

OFFICER REPORT FOR COMMITTEE

DATE: 11/10/2023

**P/23/1008/FP
MR HENRY GILES**

**FAREHAM NORTH
AGENT: BELL CORNWALL LLP**

DEMOLITION OF EXISTING EQUESTRIAN STABLES AND ERECTION OF 1NO. SELF BUILD DWELLING TOGETHER WITH DETACHED GARAGE AND ASSOCIATED INFRASTRUCTURE AND LANDSCAPING.

LAND BETWEEN AND TO THE REAR OF 100 & 102 KILN ROAD, FAREHAM

Report By

Lucy Knight – direct dial 01329 824579

1.0 *Introduction*

1.1 This application is being reported to the Planning Committee for determination due to the number of third-party representations received.

2.0 *Site Description*

2.1 The application site is a broadly square shaped parcel of land to the rear of the frontage properties along Kiln Road. The site is accessed along a single track drive between 100 and 102 Kiln Road. The site is used for equestrian purposes currently with a stable building to the south western side of the main site. The land falls from the south to the north towards the M27.

2.3 The site is surrounded to the north and east by land also within the ownership of the applicant. This wider area of land is surrounded by mature trees.

3.0 *Description of Proposal*

3.1 This application seeks full planning permission for the construction of a two storey, five bedroom, detached, self-build dwelling. The house would be situated centrally within the plot and a detached double garage to the west of the site in the broad location of the existing stable building.

4.0 *Policies*

4.1 The following policies apply to this application:

Fareham Local Plan Part 3: The Welborne Plan

WEL1 – Sustainable Development

WEL3 – Allocation of Land

WEL4 – Comprehensive Approach

WEL5 – Maintaining Settlement Separation

WEL6 – General Design Principles

WEL7 – Strategic Design Codes
WEL21 – Custom Build Homes
WEL30 – Avoiding and Mitigating the Impact on Internationally Protected Sites and Off-Site Green Infrastructure
WEL32 – Strategic Green Infrastructure Corridors and Connections
WEL37 – Water Efficiency, Supply and Disposal
WEL42 – Safeguarded Land

Adopted Fareham Local Plan 2037

TIN1 – Sustainable Transport
TIN2 – Highway Safety and Road Network
HP1 – New Residential Development
D1 – High Quality Design and Placemaking
D2 – Ensuring Good Environmental Conditions
D3 – Coordination of Development and Piecemeal Proposals

Other Documents:

National Planning Policy Framework (NPPF) 2021
Welborne Design Guidance: Supplementary Planning Document
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/17/0266/OA A new community of up to 6000 dwellings (C3 and C2, including a care home of use class C2) together with a district centre (comprising up to 2,800m² food store retail (A1), up to 2,419m² of non-food retail (A1) and up to 2,571m² of other non-convenience/comparison retail use (A1 - A5)); a village centre (comprising up to 400m² food store retail (A1), up to 1,081m² of non-food retail (A1), a public house (up to 390m² A4 use) and up to 339m² of other non-convenience/comparison retail use (A1 - A5)); up to 30,000m² of commercial and employment space (B1); up to 35,000m² of general industrial use (B2); up to 40,000m² of warehousing space (B8); a hotel (up to 1,030m² C1 use); up to 2,480m² of community uses (D1 and D2); up to 2,200m² ancillary nursery (D1), health centre (D1) and veterinary services (D1); retention of Dean Farmhouse; a secondary school, 3

primary schools; pre-schools; green infrastructure including formal and informal open and amenity space; retention of some existing hedgerows, grassland, woodland areas, allotments, wildlife corridors; all supporting infrastructure; household waste recycling centre; requisite sub-stations; sustainable drainage systems including ponds and water courses; a remodelled M27 J10 including noise barrier(s); works to the A32 including the creation of three highway junctions and new crossing(s); distributor roads (accommodating a Bus Rapid Transit network) and connections to the surrounding cycleway and pedestrian network; car parking to support enhanced use of Dashwood; ground remodelling; any necessary demolition; with all matters reserved for future determination with the exception of the works to M27 J10 and the three highway junctions and related works to the A32.

