

OFFICER REPORT FOR COMMITTEE

DATE: 13/09/2023

**P/21/2041/FP
METIS HOMES LIMITED**

**WARSASH
AGENT: NOVA PLANNING LIMITED**

DEMOLITION AND RESIDENTIAL REDEVELOPMENT COMPRISING 117 DWELLINGS (INCLUDING CHANGE OF USE AND ALTERATIONS TO RETAINED LISTED BUILDINGS) TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

WARSASH MARITIME ACADEMY, NEWTOWN ROAD, WARSASH SO31 9ZL

Report By

Richard Wright – direct dial 01329 824758

1.0 *Introduction*

- 1.1 This application is being brought before the Planning Committee for determination due to the number of third party representations received.
- 1.2 A separate application seeking listed building consent relating to this development is reported to the committee elsewhere on this same agenda (application reference P/21/2042/LB).

2.0 *Site Description*

- 2.1 The application site comprises the upper (southern) part of the Warsash Maritime Academy campus on the western side of Newtown Road. The educational campus is owned and operated by Southampton Solent University (SSU) and was originally established in 1932 as the School of Navigation. Whilst the upper (southern) part of the campus subject of this application is surplus to the university's requirements, SSU retains the lower (northern) area of the campus where planning permission was granted in 2019 for a new fire and pool training centre (application reference P/19/0344/FP). An existing fire training ground is located on the retained campus site also.
- 2.2 The site measures approximately 2.5 hectares. It includes the parts of the campus south of the existing main entrance to the campus including the buildings Hamble Meads located at its north-eastern corner, Mountbatten Library, Coastguard, and the cluster of buildings known as Admiral Jellicoe, Whalley Wakeford and Blyth at the site's southern edge. It also includes the Grade II Listed Buildings known as Shackleton and Moyana which are the most westerly of the buildings located towards the centre of the campus. To the west of the listed buildings is an area of grassland and woodland which

slopes downwards towards the River Hamble and here some of the site falls within Flood Zones 2 & 3 (the remainder of the site is in Flood Zone 1). At its far western edge the site abuts the riverside public footpath. There is also a public footpath that run around the site abutting much of its southern boundary. The north-western boundary of the site is contiguous with the lower campus site retained by SSU. To the immediate north, on the other side of the entrance road to the retained campus, is a residential property known as Redtiles. A number of substantial mature Monterey pine, cypress and holm oak trees lie along the northern site boundary between the site and Redtiles. The entire application site is covered by an area tree preservation order (TPO).

- 2.3 The site lies within the urban area as defined in the adopted Fareham Local Plan 2037 and within an Area of Special Landscape Quality (ASLQ). The local plan also designates the site as a housing allocation under policy HA7.

3.0 Description of Proposal

- 3.1 Planning permission is sought for the demolition of all of the buildings on the land, with the exception of the Grade II Listed Buildings Shackleton and Moyana, and the subsequent redevelopment of the site. In total it is proposed to create 117 dwellings together with associated access, parking and landscaping proposals.
- 3.2 Plots 1 – 18 are proposed to be a mixture of fifteen 3-bed, two 4-bed and one 5-bed houses in a mixture of two-storey detached and three-storey terraced 'townhouse' forms. Units 19 – 44 are proposed in a new a four-storey (five including the undercroft level) block of apartments providing three 1-bed and seventeen 2-bed flats. The Grade II Listed buildings Shackleton and Moyana would be refurbished to provide twelve 1-bed, twenty-one 2-bed and two 3-bed apartments. The remaining forty-four units are to be provided in a four-storey (five including the undercroft level) apartment building by McCarthy Stone with twenty-five 1-bed and nineteen 2-bed units. The McCarthy Stone building is to be an age-restricted development.
- 3.3 The layout of the site proposes two-storey detached dwellings along the frontage of the site with Newtown Road with three vehicular and pedestrian access points. At the southern end of the site the McCarthy Stone apartment building is proposed in the same approximate position as the existing Blythe building. Two rows of townhouses grouped in terraces of three are shown along the access roads. Another group of seven terraced townhouses is proposed opposite the eastern elevation of the Shackleton building to create a new tree lined public space running north/south at the northern end of which would lie the new four storey apartment block (with a fifth undercroft level providing parking and services). To the west of the apartment block would be

more parking for those units and a road leading down to further parking provision located west of the Shackleton building and north of Moyana. The land to the west of this car parking area, and Moyana, would be landscaped for use as public open space.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

DS1 - Development in the Countryside

DS3 – Landscape

H1 – Housing Provision

HP1 – New Residential Development

HP5 – Provision of Affordable Housing

HP7 – Adaptable and Accessible Dwellings

HP8 – Older Persons’ and Specialist Housing Provision

HP9 – Self and Custom Build Homes

CC1 – Climate Change

CC2 – Managing Flood Risk and Sustainable Drainage Systems

NE1 – Protection of Nature Conservation, Biodiversity and the Local Ecological Network

NE2 – Biodiversity Net Gain

NE3 – Recreational Disturbance on the Solent Special Protection Areas (SPAs)

NE4 – Water Quality Effects on the Special Protection Areas (SPAs)

NE6 – Trees, Woodland and Hedgerows

NE8 – Air Quality

NE9 – Green Infrastructure

NE10 – Protection & Provision of Open Space

TIN1 – Sustainable Transport

TIN2 – Highway Safety and Road Network

D1 - High Quality Design and Placemaking

D2 - Ensuring Good Environmental Conditions

D5 – Internal Space Standards

HE1 – Historic Environment and Heritage Assets

HE3 – Listed Buildings and Structures and/or their Settings

Other Documents:

National Planning Policy Framework (NPPF) 2021

Planning Practice Guidance (PPG)

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

Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/19/1164/FP Extension Of Fire Ground, Replacement Of Existing Hot And Cold Units With New Hot Villa Unit And New Hot Ship Unit, Associated Ancillary Structures Including Material Stores/Canopies, Debrief Shelters, Pump House And Tank, And Provision Of Hardstanding And Landscaping

APPROVE 24/09/2020

P/19/0344/FP Construction Of New University Building To Be Used As Fire And Pool Training Centres And Associated Landscaping, Service Roads, Areas Of Hard Surfacing, Parking And Boundary Treatments (Following Demolition Of The John Thorneycroft Building, Lovat House, Drummond House, Moss Building, Estates Building And Hot And Cold Fire Training Units)

APPROVE 11/10/2019

6.0 Representations

6.1 In response to the initial publicity carried out when this application was first received in March 2022, nine objections were received. This includes five objections to the accompanying application for listed building consent (application reference P/21/2042/LB) but actually raising concerns regarding the planning issues. The following concerns were raised:

- The terraced units and proposed detached houses are not in keeping with the houses immediately opposite or next to where they are being built. Could they be rendered or clad to match the cottages on Newtown Road?
- The houses look like 'new build' – if seen from the Hamble this will have an impact;
- Cannot see any Electrical car charging points or underground source hearing and solar panels;
- Is the sewerage system able to cope with the additional houses?
- Can Newtown Road cope with large construction vehicles;
- Pleased to see houses have not been squashed onto the site
- Newtown Road is congested due to parking, additional traffic will compound the problem;
- Loss of privacy and overlooking from plots 2-4;

- The high rise aspects of the proposal are an eyesore. The new Flatted block breaches the 4 storeys documented in HA7;
- Impact on local infrastructure

6.2 A further comment from The Fareham Society was also received raising the following points:

- The Fareham Society has no in principle objection to its re-development, provided it meets the requirements in the local plan allocation;
- It is essential the development respects the setting of the site, the protected trees and preserves and enhances the listed buildings and their setting;
- The external appearance of the listed buildings should be maintained with good quality internal finishes;
- The Shackleton building should have a spacious setting;
- Car parking west of the building should be removed unless it would have no adverse impact on its setting;
- Ensure an appropriate design and height of the proposed flats and houses – the northermost flats may be too high to accord with the listed buildings;
- Retain all protected trees and provide a good landscape setting;
- The 125 dwellings exceed the indicative yield of 100 dwellings.

6.3 Following amendments made to the application, further publicity was carried in June 2023. Eight objections were received after this, again one objection being received relating to the listed building application but raising planning matters. The following points were raised:

- When will we see the end to housing developments;
- Impact on the infrastructure in Warsash;
- Disappointed with the proposed architecture of the houses which should be more in keeping with the village. The design has been driven by the listed buildings;
- Newtown Road is not conducive with site traffic;
- Lack of car parking on the site and the condition of Newtown Road makes the development unviable;
- The traffic analysis is questioned;
- Loss of privacy and overlooking from plots 2-4;
- The 4 storey flat block is overbearing and too big;
- Appears to be no vehicle charging points;
- There is no evidence to reduce the carbon footprint;
- The revisions to the design of plots 1 – 4 do not lend themselves to residential development

6.4 A further comment from The Fareham Society was received:

- The reduction in height of the northernmost flats may improve its impact on the setting of the Shackleton building;
- The proposed parking to the west of the Shackleton building has been retained. To be acceptable it needs to be screened;
- The provision of flats roofs rather than pitched roofs for proposed houses would be more in keeping with the design of listed buildings on site;
- Will sufficient space exist to the east of the Shackleton building and are the changes made to the internal layout of Moyana Block sufficient to overcome concerns raised.

