

# FAREHAM

## BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (DEVELOPMENT MANAGEMENT  
PROCEDURE) ORDER 2015

### **Planning Decision Notice**

Planning Application Reference: P/17/0266/OA

Decision Date: 30<sup>th</sup> September 2021

Fareham Borough Council, as the local planning authority, hereby **PERMIT** the **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 2,800m<sup>2</sup> food store retail (A1), up to 2,419m<sup>2</sup> of non-food retail (A1) and up to 2,571m<sup>2</sup> of other non-convenience/comparison retail use (A1 - A5)); a village centre (comprising up to 400m<sup>2</sup> food store retail (A1), up to 1,081m<sup>2</sup> of non-food retail (A1), a public house (up to 390m<sup>2</sup> A4 use) and up to 339m<sup>2</sup> of other non-convenience/comparison retail use (A1 - A5)); up to 30,000m<sup>2</sup> of commercial and employment space (B1); up to 35,000m<sup>2</sup> of general industrial use (B2); up to 40,000m<sup>2</sup> of warehousing space (B8); a hotel (up to 1,030m<sup>2</sup> C1 use); up to 2,480m<sup>2</sup> of community uses (D1 and D2); up to 2,200m<sup>2</sup> ancillary nursery (D1), health centre (D1) and veterinary services (D1); retention of Dean Farmhouse; a secondary school, 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 substations; 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 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 at Welborne, Land North Of Fareham, Fareham as proposed by application P/17/0266/OA subject to the following conditions:**

**GENERAL CONDITIONS:**

**01 a) The development granted permission by this decision for the highway improvement works (J10 or A32 improvement works) shall be begun not later than three years from the date of this permission.**

**b) The first application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. All subsequent reserved matters pursuant to this outline shall be submitted no later than 30 years from the date of this permission.**

**c) The development of any reserved matters related to this Outline planning application shall be begun before the expiration of three years from the date of approval of that reserved matters.**

**REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review their position if a new application is made following expiry.**

**02 The development shall be carried out substantially in accordance with the following approved drawings:**

- **Application Boundary Parameter Plan - 60469153-001-A0**
- **Access Roads and Junctions Parameter Plan - 60469153-002-A4**
- **Land Use Parameter Plan - 60469153-003-A4**
- **Residential Density Parameter Plan - 60469153-004-A4**
- **Building Heights Parameter Plan - 60469153-005-A4**
- **Open Space and Green Infrastructure Parameter Plan - 60469153-006-A4**

**Any variations to any or all of these Plans must first be submitted to and approved in writing by the Local Planning Authority.**

**REASON: The distribution of land uses on the parameter plans is the subject of an Environmental Impact Assessment and any material alteration to the layout may have an impact that has not been assessed by that process. To ensure a comprehensive and appropriate form of development and to avoid any doubt over what has been permitted**

**03 The development shall be carried out substantially in accordance with the submitted Structuring Plan (July 2019), and the high-level development principles within it. Any variations to this Structuring Plan must first be submitted to and approved in writing by the Local Planning Authority.**

**REASON: to ensure a comprehensive and appropriate form of development and to avoid any doubt over what has been permitted**

04 The development will be carried out in accordance with:

**A32 Drawings:**

**A32 Overview General Arrangement - 6091/GA/299 Rev E**

**A32 General Arrangement - Surfaces and Finishes - North Roundabout - 6091/GA/311 Rev G**

**A32 General Arrangement - Surfaces and Finishes - Knowle Roundabout - 6091/GA/321 Rev F**

**A32 General Arrangement - 6091/GA/332 Rev B**

**A32 General Arrangement - Surfaces and Finishes - Phase 2 - Central Av RAB - 6091/GA/341 Rev F**

**A32 General Arrangement - Surfaces and Finishes - Phase 1 -Temporary Left in-Left out - 6091/GA/3410 Rev F**

**A32 General Arrangement - North Hill Junction - 6091/GA/1005 Rev H**

**M27 Junction 10 Drawings:**

**CJ008926-ATK-HGN-J10-DR-CH-000002\_C04 - Overview General Arrangement**

**CJ008926-ATK-HGN-J10-DR-CH-001001\_C02 - General Arrangement (Sheet 01 of 03)**

**CJ008926-ATK-HGN-J10-DR-CH-001002\_C03 - General Arrangement (Sheet 02 of 03)**

**CJ008926-ATK-HGN-J10-DR-CH-001003\_C03 - General Arrangement (Sheet 03 of 03)**

**REASON: To Avoid any doubt over what has been permitted.**

05 No development shall take place related to the A32 junctions, or M27 J10 (with the exception of site clearance and associated earth works) until details of the proposed landscaping in relation to the individual works proposed has first been submitted to and approved in writing by the Local Planning Authority. Such details will include any changes to ground levels, the species, planting sizes, planting distances, density and numbers of any new planting, an implementation plan and details for the ongoing long term management and maintenance of the planting. The landscaping will be provided and maintained in accordance with the approved details and implementation plan. Any plants or species that fail, die, or in the opinion of the Local Planning Authority are damaged or are removed within the first five years following their planting will be replaced in the next available planting season with a species of similar size and type.

**REASON: to ensure a comprehensive and appropriate form of development**

06 No development shall take place related to the A32 junctions, or M27 J10 (with the exception of site clearance and associated earth works) until details of the proposed street lighting in relation to the individual works

proposed have first been submitted to and approved in writing by the Local Planning Authority. Such details will include specifications, lighting calculations and contour illumination plans. The development shall be carried out in accordance with the approved details.

**REASON:** to ensure a comprehensive and appropriate form of development

**07** The development for the following uses will not exceed:

- 3,200m<sup>2</sup> of food store retail;
- 3,500m<sup>2</sup> of non-food retail;
- 3,300m<sup>2</sup> of other non-convenience/comparison retail use, financial and professional services, restaurant and cafes, drinking establishments, and hot food takeaway;
- 30,000m<sup>2</sup> of commercial and employment namely as of offices, research and development or other industrial process;
- 35,000m<sup>2</sup> of general industrial use;
- 40,000m<sup>2</sup> of warehousing space for storage or distribution.

