



## **Report to Planning Committee**

Date: **8 December 2010**

Report of: **Director of Planning and Environment**

Subject: **PLANNING APPLICATIONS**

### **SUMMARY**

This report recommends action on various planning applications

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The recommendations are detailed individually at the end of the report on each planning application

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Park Gate  
Sarisbury  
Titchfield  
Titchfield Common  
Warsash

**(1) P/10/0884/CU**

Derek Warwick Dev. Ltd

**PARK GATE**

Agent: Owen Davies Architects

**CHANGE OF USE OF GROUND FLOOR FROM OFFICES (CLASS B1) TO DAY NURSERY (CLASS D1) & ERECTION OF ROOF CANOPIES OVER EXTERNAL PLAY AREAS**

10 BEACON BOTTOM - WARWICK HOUSE - PARK GATE SO31 7GQ

**OFFICERS REPORT** - Susannah Emery ext. 2412

### ***Site Description***

This application relates to a detached two storey commercial building to the north of Beacon Bottom within the urban area. The building is currently used for office purposes.

There is a car park with twenty spaces to the front of the building.

There is a storage container sited to the rear of the building which would be retained and a small area of outdoor space.

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

Planning permission is sought to change the use of the ground floor of the building to a children's day nursery (Class D1). The nursery would accommodate up to 50 children.

Eleven car parking spaces would be allocated to the nursery; six for staff and five for the use of parents for dropping off and collecting children. Nine spaces would be retained for the first floor office use.

A small area to the rear of the building would be available for outdoor play. Roof canopies would be erected above part of the outdoor play area.

### ***Policies***

Fareham Borough Local Plan Review Policies - DG1, DG3, DG4, T5

### ***Representations***

Three letters have been received raising the following concerns:

- Increased traffic congestion
- Parking on the road would be increased
- Increased queues of traffic at Botley Road junction
- Noise
- No outdoor play area

### ***Consultations***

Director of Planning and Environment Officer (Highways) - It is considered that adequate on site car parking provision has been provided although the way they are used by staff/parents should be given further consideration. A travel plan for staff may result in less staff vehicles and more spaces for parents setting down/picking up.

Director of Regulatory Services (Environmental Health) - This department receives very few complaints in respect of children's nurseries. Those that are received relate mainly to the noise of children playing outside the property. One of the external covered play areas is very close to a neighbouring residential property however the background noise levels to which the children's noise would be compared is dominated by traffic noise. A condition should be imposed restricting the numbers of children using the play area to prevent complaints. Vehicles arriving and leaving the premises are unlikely to be a statutory noise nuisance due to background traffic noise. In order to prevent possible complaints of noise from the occupiers of the first floor premises the acoustic insulation between the units would need to be of an adequate level to prevent noise transmission.

Director of Regulatory Services (Contaminated Land Officer) - The site has previously been used as a joinery workshop/builders yard and a DIY shop storing paints and possibly other goods. A former planning application approved the installation of an underground petrol tank and a diesel tank on site, and it has not been confirmed whether these have been installed. These former uses may have introduced contaminants which should be assessed. It is recommended to approve the application with an appropriate condition.

### **Comments**

The main issues which need to be considered within the determination of this application are;

- Principle of Development
- Impact on the Amenities of Neighbouring Properties
- Highways

#### Principle of Development

It is considered that the proposal represents an appropriate use of an existing building within the urban area. The site is not an allocated employment area and therefore the loss of the existing B1 use is considered acceptable.

The proposal would result in only minimal external alterations to the building involving the erection of roof canopies above the external play areas. The car park would remain as existing.

#### Impact on Amenities of Neighbouring Properties

The site has only one neighbouring property within close proximity which is on the eastern boundary. With appropriate conditions to limit the number of children accommodated at the nursery and the number of children allowed outside to play at any one time it is not considered that the proposal would have a detrimental impact on the amenities of the neighbouring property in terms of noise disturbance.

#### Highways

A maximum of 12 members of staff would be required if the nursery was fully occupied. With a day nursery you would expect a mixture of senior, experienced staff who would be more likely to drive and some younger less experienced staff drawn from the local community who would be more likely to walk, cycle or use public transport. The site is located within an accessible location with good access to public transport so there are alternative modes of transport available to the private car. A travel plan would be requested by condition and a secure covered storage area would be provided for staff bicycles.

The Hampshire County Council Parking Standards suggest that for a day nursery a maximum of 1.5 car parking spaces should be sought for each 2 members of staff to provide sufficient car parking for staff, visitors and parents. With 12 members of staff at this nursery that equates to a requirement for 9 car parking spaces which has actually been exceeded. Initially only 10 spaces were proposed for the day nursery but this has been increased to 11 in response to concerns raised by officers over the number of spaces to be specifically allocated to parents. Whilst it is considered that sufficient on-site car parking has been provided there are double yellow lines on Beacon Bottom which would limit any on-street car parking.

A transport statement has been submitted which suggests that the impact of the development in terms of vehicle movements would be insignificant. The current use of the ground floor for office purposes would be likely to generate up to 75 vehicle movements per day centred in the peak hours. The proposed change of use would result in additional traffic movements to and from the site, estimated to be in the region of 180 but these would be spread out over a longer period of time. It is not considered that the proposal would result in any additional movements on the transport network since parents would usually drop off or collect their children on their way to and from work.

It is considered that the proposal complies with the relevant policies of the Fareham Borough Local Plan Review and it is considered acceptable.

**RECOMMEND:**

**PERMISSION:** Max 50 children, No more than 10 children outside at a time; Opening Hours 07:30-18:30 Mon-Fri, Contamination, Parking, Details of acoustic insulation and noise levels, Travel plan, Scheme of car parking signage

**BACKGROUND PAPERS:** P/10/0884/CU.

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**(2)P/10/0747/OA**  
Mr W Tracy

**SARISBURY**  
Agent: Mrs Caroline Jezeph

DEMOLITION OF EXISTING DWELLING AND ERECTION OF FOUR DWELLINGS AND GARAGES (OUTLINE APPLICATION)

27 HOLLY HILL LANE SARISBURY GREEN SO31 7AB

**OFFICERS REPORT** - Susannah Emery ext. 2412



### ***Site Description***

This application relates to a site to the south of Holly Hill Lane. The site lies largely within the urban area on the urban/countryside boundary and is also located within an Area of Special Residential Character (ASRC).

The site is currently occupied by a detached bungalow which is set back from the road frontage and accessed via a private track adjacent to No.21 Holly Hill which also serves No.23 Holly Hill Lane.

There is currently a vacant plot of land to the west of the access track which fronts on to Holly Hill Lane. This land is currently laid to grass however outline planning permission was granted for the erection of a dwelling in 2009. An additional dwelling has also been permitted on a site to the east of the application site adjacent to No.23 Silvertrees in 2001.

The existing dwelling has extensive rear gardens which slope down from north to south. An area of land to the rear of No.31 Holly Hill Lane, which currently forms part of the rear garden to that property, would also be included within the application site.

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

Outline planning permission is sought to demolish the existing dwelling and erect four detached dwellings. The matters to be considered include access and layout with all other matters reserved.

The dwellings would be accessed via the existing track which would be extended along the eastern site boundary to serve all four dwellings.

The dwellings would be positioned in a row at a 90 degree angle to the dwellings on the Holly Hill Lane frontage.

### ***Policies***

Fareham Borough Local Plan Review Policies - DG1, DG3, DG4, DG5, DG9, H2, H3, T5, R5 and C18

### ***Relevant Planning History***

- |              |  |
|--------------|--|
| P/01/0643/FP | Erection of four dwellings with garages (Revised scheme to P/00/1322/FP involving changes to elevations on plots 1&2)<br>Permission 13 August 2001       |
| P/07/0341/FP | Landscape parts of rear garden so as to restore the natural shape and contour of the land<br>Permission 16 April 2007                                    |
| P/09/1003/OA | Erection of Detached Dwelling and Garage (Outline Application - Alternative to P/06/1541/OA) (29 Holly Hill Lane)<br>Outline permission 22 December 2009 |

### ***Representations***

pc-101208-r04-lsm

One letter has been received objecting on the following grounds:

- Access is very narrow and the proposal would increase its use
- Visibility poor at junction with Holly Hill Lane
- Parking on Holly Hill Lane during construction
- Proximity of bin store to adjacent dwelling
- Noise and disturbance during construction
- Hedge on boundary has been cut back without permission

Three letters of support have also been received

### ***Consultations***

Director of Planning and Environment Officer (Highways) - Providing the sightlines of 2.4m x 43m are not compromised then there would be no highways objection.

Director of Regulatory Services (Environmental Health) - No objection subject to adequate boundary treatment to either side of the access to prevent noise disturbance to adjacent dwellings.

Director of Planning and Environment Officer (Arborist) - Insufficient arboricultural information has been submitted to allow a balanced assessment to be made of the potential implications on trees. A tree survey and arboricultural impact report are required.

Director of Planning and Environment Officer (Ecologist) - A Phase 1 Ecological Survey and Phase 2 Bat Survey were submitted in support of this application. The existing buildings have low or negligible potential to support bats.

### ***Comments***

The main issues which need to be considered in the determination of this application are:

- Principle of Development & Impact on Character of the Area
- Highways

#### Principle of Development & Impact on Character of the Area

On 9<sup>th</sup> June 2010, the Government reissued Planning Policy Statement 3 (Housing) with the following changes:

- The national indicative minimum density of 30 dwellings per hectare has now been deleted;
- Land in built up areas such as private residential gardens are now excluded from the definition of previously developed land (PDL);

The revised PPS3 retains the key objective that Local Planning Authorities should continue to prioritise the use of previously developed land and the national annual target for at least 60% of new housing to be provided on previously developed land. These changes emphasise that it is for Local Authorities and communities to take the decisions that are best for them and

develop for themselves the best locations and types of development in their areas. This authority is keen to protect the character of existing residential neighbourhoods and reinforce the need to prioritise reuse of previously developed land rather than gardens in existing urban areas.

