknowledge that the proposal would deliver a net increase of eight dwellings in the short term. The contribution the proposed scheme would make towards boosting the Borough's housing supply would make a material contribution in light of the Council's current 5YHLS.
- 8.60 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 four of the five criteria but Policy DSP40(ii) cannot be met in entirety as the site is not immediately adjacent to the existing urban settlement boundary. Officers consider that the level of harm arising would not be significant and in light of the contribution to housing supply have formed the view that more weight should be given to this policy than

CS14 and that when considered against the balance of the development plan, the scheme is considered to accord with the development plan as a whole.

8.61 In undertaking a detailed assessment of the proposals throughout this report and applying the *'tilted balance'* to those assessments, Officers consider that:

(i) There are no policies within the National Planning Policy Framework that protect areas or assets of particular importance which provide a clear reason for refusing the development proposal, particularly when taking into account that any significant effect upon Special Protection Areas can be mitigated through a financial contribution towards the Solent Recreation Mitigation Strategy and the impact of nitrogen loading on The Solent can be adequately mitigated; and,

(ii) Any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the National Planning Policy Framework taken as a whole.

8.62 Having carefully considered all material planning considerations, Officers recommend that planning permission should be granted subject to consideration of any comments received from Natural England and the imposition of appropriate planning conditions.

9.0 Recommendation

DELEGATE to the Head of Development Management, in consultation with the Solicitor to the Council, to consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and make any minor modifications to the proposed conditions, addition of conditions or any other subsequent minor changes arising as a result of Natural England's comments regarding the Appropriate Assessment;

then

9.1 **GRANT PLANNING PERMISSION:** subject to the following conditions:

1. The development hereby permitted shall be begun before eighteen months 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 hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - Location plan Roof plan Drawing no. 1904 L01
 - Site layout Drawing no. 1904 01e
 - Site sections Drawing no. 1904 06 Rev B
 - Elevations Drawing no. 1904 03 Rev B
 - Floor plans Drawing no. 1904 02 Rev B
 - Roof plan Drawing no. 1904 04 Rev A
 - Annex plans and elevations Drawing no. 1904 05 Rev D
 - Landscaping strategy Drawing no. 1420-101RevB
 - Preliminary Ecological Appraisal by Environmental Assessment Services Ltd (March 2021.)REASON: To avoid any doubt over what has been permitted.

3. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:
 - a) How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
 - b) the measures the developer will be implementing to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
 - c) the measures for cleaning the wheels and underside of all vehicles leaving the site;
 - d) a scheme for the suppression of any dust arising during construction or clearance works;
 - e) the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.
 - f) construction lighting
 - g) no burning on site

The development shall be carried out in accordance with the approved CMP and areas identified in the approved CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA. No construction vehicles shall leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. The details secured by this

condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

4. No development shall take place until details of the internal finished floor levels of all of the proposed buildings 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 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.

5. No development shall proceed beyond damp proof course level until a detailed Biodiversity Enhancement and Management Plan (BEMP) demonstrating that the development will result in no net loss in biodiversity at the site, has been submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved BEMP shall be implemented and completed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained in accordance with the approved details thereafter. Any trees or plants proposed as part of the approved BEMP 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 demonstrate no net loss in biodiversity at the site.

6. No development shall proceed beyond damp proof course level 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 the development 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.

7. No development shall proceed beyond damp proof course level until details of bin storage and collection have been submitted to and approved by the Local Planning Authority in writing. The approved bin storage shall be provided before the development is first occupied and shall thereafter be retained and kept available for the storage of bins at all times.

REASON: To secure the satisfactory bin storage for the development.

8. No development hereby permitted shall proceed beyond damp proof course 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.

9. No development shall proceed beyond damp proof course level until a landscaping scheme based on the approved landscaping strategy Drawing no. 1420-101Rev B, 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.

The approved landscaping scheme shall be implemented and completed within the first planting season following the completion 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 and in order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

10. No development shall proceed beyond damp proof course (dpc) level until written details including the location of 1 'rapid charge' electric vehicle charging point has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the first dwelling hereby approved.

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. The development hereby permitted shall not be first occupied until a scheme of lighting designed to minimise impacts on wildlife and habitats has been submitted to and approved in writing by the local planning authority. Prior to the first occupation of the development hereby permitted the approved lighting scheme shall be implemented in accordance with the approved details and those elements shall be permanently retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise impacts of lighting on the ecological interests of the site.

12. The development hereby permitted shall not be first occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed an average of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

13. No dwelling, hereby approved, shall be first occupied until the approved parking and turning areas which, although unallocated to individual dwellings, are sufficient to serve that part of the overall development completed at that time, have been constructed in accordance with the approved details and made available for use. Those areas shall thereafter be kept available for the (unallocated) 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 made for that purpose.