**REASON:** The distribution of land uses on the parameter plans is the subject of an Environmental Impact Assessment and any material alteration to the layout may have an impact that has not been assessed by that process. To ensure a comprehensive and appropriate form of development and to avoid any doubt over what has been permitted. In the interest of protecting the vitality and viability of Fareham Town Centre and other surrounding centres in Fareham and surrounding Districts.

**08** Notwithstanding the provisions of any Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the premises identified for such uses as stated in condition 07 shall only be used for those purposes.

**REASON:** The distribution of land uses on the parameter plans is the subject of an Environmental Impact Assessment and any material alteration to the layout may have an impact that has not been assessed by that process. To ensure a comprehensive and appropriate form of development and to avoid any doubt over what has been permitted. In the interest of protecting the vitality and viability of Fareham Town Centre and other surrounding centres in Fareham and surrounding Districts.

**09** Prior to the approval of the First Reserved Matters application, a site wide (as defined in the approved Application Boundary Parameter Plan - 60469153-001-A0) Strategic Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Strategic Design Code will include:

- Details and Plan of the expected Neighbourhoods

- **General Design Principles for each character area**
- **Open Space and Play Space Strategy**
- **Identification of areas which may have specific Neighbourhood Design Code requirements, with specific characteristics in relation to heritage, landscape, ecology or character**

**This Strategic Design Code will be substantially in conformance with the approved Structuring Plan. Any variations to this Design Code must first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out substantially in accordance with the approved details.**

**REASON: to ensure a comprehensive and appropriate form of development**

- 10 Prior to the approval of the First Reserved Matters Application, a Street Design Manual shall be submitted to and approved in writing by the Local Planning Authority. This Street Design Manual shall include:**

- **Street Design Principles for the street network**
- **General Street Design Principles for the other internal road network**
- **Timescales for the delivery of the primary street network**
- **Adoption Strategy**
- **Parameters and details of the main north to south route through the site, including link capacity, frontage activity, on-street parking provision / restriction, adoption strategy, timescale for delivery, number of junctions, minimum centreline radii, footway details, cycleway details, public transport / BRT details, typical plans, typical sections and typical junction arrangements**

**This Street Design Manual will be substantially in conformance with the approved Structuring Plan. Any variations to this Design Manual must first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out substantially in accordance with the approved details.**

**REASON: In the interest of a suitable carrying capacity being provided on the internal road network and to ensure a comprehensive and appropriate form of development**

- 11 In respect to the Neighbourhoods as identified in the Strategic Design Code, A Neighbourhood Design Code Document (covering, where applicable: detailed design principles, compliance schedule showing how it meets the principles of the approved scheme and documents, delivery strategy, infrastructure, open spaces, play spaces and landscaping) shall be submitted to and approved in writing by the Local Planning Authority prior to the approval of the First Reserved Matters application within that Neighbourhood (or Part thereof). The**

Neighbourhood Design Code documents will be substantially in accordance with the relevant Strategic Design Code. Any variations to this Design Code must first be submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

**REASON:** to ensure a comprehensive and appropriate form of development

**12** Prior to the approval of the First Reserved Matters Application which contains residential development, a Site-wide Housing Strategy will be submitted to and approved by the Local Planning Authority. This strategy will demonstrate how residential development will provide the delivery of, quantum of and phasing of;

- Indicative dwelling numbers per Neighbourhood;
- Market Housing;
- Affordable Housing, (including tenure type and mix; provisions to ensure the Affordable Housing Units are indistinguishable from Private Residential Units in terms of layout (including garden size), external appearance, parking provision and quality of materials; and provisions for an appropriate dispersal of the Affordable Housing Units so as to avoid excess clustering and the objectives of creating a mixed and balanced community and the management constraints of the Registered Provider but which shall not be pepper potted as single units around the Development);
- Custom or self-build plots;
- Lifetime homes;
- Specialist accommodation for older people (including extra care);
- Wheelchair Adapted homes;
- Passivhaus Standard (or equivalent) homes;.
- This Site-Wide Housing Strategy will be updated as the development progresses with each update being first submitted to and approved in writing by the Local Planning Authority. The first update is to be provided prior to the commencement of the 2000<sup>th</sup> dwelling, and then prior to the commencement of the 3,000<sup>th</sup> , 4,000<sup>th</sup> , 5,000<sup>th</sup> and 5,800<sup>th</sup> dwellings, to coincide with the viability review process as detailed in the S106 agreement, unless otherwise first agreed in writing with the local planning authority.

**REASON:** In the interest of providing a mixed, sustainable and diverse new community

**13** Each Reserved Matters submission shall be in accordance with the Site Wide Biodiversity Enhancement Strategy, dated September 2020, prepared by Holbury Consultancy Service unless otherwise first agreed in writing by the Local Planning Authority.

**REASON:** In the interest of maintaining and enhancing the biodiversity of the site

- 14 The development will be carried out substantially in accordance with the sequence identified within **SEQUENCING DIAGRAMS' 001 – 005** and within the Infrastructure Delivery Plan Project Schedule, unless otherwise first agreed in writing by the Local Planning Authority as part of the approval of details submitted in reserved matters applications, Strategic Design Code or Neighbourhood Design Code documents.

**REASON:** to ensure a comprehensive and appropriate form of development.

- 15 When first agreed in writing with the Local Planning Authority, a reserved matters application (containing relevant information from Conditions 16-41 of this planning permission) could be approved in advance of the approval of the Strategic Design Code document, or the relevant Neighbourhood Design Code, or Site Wide Housing Strategy or the Biodiversity Enhancement Strategy. In these circumstances, a statement justifying submission of reserved matters prior to agreement of these matters must be submitted as part of this reserved matters application.

**REASON:** to ensure a comprehensive and appropriate form of development and to ensure that strategic work does not delay site works or the delivery of infrastructure to enable development on related neighbourhoods, specifically enabling works.

#### **RESERVED MATTERS WITHIN A NEIGHBOURHOOD**

- 16 An application for the approval of the following reserved matters for any area within a neighbourhood (as defined in the Neighbourhoods Plan within the Strategic Design Code) shall be submitted to and approved in writing by the Local Planning Authority and shall include, where relevant:
- Scale and external appearance including layout of the development
  - Landscaping (hard and soft), including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and an implementation plan;
  - The design of all buildings and infrastructure, including details of materials to be used;
  - Statement of compliance with Neighbourhood Design Code.

