

**AGENDA**  
**PLANNING COMMITTEE**

**Date:** Wednesday, 22 June 2016

**Time:** 2.30 pm

**Venue:** Collingwood Room - Civic Offices

**Members:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors B Bayford

J E Butts

T M Cartwright, MBE

P J Davies

K D Evans

M J Ford, JP

R H Price, JP

**Deputies:** L Keeble

Mrs K K Trott

S Cunningham

F Birkett



**1. Apologies for Absence**

**2. Minutes of Previous Meeting (Pages 1 - 13)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 25 May 2016.

**3. Chairman's Announcements**

**4. Declarations of Interest**

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct.

**5. Deputations**

To receive any deputations of which notice has been lodged.

**6. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 14)**

To consider a report by the Director of Planning and Development on development control matters, including information regarding new planning appeals and decisions.

**ZONE 1 - WESTERN WARDS**

(1) **P/16/0359/FP - 20 CHURCH ROAD, WARSASH, SOUTHAMPTON, SO31 9GD** (Pages 16 - 28)

(2) **P/15/1023/FP - 20 CHURCH ROAD, WARSASH, FAREHAM, SO31 9GD** (Pages 29 - 33)

(3) **P/16/0015/FP - TIDE MARK, SWANWICK SHORE ROAD, SWANWICK, SOUTHAMPTON, SO31 7EF** (Pages 34 - 38)

(4) **P/16/0243/OA - EGMONT NURSERIES, BROOK AVENUE, WARSASH, FAREHAM, SO31 9HN** (Pages 39 - 47)

(5) **P/16/0398/RM - THE NAVIGATOR - LAND ADJACENT - SWANWICK LANE, LOWER SWANWICK, SO31 7EB** (Pages 48 - 56)

**ZONE 2 - FAREHAM**

(6) **P/15/1261/FP - LAND AT FURZE COURT, WICKHAM ROAD, FAREHAM, PO16 7SH** (Pages 58 - 68)

(7) **P/16/0319/LB - UPLANDS LODGE, 67 PARK LANE, FAREHAM, PO16 7HJ** (Pages 69 - 71)

(8) **P/16/0453/FP - UPLANDS LODGE, 67 PARK LANE, FAREHAM, PO16 7HJ** (Pages 72 - 74)

## **ZONE 3 - EASTERN WARDS**

### **(9) Planning Appeals (Pages 76 - 80)**

#### **7. TREE PRESERVATION ORDERS**

The Committee considered the confirmation of the following Fareham Tree Preservation, which had been made under delegated powers and to which no formal objection had been received.

#### **Fareham Tree Preservation Order No. 723 – 3&4 The Brackens and 8 Coombedale, Locks Heath**

Order served on 12 April for which there were no objections.

It is recommended that Fareham Tree Preservation Order No.723 be confirmed as made and served.

#### **Fareham Tree Preservation Order No.725 – Strawberry Hill, Turnstones, Fenmead, Drift House, Hamble Edge, Ferry Lane House and Land to the South East, Brook Avenue, Warsash.**

Order served on 06 May 2016 for which there were no objections.

It is recommended that Fareham Tree Preservation Order No.725 be confirmed as made and served.

#### **Tree Preservation Order Revoked.**

In accordance with Policy TP8 of the Fareham Borough Council Tree Strategy 2012-2017, the Council shall review older Tree Preservation orders and where necessary revoke out of date Orders. Officers seek to revoke the following old Tree Preservation Order as it falls under Hampshire County Council ownership:

Fareham Tree Preservation Order 484 – Crofton School, Gosport Road, Stubbington, Fareham.

#### **Tree Preservation Orders Served.**

The following Tree Preservation Orders have been made this month.

Fareham Borough Council Laureli, Crossways, Brambles, Goderich and Camrose, Holly Hill Lane, Sarisbury tree Preservation Order (No.644) 2016

Fareham Borough Council Glen Acres and land south of Inwood House, Holly Hill Lane, Sarisbury Tree Preservation Order (No.708) 2016

Fareham Borough Council September Lodge, Holly Hill Lane, Sarisbury Tree Preservation Order (No.709) 2016

Fareham Borough Council Foxlease, Holly Hill Lane, Sarisbury Tree Preservation Order (NO.710) 2016

P GRIMWOOD  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
14 June 2016

**For further information please contact:  
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# FAREHAM

BOROUGH COUNCIL

## Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 25 May 2016

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

**Councillors:** T M Cartwright, MBE, P J Davies, K D Evans, J E Butts, F Birkett (deputising for M J Ford, JP) and Mrs K K Trott (deputising for R H Price, JP)

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors; B Bayford, M J Ford, JP and R H Price, JP.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 27 April 2016 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

**4. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct, Councillor J E Butts declared a Personal Non-Pecuniary Interest in Item 6 (7).