7.0 Consultations

EXTERNAL

Hampshire County Council (HCC)- Highways

7.1 No objection. Financial contribution requested towards sustainable modes of transport identified by applicant.

7.2 The applicant submitted an Additional Transport Information (ATI) report dated 19th May 2023 in response to HCC Highways initial consultation response.

Net Trip Generation

7.3 Previously, the reduction in peak hour vehicular trips associated with the reduction in students and staff was estimated from first principles. This has been checked and validated based on the existing education floor area to be removed. The results of the assessment again forecast a reduction in peak hour and daily traffic with the proposed residential uses onsite compared to the previous education use. However, the peak hour forecast net reduction is less than the net reduction forecast from first principles. Given the net vehicular trip generation is demonstrated as negative, no further assessment or mitigation of the vehicular impact resulting from the proposals is required.

7.4 In addition to the travel demands associated with the non-residential use (that is, staff and daily students) use, the ATI also notes that there is likely to be a reduction in residents on site compared to the existing. Currently, there is existing accommodation for 284 students; the proposed residential site is estimated to accommodate c.207 people. While there may be a reduction in the number of people accommodated on site, this does not consider the varying needs of housing and care home occupants (where travellers are

more likely to be more vulnerable highway users; that is, young or elderly) compared to a student population.

Site Access Arrangements

- 7.5 The proposed access strategy consists of three points of access to Newtown Road; one in the location of the current 'middle' access and two new points of access onto Newtown Road, one new bellmouth access north of the middle access and a new vehicle crossover access to the south. The existing southern access will be closed, and full height kerbing reinstated. It is noted the existing northern most access to the Academy is outside the boundary of this application site and is proposed to remain as existing.
- 7.6 The amended proposals are shown on drawing ITB16104-GA-004. The following comments are made on these proposals.
- The northern access is acceptable in principle; however, the visibility splay south should be 43m, not the 41m shown. However, there is adequate land within the applicant's control to provide the required visibility splay at the detailed design stage.
 - The middle junction has been amended to a bellmouth layout as requested and previously agreed with the HA with correct visibility splays.
 - Regarding the southern junction, visibility splays are considered acceptable, including pedestrian/ vehicle intervisibility.
 - All land within all visibility splays must be offered for adoption.
 - As stated previously, there is existing private hedgerow and mature trees along the frontage of the development. Some removal of this will be required to achieve the necessary visibility splays.
 - The footway along the site frontage is now proposed to extend from the southern end of the site (footpath 10) to just beyond the northern most access, with a new dropped kerb crossing proposed (allowing retention of the existing speed cushions). This is considered acceptable in principle.
- 7.7 The updated site access works have been the subject of a Stage 1 Road Safety Audit and Designers Response, which raises no residual safety concerns, including intervisibility between a car and refuse vehicle at the northern and middle accesses. The proposals shown on drawing ITB16104-GA-004 are considered acceptable in principle.

Internal Layout and Parking

- 7.8 Dimensions on internal layout drawings have been provided as requested.

The applicant has confirmed the internal roads will not be offered for adoption. The updated site wide masterplan demonstrates there is no connection between the northern most University access road into the proposed development.

- 7.9 Updated tracking of the internal road layout is shown on drawings ITB16104-GA-003 Rev K and ITB16104-GA-005 Rev G. Given the site is not being offered for adoption as highway, a 15mph design speed is considered acceptable. Forward visibility, visibility spays and intervisibility appear achievable, however, these are all very close tree trunks and may be blocked depending upon the exact location of tree planting and the species chosen. Should the internal layout ever come forward for adoption, visibility would need to be kept clear, which may necessitate relocation of landscape planting. It is noted however that no residual issues remain in the RSA and the site is not being offered for adoption at this stage. As such, a condition should be included to ensure forward visibility, visibility splays and intervisibility remain available in perpetuity as shown on the above plans.
- 7.10 Regarding access to the Western off-site links and footpath 10, the revised site access drawing (ITB16104-GA-004) includes a new walking route along the western side of Newtown Road, including a new section of footway, providing a direct connection to Footpath 10. This is considered acceptable in principle. The new footway and area between this and the carriageway should be offered for adoption.
- 7.11 The proposed tandem parking located adjacent to the northern access road was previously raised as a concern. While this is not the HA's preferred arrangement on a spine road, the RSA did not raise concerns in this regard, therefore no further amendments are required. Parking shortfalls are not anticipated to result in a severe highway impact due to overspill parking on the highway. Emergency vehicle parking does not appear to be required within FBC's parking standards. Cycle parking and storage is now shown on the Parking Strategy drawing; full details of the type of provision of cycle parking are proposed to be secured by a suitably worded planning condition. This is considered acceptable to the HA, however, FBC as Parking Authority should comment on the acceptability of the proposed vehicular and cycle parking arrangements.

Sustainable Modes Contribution

- 7.12 While the existing site use would generate some pedestrian and cycle movements, the nature of the existing tertiary education land use means the future users should the development come forward will be a different, and more vulnerable, demographic; that is, increased use by residents of a

residential development (families with young or school age children) and retirement home (the elderly). In order to promote sustainable transport opportunities and to provide safe and suitable access to the site for all users, it is considered a direct contribution to the HA towards the identified sustainable mode improvements in the Walking, Cycling and Horse-riding Review (WCHAR) assessment in the vicinity of the application site is required to mitigate the development impact. This should be based on the cost of the WCHAR works and secured via a Section 106 agreement. It should be noted that the previous acceptance of the distance to bus stops, which is over the recommended maximum walking distance, was caveated on the above contribution.

- 7.13 The catchment secondary education provision, Brookfield Community School is some 2,900m from the site, which is above the recommended maximum distance; as such, cycle facilities to this location will be important. The adopted Local Cycling and Walking Infrastructure Plan (LCWIP) identifies this as a secondary route requiring improvements to cycle provision. Also, there is a high proportion of cycle accidents on routes from the proposed development to amenities. These routes would be more heavily used by more vulnerable road users as a result of the proposed development. A suitable contribution towards LCWIP measures will improve cycle safety in the vicinity of the application site, adequately mitigating this impact. Furthermore, this contribution would also help support access to Swanwick rail station.
- 7.14 Finally, it is noted that Local Plan Policy HA7 d) states the development should meet a site-specific requirement to provide cycle connectivity with nearby facilities and services; a suitable contribution towards delivery of LCWIP schemes will meet this Local Plan criteria from a HA perspective. In addition to the above, it is noted that the HA's decision to not require a Travel Plan for this application was subject to agreement of the walking and cycling mitigation requested above.

Hampshire County Council – Flood and Water Management Team

- 7.15 No objection subject to conditions to secure a detailed surface water drainage scheme based on the principles of the submitted Flood Risk Assessment and Drainage Strategy Issue 2 and a technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.

Hampshire County Council – Children's Services

- 7.16 No objection. A review of the pupil forecast data has been recently undertaken. As a result of the majority of the development being one and two bed flats/maisonettes, with few houses, it is felt that the likely pupil yield for secondary age pupils will be lower than anticipated.

Hampshire County Council – Archaeology

- 7.17 No objection subject to conditions relating to a programme of archaeological evaluation.

Environment Agency

- 7.18 No objection subject to a condition to ensure no development, associated access, parking or landscaping to be taken outside of Flood Zone 1.

Southern Water

- 7.19 No objection. Advice provided with regards proximity of development and landscaping to sewers and general advice relating to Sustainable Drainage Systems (SuDS).

Hampshire Constabulary – Designing Out Crime Officer

- 7.20 No objection. General advice provided regarding enclosure of front and rear gardens, access and defensible space around apartment blocks, the use of hedging as boundary treatment, undercroft parking areas and use of CCTV, communal cycle stores and lighting.

Natural England

- 7.21 No objection. Specific advice given regarding existing occupancy rates of student accommodation within Warsash Maritime Academy. Further general advice given regarding recreational disturbance, surface water drainage and the needs for a Construction Environmental Management Plan (CEMP).

INTERNAL

Trees

- 7.22 No objection. If adequate precautions to protect the retained trees are specified and implemented in accordance with the arboricultural method statement included in the tree report produced by Barrell tree Consultancy ref 20104-AA-PB – December 2021, the development proposals will have no significant adverse impact on the contribution of the trees to the public amenity or the character of the wider setting. Provided the recommendations of tree report are implemented and the construction methods, as detailed within the arboricultural method statement, are followed when working near retained trees, then the impact will be minimal and acceptable.

Ecology

- 7.23 The application site supports a number of buildings, areas of hardstanding, amenity grassland, woodland, trees, shrubs and ponds. The survey work carried out over a number of years onsite, to ensure up to date baseline survey information, have confirmed the presence of a number of protected species on site, including the following.