Approve

30-09-2021

6.0 Representations

6.1 One letter of support has been received from a resident in Funtley.

6.2 Twelve letters of objection from ten different households have been received. Nine are from properties within Kiln Road and one in Titchfield Common who raise the following main issues:

- Destruction of wildlife
- Compromising to electrical substation
- Dangerous narrow access track
- Site is within the Welborne SANG
- Is designated open space
- Would set a precedent for further development
- Overburdened sewage system
- Concerns over view out of window due to reduction of hedges adjacent to access track
- Loss of privacy
- Disruption during construction
- No information provided on drainage of sewage
- Difficult for emergency services to access the site

7.0 Consultations

EXTERNAL

Highways

- 7.1 No objection

Ecology

- 7.2 Awaiting comments.

INTERNAL

Environmental Health

- 7.3 Provided the measures in relation to noise reduction from the nearby motorway are implemented, that is to say the recommended glazing, sound attenuation insulation and ventilation system are implemented to the recommended standard or greater as set out in the noise impact assessment provided by Impact Acoustics, no objections are raised to the application.

8.0 Planning Considerations

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

- a) Principle of Development;
- b) Impact upon the character and appearance of the area;
- c) Impact upon neighbouring properties;
- d) Highway safety
- e) Ecology;
- f) Impact on Protected Sites
- g) Other matters

a) Principle of Development

- 8.2 The application site lies partly within the boundary of the Local Plan Part 3: The Welborne Plan and partly within the urban area of the Fareham Local Plan 2037.
- 8.3 Only the access between 100 and 102 Kiln Road falls to be considered against the policies of the Fareham Local Plan 2037. For the purposes of this Plan the access is within the urban area.
- 8.4 The proposed dwelling and surrounding gardens, garage and driveway are within the area allocated for the delivery of Welborne. To that end, the Fareham Local Plan Part 3, The Welborne Plan, is relevant. The application site extending within the Welborne allocation area is noted as being within an area identified for potential Suitable Alternative Natural Greenspace (SANG) at Fareham Common in appendix B2 of the Welborne Plan, the Strategic

Framework Diagram and as part of the Settlement Buffer on the Welborne Policy Map.

- 8.5 Taking the site access first, this part of the proposal, as set out above, is within the defined urban area for the purposes of planning policy. The access is to serve a new dwelling. Policy HP1 of the Fareham Local Plan 2037 is accepting of new residential development within the defined Urban Area boundary. The presumption is in favour of development in such cases subject to the assessment of other relevant planning considerations such as amenity and the safety of the access. These matters are considered later in this report, however the principle of an access in this location is considered to be acceptable.
- 8.6 The remainder of the site, to the rear of the properties along Kiln Road, falls within the Welborne Plan allocation. Policy WEL1 of The Welborne Plan states that there will be a presumption in favour of sustainable development and that planning applications that accord with the policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 8.7 Policy WEL3 allocates the land within the Welborne Plan for the delivery of the new community of up to 6,000 homes. Within the Welborne Allocation, the policy map and policy WEL3 (criterion i), identify land between Welborne and the existing settlements of Fareham, Funtley, Knowle and Wickham as settlement buffers for use as open green infrastructure in accordance with Policies WEL5 and WEL29.
- 8.8 Policy WEL4 seeks to ensure that Welborne is delivered comprehensively and states that all planning applications for parts of the Welborne site shall be consistent with the principles of the Strategic Framework Diagram at Appendix B2 of the Welborne Plan. The Strategic Framework Diagram and the Welborne Policy Map (Appendices B2 and B3 of the Welborne Plan) both identify the site as a part of the identified Settlement Buffer at Fareham Common and part of the Site of Alternative Natural Greenspace (SANG) provision.
- 8.9 The supporting text to policy WEL4 considers the matter of third party landholdings within the Welborne Plan boundary; it notes that there are parcels of land within the Welborne allocation that are not under the control of the main site promoters. The application site is one of these such landholdings.
- 8.10 This Council has granted outline planning permission for Welborne (P/17/0266/OA) for Buckland Development Limited (BDL) to deliver Welborne.