**5. DEPUTATIONS**

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/ Page No
<b>ZONE 1 – 2.30pm</b>				
Mr R Tutton (Agent)		87 SOUTHAMPTON ROAD PARK GATE SOUTHAMPTON SO31 6AF – CHANGE OF USE FROM RETAIL (CLASS A1) TO HOT FOOD TAKEAWAY (CLASS A5) & INSTALLATION OF FLUE	<b>Supporting</b>	6(1) P/16/0315/CU Pg 8
Mr R Tutton (Agent)		1 GRASSYMEAD FAREHAM PO14 4SQ – CONVERSION OF EXISTING RESIDENTIAL END OF TERRACE DWELLING TO FORM 2 NO. DWELLINGS	<b>Supporting</b>	6(2) P/16/0405/FP Pg 13

<b>ZONE 2 – 2.30pm</b>				
Mrs B Clapperton	Fareham Society	LAND AT FURZE COURT WICKHAM ROAD FAREHAM PO16 7SH – CONSTRUCTION OF 33 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORAGE	<b>Opposing</b>	6(3) P/15/1261/FP Pg 19
Ms C Gould (Agent)		-Ditto-	<b>Supporting</b>	-Ditto-
Mr E Honey		20 SILVER BIRCH AVENUE FAREHAM PO14 1SZ – CHANGE OF USE OF LAND INTO GARDEN AREA, RELOCATION OF GARDEN WALL WITH VEHICLE ACCESS GATES	<b>Opposing</b>	6(4) P/16/0434/CU Pg 29
Ms L O'Donnell		60A ALEXANDER GROVE FAREHAM PO16 0TX – DEMOLITION OF EXISTING DWELLING AND ERECTION OF TWO DETACHED DWELLINGS (OUTLINE APPLICATION)	<b>Opposing</b>	6(5) P/16/0465/OA Pg 33
<b>ZONE 3 – 4.00pm</b>				
Mr M Taylor		DAEDALUS AERODROME BROOM WAY FAREHAM PO13 9YA – THE ERECTION OF A NEW 25 METRE HIGH RADAR TOWER, RADAR EQUIPMENT CABIN WITHIN A SECURE FENCED COMPOUND AND ASSOCIATED DEVELOPMENT	<b>Supporting</b>	6(7) P/16/0270/FP Pg 48
Mr P Hind		18 HILL HEAD ROAD FAREHAM HANTS PO14 3JH – REPLACEMENT DRIVEWAY ACCESS	<b>Supporting</b>	6(9) P/16/0422/CU Pg 62

		AND INCORPORATION OF EXISTING VERGE INTO GARDEN		
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## 6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters including information on Planning Appeals. An Update Report was tabled at the meeting.

### (1) P/16/0315/CU - 87 SOUTHAMPTON ROAD PARK GATE SOUTHAMPTON SO31 6AF

The Committee received the deputation referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:- *Further comments have been received from the Councils' Environmental Health Officer with regards to odour control:*

*The level of odour abatement is high and has been designed in accordance with the DEFRA guidelines on commercial kitchen extraction systems. The final point of extraction is 1 m above the ridge of the building and the proposed odour abatement is an electrostatic precipitator (ESP) with a secondary Ozone system (not just a generic system of activated carbon filters).*

*At this stage it does not appear that an end user has been identified (for example a fish and chips shops, Indian Takeaway) however in my professional opinion the supplier/installer are reputable and the system will be able to control odours from the more odorous end user.*

*In response to these comments the applicant's agent has confirmed that it is their client's attention 2to offer fish and chips, salads, jacket potatoes, hot and cold filled baguettes, ice cream and hot and cold drinks, in similar vein to their enterprise at 'The Frying Fish' in Shore Road, Warsash".*

Upon being proposed and seconded the Officer Recommendation to grant Planning Permission, subject to the funds for the Traffic Regulation Order (TRO) being paid upfront, and the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to the funds for the TRO being paid upfront and the conditions in the report, PLANNING PERMISSION be granted.

### (2) P/16/0405/FP - 1 GRASSYMEAD FAREHAM PO14 4SQ

The Committee received the deputation referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:-

1. *The applicant has provided the contribution of £176 towards the SRMP.*

2. *Details of bin and secure cycle storage have also been provided, therefore condition no. 3 is no longer required.*
3. *The proposed sub-division of the dwelling is subject to Policy DSP41: Sub-division of Residential Dwellings which states that the sub-division of a dwelling to create two smaller units will be permitted provided that:*
  - i. *the proposal would not adversely affect the character of the area or have unacceptable environmental, amenity or traffic implications.*
  - ii. *the resultant sub-divided units conform to the spaces standards and design requirements set out in Policy CS17 and the Design SPD.*
  - iii. *appropriate outdoor amenity space, bin storage and parking provision is provided.*

*The report concludes that the proposed sub-division satisfies each of these criteria.*

Upon being proposed and seconded, the officer recommendation to grant Planning Permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(3) P/15/1261/FP - LAND AT FURZE COURT WICKHAM ROAD FAREHAM PO16 7SH**

The Committee received the deputations referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:- *A revised site plan has been provided showing private verandas already in place outside of several ground floor units in the existing Block C. The wording of draft condition 15 has been revised accordingly as has the approved plan number in condition 2.*