Fareham Borough Council's position on development in residential gardens is clarified in the emerging Core Strategy Development Plan Document. The Core Strategy went through two formal stages of consultation prior to the amendments to PPS3: Issues and options stage from 28<sup>th</sup> January to 7<sup>th</sup> March 2008, and then preferred options consultation from 12<sup>th</sup> January to 23<sup>rd</sup> February 2010. Following these consultation periods and changes in national policy, including the amendments to PPS3, the Council has made alterations to the Core Strategy which is now at the draft pre-submission stage. Policy CS6 states that for development in Fareham "the priority will be for the reuse of previously developed land, within the defined urban settlement boundaries" and that only in the event that identified development needs cannot be accommodated on PDL will the Council favourably consider development in residential gardens. The pre-submission draft was approved by full Council on the 18<sup>th</sup> November and will now go through a final stage of consultation, expected to be December 2010 to January/February 2011.

The latest Strategic Housing Land Availability Assessment (SHLAA) is currently close to publication and concludes that Fareham can meet its housing requirements by utilising existing commitments, allocations and other sites on previously developed land. In line with the emerging Core Strategy Policy CS6, the SHLAA demonstrates that there is therefore no justification for developing on residential garden land.

In each case it is necessary to consider whether there are any other material considerations which would outweigh the loss of private residential garden. In this instance it is not considered that there are any material considerations which would outweigh the harm caused by the loss of private residential garden belonging to both the existing dwelling and to No.31 Holly Hill Lane. It is therefore considered that the proposal would be detrimental to the spacious character of the ASRC. The density of the development would be visibly higher than the surrounding area and the uniform layout of the dwellings would not be characteristic with the surrounding area.

### Highways

The 5 metre wide access is considered to be of sufficient width to serve the proposed dwellings; this would enable to vehicles to pass. Visibility splays have been shown on the plans which would need to be kept free of obstruction at all times. Although the western splay would cross adjacent land, this land is within the ownership of the applicant, and therefore the visibility splay could be secured by condition. The hedge on the boundary of the property to the east (No.21) has been trimmed back by approx 1m from the road to improve visibility but this was not actually necessary to secure an adequate visibility splay.

A bin store has been shown on the plans adjacent to the highway. The occupants of the neighbouring property have raised concerns regarding smells from the bins as it is adjacent to their dwelling. It is not anticipated that the bins would be stored here throughout the week, only on bin collection days. It is therefore not considered that this would have a detrimental impact on the amenities of the occupants of the adjacent property.

### Conclusion

Now that the Government has revised national policy that promoted a minimum density for residential development within the urban area and removed private gardens from the definition of previously developed land, the Planning Authority is not constrained by these matters. The proposal results in development of garden land which is not necessary in order to meet housing land supply requirements. It is considered that the proposal would have a detrimental impact on the character of the ASRC and it can therefore not be supported.

Unless an acceptable tree survey and arboricultural report is received prior to the committee meeting then the application should also be refused on the grounds that insufficient arboricultural information has been provided to ascertain the implications of the development on trees adjacent to the application site.

Had a favourable recommendation been forthcoming contributions would have been sought towards public open space and highways infrastructure in accordance with the Council's Open Space SPG and Hampshire County Council Transport Contributions Policy.

**RECOMMEND:**

**REFUSE:** Contrary to PPS3 loss of garden land; Detrimental to Character of the Area; Inadequate provision for public open space and highways infrastructure

**BACKGROUND PAPERS:** P/10/0747/OA

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**(3)P/10/0969/FP**  
Mr Wayne Dyke

**TITCHFIELD COMMON**  
Agent: Mr Stuart Goodwill

RETENTION OF FIRST FLOOR WINDOW IN WESTERN ELEVATION OF EXISTING  
OUTBUILDING

6 ABSHOT CLOSE TITCHFIELD COMMON PO14 4LZ

**OFFICERS REPORT** - Richard Wright ext. 2356

***Site Description***

This application relates to an end-of-terrace property located at the eastern end of Abshot Close, a residential cul-de-sac within the urban area. The property occupies a corner plot in the close. The private garden area at the property extends around the north and eastern sides of the dwelling. In the northern part of the garden is a two-storey outbuilding of brick construction with a tiled roof. The outbuilding features numerous windows at ground and first floor level in the southern and eastern elevations. Roof lights have also been inserted

***Description of Proposal***

Permission is sought to retain a first floor window which has been inserted into the western elevation of the outbuilding.

## ***Policies***

Fareham Borough Local Plan Review Policy DG5  
Extension Design Guide

## ***Representations***

One letter has been received objecting on the following grounds:

- No application has been made for two velux south facing roof windows plus an extra south facing window added on the upper floor
- The barn is being made ready to be turned into a habitable dwelling

## ***Comments***

The window that has been created in the western elevation of the outbuilding affords clear views over and in close proximity to the rear garden area of 5 Abshot Close. The overlooking this window affords is detrimental to the privacy of the occupants of that dwelling. With this in mind the proposed retention of this window should only be permitted on the condition that it be obscure glazed and fixed shut up to a height of no less than 1.7m above internal finished floor level (first floor level of the outbuilding). In this case compliance with this condition would most probably involve the replacement of the bottom row or two of window panes within this frame. A reasonable timescale for this to be carried out within would be four weeks from the date of the decision notice.

Aside from the insertion of this window, various other alterations to the outbuilding have been carried out recently including the replacement of old windows within existing openings and the insertion of velux windows within the southern roof plane. Planning enforcement officers have investigated these alterations and have advised that retrospective planning permission need only be sought for the window hereby the subject of this current application. The applicant has clarified that the outbuilding is to remain in use ancillary to the enjoyment of the dwelling house and the first floor is to be used solely for ancillary storage purposes.

## **RECOMMEND:**

***PERMISSION:*** window to be obscure glazed and fixed shut to height of 1.7m above internal finished floor level within four weeks of decision notice

**BACKGROUND PAPERS:** File P/10/0969/FP

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**(4)P/10/0800/FP**

**WARSASH**

as amended by plan received 29 September 2010

Dr G Wilby-Lopez

Agent: Consultant Planning Services

ERECTION OF DETACHED DWELLING TO REAR OF DENTAL PRACTICE, PROVISION OF NEW VEHICULAR ACCESS TO HIGHWAY INCORPORATING THE FORMATION OF NEW CAR PARKING LAYOUT TO EXISTING FRONT FORECOURT

37 WARSASH ROAD - LAND TO REAR OF - WARSASH SO31 9HW

**OFFICERS REPORT** - Susannah Emery ext. 2412

### ***Site Description***

The application site lies within the urban area to the north of Warsash Road just to the east of the junction with Church Road. It is located to the rear of an established dental practice which is positioned on the Warsash Road frontage.

The land to the north of the site is undeveloped and is allocated as countryside on the local plan.

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

Planning permission is sought for the erection of a 3-bed detached two storey dwelling.

The dwelling would be accessed through the dentist's car park on the frontage of No.37 Warsash Road and by a driveway along the eastern side of the building. Car parking would be provided for a minimum of two vehicles.

The access to and layout of the dentist's car park would be amended however this would not result in any change to the number of car parking spaces available.

### ***Policies***

Fareham Borough Local Plan Review Policies - DG1, DG3, DG4, DG5, DG9, H2, R5, T5, C18

### ***Relevant Planning History***

P/02/0448/OA      Erection of Detached Dwelling and Garage  
Refused 21 August 2002  
Appeal Dismissed 21 May 2003

P/07/1217/FP      Erection of Single Storey Rear Extension to Form Two Surgeries and  
Disabled WC and New Vehicular Access  
Permission 5 November 2007

P/10/0104/FP      Erection of Detached Dwelling to Rear of Dental Practice, Provision of  
New Vehicular Access to Highway Incorporating the Formation of New  
Car Parking Layout to Existing Front Forecourt  
Withdrawn 25 March 2010

## ***Representations***

Two letters have been received objecting on the following grounds:

- Previous applications have been refused due to visibility
- Increased traffic
- Dangerous access through the existing commercial car park
- Access is restricted to only a small car
- Delivery vehicles and emergency services would be unable to access the property during the day
- Patients tend to park wherever they can and not in the marked bays
- A precise route will need to be followed to access the dwelling
- Larger vehicles parked in the car park may prevent access
- Car park spaces located on back edge of footpath so that doors are opened on to the pavement
- Parked cars would obstruct sightlines from Nos. 35 and 39a Warsash Rd
- The entire frontage will have a dropped kerb
- Loss of cycle parking
- Dentists surgery has no restriction on working hours resulting in restricted access to property at all hours
- Contrary to DG policies of local plan
- Proposal involves 'garden grabbing' in a residential area
- Existing car parking arrangements for the surgery are inadequate
- The dwelling should be linked to the surgery use by legal agreement
- Possible solution would be to access dwelling from adjacent driveway

## ***Consultations***

Director of Planning & Environment (Highways) - The current layout proposes a revised central access to serve the dental surgery and the addition of a single dwelling. In accordance with Manual for Streets visibility splays of 2.4m x 43m should be sought otherwise there would be no highways objection.

Director of Planning & Environment (Arborist) - No objection subject to works being carried out in accordance with arboricultural method statement and tree protection plan.

Director of Planning & Environment (Ecologist) - An ecological survey and assessment has been submitted in support of this application. The woodchip on the site and adjacent scrub habitat may support protected reptiles. I would therefore recommend a method statement to avoid harm to reptiles is agreed with the local planning authority. This could be secured by condition.

Director of Regulatory Services (Environmental Health) - No objection

## ***Comments***

The main issues which need to be considered in the determination of this application are:

- Site History & Principle of Development
- Impact on Character of the Area

- Impact on Neighbouring Properties
- Highways

### Site History & Principle of Development

In 2002 an outline application to develop this site by the erection of a detached dwelling was refused and the subsequent appeal was dismissed in 2003. It was proposed to widen the existing driveway of the adjacent property to the east, No.39a Warsash Road, and to use this driveway to access the new dwelling.