The present application site was included within the application site for the Buckland application (P/17/0266/OA), however, the outline planning permission is not dependant on the inclusion of this land in order to deliver Welborne in accordance with the outline permission. Within the outline planning permission the plans refer to the use of the application site as “potential SANGS”.

8.11 Paragraph 3.50 of the Welborne Plan acknowledges that:

“...should these landholdings become available for development, the appropriate use is established by the Strategic Framework (case officer emphasis added). However, individual proposals will be judged on their own merits through the planning application process. Such proposals will be expected to accord with the policy approach within the Strategic Framework and other relevant parts of the Fareham Development Plan and should be consistent with the agreed comprehensive masterplan(s) for Welborne.”

8.12 It is clear, therefore that the Welborne Plan is broadly permissive of the development of this land on the basis that this is within the parameters of the Strategic Framework for Welborne however, each proposal is to be judged on its merits.

8.13 Policy WEL5 states that development proposals at Welborne shall respect and maintain the physical and visual separation of Welborne and its adjoining settlements (Fareham, Funtley, Knowle and Wickham) to protect the individual character and identity of each of these settlements. The application site falls within the North Fareham and Welborne settlement buffer, also known as Fareham Common. The policy directs that development on land included within the settlement buffer allocations will generally be resisted and will only be permitted where:

- i. It does not harm the integrity of the buffer or diminish the physical or visual separation between Welborne and the adjoining settlement, and is either;*
- ii. Consistent with and contributes to the green infrastructure role of that area as set out in Chapter 8 of the Welborne Plan or;*
- iii. Necessary to deliver improvements to the strategic road network.*

Land comprising Fareham Common, between the M27 Motorway and the rear of existing properties on Kiln Road and Potters Avenue, is allocated as a settlement buffer between Welborne and Fareham.

- 8.14 There is a clear conflict with criterion (iii) of policy WEL5 in that the proposal is not needed to deliver strategic road improvements. Consideration of the other criteria is set out below:
- 8.15 The extent of the Welborne Settlement buffers are defined in the policy map within the Welborne Plan. The applicant's agent makes the case that policy WEL5 is not wholly restrictive of development and that some development is permissible given that the policy uses language such as "*...development on land included within the settlement buffer allocations will generally (Case officer emphasis added) be resisted...*"
- 8.16 WEL5 is, however, clear that these exceptions are related to development that does not harm the integrity of the buffer or diminish the separation between Welborne and the adjoining settlement. In this case the linear form of the existing Kiln Road properties forms a very strong defined settlement edge to Fareham. The Kiln Road properties, facing south, with long gardens means that the development of a new two storey building on the application site would be very apparent on the southern edge of the Fareham Common Settlement buffer to Welborne. It is noted that some Kiln Road dwellings have garden outbuildings, however an ancillary outbuilding is very different in scale, siting and level of activity to a new dwelling. This prominence would be furthermore emphasised by the level fall across the site from the south to the north and onwards down towards the M27 (approximately 3m across the site and the land continues to fall to the north beyond the site).
- 8.17 A dwelling in this location would appear at odds with the defined pattern of development along the northern edge of Fareham and would appear, by virtue of its siting, size and position, incongruous in the defined settlement buffer for Welborne.
- 8.18 Furthermore, it would introduce the domestication of an area of paddock land which would bring with it the associated domestic paraphernalia. This would further emphasise the presence of the dwelling within the settlement buffer to the effect that, despite being on the outer edge of the buffer, it would fail to retain the semi-natural open nature of the site. Instead, the domestication of the site would harm its integrity both physically and visually to the detriment of its function in separating the edge of Fareham with Welborne. The proposal conflicts with criterion (i) of policy WEL5.
- 8.19 In support of the Welborne Plan is the Welborne Design Guide SPD. The SPD states that WEL5 sets out the importance of maintaining the separate identities of Welborne and the surrounding communities through the use of settlement buffers. The Design Guidance states that settlement buffers should be of a semi-natural character without any formal structures and that