**REASON:** to ensure a comprehensive and appropriate form of development

- 17 No development shall take place within a Neighbourhood ( or part thereof) until details of the proposed ground and slab levels of the development in relation to existing ground levels, have been submitted to and approved in writing by the Local Planning Authority for that

**Neighbourhood (or part thereof). The development shall be undertaken in accordance with the approved details.**

**REASON: To ensure a satisfactory relationship between the built form in a neighbourhood and any adjacent neighbourhood and existing topography.**

- 18 No development shall take place within a Neighbourhood (or part thereof), until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority for that Neighbourhood (or part thereof). This scheme must include a programme of archaeological assessment for the works proposed within that Neighbourhood (or part thereof). The works shall be carried out in accordance with this approved scheme.**

**REASON: The site is potentially of archaeological significance and any finds and sites located within the development site will need to be recorded and kept under review**

- 19 No development shall take place within a Neighbourhood (or part thereof), until:**

- a) A desk-top Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority for that Neighbourhood (or part thereof). Should the Contamination Assessment reveal a potential for contamination, a programme and methodology for an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources shall be submitted to and approved in writing by the Local Planning Authority.**
- b) Where the site investigation and risk assessments under criterion a) identify remedial works are required, details of these works shall be submitted to and approved in writing by the local planning authority prior their installation/construction, including a programme for their implementation.**
- c) The development shall not be occupied within the Neighbourhood (or part thereof) for which details under criterion b) above have been approved until there has been submitted to and approved in writing by the Local Planning Authority verification that those required remediation measures required have been fully implemented in accordance with the approved details. Unless otherwise agreed in writing with the Local Planning Authority such verification will include: as built drawings, photographs of the remediation works in progress, certificates demonstrating that imported and/or material left in situ is free from contamination.**

**REASON: To ensure a safe living/working environment**



- 20** Development within a Neighbourhood (or part thereof) shall be monitored during construction for evidence of previously unidentified contamination. If suspected contamination is encountered then; all work must stop and no further work shall be carried out in the affected area(s) until investigation measures and remediation measures have been submitted to and approved in writing by the Local Planning Authority. The investigation and remediation measures shall be undertaken in accordance with the approved details. The development shall not be occupied within the affected area) until verification that the remediation works approved have been fully implemented in accordance with the approved details. Unless otherwise agreed in writing with the Local Planning Authority such verification will include: as built drawings, photographs of the remediation works in progress, certificates demonstrating that imported and/or material left in situ is free from contamination.

**REASON:** To ensure a safe living and working environment.

- 21** No piling or any other foundation designs using penetrative construction methods shall be used in any neighbourhood (or part thereof) unless details of the use of any necessary equipment/plant has first been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof). The details shall include how the piling method will prevent contamination from migrating to principal aquifers and contaminating groundwater and a noise and vibration assessment with a scheme of mitigation measures. The works shall be carried out in accordance with the approved details.

**REASON:** To ensure that the construction period does not have a detrimental impact on the ground water environment and the amenity of the area.

- 22** No development shall take place within a Neighbourhood (or part thereof) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof). The CEMP shall set out the strategy and detailed method statements in respect of the following:

- a) Soil movement, methods of tracking soil movement and details for demonstrating soil will be suitable for use;
- b) Construction Traffic Management (to include the details of haul roads, co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public highway, particularly during the Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800) periods);
- c) Site Office location;
- d) Contractor parking areas for use during construction;
- e) Areas for loading and unloading;

- f) Construction lighting details;
- g) The storage of materials and construction waste, including waste recycling where possible;
- h) The storage and dispensing of fuels, chemicals, oils and any hazardous materials (including any hazardous soils);
- i) The proposed method of working (this shall include details to monitor and prevent adverse impacts to surface water, groundwater and adverse impacts caused by noise, vibration, odours);
- j) The proposed maintenance and aftercare of the site;
- k) The provision of road and wheel cleaning facilities, including any required drainage;
- l) Dust and dirt control measures;
- m) Measures to avoid impact upon the high pressure gas main where works proposed are within 15m of the main;
- n) measures to avoid impacts on the non-statutory designated sites, retained habitats and trees; and
- o) measures to minimise impacts on any existing occupied residential properties.

The works shall subsequently proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

**REASON:** In the interest of managing the construction process so as to avoid impact on the highway network and gas main and to ecological and arboricultural receptors and in the interest of the amenities of the area.

- 23 No development shall take place in any neighbourhood (or part thereof) where there are existing buildings to be demolished until a Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof). The Demolition Method Statement shall include (where relevant) up-to-date ecology reports and mitigation strategies, the method for demolition and the arrangement for removing the demolition waste from the site. The development shall be undertaken in accordance with the approved details.

**REASON:** In the interest of managing the construction process so as to avoid impact on the highway network and to ecological receptors and in the interest of the amenities of the area

- 24 No materials obtained from site clearance or from construction will be burnt on the site.

**REASON:** To ensure that the construction period does not have a detrimental impact upon the environment or amenity of residents.

**25 No building within 40m of the east, north or west elevations of Dean Farm House shall exceed 8.5m in height.**

**REASON: In the interest of preserving the setting of Dean Farm House as a Grade II\* listed building.**

**26 No building within 75m of the curtilage of residential properties at Funtley shall exceed 8.5m in height.**

**REASON: In the interest of residential amenity and providing a suitable separation between the existing community and Welborne.**

**27 No development shall take place within a neighbourhood (or part thereof) until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the area of development concerned has been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof). The Scheme shall include:**

- The critical design storm period for each attenuation feature
- Drainage areas and assumptions on impermeability
- Allowances for any future upstream development areas that contribute flows to this zone
- The methods employed to control the surface water discharge and volume
- Infiltration testing in pits (not boreholes) to support the assumed infiltration rates
- The factor of safety assumed for each infiltration feature
- The run-off rate calculations for discharge to surface waters
- Treatment measures employed to achieve the relevant water quality treatment
- Future management and maintenance responsibilities
- Details of any impacts on source protection zones or solution features

**The drainage scheme submitted shall be implemented prior to the occupation or use of the building or development in which it relates. Where the drainage scheme for any area relies on drainage features outside of the area of development concerned these must be completed sufficiently to perform the necessary attenuation and treatment function, and demonstrated as part of the details submitted. No area of built development shall be allowed to discharge run-off unattenuated and untreated into receiving watercourses. The development shall be carried out in accordance with the approved details.**

**REASON: To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development**

- 28 No development shall take place within a neighbourhood (or part thereof) until details of ecological mitigation, compensation and enhancement measures have been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof). Such details shall be in accordance with the sitewide Biodiversity Enhancement Strategy. The development shall be undertaken in accordance with the approved details.