The application was refused as it was considered that the use of the proposed access would result in additional vehicles entering and leaving Warsash Road at a point where visibility splays were substandard causing undue interference to the safety and convenience of users of the highway. The inspector agreed that limited visibility to the east meant that the proposed access to the dwelling was substandard and potentially hazardous.

Since the previous application was refused Manual for Streets (MfS) has been introduced which contains guidance on highways matters. An application to relocate the access to the dentist's car park adjacent to the eastern boundary and the driveway to No.39a Warsash Road was permitted in 2007. It was considered that adequate visibility splays could be provided and that this would not be detrimental to highway safety. The current proposal involves relocating the access centrally in front of the dentist's surgery thereby improving visibility to the east. Manual for Streets advises that sight lines of 2.4m x 43m should be sought in this instance.

It has been suggested that this proposal would represent 'garden grabbing'. The dentist's surgery is a commercial property and no residential unit has been retained. The rear part of the site is therefore not a private residential garden and it is located within the urban area so the principle of developing the remainder of the site is considered acceptable in accordance with Policy H2 of the local plan.

### Impact on Character of the Area

A detached two storey dwelling has been erected immediately to the east of the application site to the rear of No.39 Warsash Road. It is therefore considered that the proposal would be difficult to resist on the grounds that it would be detrimental to the character of the area. There would only be limited views of the proposed dwelling from Warsash Road and the property has been designed with a catslide roof to reduce the bulk of the front element.

### Impact on Neighbouring Properties

There is high vegetation screening on the eastern site boundary which officer's consider would prevent any detrimental impact to the outlook from or light available to the property to the east (No.39a).

The property to the west (No.35) has a long rear garden and the proposed dwelling would be a minimum of 20 metres from this dwelling. The proposed dwelling would be sited 3.2 metres off the western boundary and it is therefore not considered that it would have an overbearing impact upon the neighbouring property or its garden area.



The first floor bathroom and landing windows proposed within the side elevations of the dwelling would be conditioned to be obscure glazed and fixed shut to 1.7m to prevent overlooking of the neighbouring properties.

### Highways

A tracking drawing was submitted with the application to demonstrate the route that a vehicle would need to take through the dentist's car park to access the proposed dwelling. At first officers considered that access to the site was overly constrained and that a vehicle would have difficulty negotiating the corner at the front of the dentists building if the car parking spaces were fully occupied. An amended drawing has subsequently been submitted which has revised the layout of the dentists car park. It is considered that this amended plan addresses officers concerns whilst still retaining the current level of car parking provision.

The sightlines that could be achieved at the revised access would be 2m x 43m. Whilst this is slightly below those recommended within MfS it is considered that the relocation of the access centrally within the site would improve the visibility which currently exists for the dentist surgery car park. It is not considered that the proposed dwelling would result in a substantial increase in the number of vehicle movements through the site. Therefore whilst the comments of the Council's Highways Engineer are acknowledged it is considered that a refusal on highway grounds would be difficult to substantiate at appeal.

The proposal does not involve any alterations to the dental practice and therefore it would not be possible to seek an increase in car parking provision. The surgery is in a sustainable location and there is public car parking available within Warsash Village. A condition would be imposed to secure provision of cycle parking for staff and patients of the dental practice.

### **RECOMMEND:**

Subject to the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space and/ or facilities and highway infrastructure improvements by the 10 December 2010.

**PERMISSION:** Materials, Boundary Treatment, Parking, Obscure glaze and fix shut to 1.7m first floor windows (east & west elevations), Reptile Method Statement, Works in accordance with Arboriculture Method Statement, No Burning on Site, Construction Hours, No Mud on Road, Details of Cycle Parking Provision for Dental Practice

**OR:** In the event that the applicant/owner fails to complete the required Section 106 Agreement by 10 December 2010.

**REFUSE:** Contrary to Policy; inadequate provision for public open space and highway infrastructure.

**BACKGROUND PAPERS:** File P/10/0800/FP

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**(5)P/10/0820/FP**

Mr Peter Lawrence

**WARSASH**

Agent: Mr David Newell

AMENDED BOUNDARY POSITIONING, BIN STORE DETAILS AND RETENTION OF SHED FOR CYCLE STORAGE (RETROSPECTIVE APPLICATION)

88 NEWTOWN ROAD WARSASH SO31 9GB

**OFFICERS REPORT** - Newrick Martin ext. 2526

### ***Site Description***

The site is located on the west side of Newtown Road opposite the junction with Pitchponds Road.

It is situated within a Countryside area, within the Coastal Zone and in an Area of Special Residential Character. The west of the site is bounded by the Warsash School of Navigation.

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

The application seeks retrospective permission for ancillary works already carried out within the frontage of the property, which has recently been converted to six dwellings units from a large detached house and annex. The bin storage arrangement has change from the original permission with a new enclosure located in a niche behind the gated entrance wall and the front boundary fence.

A single timber 'garden shed' has been positioned adjacent to the communal driveway serving units 1 to 4, behind the existing frontage boundary fence.

The frontage area to units 1 to 4 has physically been divided in a different arrangement to that shown on the original approved plan. This amended arrangement has resulted in the provision of an additional car parking space.

It is also noted that the arrangement of the private garden areas to the rear of the building are different from those previously approved.

### ***Policies***

Fareham Borough Local Plan Review Policies - DG5

### ***Relevant Planning History***

P/07/0872/FP - Conversion of triple garage block, gym and games room to self contained annex (Retrospective Application) - Permission September 2007

P/08/1138/FP - Conversion of existing dwelling and annexe to seven dwellings - Permission March 2009

P/09/0601/FP - Conversion of existing dwelling and annexe to 6 dwellings (Alternative to P/08/1138/FP) - Permission September 2009

P/09/1053/FP - Revised layout to Plot 1, Installation of four velux windows in south facing roof and change french doors on east elevation - Withdrawn 11<sup>th</sup> January 2010.

P/10/0010/FP - Amendments to plot 1 layout; installation of 4 roof lights in south facing roof; 2 ground floor bedroom windows; french door in east elevation - Permission March 2010

### ***Representations***

Two comments have been received objecting on the following grounds:

- Sheds should be located to the rear of properties
- The shed is unsightly
- Concern that a row of sheds may be sited and be out of character with road and village character
- Need guarantees that only cycles to be stored.

### ***Comments***

The existing boundary treatment across the frontage of the site is a 1.85 metre high close boarded fence. A new single point of access has been created as a part of the previous planning permission for sub-division. This gated entrance is created by two metre high walls set back from the edge of the public highway. All of the current works are assessed in terms of their relationship with the frontage walls and fencing.

The bin storage area is not visible from outside of the site and is in a visually more discrete position from viewpoints within the site. This does not have any impact on the streetscene or any other public interest.

The cycle store has a ridge roof at 2 metres high and eaves at 1.7 metres. Being sited behind the 1.85 metre high front boundary fence only a small part of the roof can be seen from the public highway. This limited visibility of the shed roof is not considered to have any impact on the streetscene of Newtown Road or the outlook of the house on the opposite side of the road.

The amended position of internal fencing has no adverse impact on the setting of the frontage of the building and provides a communal driveway and frontage to units 1 to 4 of the approved conversion scheme, separate from units 5 and 6.

The works do not have any adverse impact on the setting of the development, the streetscene of Newtown Road, or the character of the Area of Special residential Character.

### **RECOMMEND:**

### ***PERMISSION:***

**BACKGROUND PAPERS:** File P/08/1138/FP, P/09/0601/FP, P/10/0010/FP, P/09/1053/FP, P/10/0820/FP.

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**(6)P/10/0903/FP**

as amended by plans received 11<sup>th</sup> November 2010

Mr & Mrs Jones

**WARSASH**

Agent: MT Planning

ERECTION OF TIMBER CARPORT

27 FOY GARDENS WARSASH SO31 9XQ

**OFFICERS REPORT** - Richard Wright ext. 2356

### ***Site Description***

This application relates to a detached dwelling located at the southern end of a residential cul-de-sac, Foy Gardens, which is itself located off Newtown Road, Warsash. The dwelling is turned at ninety degrees so does not face onto Foy Gardens and has a driveway along the western side of the house mostly hard-surfaced with block-paving. Fencing at a height of between 1.8 - 2.0 metres runs along the western and southern site boundaries.

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

Permission is sought for the erection of a timber car port to be located in the south-western corner of the site. The footprint of the car port would measure 5.2 x 3.15 metres and it would stand 2.1 metres high to the eaves and 3.5 metres high to the ridge of a dual-pitched fully hipped roof.

### ***Policies***

Fareham Borough Local Plan Review Policies DG3 & DG5  
Extension Design Guide

### ***Relevant Planning History***

P/99/1063/FP - Erection of Detached Dwelling and Garage - Permission

### ***Representations***

One letter has been received objecting on the following grounds:

- Visual impact
- Will make it more difficult to sell house in the future
- Noise and disturbance due to ongoing DIY works at dwelling

### ***Comments***

The proposed car port would be located in the south-western corner of the application site adjacent to the boundary fencing abutting the neighbouring properties to the south and west. Whilst the roof of the car port would be visible over the height of the boundary fence, officers do not consider the car port would be an overly large, bulky structure and it would not be overbearing on the adjacent garden areas. There would be no harm to the outlook from these properties or to the amenities of the neighbours. Similarly, due to its position set back from the entrance to the dwelling from the road, and given its sympathetic design and use of materials, the car port would not harm the visual amenities or character of the streetscene.

**RECOMMEND:**

***PERMISSION:***

**BACKGROUND PAPERS:** File P/10/0903/FP

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**(7)P/10/0981/TO**  
Mrs Patricia Sallis

**WARSASH**  
Agent: TREESCAPE

(A) DEAD WOOD FIVE OAK TREES, CROWN RAISE TWO OAK TREES AND PARTIALLY REDUCE AWAY FROM PHONE LINES ONE OAK TREE.  
(B) CROWN REDUCE BY 25% NINE OAK TREES COVERED BY FTPO611

25 THORNTON AVENUE WARSASH SO31 9FL

**OFFICERS REPORT** - Emma Betteridge ext. 2677

***Site Description***

This application relates to a detached dwelling on the south-east side of Thornton Avenue which is to the north of Crofton Way.