buffers should demonstrate how the development character in Welborne which would be adjacent to existing settlements will respect the character of those settlements, for example by the use of appropriate urban form, density and layout.

- 8.20 The proposal would introduce formal structures and would not be of a semi-natural character and is therefore, considered to be contrary to the Welborne Design Guidance SPD.
- 8.21 In addition to the two storey form of the house and the clear change in level, the site is identified in the Welborne Plan for the delivery of ecological mitigation in the form of a Site of Alternative Natural Green Space (SANG).
- 8.22 Whilst the application site is not needed as SANG to deliver the outline planning permission granted to Buckland Development Limited, it remains allocated for SANG within the Welborne Plan and is marked as such on the Strategic Framework Diagram and Policy Map in the Welborne Plan. Natural England has guidance on SANG design and this advises that SANGs are required to be perceived as semi-natural spaces. One of the key characteristics is that they should be free from artificial structures.
- 8.23 The outline planning permission for Welborne does not include all of the land within the Welborne allocation. To that end it may be the case that areas of land omitted by the outline planning permission do come forward for development in the future. Such development would need to be in accordance with WEL4 as set out above and accord with the Strategic Framework for the delivery of the new community comprehensively, including strategic areas of green infrastructure. To plan for such circumstances, it is considered sensible that the application site should be safeguarded, in planning policy terms, for future ecological mitigation to ensure the comprehensive development of the new community. To allow the construction of a dwelling in this location would undermine the Strategic Framework of the Welborne Plan as well as detracting from the site against the Natural England SANG design guidance through the introduction of built form in an area that should be semi-natural.
- 8.24 Policy WEL42 of the Welborne Plan allows for such situations. The policy sets out that:

“Where, due to viability or other reasons, any development, facility or infrastructure required by this Plan, on a particular site or area, is delayed and cannot be commenced within the anticipated main phase, or at the time agreed with the Council, the relevant site shall be safeguarded for the intended use”.

8.25 The safeguarded nature of the land extends until the start of work in the fifth main phase of development through this policy. WEL42 continues:

“Planning applications for alternative uses on sites to be released from safeguarding will be permitted where they are appropriately incorporated into the wider development and where the alternative uses proposed are included within an accompanying review of the comprehensive masterplanning for that part of Welborne”.

8.26 The proposed dwelling would not accord with the provisions of WEL42 currently and a dwelling is not part of the delivery of Strategic Green Infrastructure such that the proposal conflicts with criterion (ii) of policy WEL5 also.

8.27 The introduction of a dwelling would not respect the physical and visual separation of Welborne and Fareham and is considered to harm the integrity of the buffer between Welborne and Fareham. It would not contribute to the green infrastructure and is not necessary to deliver improvements to the strategic road network. The principle of the development is therefore unacceptable.

b) Impact upon the character and appearance of the area

8.28 WEL6 states that development at Welborne shall demonstrate how it responds to the landscape setting and character area within which it sits and that the issues of noise, light pollution and air quality have been considered in developing proposals and shall set out the measures necessary to mitigate any likely impacts.

8.29 As described above, there is a defined character of frontage, linear development to Kiln Road. There is no established character of backland development along this part of Kiln Road. As such the siting of a full two storey dwelling finished in white render would appear alien in this context and would fail to respond to the landscape setting of the northern edge of the town.