Reptiles

- 7.24 A population of slow worms, common lizards and grass snakes had previously been recorded on site. It should however be noted that more recent surveys confirmed no reptiles on site. Nevertheless, a reptile mitigation strategy has been submitted which is considered to be satisfactory to ensure the protection of individuals if found to be present within the affected areas and provision of alternative habitat for them on site.

Great crested newts (GCN)

- 7.25 The previous eDNA surveys (2017) recorded GCN within one of the ponds on/adjacent to the site. The updated surveys in 2018, 2020 and 2023, concluded the absence of GCNs from all four waterbodies within/adjacent to the site.

Bats

- 7.26 The most recent surveys confirmed the presence of a number of bat roosts belonging to common pipistrelle bats within three of the buildings on site. The compensation in the form of a number of integrated bat features within the new dwellings is considered to be acceptable.

Biodiversity Net Gain (BNG)

- 7.27 The submitted Metric indicates >30% net gain in habitat units and >80% in hedge units. It is clear that >10% net gain can be achieved as part of the proposals and therefore I am satisfied that the proposal is compliant with Policy NE2. As a 30 year management plan will be required to be secured, the final details in relation to the location, extent, species, etc. of the hedgerows and trees on site can be secured within a Landscape and Ecological Enhancement and Management Plan, which will be conditioned.

Soft Landscaping

- 7.28 Whilst I appreciate that a revised landscape strategy has been submitted with the changes including the provision of more coastal shrubs and grassland seed mixes, there is still scope for the seed mix to be made more suitable for the area through the inclusion of more coastal species such as Sea Kalem Sea Plantain, Sea Campion, Thrift, Vipers Bugloss, Wild Thyme, etc.. Therefore, alternative seed mixes should be sought or a bespoke seed mix prepared. The final details could however be secured via a planning condition for a Landscape and Ecological Enhancement and Management Plan.

- 7.29 Based on the above and if you were minded to grant permission, I recommend that conditions are added to the decision notice relating to securing measures set out in the submitted ecology reports, lighting, Construction Environmental Management Plan (CEMP) and a detailed Landscape and Ecological Enhancement and Management Plan.

Conservation Planner

- 7.30 Policies HE1 (Historic Environment and Heritage Assets) & HE3 (Listed Buildings and Structures and/or their Settings) of the adopted Fareham Local Plan 2037 are applicable as is Section 66 of the Listed Buildings and Conservation Area Act (as amended) and Section 16 of the National Planning Policy Framework – Conserving and Enhancing the Historic Environment.

Residential conversion of Shackleton Block

- 7.31 Due to the modular and compartmentalised nature of the original architectural scheme of the Shackleton Block, the conversion of the building into a residential block is considered acceptable in Historic Environment policy terms. The proposed scheme is considered to be relatively sympathetic to the special architectural and historic interest of the building. Although the conversion will require the removal of some historic fabric this has been kept to a minimum and the building will largely retain its original internal cellular form. It is also still proposed to install lifts between the second and third floors adjacent to the existing stairwells which will require cutting through the existing floor slab and will also result in the loss of historic fabric. In this instance, due to the nature of the building, it is not considered that this would be harmful to the building. In principle, the conversion of Shackleton is acceptable, subject to the approval of details such as the replacement / refurbishment of windows and retention of original features and internal finishes.

Proposed “Flat Block” towards the northern-western site boundary

- 7.32 There were previously significant concerns over the proposed new “Flat Block” in the north-western corner of the site. In the original submission the building was considered too large in terms of its scale and massing which meant that it was not really subservient to and visually competed with the listed Shackleton Block. In addition, the proposed building had an awkward relationship with the proposed town houses to the east and with the open “Parade Ground” feel of the area to the east of the Shackleton Block. The design of the new flat block has been amended to address the previous concerns. The proposed top storey has now been removed to reduce the overall bulk and massing of the building which now makes the building more

visually subservient and to sit more comfortably with the Shackleton Block. The quality of the design and materials on things such as the balconies and decorative banding has also been improved in accordance with previous comments. The revised proposals for the “Flat Block” are now considered to be acceptable in Historic Environment Policy terms.

Residential Conversion of Moyana Block

- 7.33 Even in its revised form, the internal subdivision of the Moyana Block would still cause significant harm to the architectural and historic interest of the building and still cannot be supported in Historic Environment policy terms. Unlike the Shackleton Block where the original internal architectural scheme was always for relatively small cellular units, the interior of the Moyana Block was originally designed as one large open-plan communal space. This is not just evidenced in the internal spatial characteristics but also in the continuity of high-quality materials used throughout. Although this internal space has previously been subdivided to a certain extent (*which is acknowledged in the list description*), the current opening partitions are lightweight and, even when closed, still allow the internal space to be read as a per the original architectural scheme and this is an intrinsic part of the special architectural interest of the building and its character. Permanently subdividing the space in the way proposed to convert it into individual residential units would lose the internal spatial characteristics. This would significantly harm the special architectural and historic interest of the of the building and could not be supported in Historic Environment policy terms.

“Parade Ground” and new dwellings to east of Shackleton Block

- 7.34 The area to the east of the Shackleton Block is currently an open area giving a clear view of the eastern elevation of the Shackleton Block, significantly contributing to its setting. Following the previous submission concerns were raised that that the level of information submitted did not really allow a full understanding of the continued sense of openness and whether the proposals compromised, and, therefore caused harm, to the setting of the listed Shackleton Block. Concerns were also raised about some of the detailing of the proposed new town houses and how these sat with both Shackleton and also with the proposed new flat block. Additionally, it was not felt that the visual transition between the flat block the proposed new town houses worked well in terms of both the proposed heights and roof forms of the new houses. One of the original design criteria was to create an open “Parade Ground” area to the east of the Shackleton Block that both allowed the area to be developed but also reflected the past history of the site as a Maritime Academy. Following previous comments amendments have been made to the design that, from a Historic Environment perspective, addresses these

concerns. As outlined above, the overall height of the flat block has now been reduced and the roof form of the town houses changed from a pitched to a flat roof, allowing a much better visual transition between the new buildings. In addition, looking at the submitted CGIs, although the built form of the proposed new buildings is much closer to the listed buildings than previously, these still remain visually dominant.

- 7.35 Other than the conversion of the listed Moyana Block which still remains unacceptable in Historic Environment policy terms, the rest of the revisions made following previous comments are acceptable. Should planning permission be granted I would recommend conditions are attached to ensure that all external materials and all materials and joinery details and conditions for the conservation of are submitted and approved in advance.

Archaeological Building Recording

- 7.36 The majority of the buildings on the site that are scheduled for demolition were recently subject to a formal listing application to the Secretary of State for Culture Media and Sport (through Historic England) due to their architectural and historic interest. All the surviving buildings on the development site were assessed in detail by Historic England surveyors as they are considered to be a good surviving example of 20th century campus & academic buildings and a report produced outlining the significance of the buildings to inform a decision on whether or not the buildings should be listed. Although the listing application was ultimately unsuccessful, should planning permission be granted, the buildings still have sufficient architectural and historic interest to warrant a programme of archaeological building recording prior to conversion and demolition work. A condition is recommended relating to archaeological building recording to ensure a full archaeological and historical record is made of the buildings in advance of their conversion or demolition.

Housing

- 7.37 The applicant has submitted an Economic Viability Assessment (EVA) which concludes that the scheme cannot afford to provide any affordable housing. The Council has commissioned a viability consultant to review the EVA.
- 7.38 As part of the pre-application advice sought in 2019, Fareham Housing advised that the greatest need in the area for those in the highest bands on the housing register for rented accommodation was 3 bed homes, but that a mix of dwelling sizes and types would be beneficial and these homes should be distributed throughout the site.

- 7.39 The submitted application does pose some challenges to provide a mix of dwelling types and sizes. The location of any affordable housing units following the EVA review would need to be carefully considered. The units considered on the EVA appear to be academic only and do not reflect the advice provided as part of the pre application. If the review of the EVA concludes that affordable housing is viable I will provide further comments.

Contaminated Land

- 7.40 No objections subject to conditions.

Environmental Health

- 7.41 Comments awaited.

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) Approach to decision making
- b) Principle of development
- c) Landscape and visual impact
- d) Affordable housing, self and custom build housing and viability
- e) Impact on heritage assets
- f) Design and layout
- g) Parking provision
- h) Highways
- i) Open space
- j) Trees and ecology
- k) Impact on habitat sites
- l) The Planning Balance

- a) Approach to decision making

- 8.2 A report titled "Five year housing land supply position" was reported to the Planning Committee on 25 January 2023. That report sets out this Council's local housing need along with the Council's current housing land supply position. The report concludes that the Council had 5.49 years of housing supply against its five year housing land supply (5YHLS) requirement including a 20% buffer.

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

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

- 8.4 In determining planning applications there is a presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise. Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).
- 8.5 Paragraph 60 of the NPPF seeks to significantly boost the supply of housing.
- 8.6 Paragraph 74 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 (see footnote 7 below), granting planning permission unless:
 - i. The application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed (see footnote 7 below); 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: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land 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:

“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 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirements over the previous three years.”