**REASON:** In the interest of maintaining and enhancing the biodiversity around the site as a whole

- 29 No development shall take place in a neighbourhood (or part thereof) until an Arboricultural Impact Assessment and Method Statement has been submitted to and approved by the Local Planning Authority for that neighbourhood (or part thereof). These details will indicate how retained trees and hedgerows are to be protected on site. The works shall subsequently be carried out in accordance with the approved details.

**REASON:** In the interests of the visual amenities of the area.

- 30 Any tree and hedgerow protective measures required within a Neighbourhood (or part thereof) shall be installed prior to the development taking place. Protective fencing shall be maintained and retained for the full duration of the works or until such time as may be agreed in writing by the Local Planning Authority. No activities, material storage, or placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written approval of the Local Planning Authority.

**REASON:** In order to retain established landscaping on the site in the interest of the visual amenities of the area.

- 31 All service routes, drain runs, soakaways or excavations in connection with the development of a Neighbourhood (or part thereof) shall remain wholly outside the tree and hedgerow protective area unless otherwise agreed in writing with the Local Planning Authority.

**REASON:** In order to retain established landscaping on the site in the interest of the visual amenities of the area.

- 32 No development shall take place within a neighbourhood (part thereof) until Foul Drainage Details for that neighbourhood (or part thereof) have been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof ). These will include details on connections to the existing sewerage network, and capacity details for that neighbourhood (or part thereof). The development shall be undertaken in accordance with the approved details.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

- 33** All foul sewage generated by occupied development will be disposed of utilising Peel Common Water Treatment Works unless otherwise first agreed in writing by the local planning authority.

**REASON:** To ensure an appropriate and sustainable form of development and to be in accordance with the Environmental Statement in support of the application.

- 34** No development shall take place within a Neighbourhood (or part thereof) until the following details have been submitted to and approved in writing by the Local Planning Authority:

- The positions and widths of roads, footpaths and cycleways including gradients and surface materials for that Neighbourhood (or part thereof);
- details of parking provision (on and off plot) and any associated manoeuvring areas;
- street lighting (Including lighting calculations, contour illumination plans and means to reduce light pollution within and serving that Neighbourhood (or part thereof);
- public transport connections for that Neighbourhood (or part thereof);
- The method for managing highway surface water drainage including local sustainable disposal within and serving that Neighbourhood (or part thereof);
- Timetable for the delivery of the above

The development shall be undertaken in accordance with the approved details.

**REASON:** To ensure that roads, footways, cycleways, street lighting and surface water drainage are constructed to an appropriate standard to serve the development

- 35** No development shall take place within a neighbourhood (or part thereof) where residential units are proposed within 60m of the A32 and/or 400m of the M27 until a scheme for sound attenuation in respect of the dwellings and their amenity space has been submitted to and approved in writing by the Local Planning Authority for that neighbourhood (or part thereof). The scheme shall assess the impact of noise from vehicles using the A32 and/or M27 and shall identify the measures necessary to attenuate against noise nuisance to future occupants, with a view to achieving the recommendations outlined in BS8233, taking into account both indoor and outdoor living areas and bedrooms. Attenuation of the

buildings shall be undertaken in accordance with the approved details before the development is brought into use.

**REASON:** In the interests of residential amenity

- 36** If the properties 1 and 2 Dean Farm Cottages are retained in residential occupation, the M27 J10 shall not be opened as an all moves junction until a scheme for sound attenuation in respect of the dwellings and their amenity space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall assess the impact of noise from vehicles using the new all moves M27 junction 10 and shall identify the measures necessary to attenuate against noise nuisance to occupants, with a view to achieving the recommendations outlined in BS8233, taking into account both indoor and outdoor living areas and bedrooms. Attenuation of the buildings shall be undertaken in accordance with the approved details before the M27 J10 is opened as an all moves junction.

**REASON:** In the interests of residential amenity

- 37** No residential or commercial development shall take place within a Neighbourhood (or part thereof) until an Energy Strategy for that Neighbourhood (or part thereof) has been submitted to and approved in writing by the Local Planning Authority. The strategy will include details such as (but not limited to) energy efficiency through design and layout, the use of low or zero carbon technologies and innovative building methods. The development shall be undertaken in accordance with the approved details.

**REASON:** To ensure an appropriate and sustainable form of development

- 38** No residential or commercial development shall take place within a Neighbourhood (or part thereof) until details of water efficiency measures for that Neighbourhood (or part thereof) have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed an average of 105l per person per day. The development shall be carried out in accordance with the approved details.

**REASON:** To ensure an appropriate and sustainable form of development and meet the requirements of Welborne Plan Policy WEL37

- 39** Prior to the approval of a reserved matter application for residential development in a neighbourhood (or part thereof) a Housing Statement for that neighbourhood (or part thereof) shall be submitted to and approved in writing by the Local Planning Authority. This Housing Statement will detail how the proposed development complies with the relevant site-wide housing strategy in relation to the layout, type, tenure, property size and timetable for delivery of:

- Market housing,
- Affordable housing,
- Lifetime homes,
- Specialist accommodation for the elderly (including extra care where relevant)
- Wheelchair adapted homes,
- Custom build plots and
- Passivhaus standard dwellings.

The development of the neighbourhood (or part thereof) shall be carried out in accordance with the approved details.

