

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 14/12/2022**

**P/22/1012/FP**

**FAREHAM BOROUGH COUNCIL**

**PORTCHESTER EAST**

**AGENT: MH ARCHITECTS LIMITED**

DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 60 ONE AND TWO BEDROOM FLATS WITH ASSOCIATED EXTERNAL WORKS AND LANDSCAPING

ASSHETON COURT, CASTLE STREET, PORTCHESTER

### ***Report By***

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#### **1.0 Introduction**

- 1.1 This application has been included on the Planning Committee agenda due to the number of third party representations that have been received.
- 1.2 The Council in its capacity as the local planning authority is responsible for determining planning applications that involve proposals the Council proposes to carry out (under Regulation 3 of the Town and Country Planning General Regulations 1992).

#### **2.0 Site Description**

- 2.1 Assheton Court is an existing sheltered housing scheme owned and managed by Fareham Borough Council. Built in 1971 Assheton Court provides 20 flats and 13 bedsits for affordable rent across two buildings on the site which are two storeys in height. To the west and south of the buildings lies a communal garden area with two large hornbeam trees in the south-eastern corner of the site and a mature mixed hedgerow along most of the western boundary. To the north of the building thirteen car parking spaces are available within the site with pedestrian and vehicular access from the north. Next to this access is an electricity substation.
- 2.2 The application site comprises the existing Assheton Court development and the electricity substation. It also includes a section of the public car park to the north-east.
- 2.3 Beyond the public car park to the north of the application site lies the Portchester District Centre precinct in West Street. Just within the car park beyond the site's northern boundary is a row of London Plane trees. To the west of the site behind the mature mixed boundary hedgerow lie residential properties in Jubilee Road. To the south are the rear gardens of houses in

Sunningdale Road separated from the application site by a rear service track. To the east of the site meanwhile is an area comprising various commercial uses known as Alcott's Yard. Immediately adjacent to the eastern site boundary within Alcott's Yard is a row of garage "lock-ups" and an enclosed yard separated into two parts where planning permission was granted in 2009 for its use as a general builder's storage yard (planning reference P/09/0961/FP).

- 2.3 The site lies within the defined urban settlement boundary. The section of the site which forms part of the public car park is also part of the designated Portchester District Centre. Part of the site lies within Flood Zones 2 & 3 as shown on the flood maps produced by the Environment Agency.

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

- 3.1 Permission is sought for the redevelopment of the Assheton Court site and the additional area of car park to the north-east. It is proposed to demolish the existing buildings and to construct a new building comprising a total of 60 one- and two-bedroom flats (a net increase of 27 units). Fifty-one units would be one-bedroom apartments and the remaining nine would have two-bedrooms each.
- 3.2 The new apartments would be provided as sheltered accommodation. The supporting information to accompany the application explains that sheltered housing is unfurnished, self-contained accommodation specifically designed to allow independent living for people aged 55 years and over. Assheton Court will have on-site sheltered housing officer support five days a week during office hours and all accommodation will have emergency alarms fitted that link to a 24-hour central control so residents can call for help at any time. Typically, most sheltered housing units are single occupancy (around 90% in Fareham) however couples can be accommodated. The average age of current residents at Assheton Court is 79 years of age.
- 3.3 The proposed new building would be in two main parts linked by a ground floor, single storey lobby. Both the western and eastern parts of the building would be a maximum of four storeys high with various recessed elements. To respond to the need to design a flood resilient building in this particular location, the internal ground floor level of the building would be 4.50m above ordnance datum (AOD) which is 1 metre higher than the existing building which stands at 3.50m AOD.
- 3.4 Many of the flats would have private balconies or roof terraces. Some of the balconies would be fitted with privacy screens on the sides. A communal garden would be provided on the south side of the building.

- 3.5 Vehicular and pedestrian access to the development would remain from the north. A total of twenty-one car parking spaces including two disabled car parking spaces would be provided to the west and north of the building.
- 3.6 The substation would be relocated to a position close to the north-eastern corner of the site.

#### **4.0 Policies**

- 4.1 The following policies apply to this application:

##### **Adopted Fareham Borough Core Strategy**

CS2 – Housing Provision  
CS4 – Green Infrastructure, Biodiversity and Geological Conservation  
CS5 – Transport Strategy and Infrastructure  
CS6 – The Development Strategy  
CS11 – Development in Portchester, Stubbington & Hill Head and Titchfield  
CS15 – Sustainable Development and Climate Change  
CS16 – Natural Resources and Renewable Energy  
CS17 – High Quality Design  
CS18 – Provision of Affordable Housing  
CS20 – Infrastructure and Development Contributions

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

DSP1 – Sustainable Development  
DSP2 – Environmental Impact  
DSP3 – Impact on Living Conditions  
DSP13 – Nature Conservation  
DSP15 – Recreational Disturbance on the Solent Special Protection Areas (SPAs)  
DSP42 – New Housing for Older People

##### **Emerging Fareham Local Plan 2037**

The Fareham Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector requested a number of modifications to the Plan. The proposed modifications are the subject of public consultation running from 31<sup>st</sup> October until 12<sup>th</sup> December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

H1:	Housing Provision
HA44:	Assheton Court
HP1:	New Residential Development
HP5:	Provision of Affordable Housing
HP7:	Adaptable and Accessible Dwellings
HP8:	Older Persons and Specialist Housing Provision
CC1:	Climate Change
CC2:	Managing Flood Risk and Sustainable Drainage Systems
NE1:	Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE3:	Recreational Disturbance on the Solent Special Protection Areas (SPAs)
NE4:	Water Quality Effects on the SPAs, SACs and Ramsar Sites of the Solent
NE6:	Trees, Woodland and Hedgerows
TIN1:	Sustainable Transport
TIN2:	Highway Safety and Road Network
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
D4:	Water Quality and Resources
D5:	Internal Space Standards