There are sixteen oak trees situated within the property boundary.

***Description of Proposal***

Planning consent is sought to carry out the following works to eleven oak trees:

- 9 trees - crown reduce by 25%
- 5 trees - dead wood only
- 2no oaks - crown raise to 5 metres above ground level (T15 &T16 on submitted plan)
- 1no oak - reduce secondary branches to provide 1.5 metres clearance from telephone lines (T16 on submitted plan).

***Policies***

Fareham Borough Local Plan Review - DG4

***Relevant Planning History***

P/10/1021/To Carry out Works to Three Oak Trees Covered by F.T.P.O 611 - Current application.

***Representations***

One letter has been received in support of the application.

### **Consultations**

Director of Planning and Environment (Arborist) - Reducing nine trees by 25% will result in a significant proportion of the live crown being removed from each tree, which will be detrimental to their health & vitality and denude them of their natural crown structure and form resulting in a significant adverse impact on the appearance of the group and their contribution to the areas public amenity and landscape character.

### **Comments**

In light of the Arborist's comments a split decision is recommended, refusing the 25% crown reduction of nine oak trees and grant consent for the remaining works.

### **RECOMMEND:**

**(A)CONSENT:** Specific works; Works to be undertaken in 2 years; Works to accord with BS3998; Specification of consented works.

Further Information: Notice of commencement of works; Right to carry out work over property other than the applicant's his/her own, Terms as BS3998 & work in accordance with recent arboricultural research; Care to wildlife & bat protection;

### **AND**

**(B)REFUSE:** Crown reduction by 25% nine oak trees. The proposed works would have a detrimental effect on the health and vigour of the trees.

**BACKGROUND PAPERS:** P/10/1021/TO

## **ZONE 2 – FAREHAM**

North  
North West  
West  
East  
South

**(8)P/10/0973/CU**  
N.M.A. Performance

**FAREHAM EAST**  
Agent: Miss Catherine Parker

CHANGE OF USE OF REAR UNIT FROM A CAR WORKSHOP (USE CLASS B2) TO A GYMNASIUM (USE CLASS D2)

113 WICKHAM ROAD FAREHAM PO16 7HZ

**OFFICERS REPORT** - Susannah Emery ext. 2412

### ***Site Description***

This application relates to a site to the west of Wickham Road within a category A employment area. The site is occupied by a vacant workshop (Use Class B2) associated with the former car showroom on the Wickham Road frontage. The unit has been vacant for some time having been marketed since January 2009.

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

Planning permission is sought to convert the workshop for use as a gymnasium (Use Class D2).

The proposed gym would specialise in CrossFit training on both a one-to-one basis and through group training sessions. The group sessions would be for up to 20 people. The unit has a total floor area of 376 square metres.

It is not proposed to alter the external appearance of the building.

The unit would be provided with eleven car parking spaces and cycle parking. Access to the site would be from the existing access on to Wickham Road.

### ***Policies***

Fareham Borough Local Plan Review Policies - E1, DG1, DG3, T5

### ***Representations***

The neighbour notification period expires on the 29<sup>th</sup> November 2010. At the time of writing this report two letters have been received objecting on the following grounds:

- Noise and disturbance from car engines, and slamming of vehicle doors and deliveries
- Noise and disturbance from music
- Noise from groups of people leaving the gymnasium late at night
- Usage of the premises on Saturdays and Sundays, evenings and early mornings
- Public usage will require car park lighting resulting in light pollution
- Noise during conversion works
- Other gymnasiums already adequately service Fareham
- Loss of property value



Eight letters of support have also been received. Any letters subsequently received will be reported at the committee meeting.

### ***Consultations***

Director of Planning and Transportation Officer (Highways) - Whilst we do not wish to raise a highway objection to the proposed use we do have some concerns over the siting of the access from Wickham Road which should not conflict with the existing car sales entrance. The planning statement states that fifteen car parking spaces should be provided but there are only eleven.

Director of Regulatory Services (Contaminated Land Officer) - The site is a former car repair business, a former clay pit and it is possible that a former gas works existed on or close to this location (pre 1835). It is also adjacent to a former petrol station, engineering works and another car repair workshop and vehicle distributors and dealers. Contaminants may be present in the ground which may mean that the site is not suitable for use as a gym without remedial measures. The applicant will need to obtain the opinion of a specialist environmental consultant on the remedial measures which could be implemented if contaminants are found.

Director of Regulatory Services (Environmental Health) - If permission is granted a condition should be imposed to ensure that all windows and doors remain closed, except for access and egress, during the use of amplified music or voices, in order to protect the amenity of neighbouring residential premises from noise.

Director of Planning and Transportation (Planning Policy) - The site falls within a larger Category A employment site. Local Plan policy E1 states that change of use or redevelopment of Category A employment areas which would result in their loss from employment use will not be permitted. This policy seeks to protect the Borough's existing employment areas from development that would undermine their primary function.

The existing unit is to the rear of a garage unit and is on the periphery of the larger employment site. Given its position, its relationship to other units and the economic downturn it has unsurprisingly been vacant for a significant period of time. The supporting planning statement notes that the unit has been marketed for 22 months without much success. It is accepted that the unit, by itself, has little prospect of securing an occupier long term, and that an alternative use that would ensure economic development should be encouraged.

The proposed gym is classified as a town centre use under PPS4, and subsequently a sequential test is required to demonstrate that no other sites within the nearby centres are available, suitable and viable. The sequential test submitted appears to be relatively comprehensive. The majority of the vacant sites within Fareham Town Centre have been discarded because they cannot accommodate 150sq.m of open area which is needed for holding classes. It is accepted that units of this nature are relatively rare outside of the primary shopping area, where the proposed use would not necessarily be accepted.

### ***Comments***

The main issues which need to be considered in the determination of this application are:

- Principle of Development;

- Highways;
- Impact on the Amenities of Neighbouring Properties

### Principle of Development

Although the proposed use of the site is not typical of a Category A employment area it is considered that the proposal would bring back into use a currently long term vacant unit which would complement the surrounding traditional employment uses. The use falls within the definition of economic development in PPS4 and as there are no alternative sites available, suitable and viable in sequentially preferable locations the proposal accords with the policies of both PPS4 and the Local Plan.

There are other gyms available within Fareham however the ethos of NMA Performance is get away from typical health club facilities containing fixed equipment such as treadmills, steppers and X-trainers. Instead the emphasis is on 'one-on-one' coaching using free weights, stretching and holistic strategies.

### Highways

The proposal makes provision for eleven car parking spaces. Hampshire County Council Parking Standards suggest that a maximum of 1 space should be sought for each 10 sq metres of 'open hall'. The gym would consist of one main hall to be used for classes and the remainder of the space would be used for free weights, stretching and warming up. The main hall would measure 150sq metres and it is therefore considered that fifteen car parking spaces is the maximum number of car parking spaces that could be sought. Since this would be a fitness centre it is anticipated that a number of members would cycle or walk to the gym from the local area and that car sharing would also take place. It is therefore considered that eleven car parking spaces is acceptable.

It has been suggested by the applicant's agent that there is additional car parking available belonging to the car salesroom which the applicant has permission to use in the evening. Whilst this parking cannot be relied upon in the long term it is considered that if insufficient parking is available then the gym will not be popular and then there will not be the demand. A condition would be imposed to prevent the installation of traditional fixed gym equipment within the second room to the gym which would be likely to attract additional members.

Access to the site remains as existing and this access is shared with the car sales showroom. Visibility at this junction is considered acceptable.

### Impact on Amenities of Neighbouring Properties

It is considered that the previous use of the site as a vehicle repair workshop would be more likely to result in noise and disturbance to the amenities of neighbouring properties than the proposed gym. The occupants of adjoining properties may have become accustomed to the site being vacant however a general industrial use within class B2 could reoccupy the unit at any time without planning permission.

The proposed gym would not have a PA system installed; music would be played during exercise classes from a portable stereo or similar. A condition has been suggested by the Council's Environmental Health Officer that all doors and windows, except for access and egress, should remain closed during the use of amplified music or voices. Hours of use

would also be restricted to 6am-10pm Monday-Friday, 8am-8pm Saturdays, Sundays and Bank Holidays. It is not proposed to install air condition units as there is an extraction fan already existing.

**RECOMMEND:**

Subject to confirmation of the remedial measures which could be implemented should contaminants be found to be affecting the proposed change of use and the receipt of further comments of the Council's Contaminated Land Officer by 8 December 2010.

**PERMISSION:** Opening hours; Doors and Windows to be closed during use of amplified music/voices, Parking, Cycle Parking, No fixed gym equipment within specified areas, Contamination

**BACKGROUND PAPERS:** P/10/0973/CU

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**(9)P/10/0863/FP/O**  
Mr Alan Fraser

**FAREHAM NORTH-WEST**  
Agent: Mr Anthony Gladman

ERECTION OF REAR CONSERVATORY

205 GUDGE HEATH LANE FAREHAM HAMPSHIRE PO15 6PZ

**OFFICERS REPORT** - Emma Betteridge ext. 2677

***Site Description***

This application relates to a detached dwelling on the north side of Gudge Heath Lane which is to the east of Highlands Road.

***Description of Proposal***

Planning permission is sought for the erection of a rear conservatory.

***Policies***

Fareham Borough Local Plan Review: DG3 and DG5

***Relevant Planning History***

P/09/0925/FP Erection of Single Storey Rear Extension and New Front Bay Windows - Permission 26-01-2010

***Representations***

None received

***Comments***

pc-101208-r04-lsm

This application relates to a detached dwelling on the north side of Gudge Heath Lane which is to the east of Highlands Road. Planning permission is sought for the erection of a conservatory spanning the width of the dwelling at the rear.

The conservatory is set a good distance from both the neighbouring properties and would have a low overall height. Whilst a previous extension and the proposed conservatory combined are deeper than the neighbouring property to the east, officers are of the view that a detrimental impact would not be created due to its modest height and the distance off the boundary.