8.30 Located within the Meadow landscape character area of the Welborne Plan, the Plan also acknowledges that there will be “sub-areas” within the character areas. Para 4.12 of the supporting text to policy WEL6 specifically refers to Fareham Common as:

“... an opportunity to create a green space which is attractive to both Welborne and the adjoining community in North Fareham, complementing its existing ecological interest”.

- 8.31 In addition to the above assessment on the implications of the development on the settlement buffer, the proposal would also result in a form of built development inappropriate in the Fareham Common sub-character area in that it fails to create or contribute towards an attractive green space.
- 8.32 A noise impact assessment has been submitted with the application which details measures to deal with the impact of noise from the M27 motorway to the north of the site. The noise impact assessment details the type of glazing and ventilation that should be used and recommends that a 3 metre high acoustic fence should be used around the site on its northern and eastern elevations. Whilst providing for an acceptable level of amenity for future residents, such a fence would further urbanise this site and appear stark and alien in the semi-rural landscape and further erode the aspirations for this landscape character to be attractive and green. It would appear as an urban creep into the landscape to its detriment.
- 8.33 Whilst the submitted Noise Impact Assessment does not appear to take account of the approved works to J10 of the M27, the noise results are comparable to those submitted in the noise impact assessment for the J10 work.
- 8.34 The development is considered to be at odds with the landscape setting of the site as set out and considered above. The development of a dwelling in this location would result in demonstrable harm to the landscape character of Fareham Common as well as the settlement buffer and stops the site being utilised for potential future SANG for Welborne. The proposal is therefore considered to be contrary to WEL6.
- c) Impact upon neighbouring properties
- 8.35 The proposed dwelling would be in excess of 20 metres away from the boundary shared with the properties to the south with the actual building to building separation even greater. This separation is considered to be acceptable in terms of the impact upon neighbouring properties and the occupants of the proposed dwelling in terms of a loss of light, outlook and/ or privacy had the development been considered acceptable in all other aspects.
- 8.36 The access to the site would be via the existing access to the stables between numbers 100 and 102 Kiln Road. The impact of vehicular traffic resulting from the development of one dwelling is considered to be tantamount to the existing use of the site and therefore would not result in an unacceptable adverse impact upon the neighbouring properties.

8.37 The proposed access is therefore considered to comply with Policy D2 of the Fareham Local Plan 2037.

d) Highway safety

8.38 The access to the proposed dwelling is via an existing access serving the stables at the site. The access is within the Fareham Local Plan 2037 boundary and therefore Policies TIN1 and TIN2 apply.

8.39 Policy TIN1 requires development to connect to the existing public transport networks and provide acceptable parking provision.

8.40 Policy TIN2 states that development will be permitted where there is no unacceptable impact upon highway safety.

8.41 The proposed dwelling and its access would be well connected to the existing road network and public transport routes.

8.42 Hampshire County Council were consulted as the Highway Authority and have stated that the proposed dwelling would be unlikely to generate a significant number of trips over and above the existing use of the site and is unlikely to be of detriment to the operation and safety of the local highway network. The Highway Authority raise no objections.

8.43 The proposals would, therefore, be considered to comply with Policies TIN1 and TIN2.

e) Ecology

8.44 A preliminary Ecological Survey was carried out and the results submitted with the application. The survey concluded that any removal of trees should be carried out under the supervision of an Ecologist and outside of the bird breeding season. The pond within the blue edge of the site was found to have good suitability for newts and another outside of the site boundary approximately 10 metres west of the stables to have average suitability for newts. It was therefore, recommended that an Environmental DNA (eDNA) for Great Crested Newts be carried out.