**REASON:** In the interest of providing a mixed, sustainable and diverse new community

- 40** Within 6 months of commencement of residential development within a neighbourhood which features a play space as identified in the relevant approved design code, the reserved matters application for these play spaces will be submitted for approval to the Local Planning Authority. The reserved matters applications will include details of hard and soft landscape, means of enclosure (where considered necessary), planting, pedestrian access, play equipment, street furniture (such as benches, signs and bins) drainage, site levels, long term management & maintenance, timetable for delivery and an implementation plan. The works shall be carried out in accordance with the approved details and the play area shall be open for use in accordance with the implementation plan, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

- 41** No residential or commercial development shall take place within 15m from centre line of the 132kV overhead line and 10m from centre line of the 33kV overhead lines until one of the following has occurred:
- a) in the event the overhead line is to be undergrounded, prior to the undergrounding taking place a scheme and timetable for such undergrounding and for removal of the pylons shall be submitted to and approved in writing by the Local Planning Authority. The undergrounding and removal works shall be carried out in accordance with the approved details; or
  - b) in the event the overhead line is to be retained, a drawing showing how the retention of the overhead line (in whole or part) will be accommodated shall be submitted to and approved in writing by the Local Planning Authority. These details must demonstrate any

land use impacts and how the High-Level Development Principles identified in the Structuring Plan, and any other principles outlined in any relevant design code document, can be accommodated with the line in situ. The development will subsequently be carried out in accordance with the approved details.

**REASON:** In the interest of the visual amenities of the area.

**AREAS OUTSIDE NEIGHBOURHOODS**

- 42 All areas of public open space (excluding sports pitches), as identified in the Open Space and Green Infrastructure Parameter Plan - 60469153-006-A4, will be managed and maintained using a maximum of 5kg of Nitrogen per hectare per year.

**REASON:** In the interest of protecting the sensitive Solent coastal habitat.

- 43 Unless otherwise agreed in writing with the local planning authority, no development of Welborne Mile SANG (or part thereof), or Fareham Common SANG (or part thereof) shall take place until details of ecological management, details of biodiversity enhancement (in conformance with the Biodiversity Enhancement Strategy), arboricultural management, planting, construction management, archaeological details, contamination, site levels, boundary treatments, hardstanding (including areas for car parking), programme for delivery and any materials to be utilised in the development have been submitted to and approved in writing by the Local Planning Authority for the SANG, or part thereof. The SANGs will be delivered and opened for public access in accordance with the approved details, following a pre-opening site visit and inspection of each component part of the SANG by Officers of the Local Planning Authority.

**REASON:** In the interest of creating an acceptable layout for the SANG.

- 44 No residential unit within the development shall be occupied until the area identified as Dashwood (lined in blue on Application Boundary Plan Application Boundary Parameter Plan - 60469153-001-A0) has been laid out and made accessible to the public as SANG.

**REASON:** In the interest of protecting the sensitive Solent coastal habitat

- 45 No residential unit within the development shall be occupied until a reserved matters application for parking for Dashwood has been submitted to and approved in writing by the Local Planning Authority, and has been laid-out in accordance with the approved details and is open to use. This application will include details of materials, landscaping, drainage, access and how this parking links to the proposed SANG at Dashwood.



**REASON:** In the interest of protecting the sensitive Solent coastal habitat

- 46 Unless otherwise agreed in writing with the local planning authority, prior to the occupation of the 3601<sup>st</sup> residential unit within the development, the area identified as Welborne Mile shall be laid out and made accessible to the public as SANG. This includes any requisite parking area.

**REASON:** In the interest of protecting the sensitive Solent coastal habitat

- 47 Unless otherwise agreed in writing with the local planning authority, prior to the occupation of the 5101<sup>st</sup> residential unit within the development, the area identified as Fareham Common shall be laid out and made accessible to the public as SANG. This includes any requisite parking area.

**REASON:** In the interest of protecting the sensitive Solent coastal habitat

- 48 The Temporary SANG proposed will be delivered in accordance with the submitted Temporary SANG Strategy, unless otherwise first agreed in writing with the Local Planning Authority. As detailed in Paragraph 1.7 of the Temporary SANG Strategy:

- Prior to the 750<sup>th</sup> residential occupation, Temporary SANG Phase 1 will be laid out and made accessible to the public;
- Prior to the 2700<sup>th</sup> residential occupation Temporary SANG Phase 2 will be laid out and made accessible to the public;
- Prior to the occupation of the 3601<sup>st</sup> residential unit, Temporary SANG Phase 3 will be laid out and made accessible to the public.

Details of the layout, timetable for delivery, management arrangements and timetable for the temporary SANG function to cease for each Phase of Temporary SANG will be submitted to and agreed with the Local Planning Authority prior to the relevant occupation restriction. The development shall be undertaken in accordance with the approved details.

**REASON:** In the interest of protecting the sensitive Solent coastal habitat and mitigating the impact of the development on the ancient woodland floor of Dashwood.

- 49 No residential unit within the development shall be occupied until a planting scheme has been implemented for the area identified as advanced mitigation planting between Dashwood and Blakes Copse, unless otherwise agreed in writing with the local planning authority. This scheme shall be implemented in accordance with a detailed planting and landscaping plan, submitted to and approved in writing by the Local Planning Authority prior to commencement of the planting scheme. The detailed landscaping plans shall include any changes to ground levels, the species, planting sizes, planting distances, density and numbers of

any new planting, an implementation plan and details for the ongoing long term management and maintenance of the planting. The landscaping will be provided and maintained in accordance with the approved details and implementation plan. Any plants or species that fail, die, are damaged or are removed within five years following their planting will be replaced in the next available planting season with a species of similar size and type.

**REASON:** To ensure early structural planting in the interest of an acceptable appearance for the development

- 50 Prior to the occupation of the 1,500<sup>th</sup> residential unit within the development, a reserved matters application for Welborne Park, detailing the hard and soft landscaping details, drainage, site levels, details of biodiversity enhancement (in conformance with the Biodiversity Enhancement Strategy), materials, footpath details, lighting, play equipment (if relevant), long term management plan, details of any temporary open space provision whilst the park is being laid out in full, implementation and phasing programme (to include the phased delivery of any temporary provision), details of interpretation materials regarding the Neolithic Long Barrow and a strategy to incorporate measures to ensure the long-term conservation of the Long Barrow, will be submitted to and approved in writing by the Local Planning Authority. Any temporary open space provision shall be provided and open for public use in accordance with the approved details and prior to the occupation of the 4,500<sup>th</sup> residential unit within the development, Welborne Park shall be laid out in full in accordance with the approved details and made available for use by the public thereafter unless otherwise first agreed in writing by the Local Planning Authority.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

- 51 No development shall take place on the site of the Neolithic Long Barrow as identified on the Green Infrastructure Parameter Plan (Drawing Reference 60469153-006-A.4). Any reserved matters application for an area directly adjacent to the Neolithic Long Barrow will include a Management Plan which shall set out long term management responsibilities and long-term site condition monitoring and conservation of the monument. The development shall be carried out in accordance with the approved management plan unless otherwise first agreed in writing with the Local Planning Authority.