#### **Other Documents:**

Fareham Borough Design Guidance: Supplementary Planning Document  
(excluding Welborne) December 2015  
Residential Car Parking Standards 2009

## **5.0 Relevant Planning History**

5.1 No relevant planning history.

## **6.0 Representations**

6.1 Fourteen representations from local residents have been received with eleven of those in objection to the proposed development and the remaining three making observations. The following material planning considerations were raised:

### ***Negative***

- Increase in height of building compared to existing
- Loss of privacy (including from new balconies and terraces)
- Overshadowing / loss of light
- Dark cladding materials
- Out of keeping with and harmful to the character of Portchester
- Level of car parking provision (including disabled spaces)

- Insufficient cycle storage
- Access to rear of 23 Castle Street would be affected
- New residential development will be affected by noise and dust from adjacent builders' yard (Alcotts Yard) resulting in complaints against the businesses located there
- Flood risk
- Disturbance to wildlife (foxes, bats, birds, squirrels)
- Impact on local doctors and support services
- Impact of demolition and construction works on living conditions of neighbours

*Positive*

- Benefit to existing and new residents of Assheton Court
- Re-use of brownfield site
- Much needed facility in Portchester

## **7.0 Consultations**

### **EXTERNAL**

#### **Hampshire County Council - Archaeology**

7.1 No objection

#### **Hampshire County Council – Flood and Water Management Team**

7.2 No objection

#### **Hampshire County Council – Highways**

7.3 No objection

#### **Natural England**

7.4 Further information is required to determine impacts on designated sites. Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on Designated Sites, proceeding to the appropriate assessment stage where significant effects cannot be ruled out.

#### **Environment Agency**

7.5 We have reviewed the amended Flood Risk Assessment (dated November 2022) and consider that it satisfactorily addresses our earlier concerns. Subject to a condition we withdraw our previous objection.

### **INTERNAL**

#### **Hampshire County Council - Ecology**

7.6 No objection subject to conditions.

#### **Trees**

7.7 No objection

#### **Contaminated Land**

7.8 No objection

#### **Environmental Health**

7.9 The noise report submitted by Mach Group in support of the application has identified the noise impacts upon future residents as Assheton Court as road traffic noise and noise contributions from the nearby builders' yard. It is not clear what proportion of noise measured was accountable to the builders' yard, whether these were significant during the monitoring period, the times this occurred within the overall levels measured or if this was considered a worse-case scenario for this activity.

If only the sampling period is considered, and this is considered representative of a worst case, I am satisfied that the measures proposed by Mach Group should prevent future residents from the impacts of noise from traffic and builder's noise when the windows are closed.

Further considerations:

- The use of outdoor living areas of the closest properties to the builders' yard, in particular the balconies, do not appear to have been addressed.
- I would also recommend investigating how opening windows will impact on the integrity of the property to maintain noise intrusion to an acceptable level. Where this is not possible, the implementation of mechanical ventilation would need to be considered to allow suitable and sufficient ventilation to properties.

### **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) Principle of development
- b) Flood risk
- c) Design and appearance
- d) Living conditions of neighbours and future residents
- e) Access and parking provision
- f) Impact on protected sites
- g) Other matters

### **a) Principle of development**

- 8.2 The proposal is for sheltered accommodation for persons aged 55 and over. The application site is previously developed land located within the defined urban settlement boundary. There are several policies within the adopted and emerging local plan relevant to consideration of whether the proposed development is acceptable in principle.
- 8.3 Policy CS2 places priority on the reuse of previously developed land within the existing urban area.
- 8.4 Policy DSP42 meanwhile sets out five criteria for new accommodation designed specifically for older people. Officers consider the proposals to comply with all five criteria which are as follows with the policy stating:

*“The development of new accommodation designed specifically for older people should:*

- i. Offer easy access to community facilities, services and frequent public transport....;*

The Assheton Court site benefits from an excellent location immediately adjacent to the Portchester District Centre where an abundance of services and facilities are located including the shops and eateries in the West Street precinct, a post office, health centre, pharmacy, library and the Red Lion Public House. Also very close nearby is the Portchester Parish Hall and Portchester Methodist Church. There are bus stops at the eastern end of the precinct and Portchester railway station lies 500 metres to the north of the application site providing excellent public transport links for journeys to Fareham and Portsmouth in either direction.

- ii. Be well-integrated with the wider neighbourhood;*

The proposal is well-integrated with the District Centre through which access is derived. Like the existing buildings at Assheton Court, the new building would face out on to and relate well to the public car park to the north. The communal garden space for residents to the rear of the building correspondingly abuts the service tracks to the rear gardens of properties in Jubilee Road and Sunningdale Road.

- iii. Provide sufficient car parking for visitor and residents;*

Sufficient car parking provision is made and this is explained in further detail later in this report. Space for ambulance parking is provided immediately outside the main entrance to the building.

*iv. Where appropriate, provide choice of tenures; and*

Assheton Court will remain being owned and managed by Fareham Housing. The majority of the flats at the new Assheton Court will be let at an affordable rent for households on the Council's Housing Register. Some of the apartments will be marketed and offered as shared ownership units.

*v. Should be designed to be accessible and adaptable with particular regard given to the principles of Lifetime Homes."*

The proposed accommodation will be flexible to meet the needs of future residents and older persons throughout their lifetime. Some of the units have been designed to meet the Building Regulations M4(2) Category 2 for accessible and adaptable dwellings. This is broadly equivalent to the Lifetime Homes Standard which provides enhanced accessibility in circulation spaces and bathrooms to make new homes more accessible. Other units have been designed to a M4(3) Category 3 wheelchair user dwelling standard.