8.45 Further recommendations are given in terms of improving the ecological value of the site.

8.46 The eDNA report was undertaken as recommended and confirms the absence of Great Crested Newts at the site and so no mitigation is required in this respect.

f) Impact on Protected Sites

- 8.47 Policies WEL30 and WEL37 confirm the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced and that proposals are designed to achieve good practice for water efficiency.
- 8.48 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.
- 8.49 In light of their importance, areas within The Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.50 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.
- 8.51 The first likely significant effect on the HS from the proposed development relates to disturbance on The Solent coastline and New Forest SPA, SAC and Ramsar sites through increased recreational use by visitors to these sites.
- 8.52 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. Mitigation can be provided through a financial contribution from the developer towards the Solent Recreation Management Plan (SRMP). This mitigation has not been secured in this case.
- 8.53 In addition, research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest designated sites will result in a marked increase in use of the sites and exacerbate recreational impacts. It was found that the majority of visitors to the New Forest designated

sites on short visits/day trips from home originated from within a 13.8km radius of the sites referred to as the 'Zone of Influence' (ZOI). The Council's Interim Mitigation Solution to address this likely significant effect was approved by the Council's Executive on 7th December 2021. The mitigation comprises a financial contribution from the developer to mitigate against this impact through improvements to open spaces within Fareham Borough and a small contribution to the New Forest National Park Authority. The applicants have not made the appropriate financial contribution.

- 8.54 Had the proposal been found acceptable in all other regards the applicant would have been invited to make a financial contribution through the Solent Recreation Mitigation Project and towards the Council's interim strategy towards the impact of development upon the New Forest SPA. However, the absence of such a contribution or the means to secure one, or the submission of evidence to demonstrate that the 'in combination' effects of the development can be avoided or mitigated in another way, the proposal is contrary to Policy WEL30.
- 8.55 Secondly in respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.56 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). 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 split between 0.188ha of lowland grazing and 0.022ha of open urban land. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.57 The application proposes to change the use of land adjacent to the residential development site to provide 'onsite' nutrient mitigation. An area of 0.1ha of existing lowland grazing has been referred to in the application documents as part of the development for a proposed change of use to permanent greenspace. It is proposed that this land has the impact of reducing the overall

level of nitrogen such that the development with the additional onsite mitigation land can be demonstrated to be nutrient neutral. However, no clear and detailed plan showing the extent of the mitigation land in question is identified in the application documents. Furthermore, in the absence of any agreement to secure the long-term management and maintenance of the land to ensure the nitrate neutrality of the proposal it is not possible to conclude that there are no likely significant effects on HS from the development.

- 8.58 In this instance Officers have identified likely significant effects upon Habitat Sites as a result of an unmitigated surplus of nitrate pollution generated by the development entering the water environment of The Solent and increased and unmitigated recreational pressure on the HS along the coast and the New Forest.
- 8.59 In this particular case, no Appropriate Assessment has been carried out by the Local Planning Authority under the 'habitat regulations'. Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' (in this case the Local Planning Authority) if it can be shown that the proposed development will either not have a likely significant effect on designated Habitat Sites or, if it is likely to have a significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated Habitat Sites. However, since the application is being recommended for refusal, there is no requirement to carry out an Appropriate Assessment.
- 8.60 It is therefore concluded that the development will have an adverse impact on the integrity of these protected Habitat Sites due to the adverse effects arising through recreational disturbance on the Habitat Sites and would therefore be contrary to Policies WEL30 and WEL37 of the Local Plan Part 3: The Welborne Plan.

g) Other matters

- 8.61 The objections raised by neighbouring residents expressed concerns over sewerage drainage. The application states that it is unknown how foul water from the development would be dealt with. However, the nitrates budget calculator states that the proposed dwelling would discharge to Peel Common Waste Water Treatment Works and so indicates that the development would connect to the mains. Comments were also made regarding the existing sewage system already being overburdened and existing issues relating to this. Sewer capacity would be a matter for the owner of the property and the utilities company with appropriate network reinforcement being secured by the utility provider if it is needed to service this development.