REASON: In the interests of highway safety.

14. The development shall be carried out strictly in accordance with the measures contained in section 4 'mitigation' of the Preliminary Ecological Appraisal by Environmental Assessment Services Ltd (March 2021.)

REASON: To minimise the impact on protected species.

15. Windows annotated on the floor plans of drawing no. 02 Rev A as being obscure glazed shall be obscure glazed and of a design not capable of being opened up to 1.7m above internal floor level and shall be maintained as approved in perpetuity.

REASON: To prevent a loss of privacy to neighbouring properties.

16. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

INFORMATIVES

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

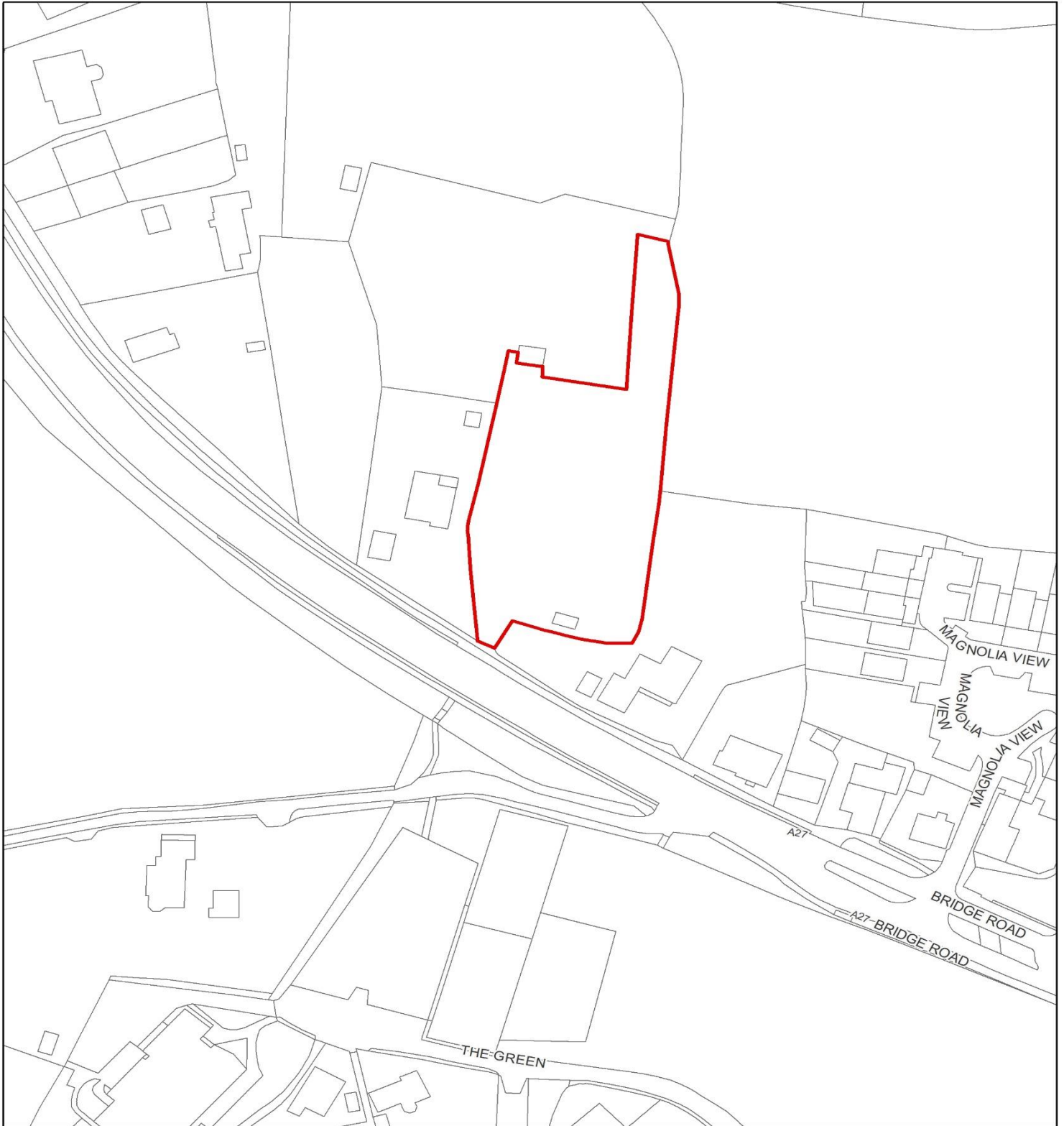
10.0 Notes for Information

11.0 Background Papers

P/20/1313/FP

FAREHAM

BOROUGH COUNCIL



200 Bridge Road
Southampton
Scale 1:1250



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