8.5 The emerging local plan contains a policy designed to replace the guidance given in Policy DSP42 in relation to older persons housing. Emerging policy HP8 states that:

*"Development will be permitted for new, or extensions and additions to existing, older persons' and specialist housing in the Urban Area boundary where:*

- a) Sufficient parking and services are available to fulfil the needs of residents, visitors and any care and servicing intended to be provided on site; and*
- b) Accommodation is provided in sustainable locations having regard to accessibility, local services, community integration and safety, and to the need for staff and services to access the accommodation; and*
- c) An appropriate provision of amenity space is provided having regard to the needs of the potential users.*

*New older persons or specialist housing shall be provided within the Urban Area boundary unless it can be demonstrated, based on an up*

*to date alternative sites assessment provided by the developer, that the need for the housing proposed cannot be met elsewhere.*

8.6 For the reasons already set out above, Officers consider the proposals to accord with parts a) & b) of the above policy which are substantially similar to policy tests in the adopted local plan. The development would also provide appropriate amenity space to satisfy part c) and this issue is discussed later in this report.

8.7 The site also benefits from being an allocation in the emerging local plan, where according to Strategic Policy H1, housing will be provided. Policy HA44 states that:

*“Proposals [at Assheton Court] should meet the following site-specific requirements:*

- a. The quantum of housing shall be consistent with the indicative yield of 60 sheltered housing units; and*
- b. Building heights shall be mainly three storeys and shall not exceed four storeys; and*
- c. Proposals shall have regard to the principles set out in the Fareham Housing Greener Policy; and*
- d. A flood risk assessment is required (The site is below the threshold of 5m above Ordnance Datum (AOD) which means with predicated sea level rise this area could become at risk of future flooding from tidal sources) and appropriate mitigation measures included in the design of the properties; and;*
- e. Adequate surface water drainage, identified through a Drainage Strategy, shall be provided on site; and*
- f. A Construction Environmental Management Plan to avoid adverse impacts of construction on the nearby Solent Wader and Brent Goose designation; and*
- g. Infrastructure provision and contributions including health, education and transport for example shall be provided in line with Policy TIN4 and NE3.*

8.8 Taking account of these site-specific requirements, the scale and massing of the proposed building is considered later in this report. In short however, the

scale of the building at a maximum of four storeys but predominantly three storeys in height accords with criterion b) of this policy. The matters covered in criteria d) – g) are also detailed later in the report and again found to be acceptable such that those policy requirements are met.

- 8.9 Criterion c) refers to the Fareham Housing Greener Policy which has four principles; “minimise consumption of resources”, “promote sustainable lifestyles”, “build homes that meet the sustainability needs of our customers now and in the future” and “deliver a greener standard”. It is clear from the details submitted with this application that these principles have been taken into account by the applicant, for example through the inclusion of photovoltaic solar panels and by looking to achieve optimal use of this brownfield site which is in a highly sustainable location in the urban area close to services and facilities.
- 8.10 The proposal accords with Policies DSP42 and HA44 and Officers consider the principle of development to be acceptable subject to the further considerations set out below.

b) Flood risk

- 8.11 The north-eastern part of the site lies within Flood Zones 2 & 3 as shown on the flood maps produced by the Environment Agency.
- 8.12 Paragraph 161 of the NPPF sets out a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.
- 8.13 Paragraph 162 of the NPPF reads:

*“The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.”*

- 8.14 The government’s Planning Practice Guidance (PPG) sets out how the sequential, risk-based approach to the location of development should work in practice. This application of the sequential approach is known as the sequential test. It states that this general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in

preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.

- 8.15 The applicant has submitted an assessment of the sequential test to support the application. It explains the need to redevelop the site to provide modern, fit for purpose sheltered housing. At present the age and condition of the existing Assheton Court buildings do not meet modern expectations for older person accommodation. Improving the existing buildings built in 1971 would be cost prohibitive and would not adequately address many of the issues around internal space and accessibility. In the event no redevelopment was to happen, a significant amount of money would still need to be spent on the refurbishment and maintenance of the buildings over the next 30 years. Critically though from a flood risk perspective, without redevelopment the existing flats would remain in an area partially at medium and high risk of flooding with no flood resilience measures in place due to the way the buildings were originally designed and constructed.
- 8.16 Portchester has an identified high need for affordable older person accommodation and so the applicant's sequential assessment considers alternative sites within this specific area. Affordable housing need is broken down by area since an individual in housing need who has a family and/or support network in, for example, Portchester is unlikely to be willing to be rehoused in other areas of the Borough. It is also the case that existing residents of Assheton Court would need to be rehoused in the new development. Officers consider that using Portchester as a search area is reasonable in this instance and the outcome of the search that has been undertaken is that no other sites have been found that are available and suitable.
- 8.17 Taking into account the above considerations it is clear that, given the specific nature of the proposals to redevelop the existing sheltered accommodation with 60 new flats to rehouse both existing tenants and new residents from the local Portchester area, there are unlikely to be reasonable alternative sites which are more preferable than Assheton Court. The sequential test is considered to be passed.
- 8.18 The applicant has also provided an assessment of the 'exception test' as set out in paragraph 164 of the NPPF which states in part:

*“...To pass the exception test it should be demonstrated that:*

*a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*

*b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”*

- 8.19 Officers consider the exception test is passed. In terms of the wider sustainability benefits (part a), the proposed development would provide a net gain of an additional 27 units of sheltered accommodation in an area with an identified need for this type of affordable housing. As already set out above, the site is sustainably located on the edge of the Portchester District Centre. Furthermore, the development would bring forward the redevelopment of an allocated site in the emerging local plan to help boost the Council’s housing supply.
- 8.20 More specifically with regards to flood risk, the redevelopment would remove the twenty-seven existing flats in the buildings which currently have an internal finished floor level of 3.5m AOD. The proposed replacement building would have an internal finished floor level of no less than 4.5m AOD. This floor level has been arrived at after taking advice from the Environment Agency on the so-called ‘design flood level’ for the building (taking into account climate change) and a ‘freeboard allowance’. The submitted flood risk assessment from the applicant explains that this would address the potential flood risk from a 1 in 200 year flood event even in 100 years’ time (the year 2123). This is a significant improvement to the floor level of the existing buildings and not only demonstrates a further wider sustainability benefit from the development but also, along with other flood resilience measures, satisfies the requirement to ensure the development will be safe throughout its lifetime thereby according with part b of NPPF paragraph 164. Accordingly, the Environment Agency’s final comments on the application show that they raise no objection to the application on this basis.