- 8.62 Concerns were also raised in relation to access to the existing electricity sub station directly to the south of the site. This would be a civil matter that would need to be agreed between the landowner and the electricity board, however, the access to the substation is unlikely to alter as a result of the proposals.
- 8.63 The representations also raised concern over disruption during the construction phase. Had the application been recommended for approval then submission of and compliance with a Construction Management Plan would be secured by condition.
- 8.64 It is noted on the site plan and from being on site that the land significantly falls from the south to the north towards the M27 motorway. However, the elevation plans that have been submitted do not show the extent of this fall in the land with the garage being shown as being on a flat site. The plans are therefore, considered to be inaccurate and had planning permission been recommended for approval, the plans would need to be amended to correctly reflect the existing and proposed ground levels, along with the slab levels of the proposed buildings.
- 8.65 The application is promoted as a self-build unit and that this should be afforded weight in the decision making process. Policy WEL21 provides for those wishing to build their own homes at Welborne. The policy sets out that not less than 1% of all homes at Welborne should be delivered as custom build plots. These custom build plots are to be identified in the comprehensive masterplan as part of the initial applications at Welborne and are required to comply with the relevant policies of the development plan.
- 8.66 In this case the delivery of a single self build dwelling would only make a very small contribution to the borough wide, and Welborne specific, supply of custom build housing. The siting of the house would conflict with the Strategic Framework for the delivery of Welborne. For the reasons set out above in the report, the identified demonstrable harm arising from the development on the settlement buffers for Welborne and the harmful impact of the development on Habitat Sites significantly outweighs any modest contribution a single self-build dwelling would bring to the Borough.

Summary

- 8.67 The principle of residential development on the site is considered to be unacceptable and contrary to policies within The Welborne Plan which designate the site as potential SANG and is part of the Fareham Common settlement buffer. The siting and position of the dwelling would physically and visually diminish the buffer between Fareham and Welborne to its detriment.

8.68 Furthermore, in the absence of any secured mitigation the proposal fails to protect the natural environment.

9.0 Recommendation

9.1 REFUSE PLANNING PERMISSION, for the following reasons:

1. The development would be contrary to Policies WEL1, WEL3, WEL5, WEL6, WEL30, WEL37 and WEL42 of the adopted Local Plan Part 3: The Welborne Plan and the Welborne Design Guidance Supplementary Planning Document and is unacceptable in that:
 - i. The principle of a dwelling in this location would be contrary to policies WEL5 and WEL6 of the Welborne Plan which seeks to retain the area as a settlement buffer between the new community of Welborne and the northern edge of Fareham. The proposal would physically and visually harm the integrity of the settlement buffer.
 - ii. The development of the application site would result in the loss of land safeguarded by policy WEL42 for future Welborne green infrastructure and ecological mitigation. To redevelop the land with the proposal would prejudice the future comprehensive development of Welborne in accordance with the Strategic Framework within The Welborne Plan.
 - iii. In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation to address the likely adverse effects on the integrity of Habitat Sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.
 - iv. In the absence of a legal agreement to secure such, the proposal fails to appropriately secure mitigation of the likely adverse effects on the integrity of protected habitat sites along The Solent and within the New Forest which, in combination with other developments, would arise due to the impacts of recreational disturbance.
 - v. The plans are inaccurate in showing the extent of the fall in the land, the changes in ground levels which are required along with proposed floor levels of proposed buildings, and therefore do not accurately show the impact of the proposed development.
2. This decision has been made in accordance with the following documents:
 - i. Drawing No: P01 Rev B – Location Plan
 - ii. Drawing No: P05 Rev A – Proposed Site

- iii. Drawing No: P10 Rev C - Plans
- iv. Drawing No: P11 Rev B – Elevations
- v. Drawing No: P20 Rev A – Detached Garage Plans & Elevations