8.10 This planning application proposes new housing in the defined urban settlement boundaries. Whilst the Council can demonstrate a five year housing land supply, the Housing Delivery Test results published on 14th January 2022 confirmed that the Council has achieved 62% of its housing target. This means the delivery of housing in the last three years (2018 to 2021) was substantially below (less than 75%) the housing requirement over the previous three years. Footnote 8 to 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 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.”

8.12 The wording of this paragraph clarifies that the presumption in favour of sustainable development set out in Paragraph 11 does not apply unless an appropriate assessment has concluded that the proposal would not adversely affect the integrity of the habitats site subject to mitigation.

8.13 The following sections of the report assess the application proposal against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

b) Principle of development

8.14 The application site is a housing allocation in the adopted Fareham Local Plan 2037 (HA7). Policy H1 (Housing Provision) of the local plan explains that this site is one of a number which together will deliver approximately 2,711 homes making a very significant contribution overall to meeting the Council's housing need over the plan period 2021 – 2037.

8.15 Housing Allocation Policy HA7 suggests an indicative yield of 100 dwellings for the Warsash Maritime Academy site. It says proposals should meet the following site-specific requirements set out below with Officers comments added after each criterion:

- a) *The quantum of housing proposed shall be broadly consistent with the indicative yield, including conversion of the building current known as Shackleton building to flats, and* [The proposal for 117 dwellings is broadly consistent with this indicative yield]
- b) *Primary highway access should be focussed on Newtown Road, and* [Access is from Newtown Road only].
- c) *The height of new building should be limited to a maximum of 4 storeys, and* [Two buildings proposed are 4 storeys high with a fifth partially subterranean storey used to provide services and undercroft parking facilities].
- d) *The provision of pedestrian and cycle connectivity within the site and to Newtown Road, as well providing connectivity with nearby facilities and services, and* [The application is accompanied by a set of proposed improvements to the surrounding highway network to facilitate sustainable modes of transport and the cost of delivering these improvements is to be borne by the developer and secured by a Section 106 legal agreement].
- e) *The principal site frontage to Newtown Road on the eastern side of the site shall be well landscaped and carefully designed to minimise the sense of immediate development in order to respect the surrounding residential character in this location, and* [The eastern site frontage is mostly limited to two storey scale detached dwellings in line with the prevailing character of housing along Newtown Road. Much of the existing tree cover and

planting east of the Mountbatten Library would be retained and additional new landscaping is proposed along this frontage. At the southern end of the frontage the McCarthy Stone apartment building would replace the existing bulk and massing of the Blythe and Admiral Jellicoe buildings which currently front Newtown Road in this location].

- f) *Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting, and [The application is supported by a heritage statement. The impact of the development on heritage assets is considered later in this report].*
- g) *There is a binding agreement that will deliver an appropriate re-use of the listed buildings within a phased programme of works linked to the delivery of residential development; and [A Section 106 planning obligation would secure the delivery of the proposed refurbishment and reuse of the Shackleton and Moyana buildings in line with the redevelopment of the remainder of the site].*
- h) *The scale, form, massing and layout of development to be specifically designed to respond to nearby sensitive features such as the Solent & Southampton Water SPA; and [The impacts of the development in terms of its built form and effects on the nearby habitat sites are considered later in this report].*
- i) *A Construction Environmental Management Plan [CEMP] to avoid adverse impacts of construction on the Solent designated sites shall be provided; and [The Officer recommendation includes a planning conditions securing a CEMP for both the demolition and construction phases of the development. Further clarification is to be sought from the applicant regarding the extent to which materials arising from the demolition of the existing buildings will be salvaged and recycled].*
- j) *All trees are subject to an Area Tree Preservation Order and should all be retained and incorporated within the design and layout of proposals in a manner that does not impact on living conditions, subject to agreement with the Council and in accordance with Policy NE6; and [Not all of the trees in the interior of the site are proposed to be retained however Officers consider this acceptable having regard to the constraints of the site and the need to achieve an optimal layout for the development. This matter is set out in more detail later in this report].*
- k) *Boundary trees and hedgerows on the western boundary of the site should be retained and incorporated within the design to provide a buffer to the*

priority habitats; and [The application does not propose any loss of boundary trees or hedgerows on the western side of the site].

- l) Future access to the existing underground water and wastewater infrastructure for maintenance and upsizing purposes; and [A planning condition could be imposed to ensure that underground water and wastewater infrastructure would still be accessible post-development].*
- m) A flood risk assessment is required. Development shall avoid current flood zones 2 and 3. The southern section of the site is below the threshold of 5m Above Ordnance Datum (AOD) which means with predicted sea level rise this area could become at risk of future flooding from tidal sources; and [No development is proposed outside of Flood Zone 1].*
- n) Infrastructure provision and contributions including health, education and transport for example shall be provided in line with Policy TIN4 and NE3; and [Requests for provision of and contributions towards infrastructure provision have been considered on an individual basis as set out in the consultation responses included at section 7 of this report and as further explained below].*
- o) No development should be located to the west of the listed buildings. [An area of car parking and regrading of the land in the approximate location of an existing service road is proposed west of the Shackleton building however this is not considered to be harmful to the setting of either Grade II Listed Building as explained further later in this report when setting out the impacts on heritage assets].*

8.16 There is a small degree of conflict with the criteria of Housing Allocation Policy HA7, namely criteria j) relating to the loss of trees and o) concerning development on the western side of the Shackleton building. Both of these matters have been carefully considered by Officers and found to be acceptable given the constraints of the site and the need to achieve a layout which is both functional and attractive and which makes the best and most optimal use of the land. The aims of policy HA7 to provide a pleasant high quality scheme incorporating trees within the streetscene and to preserve and enhance the setting of the listed buildings are not compromised as a result. Both of these issues are discussed in more detail later in this report. As a result Officers consider that the aims and objectives of policy HA7 are met and the proposal enjoys the benefit of the support provided by this policy.

- c) Landscape and visual impact

- 8.17 The Fareham Landscape Assessment 2017 (which is part of the evidence base for the Fareham Local Plan 2037) identifies that the application site lies within the 'Lower Hamble Valley Side' Landscape Character Area (LCCA2). The sub area in which the site lies (02.1c) is described as follows:

“Area 2.1c occupies gently sloping or flat land alongside the mouth of the River Hamble in the far south of the LLCA. It comprises a large area of open grassland designated as public open space (known as Strawberry Field), the gardens of private houses, the campus of Warsash Maritime Academy and a small area of wetland and grassland habitats around Hook Lake, at the mouth of the Hook Valley. These areas have a strong relationship with the River Hamble and large parts are covered by multiple designations, reflecting the exceptional environmental and amenity value of the area...”

- 8.18 It continues:

“...The mature tree cover, wetlands and open spaces along side the river within the grounds of the maritime college are also of value and contribute to the setting of the River Hamble. These should be retained as far as possible in any future proposals for redevelopment of the campus land...”

- 8.19 And:

“This is a complex and diverse area of landscape which is generally of high sensitivity, particularly in respect of the character and quality of the landscape resource, the lack of intrusion from existing development, its contribution to the setting of the River Hamble and its diverse range of valuable ecological, heritage and GI resources.

Overall the area offers very limited potential for development but there may be some modest scope for accommodating small-scale development in some areas of lower sensitivity, where there is greater opportunity for integration within the landscape. In particular, the small field alongside Bridge Road is of low sensitivity, and there are potential opportunities to integrate some new development within the well-treed parts of the valley tops, for example within and around existing residential areas along Holly Hill Lane and Barnes Lane. There may also be some potential for redevelopment of existing sites (e.g. Warsash Maritime Academy) as long as the well-treed/ wooded character of the riverside landscape, particularly when viewed from the river and PRow network, is maintained...”

- 8.20 The site lies within an Area of Special Landscape Quality (ASLQ) as defined in the local plan. The Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020) is another document forming part of the evidence base for the adopted local plan. It recommends the following with regards the Lower Hamble Valley:

“The area satisfies the criteria to qualify as a ‘valued landscape’. The boundaries of the ASLQ should follow those of the LCA but exclude the eastern part of 2.2a. The built character of Lower Swanwick, Sarisbury Green and Warsash Conservation Areas is an integral part of the valley scene and should be included. The woodland within private property along Newtown Road in Warsash forms an important valley edge and should be included.”