### **c) Design and appearance**

- 8.21 Adopted local plan Policy CS17 states (in part):

*“All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to:*

- *respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials,*

- ...
  - *ensure permeable movement patterns and connections to local services, community facilities, jobs and shops,*
  - ...
  - *create a sense of identity and distinctiveness and one that is legible,*
  - ...
  - *enable buildings to provide flexible accommodation, which can be adapted to suit all members of a community throughout their lifetime,*
  - ...
- In addition, new housing will be required to:*
- *secure adequate internal and external space, dwelling mix, privacy, and sunlight and daylight to meet the requirements of future occupiers.*
  - ...

- 8.22 Policy D1 of the emerging Fareham Local Plan 2037 meanwhile requires development proposals and spaces to be of high quality based on the principles of urban design and sustainability.
- 8.23 The existing Assheton Court complex features two buildings of red brick construction with mono-pitched roofs and white UPVC fascias, windows and doors. The buildings lack architectural merit and are inconspicuous within the public realm, their two-storey scale being evident only from the adjacent public car park.
- 8.24 The proposed redevelopment would have a significantly different appearance overall and would substantially alter the character and appearance of the area. The new building would stand a maximum of four storeys high although this would be limited to a relatively small area overall of the 'western wing' which would be predominantly three-storey descending to single storey height at its closest point to the southern boundary. The 'eastern wing' would be more consistently four-storey in scale but again the scale of the building would decrease on its southern side and would be set much further from the southern boundary where two large hornbeam trees lie in the south-eastern corner of the site.
- 8.25 Computer generated images and 3D perspective drawings provided by the applicant are helpful in demonstrating the scale and massing of the building in comparison to the surrounding area. The building is, without doubt, much larger than the two-storey terraced housing in Sunningdale Road and Jubilee Road. It is also taller and more conspicuous in both public and private views

compared to the existing buildings at Assheton Court. However, the top floor of the building would largely be visually subservient in terms of its design by being recessed and treated with contrasting materials. This would make it appear more in keeping with the prevailing three-storey scale and character of the West Street shopping precinct to the north on the opposite side of the public car park. Certain views of the building from the public car park would be limited to an extent by the retention of the row of large mature trees along the northern site boundary.

- 8.26 The applicant proposes using a combination of light brickwork and red zinc cladding with matching aluminium framed fenestration in a contemporary style. Balconies and fourth floor roof terraces are a strong feature of the design. Parts of the roof of the building would be 'green roofs' and would be planted appropriately in order to enhance biodiversity. Photovoltaic panels are proposed on the highest parts of the roof. The articulation provided by the building's stepped formation would provide aesthetic interest as well as visually breaking up the building's mass. Importantly, the building is separated into two 'western' and 'eastern' wings linked by a single storey lobby area with floor to ceiling glazing. This approach effectively splits the building into two elements reminiscent of the current accommodation at Assheton Court and further assists in providing relief from the building's overall size. Officers consider the building to be a well thought out and attractively designed proposal which complements the character and appearance of the surrounding area.
- 8.27 The concerns raised by local residents over the scale of the development are noted and it is acknowledged that the proposed building would stand much taller than the existing Assheton Court and higher than most other buildings in the centre of Portchester. That said, buildings of a similar scale are located nearby in West Street within the Portchester District Centre. It is also recognised that local plan Policy CS2 places priority on reusing previously developed land in the urban area to deliver new housing and the redevelopment of this particular site is supported by Policy HA44 of the emerging local plan. In order to achieve the optimal use of brownfield sites in highly sustainable locations such as this, building heights may consequently be comparatively higher than elsewhere in Portchester and across the Borough more generally.
- 8.28 As mentioned earlier in the report, the ground floor internal finished floor level of the building is proposed to be 4.5m AOD. This is approximately 0.75 - 1.5m higher than the proposed levels of the car park and garden areas. In order to provide level access for all residents and users, the proposed building has ramped access at various points.

- 8.29 The proposals include an area of communal garden to the south of the building made up of patio courtyards with seating, wildflower meadows and amenity grass. This amenity space measures approximately 1,100 sq metres. The Council's Design Guidance (excluding Welborne) Supplementary Planning Document (SPD) provides guidance on what level of amenity space will normally be considered appropriate for flatted developments and suggests that a garden of 25 sq metres will normally be sufficient for most one or two bedroom flats. Applying this to the proposals, a communal space of 1,500 sq metres would be required. However, the SPD recognises that in the town centre and other centres around the Borough more innovative ways of providing quality outdoor space might be required, including for example roof terraces and balconies. In this instance a large number of the proposed flats have private balconies or roof terraces. On balance therefore the amount of external amenity space being provided for new residents is considered to be acceptable having regard to the relevant SPD guidance.
- 8.30 The proposed development provides apartments of sufficient floor space to meet the Nationally Described Space Standards.
- 8.31 In summary, having regard to the requirements of Policy CS17, Officers consider the proposed development to be of a high quality of design, safe and easily accessible by all members of the public and providing adequate internal and external space. Whilst mindful of the increased height of the building compared to the existing Assheton Court, the scale of the building was anticipated by Policy HA44 and Officers consider the proposed design responds positively and is respectful of the key characteristics of the surrounding area including the scale of development nearby.