**REASON:** In the interest of preserving an important heritage asset on the site

- 52 Unless otherwise agreed in writing with the local planning authority, No development shall take place in the area identified as “Dashwood Park”

as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission on the approved Neighbourhoods Plan until a reserved matters application for the area has first be submitted and approved in writing by the Local Planning Authority. This reserved matters shall include details of provision of at least 2 tennis courts, hard and soft landscaping details, drainage, site levels, details of biodiversity enhancement (in conformance with the Biodiversity Enhancement Strategy), phasing and programme for implementation, footpath details, lighting, means of enclosure, and materials for Dashwood Park. The details shall also include details of the long term management of the park. The works shall be undertaken in accordance with the approved details.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

- 53 Unless otherwise agreed in writing with the local planning authority, No development shall take place in the area identified as Allotments on the approved Land Use Parameter Plan - 60469153-003-A4 until a reserved matters application has first been submitted and approved in writing by the Local Planning Authority. This reserved matters application shall include details of delivery timetable (including when the allotments will be available for use by the public), hard and soft landscaping, surface water drainage, site levels, parking, servicing, any communal buildings or individual plot buildings and access. The works shall be undertaken in accordance with the approved details.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

- 54 Unless otherwise agreed in writing with the local planning authority, No development shall take place in the area identified as “Welborne Sports Hub” as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission, until a reserved matters application has first been submitted and approved by the Local Planning Authority. This reserved matters application shall include details of any buildings, hard and soft landscaping, drainage, site levels, access, lighting, details of provision of an artificial grass pitch of a maximum 0.85ha, parking proposed as part of the Sports Hub and a timetable for delivery. The works shall be undertaken in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

**55** Unless otherwise agreed in writing with the local planning authority, No development shall take place in the area identified as “Cricket Pitch” as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission, until a reserved matters application will be submitted and approved in writing by the Local Planning Authority. This reserved matters application will include hard and soft landscaping, access details, lighting, surface water drainage, site levels, parking, buildings and a timeline for delivery. The works shall be undertaken in accordance with the approved details.

**REASON:** To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development

**56** No development shall take place within 15m of the high pressure and intermediate pressure gas main on site until the proposed layouts, levels protection or diversion has been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

**REASON:** To ensure the development is undertaken without risk to existing utility infrastructure and in the interest of the safety of the area.

**57** No development shall take place other than that related to the delivery of Junction 10 until details of the sources of all the funding necessary to carry out the Junction 10 works has been submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken in accordance with the approved details.

**REASON:** To ensure the timely delivery of the necessary infrastructure to service the development and in the interest of highway safety.

**58** No occupation above the thresholds for each development type set out below shall take place until the M27 Junction 10 is open to the public as an all-moves junction in accordance with the approved plans in condition 04 and the details approved under conditions 65 - 76 of this planning permission, unless otherwise first agreed in writing with the Local Planning Authority:

- 1,160 residential units;
- 1,500 sqm B1 Office floorspace;
- 5,750 sqm B2 General Industrial floorspace;
- 4,000 sqm B8 Storage or Distribution floorspace;
- 4,700 sqm A1 Retail Floorspace;

- One primary school.

Where any changes are sought to these thresholds, the applicant will need to demonstrate that there will be no materially greater impact resulting from the changes than that currently identified in the Environmental Statement.

**REASON:** To ensure the timely delivery of the necessary infrastructure to service the development and in the interest of highway safety.

- 59 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (or any Order revoking and re-enacting that Order) with or without modification, no new vehicular/cyclist/pedestrian access to the application site, other than those shown on the approved plans or construction access (agreed through CEMP submission) shall be formed to the site, unless otherwise agreed in writing by the local planning authority.

**REASON:** In the interest of highway safety.

- 60 No occupation of any development, other than the proposed SANG car park, with access from Knowle Road shall take place until a scheme to reduce the travelling speed along Knowle Road has first been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the methods to be undertaken, as well as the timetabling and phasing required to deliver these methods. The development shall be undertaken in accordance with the approved details.

**REASON:** to ensure the treatment of Knowle Road is suitable to serve the development

- 61 No development shall take place on the "Sawmills Land" as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission and dated 30<sup>th</sup> September 2021 between Fareham Brough Council, Hampshire County Council, Welborne Land Limited, Mark Edward Thistlethwayte, C. Hoare & Co and Welborne Garden Village Trust Limited until a Confirmatory Deed has been entered into with the owner of the Sawmills Land, the Borough Council and the County Council substantially in accordance with the draft at Appendix 6 to the same agreement.

**REASON:** to ensure development on the land is subject to a planning obligation so as to be acceptable in planning terms and to make a proportional contribution to the infrastructure needed across the wider site

62 No development shall take place on the “Berkeley Homes Land” as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission and dated 30<sup>th</sup> September 2021 between Fareham Brough Council, Hampshire County Council, Welborne Land Limited, Mark Edward Thistlethwayte, C. Hoare & Co and Welborne Garden Village Trust Limited until a Confirmatory Deed has been entered into with the owner(s) of the Berkeley Homes Land, the Borough Council and the County Council substantially in accordance with the draft at Appendix 7 to the same agreement.

63 No development shall take place on the “Third Party Land” as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission and dated 30<sup>th</sup> September 2021 between Fareham Brough Council, Hampshire County Council, Welborne Land Limited, Mark Edward Thistlethwayte, C. Hoare & Co and Welborne Garden Village Trust Limited until a Confirmatory Deed has been entered into with the owner(s) of the Third Party Land, the Borough Council and the County Council substantially in accordance with the draft at Appendix 7 to the same agreement.