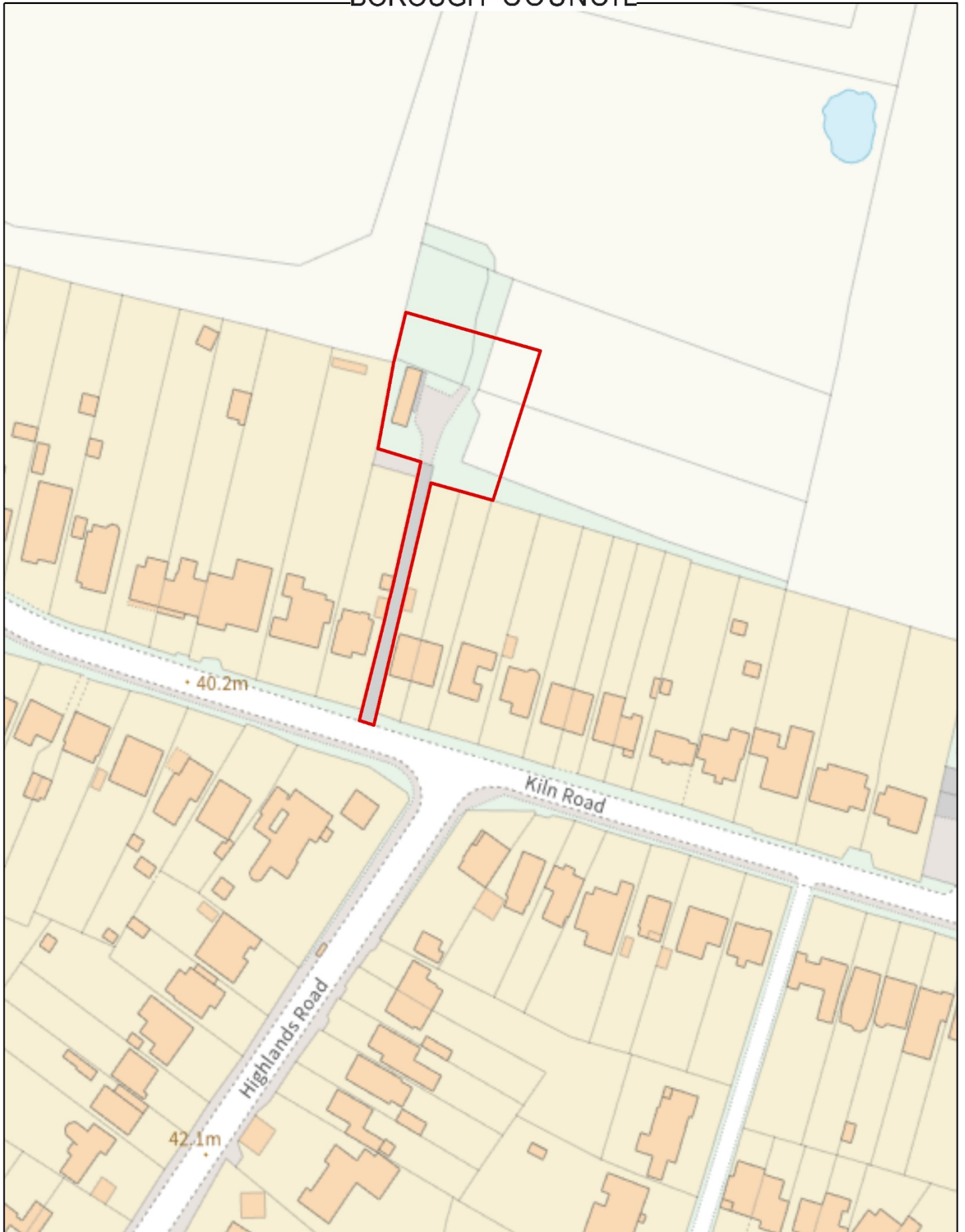
REASON: To avoid any doubt over what has been refused.

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



Land between and to the rear of
100 & 102 Kiln Road, Fareham

Scale 1:1,250



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