#### **d) Living conditions of neighbours and future residents**

- 8.32 During the public consultation period for this application a number of residents living in adjacent streets raised concerns over the impact the development would have on their living conditions, including on the light, outlook and privacy currently enjoyed in their properties.
- 8.33 Adopted local plan Policy DSP3 states:

*"Development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy."*

Sunningdale Road

- 8.34 The fact that the site lies due north of properties on Sunningdale Road means that the increased height and massing of the new building compared to the existing Assheton Court will have no unacceptable adverse impact on the level of direct light to those homes.
- 8.35 The existing Assheton Court building is two storeys high with the closest parts of the western building having small high-level windows at first floor level and two doors leading to external fire escape staircases. Those parts of the building are typically around 20.5 – 21.5 metres from the two storey rear elevations of houses on Sunningdale Road. There are more first floor windows in both the western and eastern building however they are in parts of the buildings that are set further back from the southern boundary. Those windows are typically approximately 31.5 – 32.5 metres from the two storey rear elevations of houses on Sunningdale Road (approximately 18.5 metres to the end of the rear gardens).
- 8.36 The applicant has provided a series of cross section drawings to show the relationship between the proposed building and the rear gardens and elevations of houses on Sunningdale Road. These sections demonstrate that the distance between the nearest single storey parts of the western wing of the building and the two storey rear elevations of houses on Sunningdale Road would be at least 20.9 metres. This is comparable to the distance currently achieved between the nearest two storey parts of the existing building as described above. The cross section drawing shows that at this point the proposed building is actually lower than the existing building where it is closest to those neighbouring properties to the south.
- 8.37 At the point where the proposed building would step up to three storey scale the separation distance would typically be around 27 metres and, to avoid overlooking, windows in that part of the building would be high level and western and eastern facing balconies would be fitted with privacy screens on their southern ends. The balconies of the nearest south facing apartments in the western wing would be approximately 31.5 metres from the two storey rear elevations of houses on Sunningdale Road (approximately 18.5 metres to the end of the rear gardens). Again, this is comparable to the distance currently from first floor windows in the existing western building however Officers acknowledge that there would be more windows and balconies across first and second floor level.
- 8.38 The top storey (third floor level) in the western wing of the new building would be 40.6 metres from the two storey rear elevations of Sunningdale Road. The eastern wing of the building meanwhile would, at its closest where it is three storeys in scale, be 30 metres from the two-storey rear of houses in

Sunningdale Road and where the building steps up to four storeys high it would be 37 metres away.

- 8.39 Officers have carefully assessed the separation distances set out in the submitted site plans and section drawings when considering the likely impact on the outlook and privacy of residents in Sunningdale Road. The Council's adopted Design Guidance SPD recommends that upper floor windows in a new development should be at least 11 metres from boundaries they look towards and no less than 22 metres from facing windows in neighbouring houses. The distances outlined above are in excess of these minimums, some considerably so, however it is recognised that currently the properties in Sunningdale Road only see a small number of first floor windows in the existing buildings at Assheton Court. Similarly, the bulk and massing of the existing buildings is considerably less than the proposed building.
- 8.40 Officers consider that the degree of separation which would be achieved by the proposals means that the outlook from properties on Sunningdale Road would not be unacceptably adversely affected. The number of windows and balconies facing neighbouring properties would increase, but the separation distances which would be achieved mean that no unacceptable adverse impact upon privacy would occur.
- 8.41 As a consequence of the raised internal finished floor level at ground floor level it would be important to restrict views from some of the closest windows and a balcony in the nearest single storey parts of the building by using taller boundary treatments in specific locations. Such matters can be appropriately controlled using a planning condition securing details of boundary treatments to be installed.

#### Jubilee Road

- 8.42 The western elevation of the proposed building where it is three-storeys high would be 33 – 35 metres from the rear of dwellings located in Jubilee Road. This would be around 6.5 metres further away than the existing building which is two storeys high. The highest part of the proposed building at four storeys high would be 44 metres from those houses. The separation distances between the building and houses in Jubilee Road greatly exceeds the minimum sought in such circumstances as set out above.
- 8.43 In addition, a mature mixed species hedgerow currently stands along the site's western boundary between the rear service track for those houses on Jubilee Road and the car park proposed on the western side of the building. The submitted Arboricultural Implications Assessment indicates that this hedgerow is intended to remain. Whilst the retention of the hedgerow is not essential to help screen views and make the development acceptable it

clearly assists in providing further comfort for those residents of Jubilee Road in that it would further reduce any overlooking from the new building towards their properties.

- 8.44 Given the ample separation distances involved the proposed development would not lead to unacceptable adverse impacts on residents of Jubilee Road by virtue of a loss of privacy, outlook or light.

#### Castle Street

- 8.45 The proposed building would be located approximately 13 metres from the bottom of the rear garden of the dwelling at 23 Castle Street where there is a residential annexe at present. The distance between the new building and the rear of the house at 23 Castle Street would be around 45 metres. Given the separation distances involved the proposal is not considered to have an unacceptable adverse impact on the light to, outlook from or privacy enjoyed in that property, including the residential annexe.

#### Alcotts Yard

- 8.46 Immediately adjacent to the eastern site boundary within Alcott's Yard is a row of garage "lock-ups" and an enclosed yard separated into two parts where planning permission was granted in 2009 for its use as a general builder's storage yard (planning reference P/09/0961/FP). The permission has a planning condition restricting the hours of use of the yard to 0800 – 1800 hours Monday to Friday and 0800 – 1300 Saturdays (and not at any time on Sundays or bank holidays). Another planning condition restricts stacking in the yard to a maximum of 2 metres high.
- 8.47 The proposed building would contain a significant number of windows and some balconies in the eastern elevation which would overlook Alcotts Yard at relatively close proximity. In comparison, the existing Assheton Court development has relatively few windows facing eastwards.
- 8.48 Concerns have been raised by the owners of Alcotts Yard that complaints from residents in the future over noise and dust may unfairly affect the ability of tenants to carry out their business in the yard.
- 8.49 The applicant has provided a noise assessment which provides an acoustic specification for the eastern façade of the building and the Council's Environmental Health Officer has been consulted. The advice from the Environmental Health Officer is that, based on the sampling period when noise was surveyed by the applicant's acoustic consultant, the acoustic measures proposed by the applicant's consultant should prevent future residents from the impacts of noise from the yard as well as traffic noise when windows are closed. It is recommended that mechanical ventilation be

installed to allow suitable ventilation of those apartments along the eastern site boundary and the applicant has confirmed that a mechanical ventilation with heat recovery (MVHR) system will be employed for those units.