Officers are of the view that the application is acceptable and complies with Fareham Borough Local Plan Review.

**RECOMMEND:**

***PERMISSION:***

**BACKGROUND PAPERS:** File P/10/0863/FP

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**(10)P/10/0952/FP**  
Mrs June Champion

**FAREHAM WEST**  
Agent: Mr Tim Groome

RETENTION OF NEW FENCE ON EASTERN BOUNDARY

72 ABBEY ROAD FAREHAM PO15 5HN

**OFFICERS REPORT** - Simon Thompson ext. 4815

***Site Description***

This planning application relates to the above property which is a bungalow, that has an existing rear single extension and conservatory with adjacent rear decking area, situated on the south side of Abbey Road about 130m to the east of this road's junction with Blackbrook Road, Fareham.

Other properties immediately adjacent have a predominately residential character and appearance, the terrain of this application site and of its adjacent properties also having a sloping nature, heading downwards from north to south.

The Fareham Borough Local Plan Review defines the application property and its surroundings as within the urban area of the Borough.

***Description of Proposal***

Retention of new close boarded fencing on top of a pre-existing brick wall situated along the eastern side boundary of the rear garden of No.72.

## ***Policies***

FBLPR (2000 adopted): Policies DG1, DG3 and DG5

## ***Relevant Planning History***

FBC.2645/34 - Erection of rear screen fence 6ft high topped with 2ft trellis - Permitted 23/01/84

## ***Representations***

One email has been received from the neighbouring property to the east, 70 Abbey Road indicating that, whilst not objecting to the fence beside their own rear decked area, nor to a fence itself above the existing wall, do object to the height of the fence beyond the decked area, the fencing:

- Not being needed as No.70's own garden slopes, so that it is not possible to look from No.70's main garden over the existing wall;
- Would be better if it was stepped like this wall; and
- Being an unsightly barricade.

## ***Comments***

The key issue with this proposal relates to the impact on amenities of the neighbouring property.

In such consideration it should be noted that a 6 feet (1.83m) fence with 2 feet (0.61m) trellis on top was permitted in 1984, for a 12 feet (3.66m) length of this boundary at its top (northernmost) part (i.e. essentially where these two neighbour's rear decked areas are now).

Officers have visited the neighbour and viewed this existing fence from there. At this site visit the occupant confirmed that before this fence was erected, trellising as high as that fencing now proposed had been situated on the lower length of the current rear side boundary wall, and that a hedge, maintained to the height of that trellis, was similarly situated along this boundary.

This application seeks to retain close boarded fencing of a very similar height as that previous trellis work/hedging, albeit the current fencing has a gradual slope to its height as opposed to the previous trellis and hedge which is understood to have both been stepped in height akin to that boundary's wall.

Beyond No.72 rear decking, the close boarded fencing is approximately 2m to 1.96m above what appears to be a somewhat altered, possibly raised, immediately adjacent ground levels.

The height of the same above the grass lawn in the main (lower) part of No.70 is about 2.22m high, although there is intervening bedding area adjacent to this fence and before this lawn, that bedding area being about 0.14m above the height of that lawn.

Under permitted development rights (i.e. without the need for planning permission from the Council), it is possible along this boundary to erect fencing up to 2m in height. Given the marginal differences between this allowance and also the net difference that seems to have

occurred between this boundary's previous trellising and hedging, plus having seen the physical relationship now prevalent on site. Officers consider this proposed retained fencing as acceptable.

## **RECOMMENDATION**

### ***RETAIN DEVELOPMENT:***

**BACKGROUND PAPERS:** File FBC.2645/34 and P/10/0952/FP

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**(11)P/10/0998/TO/M**

**FAREHAM WEST**

Mr Geoffrey Hockley

CARRY OUT WORKS TO OAK TREE COVERED BY FTPO 629

27 HEATH LAWNS FAREHAM PO15 5QB

**OFFICERS REPORT** - Simon Thompson ext. 4815

### ***Site Description***

27 Heath Lawns is a detached house with integral single side garage and rear conservatory situated on the north side of this road. It is in a predominately residential neighbourhood.

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

Works to that Oak tree covered by Tree Preservation Order (TPO) reference FTPO 629 and located within the rear garden of No.27.

- Reshape and balance crown by reducing selected branches back to suitable growth points - maximum diameter pruning wounds < 75 mm;
- Crown raise to 7 metres above ground level by removing small diameter, low hanging and descending branches - maximum diameter pruning wounds 75 mm; and
- A crown clean.

### ***Policies***

Fareham Borough Local Plan Review (FBLPR): DG4

### ***Relevant Planning History***

P/10/0654/TO - Fell Oak tree covered by FTPO 629 - Refused 17/09/10

P/07/0387/TO - Shorten branch work on S.W. side of crown by 2m, crown raise to 5m, reshape & crown clean Oak tree HTPO 87 - Consent 17/05/07

P/03/0925/TO - Crown thin and balance and crown raise by 2m Oak tree covered by HTPO 87 - Consent 17/07/03

P/01/0588/TO - Works to Oak tree covered by HTPO 87 - Consent 12/07/01

### ***Representations***

None received

### ***Consultations***

Director of Planning and Environment (Tree Officer) - Recommends consent, with condition/informatives, the proposed works not being detrimental to the health and condition of this tree Oak with no significant adverse impact on local public amenity.

### ***Comments***

Members will recall from their 15 September 2010 Planning Committee meeting that they considered and refused a tree works application to fell this tree (P/10/0654/TO).

At that time, it was reported that the Council's Tree Officer was of the opinion that certain lesser works could be supported and it was resolved at that meeting to add a note to the decision notice to be sent to the applicant that:

- Described that reduced scheme of works that the Council's Tree Officer had indicated support for; and
- Which stated that the applicant may wish to submit a further application to seek formal consent for those described reduced works.

This latest application is indeed for those same lesser works.

In light the foregoing, Officers recommend that this proposal be granted consent, subject to conditions/informatives.

### **RECOMMEND:**

**CONSENT:** Works to be undertaken in 2 years; Works to accord with BS3998; Specification of consented works.

Further Information: Notice of commencement of works; Right to carry out work over property other than the applicant's his/her own, Terms as BS3998 & work in accordance with recent arboricultural research; Care to wildlife & bat protection.

**BACKGROUND PAPERS:** Files P/01/0588/TO, P/03/0925/TO, P/07/0387/TO, P/10/0654/TO and P/10/0998/TO.

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## **ZONE 3 – EASTERN WARDS**

Hill Head  
Portchester West  
Portchester East  
Stubbington



**(12)P/10/1016/FP/O**

Mr N Woodd

**HILL HEAD**

DEMOLITION OF SINGLE STOREY EXTENSION AND ERECTION OF SINGLE STOREY REAR EXTENSION AND GARAGE, AND NEW ENTRANCE PORCH

40 SOLENT ROAD HILL HEAD PO14 3LD

**OFFICERS REPORT** - Simon Thompson ext. 4815

### ***Site Description***

This planning application relates to the above property (No. 40) which is a detached bungalow that has a drive along its dwelling's full northern side length and which is located on the eastern side of Solent Road about 100m to the south of this road's junction with Short Road.

Other properties immediately adjacent/opposite and this general neighbourhood have a predominately residential character and appearance.

The Fareham Borough Local Plan Review (FBLPR) defines the application property and its surroundings as within the urban area of the Borough and within the South-West Hill Head Area of Special Residential Character (ASRC).

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

Demolish front porch/WC and rear extension and erection of pitched roof front porch and single storey rear extension with attached side/rear garage.

### ***Policies***

FBLPR (2000 adopted): Policies DG3, DG5, H3 and T5

Fareham Borough Council (1993 approved) Extension Design Guide (EDG)

Fareham Borough Council (2009 adopted) Residential Car and Cycle Parking Standards (RC&CPS) Supplementary Planning Document

### ***Relevant Planning History***

P/00/0990/OA - Erection of two bungalows and associated garages - Refused 19/12/00 - Appeal dismissed

FBC.4666/79 - Erection of front extension to form porch and toilet - Permitted 29/09/82

### ***Representations***

One letter has been received from the neighbouring property to the southwest, 38 Solent Road (No.38), which states that, whilst the commenced front entrance/porch changes should not cause any problem, the occupier is very concerned about the proposed rear extension on the following grounds:

- It's resultant obscuring of light to and ruination of the visual impact from a window at No.38, from which distant trees can be seen, this to be replaced by a chimney and pitched roof;
- It's resultant sunlight reduction upon No.38's patio;
- The boundaries between both homes being quite minimal;
- FBC planners advised the inclusion of the referred to window(s) when No.38's dining room was extended many years ago.

### **Comments**

Officers consider that the proposals are acceptable in relation to street scene, public visual amenity and/or local character.

The neighbours property to the southwest, (No.38) has two, quite high level, clear glazed, ground floor, northeast facing side windows serving a dining room. Their straight direct outlook is currently onto the existing flank wall and roof of the present bungalow located about 2.3m away. This dining room has the benefit of large patio doors facing down the garden. In light of the nature of these high level windows Officers consider the proposal would not materially harm the amenities of the occupiers of this property.

In terms of the potential effect of this proposed development upon the sunlight of the rear patio of No.38, this proposed rear extension, whilst being approximately as deep as the backmost extent of this patio, would be northeast of that patio, single storey and with a sloping away roof, with any such net sunlight change being significantly reduced by the closer proximity and tall height and density of existing intervening boundary vegetation, already adjacent and again to the northeast of this patio.

The other flanking neighbour, to the northeast (No.42) is also a bungalow with several side windows looking southwest towards the application site. All these windows are clear glazed (except for the toilet/bathroom window) and face the flank walls of the application property just over 5m away. The closest element of the garage proposed would be set to one side of a kitchen window.

### **Conclusion**

Notwithstanding the objection received this application's proposals are considered to sufficiently accord with the applicable development plan such that Officers conclude overall that this planning application should be recommended for planning permission.

