

# FAREHAM

## BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (DEVELOPMENT MANAGEMENT  
PROCEDURE) ORDER 2015

### Planning Decision Notice

Planning Application Reference: P/20/1353/FP

Decision Date: 27 July 2022

Fareham Borough Council, as the Local Planning Authority, hereby **PERMIT** the **Excavation, engineering works and planting to create a constructed wetland system at Meonmarsh, Land South of Bridge Street, Titchfield, Fareham, PO14 3QL as proposed by application P/20/1353/FP** subject to the following conditions:

1. The development shall begin before 27 July 2025.  
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development shall be carried out in accordance with the following approved documents:
  - a) Meonmarsh Location Plan (Drawing: emapsite plans)
  - b) Titchfield Constructed Surface Flow Wetland Layout (Drawing: 14790/001/R1)
  - c) Survey Drawing (Drawing: 14316 S1)REASON: To avoid any doubt over what has been permitted.
3. No works on site to construct the wetland (with the exception of the inlet and outlet to/from the River Meon) shall take place from 15<sup>th</sup> October to 15<sup>th</sup> March (inclusive). The creation of the inlet and outlet to/from the River Meon shall take place only from 30 September to 15<sup>th</sup> October (inclusive).  
REASON: In the interests of nature conservation, protecting overwintering birds and the marine environment.

4. The development hereby permitted shall be undertaken in accordance with the measures detailed within the submitted:

- Preliminary Ecology Appraisal & Ecological Design Inputs Report (Ecus Ltd, November 2020),
- Biodiversity Net Gain Assessment (Ecus Ltd, November 2020) and
- Breeding Bird Survey Report (Meonmarsh Ltd, September 2020).

Thereafter, all the mitigation, enhancement and management measures shall be implemented in accordance with the agreed details.

REASON: To ensure the protection of Priority Habitats, statutory and non-statutory designated sites and protected species.

5. The development hereby permitted shall be undertake in accordance with the following submitted documents:

- Titchfield Constructed Wetland Detailed Design Technical Note (Version V2.2, dated April 2022);
- Meonmarsh Constructed Wetland Development – Constructed Environmental Management Plan (CEMP) (Version 1.1, August 2021);
- Titchfield Constructed Wetland – Long-Term Ecological Maintenance, Management and Monitoring Plan (LTEMMP) (Version 4.0, August 2021), and
- Outline Maintenance Desilting Proposal (April 2022)

Thereafter, all the maintenance, management and monitoring details shall be implemented in accordance with the agreed details.

REASON: To ensure the proposal does not cause damage to the river and associated nature conservation sites.

6. In accordance with the details set out in the LTEMMP in Condition 5 above, the results of the monitoring surveys shall be submitted to the Local Planning Authority within three months of the completion of each annual survey in years 1, 2 and 3, and thereafter every 3 years. In the event that remedial works are required, details of this shall be set out within the monitoring surveys and appropriate works are carried out to the satisfaction of the Local Planning Authority.

REASON: To ensure any changes in habitats and species populations are closely monitored and remedial actions are carried out as required.

7. Prior to any de-silting or other maintenance works, a pre-commencement water vole survey of the wetland system and any areas of the adjacent River Meon to be affected, shall be carried out by a qualified ecologist, and the details submitted to and approved in writing by the Local Planning Authority. Where evidence of occupation by water voles is recorded, avoidance and mitigation measures shall be implemented.

REASON: To ensure the protection of water voles, if present.

8. No development shall take place until a mitigation scheme for the protection of eels during desilting maintenance works has been submitted to and approved in writing by the Local Planning Authority. The desilting maintenance works shall thereafter be undertaken in accordance with the approved details.

REASON: To ensure that the proposed works does not have a detrimental impact on a priority species within the marine environment. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

9. The development shall be carried out in accordance with the submitted Titchfield Constructed Wetland Site Specific Flood Risk Assessment (prepared by Ecus Ltd, ref: 14790/FRA/001/R2, dated April 2021). There shall be no deviation from the approved document unless otherwise agreed in writing by the Local Planning Authority. The measures detailed shall be retained thereafter for the lifetime of the development.

REASON: To reduce the risk of flooding, and to ensure that compensatory storage of flood water is provided.

10. The development hereby permitted shall be undertaken in accordance with the submitted Meonmarsh Constructed Wetland Tree Planting Programme and Schedule (Rev A, November 2021). Any trees which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority become seriously damaged or defecting, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of the trees to provide suitable shading for the wetland without impacting on protected bird species.

11. Prior to the commencement of the development, an assessment of the positioning and measures to protect the public sewer that crosses the site shall be submitted to and approved in writing by the Local Planning Authority. Once approved, there shall be no deviation from the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of protecting a main public foul sewer. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

Informatives:

- a) The applicant is reminded that in the event that all precautions should take place to avoid sediment polluting the river during de-silting maintenance. In the event of a pollution incident, all works should cease immediately, and the Environment Agency should be contact via their incident hotline 0800 80 70 60 (24-hour service).

# **Notes to Accompany Planning Decision Notice**

**Planning Application Ref: P/20/1353/FP**

**Decision Date: 27 July 2022**

## **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 Peter Kneen on 01329 824363 or at [pkneen@fareham.gov.uk](mailto:pkneen@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

## **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.
- 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.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### **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).