- 8.21 The applicant has submitted a Landscape & Visual Evidence and Appraisal report. Several key design points are made as recommendations including ensuring the western part of the site provides high-quality greenspace as a means of mitigating the impact of the development, avoiding the removal of existing trees as far as is practicable and giving consideration to the potential effects of the proposals on the conservation and setting of the Grade II Listed Buildings. It also recommends that the height of new buildings should not exceed 4 storeys.
- 8.22 Having regard to key views into the site, the proposed development will be visible from various viewpoints including of course Newtown Road, Gilchrist Gardens and Hook Park Road, and also the public rights of way network including footpaths running along the southern boundary of the site and along the River Hamble and from the river and Hamble-le-Rice on the opposite side of the river. The existing bulk and massing of buildings at the site is an important material consideration, both in terms of the buildings that are proposed to be demolished and replaced and those that will remain (Shackleton building in particular). The drawings submitted by the applicant offer a useful series of comparisons which show that the proposed McCarthyStone and apartment buildings, which are the largest in scale and most prominent proposed buildings, would sit comfortably alongside the bulk and massing of the retained Shackleton building. The McCarthy Stone building would in particular represent a similar massing to the Blyth and Admiral Jellicoe buildings which would be demolished in the same part of the site.
- 8.23 Policy DS3 of the local plan provides guidance on landscape considerations. With regards ASLQs, it states:

“Areas of Special Landscape Quality have been identified in the Borough and are shown on the Policies map. Development proposals shall only be permitted in these areas where the landscape will be protected and enhanced.”

- 8.24 The inclusion of the site within the boundaries of the Lower Hamble Valley ASLQ is as a result of the recommendations of the 2020 Technical Review that the boundaries should include the woodland within private property along Newtown Road that forms an important valley edge. The proposals would not harm the woodland along the far western edge of the application site which would remain unaffected and which would be enhanced by further planting and the creation of an area of public open space in the western part of the site.
- d) Affordable housing, self and custom build housing and viability
- 8.25 Policy HP5 of the local plan expects ‘brownfield’ sites to provide 35% of dwellings as affordable housing. Whilst there is no mechanism within the policy for exemption from this requirement on the grounds of viability, the ability for a development to viably provide affordable housing either on-site or in the form of a financial contribution towards off-site provision, is a material planning consideration if robustly evidenced and objectively tested.
- 8.26 The applicant Metis Homes has submitted an Economic Viability Assessment which concludes that the proposed development is viable only if all of the dwellings are made available for private sale with no affordable housing provision and with a reduction in overall operating profit for the developer. This, they say, is due to a number of site specific issues impacting on the site’s viability including the site’s Existing Use Value and the cost of delivering the conversion of the listed buildings.
- 8.27 The Council has instructed its own independent review of the viability position put forward by the applicant using consultants Aspinall Verdi. They have objectively assessed the financial viability of the scheme taking into account the local policy requirement for 35% affordable housing and adopting the nationally described approach set out in the NPPF and PPG towards viability appraisals. The conclusions reached by Aspinall Verdi support the applicant’s claim that the scheme is unviable if any affordable housing is required either on-site or in the form of an off-site financial contribution. The report goes further in saying that, even with 100% private sales dwellings, they consider the scheme to be unviable. It would be for the developer to take a commercial decision based on their assessment of the risk as to whether to proceed with the development or not. Their recommendation is that the Council include a viability review mechanism in a Section 106 legal agreement.

8.28 The proposal does not accord with Policy HP5 due to the lack of any affordable housing provision. The suggestion by Aspinall Verdi of a review mechanism within the Section 106 legal agreement is noted and this is set out in the recommendation at section 9 below. This means that, in the event in the future the development returns are found to be such that the scheme could have in fact provided some affordable housing, a financial contribution towards off-site provision could be required.

8.29 As a result of the viability position, the applicant has submitted further information to explain why they are unable to provide any of the proposed dwellings as either self-build units/plots or custom-build dwellings. Policy HP9 of the local plan sets out the requirement for 10% of all dwellings to be self- or custom-build dwellings on sites that can deliver more than 40 units in total. The applicant suggests that the implications of the additional legal, planning & design, sales and marketing and construction costs involved in providing custom build dwellings plus the effect on phasing and cashflow, amounts to an additional burden of around £195,000. Given the high-risk profile of the scheme already this would simply worsen the viability situation and increase the risk to the developer. As with the requirement for affordable housing provision, Officers concur that the submitted material demonstrates that providing custom and self build housing would further impact upon the viability of the scheme. The scheme as proposed does not accord with Policy HP9.

e) Impact on heritage assets

8.30 The heritage assets affected by the proposal are the two Grade II Listed Buildings on the site itself, Shackleton and Moyana. Shackleton (referred to as such but also including the Hudson and Wilson parts of the building) was built as a cadet's residential block and is connected by an open sided walkway link to Moyana, a dining block. Shackleton, Moyana and the link are the work of the architects Richard Shepherd, Robson and Partners built between 1959 - 1961. Maritime activity on the site began in the nineteenth century as a coastguard station and expanded post-WWII when the School of Navigation relocated to Warsash in 1946 and became part of Southampton University in 1956, and the two listed buildings were part of a first phase of major expansion of the training college under the university's ownership.

8.31 Hamblemeads, built in the 1930's on a field to the north of the existing buildings at the time, was purchased for use as a domestic staff hostel in 1963. A second phase of redevelopment followed the construction of Shackleton and Moyana during the 1960's with the construction of new buildings including Blyth, Whalley Wakeford and Admiral Jellicoe and the Mountbatten Library was added in 1980's. During the course of this

application being considered Historic England received a request to assess these other buildings on the site for listing. As a result Coastguards and Hamblemeads were also assessed. In March this year the Council received notification from Historic England that, having taken into account all the representations made and completed their assessment, following their recommendation the Secretary of State for Culture, Media and Sport had decided not to add the buildings to the statutory list.

- 8.32 The application proposes the reconfiguration and reuse of Shackleton and Moyana for use as private apartments. Shackleton would provide twelve 1-bed and fifteen 2-bed apartments whilst Moyana would provide six 2-bed and two 3-bed units. These works would affect both the exterior and interior of the buildings and hence their character. The redevelopment of the rest of the site would also have an impact on the setting of both of these heritage assets.
- 8.33 Following extensive discussions and work with the applicant and their architects and heritage consultant, previously raised issues concerning the setting of the buildings have been resolved through revisions and clarification of details submitted. For example, the regrading of the land and provision of car parking to the west of Shackleton building is considered acceptable given the presence of an existing service road and hammerhead turning area in that location and the fact that the degree of proposed engineering works and changes to the topography of the land has been minimised so as not to detract from the setting of the listed buildings. The applicant has also sought to improve the 'parade ground' setting of the building to its east, and the effect of the new flat block to the north which has subsequently been reduced in scale and its elevational design amended to take account of Officer's feedback. Similarly, the proposals to convert Shackleton is acceptable subject to the approval of details such as the replacement/refurbishment of windows and retention of original features and internal finishes. The comments from the Council's Conservation Planner at paragraphs 7.31, 7.32 & 7.34 above set this position out in more detail.
- 8.34 The conversion of Moyana block is less straight forward than the Shackleton building. Unlike the Shackleton Block where the original internal architectural scheme was always for relatively small cellular units, the interior of the Moyana Block was originally designed as one large open-plan communal space. Officers have worked with the applicant in response to their proposals for the building and revisions to the originally submitted scheme have been made to reduce the number of apartments and the degree of internal sub-division required. However, the latest revisions to the application still show the main open plan space in Moyana building sub-divided into three large apartments. Following these revisions to the application the Council's

Conservation Planner (paragraph 7.33 above) has provided his final comments noting as follows:

“Although this internal space has previously been subdivided to a certain extent (which is acknowledged in the list description), the current opening partitions are lightweight and, even when closed, still allow the internal space to be read as a per the original architectural scheme and this is an intrinsic part of the special architectural interest of the building and its character. Permanently subdividing the space in the way proposed to convert it into individual residential units would lose the internal spatial characteristics.”

8.35 As a result, Officers consider that the proposals would significantly harm the special architectural and historic interest of the of the building contrary to Policy HE3 of the local plan. The degree of harm caused is considered to be substantial. The following paragraphs set out the statutory tests in relation to listed buildings and local and national policy with regards substantial harm to listed buildings in more detail.

8.36 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.37 Policy HE3 of the local plan states in part:

“Where a development would affect a listed building/structure and/or its setting, proposals should preserve or enhance any features of special architectural or historic interest they possess, proposals must demonstrate sufficient understanding of and respond to the historic environment by ensuring that:

- a) Proposals to alter or extend listed buildings/structures, are accompanied by a Heritage Statement, which provides sufficient detail and is proportionate to the proposal and describes:
 - 1. the significance of any heritage assets affected, including any contribution made by their setting; and*
 - 2. the principles of the proposal and its impact on the special interest and significance of the building; and*
 - 3. why the works proposed are desirable or necessary and demonstrate how the public benefit of the works outweighs any harm;**

- b) *Proposals are of a well-considered design which ensure that any development is appropriate in terms of style, scale, density, height, materials, architectural features and detailing; and*
- c) *Changes of use are compatible with and respect the special architectural or historic interest of the heritage asset or its setting and;*
- d) *Demolition of structures within the curtilage of a listed building are supported by robust evidence demonstrating that the structure is beyond meaningful use or repair or is not of special architectural or historic interest as a structure ancillary to the principal listed building.*

Great weight will be given to the conservation of listed buildings/structures (the more important the asset, the greater the weight will be). Proposals which would cause substantial harm to or the total loss of the listed building/structure will be refused unless it can be demonstrated that such a proposal would provide substantial public benefits which would outweigh the harm caused to the listed building/heritage asset...”