### **RECOMMENDATION**

**PERMISSION:** External materials to match; Remove permitted development (PD) rights for windows in the garage's northeast and rear extension's southwest ground floor elevations.

**BACKGROUND PAPERS:** Files FBC.4666/79, P/00/0990/OA and P/10/1016/FP

**(13)P/10/0891/FR**  
Mr Alberico Di-Mascio

**PORTCHESTER EAST**  
Agent: Mr P J Merritt

ERECTION OF FIRST FLOOR REAR EXTENSION AND DETACHED GARAGE (FULL RENEWAL OF P/07/1566/FP)

125 CASTLE STREET PORTCHESTER PO16 9QX

**OFFICERS REPORT** - Emma Betteridge ext. 2677

***Site Description***

- This application relates to mid-terrace property on the south-west side of Castle Street which is to the east of York Gardens
- The site is located within the Castle Street Conservation Area
- The site fronts Castle Street with the rear gardens backing onto York Gardens

***Description of Proposal***

Planning permission is sought for the erection of:-

- i) First floor rear extension which measures 4.5 metres in depth, 2.7 metres in width with an eaves height of 5.4 metres
- ii) Detached garage which measures 3.1 metres in width, 6 metres in depth with an eaves height of 2.1 metres and a right height of 3 metres. The garage is proposed at the rear of the site which fronts on to York Gardens.

***Policies***

Fareham Borough Local Plan Review: DG3, DG5, T5 and HE3

***Relevant Planning History***

P/07/1566/FP Erection of First Floor Rear Extension and Detached Garage - Permission 29-01-2008

***Representations***

One letter has been received objecting on the following grounds:

- Impact on outlook; unsightly;
- The garage will be facing on to the road on a curve; this will be a further danger;
- The garage will degrade the appearance of the road when being entered from Denham Drive which could affect the value of the properties here.

***Consultations***

Director of Planning & Environment (Conservation Manager) - No objection

Director of Planning and Environment (Highways) - No objection

pc-101208-r04-lsm

## **Comments**

This application has been submitted to renew an existing permission which is due to expire on the 28<sup>th</sup> January 2011.

The application relates to a property on the south-west side of Castle Street which is sited within the Castle Street Conservation Area. The proposals are for the erection of a first floor rear extension and a detached garage at the rear of the site fronting York Gardens.

The proposed extension would have a flat roof design over an existing ground floor extension. Whilst flat roof extensions are not generally encouraged, the neighbouring properties on both sides of the site have an identical extension and the distance between the property and the rear boundary is 30 metres. The single garage has been designed with a pitched roof positioned on an existing hard standing at the rear of the site fronting onto York Gardens.

The views expressed relating to the single garage have been considered and officers are of the opinion that as the garage has been designed with a pitched roof it would be in keeping with existing garages in York Gardens.

Officers are of the view that the site circumstances have not altered and there have been no overriding policy changes since the previous permission. The application is considered acceptable and complies with the Fareham Borough Local Plan Review.

## **RECOMMEND:**

**PERMISSION:** Material to match, Material to be submitted, use of garage incidental, withdraw pd rights on north-west elevation at first floor level, roller shutter door on garage.

**BACKGROUND PAPERS:** File P/10/0891/FR

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**(14)P/10/0908/CU**

Ms S Carson

**PORTCHESTER EAST**

Agent: Mr Mark Tuson

CHANGE OF USE FROM RESIDENTIAL TO MIXED RESIDENTIAL/BUSINESS USE (TO ENABLE FUNCTIONS TO BE HELD ON GROUND FLOOR)

NELSON LANE - NELSON HEIGHTS - FAREHAM PO17 6AW

**OFFICERS REPORT** - Susannah Emery ext. 2412

## **Site Description**

The site lies within the countryside and an Area of Special Landscape Character. It is occupied by a large detached dwelling positioned within substantial grounds to the south-west of Nelson Lane. The property bounds on to the M27 to the south and four residential dwellings to the east and west. It is well screened by trees and vegetation planting.

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

Planning permission is sought for a change of use of the dwelling for mixed residential/business purposes.

It is proposed to use part of the ground floor of the property to hold private functions, primarily wakes and business functions. The hours of use would be Monday-Friday between 10am-6pm.

Grass protector has been laid to the lower garden area to accommodate up to 32 vehicles.

### ***Policies***

Fareham Borough Local Plan Review Policies - C9, DG1, DG3, T5

### ***Representations***

Two letters have been received objecting on the following grounds:

- The term function is not explained
- Would this set a precedent for further changes of use
- Would the garden become an extension of the function use during the summer
- Would functions be for adults, children or both
- The lane is over used and not conducive to high volumes of traffic
- Fumes, noise and environmental affect on surrounding properties
- Access splay not suitable for daily use by up to 40 cars
- Access to property only single width
- Requirement for commercial waste and recycling collections, supply deliveries and sewage collections

### ***Consultations***

Director of Planning and Transportation Officer (Highways)- The southern access should only be used and visibility should be improved to provide a 2.4m x 45 m visibility splay to the north.

Director of Regulatory Services (Environmental Health) - There would be concern if the venue were to be used for parties or weddings and therefore hours of use should be restricted to weekdays 10am-6pm. A license would be required for the sale of alcohol.

### ***Comments***

The main issues which need to be considered within the determination of this application are;

- Impact on Amenities of Neighbouring Properties
- Highways

### **Impact on Amenities of Neighbouring Properties**

The application, as originally submitted, included insufficient detail on the type of functions intended to be held and the nature of the business. As a result a number of concerns were raised by local residents. Further information was been sought from the applicant and it has been clarified that the functions would be mainly wakes and potentially business lunches or meetings. Catering would be brought in from outside and the kitchen of the dwelling would not be available for use.

The external terrace and garden area immediately to the south and east of the dwelling would be used in addition to the internal areas during fine weather. Due to the nature of the functions and the proposed hours of use it is not considered that visitors would be likely to generate a high volume of noise. A condition can be imposed to prevent the use of any amplified music. Background noise levels within the area are high due to the proximity to the M27.

Given the separation distance between neighbouring properties it is not considered that any limited additional vehicle movements associated with commercial waste, recycling collections, supply delivery or sewage collections would have an adverse impact on the amenities of the occupants of the neighbouring properties.

This application would not set a precedent for the change of use of other residential properties in the area for mixed residential/business uses. Any subsequent applications would be judged on their own merits.

### Highways

The property has two points of access and it would be intended to use the main southern access in connection with the business use. Although this is only single width, the traffic would be likely to be flowing in one direction at a time with only one function held per day. There is a passing point available in the event that a vehicle was going against the flow of traffic. A plan has been submitted to illustrate that adequate visibility can be achieved to the north by setting back the boundary fence across the front of the property.

There would be a maximum of 32 car parking spaces available although it is not anticipated that these would be used on every occasion. Many of the functions are likely to be more small scale and the maximum number of visitors would be limited to 60. The applicant would have a parking attendant available on site to direct people to a car parking space. The grass protector for the car park has already been laid to the lower garden area. This is a mesh surface which can be driven on but it allows grass to grow through so that there is no adverse visual impact.

In conclusion it is considered that on the whole the use of the property for business purposes would be limited to a low key nature. The type of functions to be held and the limitation to daytime hours suggest that the proposal is unlikely to result in noise and disturbance to neighbouring properties. The site is well screened on all boundaries and the proposal would have no detrimental visual impact.

### **RECOMMEND:**

**PERMISSION:** Hours of use 10:00-18:00 Mon-Fri, Max 60 guests, Max one function per day, Access for business use from southern access only, Visibility splay, Functions to include

wakes and business functions (no children's parties, wedding receptions, birthday parties),  
No amplified music outside of dwelling in association with business use

**BACKGROUND PAPERS:** P/10/0908/CU.

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**(15)P/10/1012/SU**

Vodafone Ltd

**PORTCHESTER EAST**

Agent: Tyco Electronics U.K.

ERECTION OF 12.5 METRE HIGH MONOPOLE MAST COMPLETE WITH 6 ANTENNAS,  
ASSOCIATED RADIO CABINET AND ANCILLARY  
DEVELOPMENT

CARLTON ROAD - HIGHSLOPES COMMUNITY HALL - PORTCHESTER PO16 8JH

**OFFICERS REPORT** - Emma Betteridge ext. 2677

### ***Introduction***

This application has been submitted in accordance with the Town and Country Planning (General Permitted Development) Order 1995 Part 24 to establish whether or not the Local Planning Authority considers the proposed works require prior approval.

### ***Site Description***

- This site consists of a community hall on the north side of Carlton Road accessed via a private drive between 72 and 78 Carlton Road.
- This site has residential dwellings to the south and west with the M27 to the north and open space to the east.
- The nearest residential property is approximately 50 metres to the south of the proposed mast in Browning Avenue.
- The site is located within the urban area.
- Levels rise significantly south to north.

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

Erection of a 12.5 metres high monopole supporting six antennas, equipment cabinet and ancillary development. The mast would be shared by two operators.

The mast would be erected in the north east top corner of the site, adjacent to the M27 and furthest away from nearby residential dwellings.

### ***Policies***

Fareham Borough Local Plan Review: DG3 and FS7

### ***Representations***

Three site notices have been erected and 20 neighbours were notified of the application. At the time of writing this report no representations were received.

### ***Consultations***

Director of Planning and Environment (Highways) - No objection

Portsmouth City Council - No objection

### ***Comments***

The proposal involves the erection of a 12.5 metres high monopole telecommunication mast supporting six antennas, equipment cabinet and ancillary development. The installation is required to provide improved network services to the area surrounding the site.

The design and siting of the proposed mast has been chosen so as to keep to a minimum the impact upon its surroundings. The partnership between two operators would allow the equipment location to be shared which would not normally be possible.

The location for the proposed mast is within the grounds of West Paulsgrove Scout and Community Centre which is to the north of Carlton Road. The community centre is accessed by a private road in between residential properties in Carlton Road. The nearest residential property is approximately 50 metres to the south of the proposed mast. In light of the topography of the site, the motorway embankment with associated fencing and planting to the north would act as a backdrop to the mast.