- 8.50 Officers have considered the potential impact the adjacent builder's yard may have on the living conditions of residents in the new building in the future. The closest part of the yard to the new building is restricted in terms of its hours of use. Having visited the site it is noted that the nature of the use is not one of continuous activity or constant comings and goings throughout any given day. Instead, any noise and disturbance generated is likely to be sporadic at certain times of day and in any case neither before 0800 hours each weekday morning or after 1800 hours in the evenings (earlier on a Saturday). If noise were to be a particular problem on any given occasion during the hours when the yard is in use, the acoustic specification and installation of MHVR to the new apartments in that part of the building means that residents should still be comfortable in their homes and the impact of the use of the yard would not be significantly adverse.
- 8.51 The owner of Alcotts Yard has also referred to the privacy of their tenant's being affected. The impact on commercial premises from proposed development is generally not considered in the same way or given the same weight as neighbouring residential homes and gardens. Whilst the yard would be overlooked to a greater extent than it currently is, Officers do not consider this to be an unacceptable adverse impact given the nature of the use of the yard.

#### **e) Access and parking provision**

- 8.52 Vehicular and pedestrian access to the site would be provided in the same location as at present. Following initial comments received from Hampshire County Council Highways the applicant has provided further information to demonstrate a number of matters including to satisfy requirements in relation to forward visibility, refuse collection vehicles and carriageway widths to enable two-way passing of vehicles. The highway authority have confirmed they raise no objection to the amended proposals.
- 8.53 A total of 21 car parking spaces including two disabled car parking spaces are proposed to the west and north of the building. The Council's Residential Car & Cycle Parking Standards Supplementary Planning Document would ordinarily require a development such as this for 51 one-bed and 9 two-bed units to provide 50 unallocated car parking spaces. The SPD allows for this standard to be reduced in a number of different circumstances.

- 8.54 Firstly, in areas of high accessibility a reduced parking provision may be considered acceptable provided it can be demonstrated there would be no adverse impact on the surrounding area. As already set out above, the Assheton Court site benefits from an excellent location on the edge of a district centre with a multitude of services and facilities and public transport nodes accessible on foot. This degree of high accessibility means that residents at Assheton Court are not reliant on the use of a car for their everyday needs. It also means that staff members at Assheton Court do not necessarily need to travel to work by car given the close by bus stops and railway station.
- 8.55 Secondly, the SPD provides for a reduction in the standard where specific types of residential development that create a lower demand for parking are involved. The applicant's Transport Statement sets out the evidence from sheltered housing schemes across the Borough. At other sheltered housing schemes such as Barnfield Court, Collingwood Court and Crofton Court car ownership ranges from 23 – 30%. At Assheton Court itself, prior to the decision by Fareham Housing to seek redevelopment of the site, only 12% of residents owned a car. The statement argues that Assheton Court is the Council's most accessible sheltered housing scheme and to reflect the very low levels of car ownership 21 car parking spaces are proposed. The proposed unallocated car parking provision is 42% of the relevant standard which still far exceeds the existing levels of car ownership at this and other sheltered housing schemes in the Borough.
- 8.56 It is also an important material consideration for Members to note that the site lies immediately adjacent to a free public car park which would ideally meet the needs of visitors to Assheton Court and staff if indeed they choose to travel by car rather than public transport.
- 8.57 Policy CS17 requires, in part, development to be designed to *"provide appropriate parking for intended uses taking account of accessibility and context of a development and tackling climate change"*.
- 8.58 Taking into account the high accessibility of the location, the nature of the proposal as a sheltered housing scheme and the evidence provided on this type of development in relation to car ownership, and the immediately adjacent public car park, Officers consider the reduced parking provision at the site to be wholly appropriate and in accordance with Policy CS17 and the adopted Residential Car & Cycle Parking Standards SPD.
- 8.59 An internal buggy and cycle store is provided with access directly from the ramped entrance at ground floor level in the building. Two 'Sheffield' stands are proposed to accommodate staff and visitor cycle parking close to the

entrance to the building. Officers consider appropriate cycle parking provision has been made for the development.

#### **f) Impact on Habitat Sites**

- 8.60 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive protected sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.
- 8.61 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within the Solent which are of both national and international importance.
- 8.62 In light of their importance, areas within the Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.63 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 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 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.
- 8.64 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the HS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.65 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 made the appropriate financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP).

- 8.66 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 HS.
- 8.67 A nitrogen budget has been calculated in accordance with Natural England's *Nutrient Neutrality Generic Methodology* (Feb 2022) ('the NE Advice') which confirms that the net gain of 27 more apartments as proposed by the development will generate an additional 9331 litres of waste water per day (equivalent to 21.47 kgTN/year). In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be residential urban land as it is already the site of an existing sheltered housing complex. Due to the uncertainty of the effect of the nitrogen from the development on the HS, 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.
- 8.68 The applicant has submitted a Nitrogen Neutrality Statement which sets out that through the retrofitting of the Council's existing housing stock with modern water efficient measures (for example, showers, low flush toilets and flow restricted taps), sufficient water will be saved to ensure that the provision of the additional apartments at Assheton Court would not result in increased wastewater disposal to Peel Common Wastewater Treatment Works and therefore mitigate the nitrogen loading generated by the proposed development. The Council as Competent Authority can be certain that this can be achieved since it is in control of all aspects of the mitigation measures, as both the developer of the site and the housing authority responsible for the properties to be retrofitted. Therefore, Officers consider that the provision of the retrofitting of existing Council housing stock is sufficient to ensure the proposed development would not have an adverse effect on the integrity of the HS.
- 8.69 The Council's appropriate assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. Natural

England has been consulted on the Council's Appropriate Assessment and comments are awaited. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

#### **g) Other matters**

##### Ecology

- 8.70 The Council's Ecologist has previously requested updated ecology surveys and revisions to the proposed planting details which the applicant has provided. A planning condition requiring additional bird and bat habitat features be incorporated into the building has also been requested.