8.38 Paragraph 200 of the NPPF reads as follows:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;...”*

8.39 Paragraph 201 of the NPPF continues:

“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*

- c) *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) *the harm or loss is outweighed by the benefit of bringing the site back into use.*”

- 8.40 The wording of local plan Policy HE3 and NPPF paragraph 201 is similar in that both require it to be demonstrated that the substantial harm to the heritage asset is necessary to achieve substantial public benefits that outweigh the harm otherwise planning permission should be refused. If this is not possible then paragraph 201 provides a further exception based on four tests (a – d) being satisfied.
- 8.41 In terms of public benefits, the proposals would secure the future use of these heritage assets. Officers acknowledge the contribution the scheme would make towards boosting the Council’s housing supply in terms of delivering 117 dwellings albeit the quantum of development relating to the conversion of Moyana itself is just 8 units. Forty-four of the units would be age restricted apartments in the McCarthy Stone building. As set out in more detail later in this report, a large area of public open space to the west of the site would be provided and this would exceed the policy requirements for such space in terms of its size. The scheme would also generate employment opportunities during the construction and operational phases of the development contributing positively to the local economy.
- 8.42 In terms of Policy HE3, Officers consider that the proposal would provide substantial benefits that outweigh the harm caused to the listed building.
- 8.43 In terms of NPPF paragraph 201, the harm caused is not necessary to achieve these substantial benefits as the benefits could still be largely achieved without the conversion of the Moyana building. However, to redevelop the remainder of the site without Moyana would significantly affect any prospects of the building being brought back into use. This is considered further below.
- 8.44 Turning to the four tests at a – d of NPPF paragraph 201 of which all four must be met, Officers have the following comments after each point:
- “a) *the nature of the heritage asset prevents all reasonable uses of the site;...*” [The open plan nature of the building makes conversion to any number of leisure, recreation and commercial uses feasible rather than preventing such uses. Housing Allocation Policy HA7 does not endorse the conversion of Moyana to a residential use although it does not require a mixed use of the site to come forward either. However, Officers consider that whether or not a non-residential use of the

building is 'reasonable' is highly dependent on whether a viable use can be found - see criterion b below].

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;

[The applicant has provided detailed information on the marketing exercises undertaken by the landowner Southampton Solent University and subsequently Metis Homes with regards Moyana itself. The information provided shows that with the exception of one developer Foreman Homes who contemplated occupying the building as their own offices, all twelve initial expressions of interest in the site were based on entirely residential schemes. The interest from Foreman Homes did not progress and, having secured the site under contract, Metis Homes have explained how they then undertook further targeted marketing of Moyana and Shackleton. The marketing for Moyana focused primarily on the leisure and hospitality industry as well as mixed use developers. All of the parties who considered the use of Moyana for hospitality purposes ultimately rejected the building on the basis that it was either too large or too complex or too compromised to be viably converted for such use. The information provided by the applicant explains the challenging market conditions for leisure and hospitality uses and why the listed buildings are unattractive in this context. Furthermore, the applicant points out that the viability assessment considers that a fully open market residential development is marginally viable based on Moyana contributing a residential use value (which would be higher than a leisure or hospitality use value). Putting Moyana to a non-residential use would make the overall development even more marginal in viability terms].

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; [Given the viability position, the information provided suggests that the building is incapable of being financially self-sufficient and there is no realistic prospect of grant-funding or ownership by a not-for-profit organisation].

d) the harm or loss is outweighed by the benefit of bringing the site back into use; [The evidence provided indicates that a non-residential reuse of Moyana building is very unlikely to be achieved. Furthermore the strong indication is that a residential conversion would only be viable as part of the wider redevelopment of the site. In light of this Officers consider the substantial harm to the special architectural interest of the building and its character to be outweighed by the benefit of bringing it back into use and securing its long term use].

8.45 Given that the four tests a – d set out above are satisfied, the proposal complies with NPPF paragraphs 200 & 201 in that clear and convincing justification has been provided and the substantial harm to the listed building is exceptional.

f) Design and layout

8.46 Officers (including the Council's urban designer), have worked with the applicant over the course of the application's consideration to identify and resolve any issues stemming from the proposed design and layout of the development.

8.47 As set out earlier in this report, the frontage of the site to Newtown Road has been conceived so as to closely reflect the scale and prevailing pattern of housing along the street. The McCarthy Stone building is of a notably larger scale but this is not considered to be unacceptable given the considerable massing of the Blythe and Admiral Jellicoe buildings which currently front Newtown Road in this part of the site. Given this context, Officers consider the contemporary architectural style of the McCarthy Stone building and its recessed top storey provides a betterment in visual terms.

8.48 The interior of the site where the three storey townhouses are proposed has been designed to reflect the character of the site as an educational campus whilst also providing a sensitive transition between the two storey residential scale of Newtown Road on its eastern side and the brutalist massing of the Shackleton building towards the west of the campus. The new tree lined public space running north/south between the townhouses and the Shackleton building has been designed to in part imitate the cadet parade ground which is believed to have existed in the past. At the northern end of this area the new apartment block is proposed. Officers consider that, subject to certain details being provided at a later date, such as details of planting and elevation and surfacing materials, the proposals are an appropriately designed response to the redevelopment of the site for housing.

8.49 The housing proposed, including the apartments to be created through the conversion of the Moyana and Shackleton buildings, has been shown to meet or exceed the minimum internal space standards set out in Policy D5 of the local plan which replicate the nationally described space standards issued by government.

8.50 Policy HP7 of the local plan requires schemes over 100 dwellings to provide 15% of those dwellings as Category 2 and 2% as Category 3 as defined in Part M of the Building Regulations. The applicant has confirmed that, in compliance with this policy, the scheme provides nineteen Part M4(2)

Category 2 accessible and adaptable dwellings, ten of which are to be within the McCarthy Stone apartment building, and a further three Part M4(3) Category 3 wheelchair user dwellings.

8.51 Officers have considered the layout of the proposed development and are satisfied that it provides good environmental conditions for future residents and does not have any unacceptable adverse impacts on the living conditions of neighbours. In doing so regard has been had to whether the scheme provides adequate daylight, sunlight and privacy as well as outlook and ventilation following the guidance set out at Policy D2 of the local plan and the Council's adopted Design Guidance SPD. The nearest residential property on the western side of Newtown Road, Redtiles, lies to the north of the site on the opposite side of the access road to the retained (lower) education campus and beyond the mature trees which line the site's northern boundary. The nearest townhouses are some 27 metres from the southern boundary of Redtiles whilst the new apartment block is around 23 metres at its closest point. This relationship, whilst clearly different from the existing situation, is not considered to be materially harmful to the privacy, light or outlook enjoyed by those neighbours.

g) Parking provision

8.52 For the purposes of assessing parking provision, the development site can be split into three separate areas:

- a) The new houses proposed for Plots 1 – 18
- b) The new and converted apartments proposed at Plots 19 – 81
- c) The new apartments proposed for the McCarthy & Stone element of the development

8.53 With regards a), Plots 1 – 18 all have 'on-plot' parking which accords with the Council's adopted Residential Car & Cycle Parking Standards Supplementary Planning Document (SPD). This means that all 3-bed houses have two parking spaces on plot and all 4-bed houses have three parking spaces on plot.

8.54 With regards b), the flats at Plots 19 – 81 have a mixture of 16 allocated and 58 unallocated car parking spaces. Officers are satisfied that the proposed number of spaces would deliver a policy compliant provision.

8.55 With regards c), the parking spaces for the McCarthy Stone apartments are in a self-contained area albeit with some connectivity to areas a) and b). It is assumed that it will be marked up that the spaces located immediately to the north of the MS building would be reserved for those residents only. On that

basis the 44 unallocated parking spaces provided are sufficient to meet the expected demand from the 25 one-bed units and 19 two-bed units in accordance with the adopted SPD.

- 8.56 Finally, with regards visitor car parking to areas a) and b), due to the large amount of unallocated car parking space being provided in area b) which amounts to more than 50% of the overall number of parking spaces on site, there would be no requirement to provide specific 'visitor' spaces. Visitors to the site would be expected to use the available unallocated spaces. There is also a small amount of on-street parking internally within the site which could take place alongside plots 11 & 12. For area c), again visitors would be expected to use the unallocated spaces immediately outside the building.

h) Highways

- 8.57 The highway authority, Hampshire County Council, have provided Officers with a consultation response which is comprehensively set out above at paragraphs 7.1 – 7.14 of this report. In summary, the highway authority have compared the likely trips generated by the proposed redevelopment of the site for housing against the existing educational campus as it would operate if brought back into use. Overall there is to be a reduction in the number of vehicle movements that would be generated however the type of trips would differ and additional needs would arise for residents travelling by foot or cycle to local services and facilities. The highway authority have advised that a financial contribution be provided to be used towards delivery of improvements to sustainable modes of transport accordingly. No major issues have been raised in relation to the proposed access arrangements and internal layout of the site.
- 8.58 The proposal is considered to accord with Strategic Policy TIN1 and Policy TIN2 of the local plan.

i) Open space

- 8.59 The application is accompanied by an Open Spaces Areas plan which shows areas of informal open space located immediately to the west of the Shackelton building and new apartment block and other areas of shared amenity space to the east of the new apartment block, along a part of the Newtown Road frontage and, most significantly, in the far western part of the site where the land falls away towards the River Hamble (referred to herein as the western parkland). Having regard to the submitted Landscape Strategy Plan, with the exception of the small communal garden serving the apartment block and the western parkland, these areas of open space are not likely to be

used by residents as park and amenity space due to either gradient or planting.