Alternative sites were considered by the applicant, however the site provider would not agree to the installation or the site was unacceptable for technical reasons. Alternative sites south of the proposed site would have resulted in a much taller structure to take account of the level changes.

Members and officers are acutely aware of the concerns often expressed by local residents and organisations that exposure to electromagnetic fields (EMFs) or radio waves may have possible adverse effects upon their health. The Government acknowledges in PPG8 that health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval and that it is for the Authority to determine what weight to attach to such considerations in any particular case.

However the Government is of the firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets ICNIRP (International Commission on Non-Ionizing Radiation Protection) guidelines for public exposure, it should not be necessary for a local planning authority, in processing applications, to consider further the health aspects and concerns about them.

There has been some judicial guidance on perceived health risks as material considerations in respect of mobile phone masts. If the Local Planning Authority do wish to consider the health issues further the courts seem to imply that authoritative guidance on the risk of potential harm from EMF emissions should be obtained from official scientific sources - however these uniformly advise that the risk of harm is tolerable. It has been held that a



Local Planning Authority might be acting unreasonably in refusing on the basis of "unsubstantiated fears".

A certificate has been submitted with the application confirming that the installation would not exceed the ICNIRP (International Commission on Non-Ionising Radiation) for public exposure as expressed in EU recommendation of July 1999. The certificate takes into account the cumulative effect of the emissions from the proposed and all other radio base stations nearby.

Officers consider in light of the size, design, siting and proximity of the mast to residential properties the proposal would have a minimal visual impact and is therefore considered acceptable.

**RECOMMEND:**

***PRIOR APPROVAL NOT REQUIRED:***

**BACKGROUND PAPERS:** P/10/1012/SU

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**(16)P/10/0958/FP**

**PORTCHESTER WEST**

as amplified by email dated 19<sup>th</sup> November 2010

Mr Ian Riggs

Agent: Mr David James

FRONT EXTENSION AND ENTRANCE CANOPY

75 PORTCHESTER ROAD FAREHAM PO16 8AP

**OFFICERS REPORT** - Simon Thompson ext. 4815

***Site Description***

This planning application relates to the above property which is a detached two storey house with existing rear conservatory, extensive paved front drive and two integral single garages, all situated on the south side of the A27, Portchester Road, about 70m to the west of this road's junction with Beaulieu Avenue, Fareham.

Other properties immediately adjacent/opposite to No.75 and this general neighbourhood have a predominately residential character and appearance.

The Fareham Borough Local Plan Review (FBLPR) defines the application property and its surroundings as within the urban area of the Borough.

***Description of Proposal***

This application seeks planning permission to rebuild the existing front projection of one of the integral garages with a similar footprint and height of frontage development, incorporating a new front window in place of this garage's doors and a new canopy roof over the adjacent front door.

## ***Policies***

FBLPR (2000 adopted): Policies DG3, DG5 and T5  
Fareham Borough Council (1993 approved) Extension Design Guide (EDG)  
Fareham Borough Council (2009 adopted) Residential Car and Cycle Parking Standards (RC&CPS) Supplementary Planning Document  
Hampshire Parking Strategy and Standards (HPS&S) (Summer 2002)

## ***Relevant Planning History***

### 75 Portchester Road

Q/0031/10 - Proposed conversion of garage to internal room - Informal opinion given in September 2010 that the then described development would not need planning permission being permitted development associated with a Class C3 dwellinghouse.

Q/0692/08 - Will unit remain a Class 3 dwelling property and not need any planning consent if registered with OFSTED as a residential children's home with a maximum of three residents and utilising three staff members not living in the property but including in the evening one staff member sleeping in the premises and another awake throughout the evening - Informal opinion given in October 2008 that the Town and Country Planning (Use Classes) Order 1987 (as amended) sets out residential dwellinghouse use under Class C3, and defines that no change of use will be involved provided that the dwelling is to be used by not more than six people living together as a single household whether or not care is provided. The proposed use would fall within these parameters and would not therefore involve a change of use for which planning permission is required.

P/08/0458/FP - Erection of two storey side extension, single storey rear extension and front porch - Permitted 14/05/08

P/07/0677/FP - Erection of two storey side extension, single storey rear extension and front porch - Refused 13/07/07

### 73 Portchester Road

P/07/0005/FP - Erection of detached garage at front of property, single storey front extension and provision of rear dormer - Permitted 22/02/07

## ***Representations***

Two emails and a letter supported by a petition signed by 13 individuals residing nearby have been received objecting on the following grounds:

- Object to change of use of family home to a commercial House in Multiple Occupation (HMO) for children with behavioural disorders/disturbed adolescents, that seems to have occurred by stealth and without formal planning approval;
- The site location not enhancing such a community-based support unit;
- Emergency vehicles have to park on Portchester Road, impacting traffic flow;
- Staff seem unable to provide adequate supervision, with subsequent local amenity impact;

- Anti-social and emotional problems are caused to neighbours;
- The proposed office in a residential area would increase traffic volumes, in particular attendance by police and ambulance vehicles;
- A police witness statement is included to illustrate current problems;
- These proposals will entrench this unsatisfactory state of affairs;
- The new office could free up the building's existing office to create another bedroom, allowing another child to stay, and further social problems within the neighbourhood;
- Contrary to FBLPR policies DG3, H6, H8 and E6;
- This property should be returned to a family home as soon as possible;

### **Consultations**

Director of Planning and Environment (Highways) – No objection

### **Comments**

Officers are of the opinion that this property has been and would (as set out in this application's proposals) remain within the Use Class category C3. The property's use per se is authorised (see Q/0692/08), an amplifying email to this current application's proposals having been received from a representative of the Children Home's operators making clear that they will never be increasing the number of residents above three in total.

Planning permission is not required to convert the current garage to office use. For example, if the occupiers only undertook internal works, then this garage could be converted to an office without needing planning permission. Furthermore, such a conversion involving more limited (e.g. in size) external alterations could also be undertaken without needing planning permission from the Council (i.e. under permitted development rights associated with this property, as advised under Q/0031/10 above).

Representations have been received objecting to the current children home use of this property and the prospect that this application's shown proposals might entrench or compound problems experienced from that use. However the only matter for consideration is the front extension entrance and canopy to the property.

A very similar front alteration to that now proposed at No.75 has already occurred at the adjacent dwellinghouse to the west, 73 Portchester Road under planning permission P/07/0005/FP.

Taking into account that above, the points of representation and objection received from third parties, relevant material planning considerations and planning policy, Officers conclude that this planning application should be recommended for planning permission.

### **RECOMMENDATION**

**PERMISSION:** External materials to match

**BACKGROUND PAPERS:** Files P/10/0958/FP, Q/0031/10, Q/0692/08, P/08/0458/FP, P/07/0677/FP and P/07/0005/FP.

**(17)P/10/0938/CU**

Messrs Nick and Richard Helyer

**STUBBINGTON**

Agent: Space & Style Home Design

CHANGE OF USE AND ALTERATIONS TO CREATE CAFE / RESTAURANT

23 STUBBINGTON GREEN STUBBINGTON PO14 2JY

**OFFICERS REPORT** - Richard Wright ext. 2356

### ***Site Description***

This application relates to a ground floor retail unit currently in vacant occupancy in Stubbington Green, Stubbington. The unit lies within a row of six units on the northern side of the green itself and forms part of the designated Stubbington Local Centre. The application site includes the area of privately owned covered walkway immediately in front of the shop frontage. There is also a 1.5 - 2 metre wide Hampshire County Council adopted footpath which runs parallel with the covered walkway between the building and the green. A snooker hall occupies the whole of the first floor level of the building. The nearest residential property to the application site lies approximately 25 - 30 metres to the north west. The vehicular highway runs around the back of this block of units the other side of which lies a public car park.

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

Permission is sought for the change of use of the property from an A1 (Retail) use to an A3 (Cafe/Restaurant) use. The cafe/restaurant is proposed to be open from 0800 - 2200 hours Monday to Saturday inclusive, whilst details of Sunday opening hours are not provided except to state that the premises would not be open past 2200 hours. The business would employ four members of full-time staff.

Internal works to the unit would create a kitchen area and toilets/utility areas located towards the rear of the shop floor. The majority of the internal floor space would be given over to tables and chairs. The covered walkway area immediately outside the shop frontage would host more tables and chairs. Details of a kitchen odour extraction system have been supplied with the application with an exhaust vent and two air inlets proposed at ground floor level in the rear elevation of the building. There is no external ducting proposed in association with this extraction system.

Given that the proposed use would involve alfresco dining outside the frontage of the property, a dog waste bin located to the immediate south of the application site on the edge of the green itself is proposed to be relocated at the applicant's expense to another more suitable location nearby. This has been agreed in principle with this Council's Streetscene Officers subject to planning permission for the change of use hereby proposed being granted. Members will appreciate however that the relocation of this dog waste bin does not form part of the proposal and has not been put forward for formal consideration.

### ***Policies***

Fareham Borough Local Plan Review Policies DG1, DG3, DG5, T5, S7 & S12

## ***Relevant Planning History***

P/10/0259/FP - Change Of Use To A5 (Hot Food Takeaway), Installation Of New Shop Front And Extract Duct & Condenser Units - Withdrawn

## ***Representations***

Seven letters have been received objecting to the application on the following grounds:

- Stubbington does not need any more cafe/restaurants
- The local centre needs to maintain its variety of shops
- Vacant site has not been advertised on landlord's website

Ten letters have been received supporting the application with the following points:

- It would be an asset to the local centre - positive impact on vibrancy of area
- It will increase the choice of food outlets - there is currently no dedicated cafe or evening time English restaurant in Stubbington
- Will provide good wheelchair access for disabled customers
- Accessible on foot for local people
- Will help with current issues of youths hanging around
- Independent trader not a national company

## ***Consultations***

Director of Planning & Environment (Highways) - No objections providing there is no obstruction to the public footway beyond the canopy.