##### Drainage

- 8.71 An appropriate Drainage Strategy has been provided by the applicant and Hampshire County Council as the lead local flood authority have raised no objections to the proposed means of surface water drainage.

##### Access to rear of 23 Castle Street

- 8.72 The owners of 23 Castle Street have raised concerns that the proposed substation may create difficulties for vehicular access to their property from the public car park as is currently possible. Whilst it is not clear whether vehicular access would be impeded in any way from the proposals this would be a private matter for the respective landowners.

##### **Summary**

- 8.73 The application proposes older persons housing in the urban area supported by local plan Policy DSP42. The development is in a highly accessible location and the site benefits from being a housing allocation in the emerging local plan under Policy HA44. The design of the new apartment building has been arrived at carefully to take account of the scale and character of the surrounding area and to minimise the impact on neighbours. The impact on the living conditions of residents living nearby is not considered to be unacceptably adverse and future residents will be provided with adequate internal and external space. Safe and convenient pedestrian and vehicular access will be provided and appropriate parking provision made. There would be no adverse effects on Habitat Sites and ecological interests on the site have been appropriately addressed.

#### **9.0 Recommendation**

- 9.1 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 to

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;

**9.2 GRANT PLANNING PERMISSION**, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three years from the date of this decision.

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:

- a. Existing Site Plan - 20 026 0001 P02
- b. Proposed Site Plan - 20 026 0003 P18
- c. Proposed Block Plan - 20 026 0004 P08
- d. Planting Plan - 2026 PP 300B
- e. Proposed Ground & First Floor Plans - 20 026 0005 P15
- f. Proposed Second & Third Floor Plans - 20 026 0006 P11
- g. Proposed Elevations - 20 026 0008 P12
- h. Proposed Elevations - 20 026 0009 P10
- i. Proposed Elevations - 20 026 0010 P10
- j. Proposed Elevations - 20 026 0011 P04
- k. Proposed Site Sections - 20 026 0012 P10
- l. Proposed Site Sections - 20 026 0013 P06
- m. Proposed Site Sections - 20 026 0014 P03
- n. Proposed Site Sections - 20 026 0015 P03
- o. Proposed Site Sections - 20 026 0016 P03
- p. Ecological Impact Assessment FINAL Report (Rev.1) - revised August 2022
- q. Nitrate Neutrality Statement (updated November 2022)
- r. Arboricultural Implications Assessment
- s. Environmental Noise Assessment
- t. Access Vehicle Swept Path Analysis 1 - 2021-6263-002 Rev D
- u. Fire Vehicle Swept Path Analysis - 2021-6263-004 Rev D
- v. Internal Vehicle Swept Path Analysis - 2021-6263-005 Rev D
- w. Refuse Vehicle Swept Path Analysis - 2021-6263-003 Rev D
- x. Site Overview - 2021-6263-001 Rev D
- y. Flood Risk Assessment and Drainage Strategy D1947 BPC FRA 1.3 (updated November 2022)

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

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

- m) Temporary lighting;
- n) Protection of pedestrian routes during construction;
- o) No burning on-site;
- p) Scheme of work detailing the extent and type of piling proposed;
- 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 the potential impacts described above.

4. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) 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.

5. No development hereby permitted shall proceed beyond damp proof course level until details of a minimum of 10 swift boxes, 4 other bird features and 6 integrated bat features to be installed in the building hereby permitted 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 appropriate biodiversity enhancements and habitat creation.

6. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully

implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

7. No development hereby permitted shall proceed beyond damp proof course level until details of the mechanical ventilation with heat recovery (MHVR) system to be installed in units 3 – 7 (inclusive), 16 – 20 (inclusive), 35 – 39 (inclusive) and 53 – 55 (inclusive) 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 protect the living conditions of future residents and to enable the appropriate ventilation of those flats without adverse impacts from external noise sources.

8. None of the development hereby approved shall be occupied until details of the design and appearance of the electricity substation and means of enclosure to be constructed as part of the development hereby approved 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: In the interests of the satisfactory appearance of the development.

9. No development shall take place beyond damp proof course level until an Electric Vehicle (EV) charging strategy, setting out how many and where EV charging points will be provided, has been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details with the charging points provided prior to first occupation of the apartments.

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.

10. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered. Works shall not recommence before an investigation and risk assessment of the identified ground conditions have been undertaken and details of the findings, along with a detailed remedial scheme, if required, have been submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of the dwelling hereby permitted the remediation scheme shall be fully implemented and shall be validated in writing to the Local Planning Authority by an independent competent person.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

11. The development hereby permitted shall be carried out in accordance with the acoustic attenuation specifications set out in the approved Environmental Noise Assessment (Mach Acoustics).

REASON: To protect the living conditions of future residents to ensure no adverse impacts from external noise sources.

12. The development hereby permitted shall be carried out in accordance with the measures set out at Section 5.0 'Assessment of Ecological Effects and Mitigation/Compensation/Enhancement Measures' of the submitted Ecological Impact Assessment by Ecosa (August 2022).

REASON: To secure appropriate ecological mitigation, compensation and enhancements.

13. 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.

14. The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment (FRA) entitled Flood Risk Assessment and Drainage Strategy D1947 BPC FRA 1.3 dated November 2022 and supporting information submitted with the amended plans and the following mitigation measures they detail:

- a. Finished floor levels for the ground floor of the proposed redevelopment shall be set no lower than 4.50 metres above Ordnance Datum (m AOD) as stated in Section 5.2.1 of the FRA;
- b. Flood resilient construction methods are incorporated as stated in Section 5.2.2 of the FRA;
- c. The site owner and/or residents will be required to sign up to the EA Flood Warning Service as stated in Section 6.4.1 of the FRA.