- 8.60 The western parkland is shown to be a combination of areas of wildflower meadow, retained existing grass and new and existing trees with hoggins footpaths and benches running through. A pond is located at the north-western end of the open space beyond which existing trees and vegetation would be retained acting as a buffer to the edge of the River Hamble where the shoreline footpath runs. The parkland is around 0.51ha in area which exceeds the expected open space provision set out in the Council's adopted Planning Obligations SPD (which has been calculated as 0.29ha). Even allowing for a large area of the parkland being given over to wildflower meadow, which is in part in order to meet the Council's policy on biodiversity net gain, sufficient amenity grassland remains to satisfy expectations.
- 8.61 The western parkland is adjacent to the Shackleton and Moyana buildings and so provides easy access for those residents living in those converted buildings who would not have access to any other outdoor amenity space. In addition, both the new apartment building and the McCarthy Stone building are within a short walking distance of the parkland. Those new buildings also feature balconies or roof terraces to most residential units which provide private outdoor space albeit limited in size. Considering the proposals in the round, Officers are satisfied that the shortfall in providing communal and shared gardens to the converted and new-build apartments would be satisfactorily compensated for by the access to good quality public open space in the western parkland.
- 8.62 Given the proximity of the western parkland to the Grade II Listed Buildings, Officers have agreed with the applicant that a play area on the site need not be provided. This is considered appropriate both from a heritage perspective and to ensure noise and disturbance from any play area close to the new apartments does not harm the living conditions of those living there. Instead a financial contribution would be secured towards off-site provision of play facilities, either in the form of a new play area or enhancements to existing play provision in the local area.
- 8.63 As set out below in the Officer recommendation at section 9 of this report, the Section 106 legal agreement would secure the finer details of the areas of public open space to be delivered as part of the development. The Section 106 agreement would have the option for the open space to be transferred to the Council subject to appropriate maintenance sums being agreed, or alternatively the open space being retained by a private management company subject to future management measures being fully set out and secured.

j) Trees and ecology on site

- 8.64 In order to achieve the best use of the land available for the redevelopment of the site, some thirty-four trees mostly confined to the interior of the site are proposed to be felled. These trees are mainly concentrated around the Mountbatten Library and the car park to its west. Whilst many of the trees proposed to be removed are small in size and have limited amenity value, a group of more substantial sized black pines and a horse chestnut tree are amongst those to be felled. Officers recognise the aspirations of Housing Allocation Policy HA7 to retain trees covered by the area tree preservation order covering the site. However, these trees are proposed to be removed in order to facilitate a specific design approach to the layout of the redeveloped site. In overall design and public amenity terms Officers consider that approach to be acceptable. The Council's Principal Tree Officer has raised no objection to the removal of the affected trees.
- 8.65 New trees within the interior of the site, and in specific locations to enhance the new and existing streetscene of Newtown Road, are proposed. A Landscape Strategy Plan has been submitted and it is proposed to secure the details of the planting to be carried out by planning condition. Read in conjunction with the submitted Biodiversity Net Gain Assessment, the application proposes to achieve a net gain in biodiversity of 31.75% for habitat units and 81.47% for hedgerow units. This exceeds the requirement of local plan Policy NE2 for 10% net gains in biodiversity.
- 8.66 The advice from the Council's ecologist is set out at paragraphs 7.23 – 7.29 above. Comments are made to help inform the details of the soft landscaping which will be submitted pursuant to a condition at a later date and also biodiversity net gain. Consideration is given to the potential for protected species to be on site specifically with regards to reptiles, great crested newts and bats, and no objection is raised subject to appropriate mitigation, enhancement and compensatory measures being secured by condition.

k) Impact on habitat sites

- 8.67 Strategic Policy NE1 of the local plan sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policies NE3 & NE4 specifically relate to recreational disturbance and water quality effects on Habitat Sites respectively.
- 8.68 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.

- 8.69 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 'Habitat Sites' (HS).
- 8.70 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.
- 8.71 When considering the proposed development Officers considers there to be two main likely significant effects on HS.

Water Quality (nitrates)

- 8.72 The first likely significant effect on HS relates to deterioration in the water environment through increased nitrogen. Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.73 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England have provided a methodology for calculating nutrient budgets and options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best-available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advise local planning authorities to take a precautionary approach when addressing uncertainty and calculating nutrient budgets. 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's 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.

- 8.74 A nitrogen budget has been calculated in accordance with Natural England's 'National Generic Nutrient Neutrality Methodology' (Feb 2022) ('the NE Advice') and the updated calculator (20 April 2022) which confirms that the development would generate 40.12 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 a combination of residential urban land, horticulture, woodland and greenspace.
- 8.75 Due to the uncertainty of the effect of nitrates from the development on the Habitat Sites, adopting a precautionary approach, and having regard to the NE advice, the Council will need to be certain that the additional output will effectively be mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.76 The applicant has entered into a contract to reserve 40.2 kgTN/yr of nitrate mitigation 'credits' from a nitrate mitigation scheme at New Road, Porchfield on the Isle of Wight. Through the operation of a legal agreement between the landowners (Heaton Farms) and Fareham Borough Council dated 25th June 2021, the purchase of the credits will result in a corresponding reduction in nitrogen entering The Solent marine environment.
- 8.77 The purchase of the nitrate mitigation credits has the effect of ensuring a piece of land at New Road, Porchfield is retained and managed in a way which ensures a reduction in nitrates entering that land of 40.2 kgTN/Yr for the lifetime of the development for which planning permission is being sought. This will ensure that the scheme can demonstrate nutrient neutrality.
- 8.78 A condition will be imposed to ensure that the development does not commence on site until confirmation of the purchase of the credits from Heaton Farms has been received by the Council. A further planning condition would secure details of the water efficiency measures to be installed within the dwellings to ensure that water consumption would not exceed 110L per person/per day to reflect the assumptions of the nitrate budget.

Recreational Disturbance

- 8.79 The second of the likely significant effects on HS concerns disturbance on The Solent coastline through increased recreational use by visitors to the sites. 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.

- 8.80 Policy NE3 of the local plan explains that planning permission for proposals resulting in a net increase in residential units may be permitted where the 'in combination' effects of recreation on the Special Protection Areas are satisfactorily mitigated through the provision of a financial contribution to the Solent Recreation Mitigation Strategy (SRMS).
- 8.81 Natural England have also advised that the development's location within a 13.8km radius of the New Forest designated sites requires mitigation in order to mitigate the impact of increased recreational disturbance in combination with other development on the New Forest designated sites.
- 8.82 The applicant will be required to enter into a legal agreement to secure the appropriate financial contribution in accordance with The Solent Recreation Mitigation Strategy and the Council's interim Mitigation Solution on New Forest Recreational Disturbance.
- 8.83 The Council has carried out an Appropriate Assessment and concluded that the proposed mitigation and conditions will be adequate for the proposed development and ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies NE1, NE3 and NE4 of the adopted local plan.
- 8.84 Natural England has been consulted on the Council's Appropriate Assessment and their formal comments are expected shortly. Members will be updated at the Committee Meeting.

l) The Planning Balance

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

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

- 8.86 As set out earlier in this report, paragraph 11 of the NPPF defines what is meant by the presumption in favour of sustainable development for decision-taking. The presumption in favour of sustainable development is engaged

because the Council has carried out an Appropriate Assessment concluding that the development would not adversely affect the integrity of Habitats Sites. NPPF paragraph 11(c) explains that the presumption in favour of sustainable development includes *“approving development proposals that accord with an up-to-date development plan without delay”*.