Director of Regulatory Services (Environment Health) - The proposed extract fan should not be the source of statutory noise nuisance complaints in the future provided details submitted of specification of extract unit and silencer are made subject of a planning condition together with condition that the fans will be switched off when the premises are closed. Proposed odour abatement equipment should also be conditioned.

Hampshire Constabulary (Crime Prevention Officer) - No objections

Director of Planning & Environment (Planning Policy) - A1 units would continue to dominate the row and to define the character of the centre in general - proposal considered to accord with Policies S7 and S12 of FBLPR.

## ***Comments***

In March of this year a planning application was submitted seeking permission to change the use of the property from an A1 (Retail) use to an A5 (Hot Food Takeaway) use. The application was submitted by Domino's Pizza Group Ltd and was subsequently withdrawn before being determined. At that time, and until recently, the unit at the application site was in use as a craftworks shop. The previous tenants vacated the site in August of this year and the property has been empty since.

The current proposal proposes to change the use of the premises from A1 (Retail) use to A3 (Cafe/Restaurant) use. The principal difference between this proposal and that submitted earlier this year is that the current proposal involves predominantly the consumption of hot

food on the premises. Any takeaway hot food sales would be ancillary to the main use of the unit as an A3 (Cafe/Restaurant) use. Notwithstanding this, the applicant has stated that there is no intention to offer such a service at this time.

The site falls within Stubbington Local Centre as designated by Policy S7 of the Fareham Borough Local Plan Review. Recent work on updating the Council's *Retail Health Checks* shows that Stubbington is a vibrant centre which has not suffered from vacancy issues during the economic downturn. Whilst it is felt that there would be little problem in attracting an A1 use to the centre to occupy this vacant unit given that it has been empty only a relatively short space of time and is the only such unit in Stubbington centre, there are no policies in the current local plan which specifically seek to retain A1 uses above other appropriate village centre uses. Rather, the issue is whether the loss of an A1 unit and the introduction of an A3 unit would detrimentally affect the vitality and viability of the centre and in particular the balance of retail and non-retail uses. Section A of Policy S7 looks to permit changes of use away from A1 (Retail) only where it would not consolidate existing non-retail uses so that they would dominate the character of the area and discourage shoppers from using the centre. The unit in question sits within a row of six small units of which four are currently in A1 use (not including the application site) and one in A2 use, however the proportion of "eating out" uses (A3/A4/A5) within the centre as a whole is relatively high compared to other locations within the borough. Notwithstanding this, within the last 12 months one sit down cafe/restaurant (Stubbington Cafe & Bakery) within the centre has closed down to be replaced by a charity shop (A1 use). Therefore the proposed change of use hereby to be determined would effectively restore the balance between retail and non-retail uses within the centre to the same level as this time last year.

Policy S7 also notes that non-retail uses in local centres should provide a service which complements the area's main activity of retailing. The provision of an additional A3 cafe/restaurant use is considered to be such a use and could encourage customers to the centre and also facilitate a longer stay to the benefit of traders in the area. The provision of an outdoor seating area in front of the unit would also serve to maintain a lively and active frontage enhancing the character of the green area. Furthermore an increase in evening custom of this kind in the centre could be considered to be a positive contribution to the area's evening economy.

In considering the proposal against the requirements of local plan policy S7, officers do not believe that the change of use of this property would be detrimental to the vitality or viability of the Stubbington Local Centre. Subject to conditions controlling the use of the extract equipment with regards to noise and odour and hours of opening, the proposal would accord with all other relevant policies of the Fareham Borough Local Plan Review.

**RECOMMEND:**

**PERMISSION:** extraction system (specification, silencer, hours of use, odour abatement); hours of opening

**BACKGROUND PAPERS:** File P/10/0938/CU

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**(18) P/10/0982/FP**

Mr Keith Howard

**STUBBINGTON**

Agent: Creative Designs

ERECTION OF FRONT AND REAR EXTENSION WITH ROOF ACCOMMODATION AND ROOFLIGHTS

41 ANKER LANE FAREHAM PO14 3HE

**OFFICERS REPORT** - Simon Thompson ext. 4815

### ***Site Description***

This planning application relates to the above property which is a detached two bedroom bungalow with front gravel drive area accessed from and positioned on the west side of Anker Lane about 55m to the south of this road's cul-de-sac end which is beside Stubbington Lane, Stubbington.

Other properties immediately adjacent/opposite and in this general neighbourhood have a predominately residential character and appearance.

The Fareham Borough Local Plan Review defines the application property and its surroundings as within the urban area of the Borough.

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

- Erection of a 2 metre deep front extension;
- Erection of a single storey rear extension 4.2 metres deep;
- Provision of a gable roof incorporating first floor accommodation. The roof alterations do not involve increasing the height of the roof;
- Provision of side roof lights;
- Extend southern chimney; remove northern chimney and erect new porch/entrance.

### ***Policies***

FBLPR (2000 adopted): Policies DG3, DG5 and T5

Fareham Borough Council (1993 approved) Extension Design Guide (EDG)

Fareham Borough Council (2009 adopted) Residential Car and Cycle Parking Standards (RC&CPS) Supplementary Planning Document

### ***Relevant Planning History***

Q/0167/10 - Proposed extension and loft conversion - Informal officer opinion given in August 2010 setting out certain key matters to consider.

### ***Representations***

One email has been received from 32 Anker Lane registering support for this application

pc-101208-r04-lsm

Three letters of objection have been received raising the following points:

- Contrary to FBLPR policies DG3(A)(B) and DG5(B) & the Council's Extension Design Guide;
- Out of keeping from the immediately surrounding area's character in its extended height, scale and space between buildings, the proposed chimney stack being not to scale, such that it could substantially exceed the skyline/building line of the existing property, so markedly detracting from the surrounding street scene;
- Unduly obtrusive and overbearing, detrimental to the visual amenity and outlook of No.37 & No.39, including upon that outlook from the rear of these properties and totally so from No.39's study window;
- Loss of light to No.39's study, severely so to that room's adjacent bathroom, and to No.43, including the latter's natural/sunlight to its first floor side bedroom window, ground floor side located main entrance door area and to its front and rear garden, which might cause damp problems;
- Loss of privacy to No.37, No.39 and No.43's rear garden and the latter's side bedroom window;
- Vibration/drainage works worsening No.43's wall and ceiling cracks;
- Frontage "car park" effects, with vehicles spilling out and causing congestion as this road is a dead end;
- Effect on the prospect of selling No.43;
- Proposed development's scale, setting a precedent nearby on Anker Lane;
- In contrast, No.37 has added into its roof space two sizable bedrooms and a bathroom without changing its property's outside character whilst having regard to any of No.37's immediate neighbours concerns;
- A hipped roof with dormers design would be supported by a neighbour.

### **Comments**

#### Street scene/public visual amenity/local character effects

This proposed development would be visible from nearby general public vantage points, primarily from Anker Lane itself.

By way of comparison, other properties in Anker Lane have a very varied design including bungalows, chalet bungalows and two storey houses, some of more modern designs and some with hipped and gabled front elevations, and including painted (possibly rendered) front walled, front gabled, bungalows at 35 and 33 Anker Lane just to the south.

Officers consider that these proposals' street scene, public visual amenity and/or local character effects would prove to be acceptable.

#### Impact on neighbouring properties' amenities

The application property is sited 1.6 metres off the northern boundary and 1.5 metres off the southern boundary.



39 Anker Lane is situated approximately 3 metres from the application property to the south. This property has a sole study window facing the existing property and its roof. By virtue of its depth, design, orientation and distance from this study window, Officers do not consider that the front extension would materially harm the amenities of this room. This property also has a bathroom window facing north, which in planning terms is a non-habitable room for which light and outlook concerns would not normally apply.

From the rear of No.39, the proposed rear extension is some 15 metres from the centre of its nearest rear facing window.

The neighbouring property to the north, 43 Anker Lane has a first floor bedroom window facing south and no ground floor windows serving habitable rooms on that side either. This property has a rear conservatory set off the boundary. The proposed rear extension would be sited some distance from this conservatory and would not breach the 45 degree line drawn from that conservatory.

Considering privacy implications, no new side windows are proposed within the flanking walls of the proposed front and rear extensions. The submitted plans also state that all side velux windows would have a cill height of at least 1.7m, which would meet the Council's normal privacy protection expectations. However, further amended plans are required to show this as necessary (in the elevations for example) with as required appropriate conditioning to ensure such adequate privacy protection.

Notwithstanding the objections received Officers are of the opinion that the proposed development would not cause significant adverse impact on its neighbours and is therefore satisfactory.

#### Parking implications

The submitted plans/details show three proposed car parking spaces with turning, all situated within the property frontage behind retained frontage trees. The Council's residential parking standards would expect three on-plot car parking spaces for a four bedroom home.

Officers conclude that this application's parking implications are satisfactory.

#### Other matters

In terms of other matters raised in the above third party representations:

- Vibration/drainage damage would be a private matter between the parties concerned;
- The front parking is shown to be situated behind frontage trees, with a on-site turn capability, and if constructed in the proposed shingle, could potentially be implemented here under permitted development rights;
- Effect on neighbouring property values is not a material planning consideration;
- On precedent, each planning application is considered on its own merits in light of prevailing at that time applicable planning policy and site circumstances. Officers consider this current application's proposals to be appropriate in scale to this part of Anker Lane.

#### Conclusion

Taking into account the comments above, the points of representation received from third parties, relevant material planning considerations, and planning policy, this application's

proposals are considered to sufficiently accord with the applicable development plan such that Officers conclude overall that this planning application should be recommended for planning permission.

## **RECOMMENDATION**

Subject to suitable amended plans to adequately address privacy protection for neighbouring properties:

***PERMISSION:*** Roofing external materials to match; Privacy conditioning for side windows/roof lights; Parking/turning area to be provided and retained.

**BACKGROUND PAPERS:** File P/10/0982/FP

### **Enquiries:**

For further information on this report please contact Lee Smith. (Ext 2427)