**REASON:** to ensure development on the land is subject to a planning obligation so as to be acceptable in planning terms and to make a proportional contribution to the infrastructure needed across the wider site

64 No development shall take place on the “Fareham Properties” as defined and identified in the legal agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in connection with this planning permission and dated 30<sup>th</sup> September 2021 between Fareham Brough Council, Hampshire County Council, Welborne Land Limited, Mark Edward Thistlethwayte, C. Hoare & Co and Welborne Garden Village Trust Limited until a Confirmatory Deed has been entered into with the owner(s) of the Fareham Properties, the Borough Council and the County Council substantially in accordance with the draft at Appendix 7 to the same agreement.

**REASON:** to ensure development on the land is subject to a planning obligation so as to be acceptable in planning terms and to make a proportional contribution to the infrastructure needed across the wider site

**WORKS RELATED TO M27 JUNCTION 10**

65 Central Roundabout shall not be first used until details of the measures to be taken to physically and permanently close Pook Lane from the A32 have been submitted to and approved in writing by the Local Planning

**Authority.** This includes a timetable for the delivery of these measures. The development is to be undertaken in accordance with the approved details.

**REASON:** In the interest of Highway Safety.

**66** No development shall take place within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 or any other area subject to development associated with the provision of the M27 J10 improvements until a detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority for part thereof. Where relevant, this CEMP will include details regarding:

- a) Soil movement, methods of tracking soil movement and details for demonstrating soil will be suitable for use;
- b) Construction Traffic Management (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public highway, particularly during the Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800) periods);
- c) Site Office location;
- d) Contractor parking areas for use during construction;
- e) Areas for loading and unloading;
- f) Construction lighting details;
- g) Construction access details;
- h) The storage of materials and construction waste, including waste recycling where possible;
- i) The storage and dispensing of fuels, chemicals, oils and any hazardous materials (including any hazardous soils);
- j) The proposed method of working (this shall include details to monitor and prevent adverse impacts to surface water, groundwater and adverse impacts caused by noise, vibration, odours);
- k) The proposed maintenance and aftercare of the site;
- l) The provision of road and wheel cleaning facilities, including any required drainage;
- m) traffic management measures to address the potential conflict between users of the footpath network and the construction vehicles; Dust and dirt control measures; and
- n) Measures to avoid impact upon the high pressure gas main where works proposed are within 15m of the main;
- o) measures to avoid impacts on the non-statutory designated sites, retained habitats and trees; and
- p) measures to minimise impacts on any existing occupied residential properties.

The works shall subsequently proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

**REASON:** In the interest of managing the construction process so as to avoid impact on the highway network and gas main and to ecological and arboricultural receptors and in the interest of the amenities of the area.

- 67 The improved Junction 10 of the M27 shall not be open to public traffic until, the noise attenuation barriers have been constructed in accordance with drawings CJ008926-ATK-HFE-J10-DR-CH-001101\_C02 - Proposed Fencing Plan (Sheet 01 of 03), CJ008926-ATK-HFE-J10-DR-CH-001102\_C03 - Proposed Fencing Plan (Sheet 02 of 03) and CJ008926-ATK-HFE-J10-DR-CH-001103\_C03 Proposed Fencing Plan (Sheet 03 of 03) unless otherwise agreed in writing by the Local Planning Authority. Any alterations to the noise attenuation barriers must demonstrate that no additional material impacts shall occur than that currently assessed in ES Chapter 14A Noise and Vibration would be created from any changes proposed. The development shall be carried out in accordance with the approved details.

**REASON:** In the interest of the amenity of the occupants of Welborne.

- 68 Prior to the closure of Kneller Court Lane the access approved under planning permission P/20/0007/FP (or any other subsequent planning permission granted for the same purpose) to provide access to 70, 72 Kiln Road, and 1&2 Dean Farm Cottages will be provided and made available for use. In the event that all of these properties are no longer occupied and evidence has been submitted to and approved in writing by the local planning authority to that effect, the delivery of the alternative access will not be required. Any development undertaken will be in accordance with the approved details.

**REASON:** To ensure existing properties on the site can be accessed

- 69 No development requiring permanent foundations shall take place within the area as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 and any other area subject to development associated with the provision of the M27 J10 improvements, until the following items have been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof:

- A report of Intrusive Site Investigations and an assessment of the risks posed to human health and the wider environment including water resources. This shall comprise a desk study, conceptual site model and preliminary risk assessment
- Where required, a strategy of Remedial Measures to address the identified risks;
- Materials Management Plan for reuse of soil/ materials



The agreed scheme of Remedial Measures and Materials Management Plan shall be implemented as agreed and verified in writing by an independent competent person, and the written confirmation shall be provided to the Local Planning Authority prior to the opening of the improved M27 J10.

**REASON:** To ensure a safe living and working environment

- 70 Development within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 and any other area subject to development associated with the provision of the M27 J10 improvements shall be monitored during construction for evidence of previously unidentified contamination. If suspected contamination is encountered, then all work must stop and no further work shall be carried out in the affected area(s) until investigation measures and remediation measures have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme of Remedial Measures shall be implemented as agreed and verified in writing by an independent competent person, and the written confirmation shall be provided to the Local Planning Authority prior to the opening of the improved M27 J10.

**REASON:** To ensure a safe living and working environment.

- 71 Notwithstanding the details submitted within the enabling works planning application P/18/1192/FP, no development shall take place within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 any other area subject to development associated with the provision of the M27 J10 improvements, until an Ecological Management Plan, Arboricultural Impact Assessment and Method Statement have been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof. This statement should detail all necessary ecological mitigation, compensation and enhancement measures (to be informed as necessary by up-to-date survey and assessment where relevant, details of tree and hedgerow protection measures). The works shall subsequently proceed in accordance with the approved details.

**REASON:** In order to retain established landscaping on the site in the interest of the visual amenities of the area

- 72 Any tree and hedgerow protective measures installed within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03, and any other area subject to development associated with the provision of the M27 J10 improvements shall be installed on site prior to any development taking place (including site clearance and ground preparation, unless minor clearance is required for the installation of said tree or hedgerow protective measures and such clearance is first agreed with the Local Planning Authority). Protective

fencing shall be maintained and retained for the full duration of the works or until such time as may be agreed in writing by the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written approval of the Local Planning Authority.