REASON: To ensure the development is safe from flooding throughout the lifetime of the development.

15. None of the apartments hereby permitted shall be first occupied until the bicycle and buggy storage shown on the approved drawings has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To encourage cycling as an alternative mode of transport and to provide appropriate storage for cycles and mobility scooters.

16. None of the apartments hereby permitted shall be first occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use. Those areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety and to ensure appropriate parking provision is made on the site.

17. None of the apartments hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

18. Prior to the occupation of the apartments hereby permitted, the applicant shall submit a record of nitrate credits/savings achieved through water efficiency measures by way of (a) upgrades to Fareham Borough Council housing stock, and/or (b) demolition of existing Fareham Borough Council housing stock, to the Local Planning Authority, to be agreed in writing to demonstrate that sufficient nitrate credit headroom has been created. No apartment shall thereafter be occupied until sufficient nitrate credit headroom as set out in the submitted Nutrient Neutrality Statement has been created to serve the entire development hereby permitted.

REASON: To demonstrate that sufficient headroom has been created to offset the proposed development from the impact of nitrogen loading on the European Protected Sites.

19. None of the apartments hereby permitted shall be occupied until the privacy screening indicated on the approved plans to be installed on balconies for plots 20, 25, 32, 39, 44 & 51 has been erected. The screening shall subsequently be retained at all times.

REASON: To protect the privacy of the occupiers of the neighbouring property and to prevent overlooking.

20. The occupation of each of the residential apartments hereby permitted shall be limited to a person of 55 years of age or over, or a widow/widower or partner of such a person, or any resident dependents including those under the age of 55, unless otherwise agreed in writing by the Local Planning Authority.

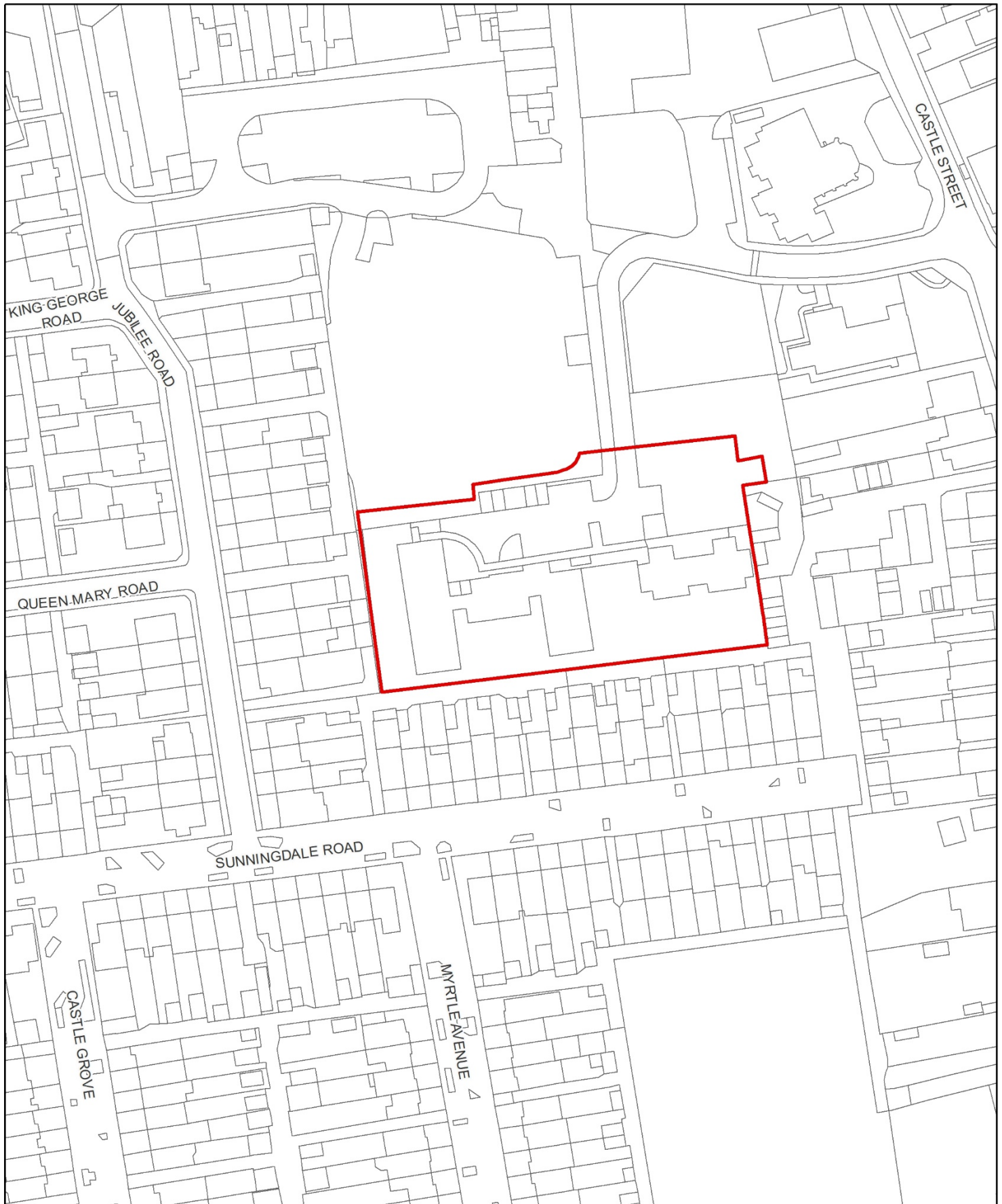
REASON: To accord with the terms of the planning application and to ensure the satisfactory planning of the area.

#### **10.0 Background Papers**

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

# FAREHAM

## BOROUGH COUNCIL



Assheton Court, Castle Street  
Portchester

Scale 1:1,250



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