- 8.87 This application seeks planning permission to redevelop this site which is a housing allocation in the adopted local plan. Notwithstanding the removal of some trees and a small amount of development on the western side of the Shackleton building (matters which have been considered in detail and found to be acceptable), the proposals meet the aims and objectives of Housing Allocation Policy HA7 as a whole and enjoy the benefit of the support provided by this policy.
- 8.88 It is acknowledged that the proposed development would make a significant contribution to the Council’s housing supply as outlined in local plan Strategic Policy H1. The proposal would protect and enhance the landscape in which it lies and is of a high quality design delivering good environmental conditions for future residents whilst protecting those of neighbours. A policy compliant number of adaptable and accessible dwellings would be provided as well as parking provision which meets the expectations set out in the Council’s adopted Residential Car & Cycle Parking Standards SPD. There are no objections from the highway authority and a financial contribution would be secured to fund improvements for resident journeys on foot or by cycle. Areas of open space are to be provided which exceed the requirements set out in the Council’s adopted Planning Obligations SPD and a financial contribution is to be made towards improvements or provision of play equipment in the local area. The planting proposals for the site would result in a level of biodiversity net gain which exceeds the 10% local plan policy requirement and protected species on site would be protected through a series of mitigation, enhancement and compensation measures.
- 8.89 The setting of the Grade II Listed Buildings on the site would be preserved and enhanced by the proposals as would the character of the Shackleton building. The proposals would bring the Listed Buildings back into use thereby helping to secure their long-term future. However, the internal subdivision of the Moyana building would result in substantial harm to the special architectural and historic interest of the building. Officers consider that harm would be outweighed by the substantial benefits of the proposal as a whole in accordance with local plan Policy HE3. Clear and convincing justification has been provided to enable Officers to conclude that the substantial harm is exceptional having regard to the policy tests at NPPF paragraphs 200 & 201.

- 8.90 Due to the viability position as set out by the applicant, and objectively reviewed by the Council's consultants Aspinall Verdi, the proposal fails to provide affordable housing or self or custom build homes contrary to local plan Policies HP5 & HP9.
- 8.91 Officers have considered the very many elements of the proposals which are policy compliant and the various benefits of the scheme set out above against the clear harm that has been identified. The substantial harm to the interior of the listed Moyana building needs to be carefully considered in the planning balance and should be given great weight. In addition, the absence of affordable housing and self and custom build homes carries significant weight. The viability position set out by the applicant and supported by an independent review is an important material planning consideration in this regard. So too is the benefit of securing a long-term future for the heritage assets on the site and the contribution made towards the Council's housing supply in light of its most recently published results on the Housing Delivery Test.
- 8.92 Having carefully considered all the relevant material planning considerations, Officers consider the proposals accord with the development plan when taken as a whole. In line with the guidance at paragraph 11(c) of the NPPF, it is recommended that planning permission be granted subject to the points set out in the section below.

9.0 Recommendation

9.1 Subject to:

- i) The consideration of any comments received from Natural England in response to consultation on the Council's Appropriate Assessment;
- ii) The consideration of any comments received from the Council's Environmental Health Officer;
- iii) Clarification from the applicant with regards salvaged and recycled materials from the demolition of the existing buildings;

and

- 9.2 The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
- a) To secure financial contributions towards sustainable modes of transport;
 - b) To secure a viability review mechanism and potential for affordable housing contribution;

- c) To secure financial contribution towards New Forest Recreation Disturbance Solution and Solent Recreation Mitigation Strategy;
- d) To secure provision of public open space;
- e) To secure public access to on-site routes;
- f) To secure financial contribution towards improving or providing local equipped area of play off-site;
- g) To secure completion of residential units in the conversion of the Shackleton and Moyana buildings alongside new build units.

THEN

9.3 GRANT PLANNING PERMISSION Subject to the following conditions:

- 1. Time period for implementation
- 2. Approved documents

During demolition and construction

- 3. Hours of work 0800 – 1800 hours Monday to Friday, 0800 – 1300 Saturdays and not at all on Sundays or recognised public holidays

Prior to demolition works

- 4. Demolition phase Construction Environmental Management Plan (CEMP)
- 5. Details of programme of archaeological evaluation
- 6. Details of programme of archaeological building recording
- 7. Details of intrusive site investigation, risk assessment and remedial measures relating to land contamination
- 8. Details of protection for areas of proposed planting/landscaping during demolition and construction

Pre-commencement (excluding demolition)

- 9. Construction phase Construction Environmental Management Plan (CEMP)
- 10. Detailed surface water drainage scheme based on principles of approved Flood Risk Assessment and Drainage Strategy (including a technical summary highlighting any changes to the design from that within the approved FRA)
- 11. Details of future access to existing underground water and wastewater infrastructure for maintenance and upsizing purposes
- 12. Details of road and footway construction
- 13. Details of external and internal finished floor levels
- 14. Landscape and Ecological Enhancement and Management Plan in line with the measures included in the submitted Biodiversity Net Gain Assessment
- 15. Confirmation of nitrates credits purchase

Before progressing beyond damp proof course level

16. Details of external facing materials
17. Details of bin and cycle storage
18. Details of hard landscaping materials
19. Details of landscaping planting (in accordance with the approved Landscape Strategy Plan)
20. Implementation and maintenance of landscaping planting
21. Details of external lighting
22. Details of boundary treatments and means of enclosure

Prior to occupation

23. Access to be provided in accordance with drawing ITB16104-GA-004 Rev G in Additional Transport Information - ITB16104-007A
24. Electric vehicle charging
25. Details of water efficiency measures to ensure water consumption does not exceed a maximum of 110 litres per person per day

General

26. Removal of specified permitted development rights for householders
27. Visibility splays retained as shown on drawings ITB16104-GA-09 & ITB16104-GA-010 in Additional Transport Information - ITB16104-007A
28. Parking spaces to be retained for parking purposes

THEN

9.4 **DELEGATE** authority to the Head of Development Management to:

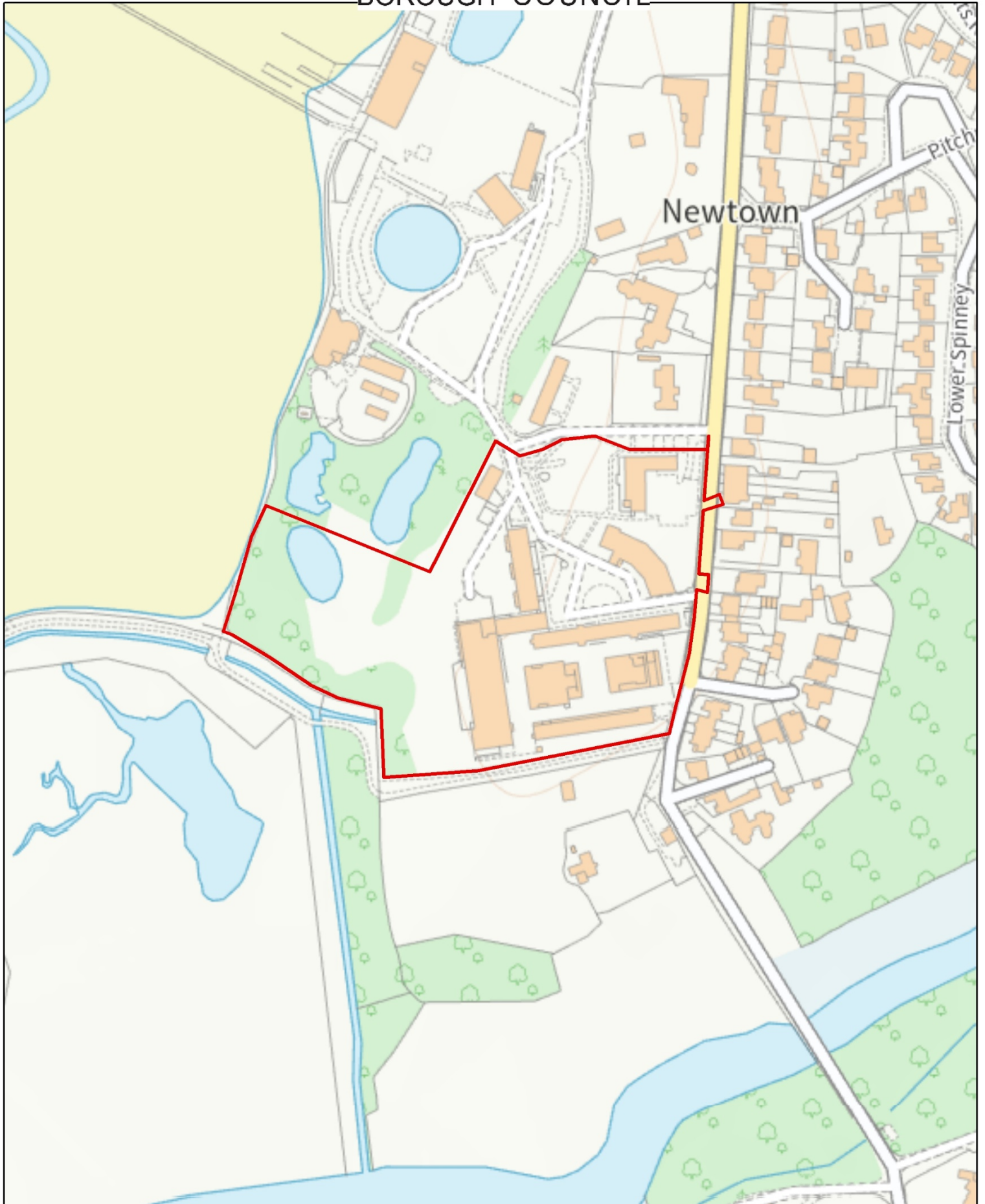
- (a) make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreement; and
- (b) make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

10.0 Background Papers

10.1 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



Warsash Maritime Academy,
Newtown Road, Warsash
Scale 1:2,500



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