**REASON:** In order to retain established landscaping on the site in the interest of the visual amenities of the area.

- 73 All service routes, drain runs, soakaways or excavations in connection with the development of the area within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03, and any other area subject to development associated with the provision of the M27 J10 improvements shall remain wholly outside the tree and hedgerow protective area without the prior written agreement of the Local Planning Authority.

**REASON:** In order to retain established landscaping on the site in the interest of the visual amenities of the area.

- 74 Notwithstanding the details submitted within drawings listed in this permission, no development shall take place within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 and any other area subject to development associated with the provision of the M27 J10 improvements (with the exception of site clearance and associated earth works) until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the area of development concerned have first been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof. Information required shall include, where relevant:

- The critical design storm period for each attenuation feature
- Drainage areas and assumptions on permeability
- Allowances for any future upstream development areas that contribute flows to this zone
- The methods employed to control the surface water discharge and volume
- Infiltration testing in pits (not boreholes) to support the assumed infiltration rates
- The factor of safety assumed for each infiltration feature
- The run-off rate calculations for discharge to surface waters
- Treatment measures employed to achieve the relevant water quality treatment
- Long term management and maintenance of the drainage features
- Where the drainage scheme for any area relies on drainage features outside of the area of development concerned these must be completed sufficiently to perform the necessary attenuation and

**treatment function. No area of built development shall be allowed to discharge run-off unattenuated and untreated into receiving watercourses.**

**The development shall be carried out in accordance with the approved details.**

**REASON: To provide the necessary infrastructure at appropriate stages of construction and to ensure a comprehensive, well serviced development.**

- 75 No development shall take place within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 and any other area subject to development associated with the provision of the M27 J10 improvements, until a Written Scheme of Investigation and Programme of archaeological assessment has been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof. The works shall subsequently proceed in accordance with the approved details.**

**REASON: The site is potentially of archaeological significance and any finds and sites located within the development site will need to be recorded and kept under review.**

- 76 Notwithstanding the details approved under drawings this planning permission, No development shall take place within the area identified as the extent of M27 J10 works in drawing WEL-PBF-J10-XX-DR-CH-00001-D2-P03 and any other area subject to development associated with the provision of the M27 J10 improvements (with the exception of site clearance and associated earth works) until a lighting strategy and details have been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof. This lighting strategy will include the location and specification of the lighting proposed, including details on how the proposed lighting may affect protected species. The works shall subsequently proceed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.**

**REASON: In the interest of the amenity of the area and protected species.**

# **Notes to Accompany Planning Decision Notice**

**Planning Application Ref: P/17/0266/OA**

**Decision Date: 30<sup>th</sup> September 2021**

- In accordance with Article 35(4) of the Town and Country Planning (General Development Procedure) Order 2015 and Article 26(2) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 notice is hereby given that the Council in determining the application has taken into consideration the Environmental Statement and environmental information (as defined by the EIA Regulations).

## **General Notes for Your Information:**

- The approved documents can be obtained by viewing the submitted application online at [www.fareham.gov.uk/planning](http://www.fareham.gov.uk/planning)
- The Council worked positively and proactively with the applicant and their agent to address any issues which came up during the course of the application being considered. A report has been published on the Council's website to explain how a decision was made on this proposal.
- Please contact the officer who handled this application Mark Wyatt on 01329 824704 or at [mwyatt@fareham.gov.uk](mailto:mwyatt@fareham.gov.uk) if:
  - You would like clarification about this notice
  - You would like to make changes to your permission
  - You are unhappy with this decision or the way it has been reached
- Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
- Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and

quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

- Under the Protection of Badger Act 1992 it is an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger; to attempt to do so; or to intentionally or recklessly interfere with a sett. Sett interference includes damaging or destroying a sett, obstructing access to a sett and disturbing a badger whilst it is occupying a sett. Any works which interfere with a sett may need to be carried out under licence from Natural England, if it is not possible to carry out to works in a different way to prevent an offence occurring.

### **Right of appeal:**

- The person who made this application has the right to appeal to the Secretary of State against the imposition of any of the conditions this permission is subject to.
- The Secretary of State may decide he will not consider an appeal if it seems to him that, due to statutory requirements, the local planning authority could not have granted permission without the conditions being imposed.
- Appeals must be made within 6 months of the date of this decision notice (so by 30<sup>th</sup> March 2022).
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- Appeals are handled by the Planning Inspectorate on behalf of the Secretary of State. Appeals must be made using a form which you can get from:
  - Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN;
  - Or submit online at The Planning Inspectorate website at
  - [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate)
- There is no third party right of appeal for neighbours or objectors.

### **Purchase Notices:**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land.

**What to do next:**

- Please take note of the conditions this permission is subject to. If these conditions are not met, for example if works are not carried out in accordance with the approved documents, the Council has the ability to take enforcement action where necessary.
- This permission relates to town planning. It does not grant other forms of consent which you may need, for example:

Building Regulations consent

- Building Regulations legislation sets out technical standards required for the design and construction of buildings.
- For advice please contact The Building Control Partnership:
  - Telephone 01329 824 823
  - Email [bcpartnership@fareham.gov.uk](mailto:bcpartnership@fareham.gov.uk)
  - Website [www.buildingcontrolpartnershipants.gov.uk](http://www.buildingcontrolpartnershipants.gov.uk)

Consent for works in the vicinity of a public sewer

- A minimum distance of three metres (for apparatus up to three metres deep) must be maintained between any building and the public sewer. In some cases however, Southern Water will allow buildings to encroach on the public system.
- For further information please contact Southern Water:
  - Telephone 0845 278 0845
  - Website [www.southernwater.co.uk](http://www.southernwater.co.uk)

Works affecting neighbours

- Where proposals involve work on party walls or excavations near neighbouring properties, there may be measures required under the Party Wall Act 1996. Fareham Borough Council is not responsible for enforcing the Party Wall Act.
- For further information please see the following guidance:
  - Website [www.gov.uk/party-wall-etc-act-1996-guidance](http://www.gov.uk/party-wall-etc-act-1996-guidance).