*In addition, Officers have been in contact with the applicants' agent to resolve an issue concerning overlooking from windows in the southern and western elevations of Block D into adjacent units in the existing converted buildings. A revised set of drawings addressing this issue has been provided and draft condition 2 has been updated accordingly.*

*A further condition (16) has been added to deal with similar overlooking issues with regards windows in Block E.*

*Another condition (17) is recommended to ensure that, before development commences, the developer provides details of the proposed means of foul water disposal.*

*The revised recommendation is as follows:*

*Subject to the applicant / owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:*

- a) *A financial contribution towards the off-site provision of affordable housing;*

*b) A financial contribution towards the Solent Recreational Mitigation Project (SRMP);*

*PERMISSION subject to the following conditions:*

*1. The development shall begin before the expiry of a period of three years from the date of this permission.*

*REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and County Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.*

*2. The development shall be carried out in accordance with the following approved documents:*

- a) Proposed location plan – drawing no. 15.2082.110 P1*
- b) Proposed site plan – drawing no. 15.2082.101 P6*
- c) Proposed floor plans Block D – drawing no. 15.2082.102 P6*
- d) Proposed floor plans Block E – drawing no. 15.2028.103 P4*
- e) Block D – Block E proposed context elevations – drawing no. 15.2082.104 P5*
- f) Proposed elevations Block D – Proposed refuse stores – drawing no.15.2082.105 P6*
- g) Proposed context elevations Block E – drawing no. 15.2082.106 P5*
- h) Proposed landscaping plan – drawing no.15.2082.107 P5*
- i) Blocks A,C & D plan extracts – drawing no. 15.2082.108 P1*
- j) Typical apartment ventilation detail – Apartment 13 Block D – drawing no. 15.2082.410 P2*
- k) Typical apartment window detail – Apartment 13 Block D – drawing no. 15.2082.411 P2*
- l) Typical apartment ventilation detail – Apartment 15 Block D – drawing no. 15.2082.412 P3*
- m) Typical apartment detail – Apartment 15 Block D – drawing no. 15.2082.413 P2*
- n) Typical apartment detail – Apartment 08 Block E – drawing no. 15.2082.414 P3*
- o) Typical apartment window detail – Apartment 08 Block E – drawing no. 15.2082.415 P1*
- p) Domestic Ventilation and the Building Regulations Part F and L – by VentAxia*
- q) Ventilation system specification – details of Sentinel Kinetic MVHR Range*
- r) Ventilation system – details of MVHR – Lo-Carbon Sentinel Kinetic*
- s) Extended Phase 1 Ecological Assessment prepared by Ecosupport Ltd*
- t) Surface Water Strategy and Flood Risk Assessment – by Opus International – 14 March 2016*
- u) Noise Impact Assessment – revised 23<sup>rd</sup> March 2016 – by Clarke Saunders Acoustics*

*3. No development shall take place until details of all external materials to be used in the construction of the development, including all hard surfaced areas, have been submitted to and approved by the local planning authority in writing. The development shall be undertaken in accordance with the approved details.*

*REASON: To ensure a high quality design and appearance to the development.*

*4. No development shall take place until a landscaping scheme has been submitted to and approved by the local planning authority in writing. The landscaping scheme shall include the following:*

- a) Details of all existing trees, shrubs and hedges to be retained;*
- b) Details of all new planting including species, planting sizes, planting distances, density and numbers;*
- c) Details of a specific planting schedule of native species reflecting the recommendation given in section 5.4 of the approved Phase I Ecological Assessment;*
- d) Details of hard landscaped areas within the external amenity space;*
- e) Details of future maintenance of all landscaped areas on the site.*

*The approved landscaping scheme shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing any trees or plants which, within a period of 5 years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.*

*REASON: To ensure a high quality design and appearance to the development; to ensure a high quality outdoor amenity space is provided for the occupants of the new apartments.*

*5. No development shall take place until details of any external lighting to be installed on the buildings hereby permitted have been submitted to and approved by the local planning authority in writing. The development shall be undertaken in accordance with the approved details.*

*REASON: In the interest of the appearance of the development and to protect the living conditions of future residents.*

*6. No development shall take place until details of future maintenance of the ventilation system to be installed in the buildings hereby approved have been submitted and approved in writing by the local planning authority. Before any of the apartments hereby permitted are first occupied the approved ventilation system shall be undertaken in accordance with the approved details.*

*REASON: To ensure the satisfactory living conditions of occupants of the development.*

*7. No development shall take place until a Site Setup Plan has been submitted and approved in writing by the local planning authority. The plan shall provide details of where provision will be made on the site during construction for contractors parking, storage of plant and materials, site welfare facilities and any other temporary buildings. The plan will also identify measures to prevent mud and spoil being deposited on the public highway by vehicles leaving the site. The development shall be carried out in accordance with the approved details.*

*REASON: in the interests of highway safety and to protect the living conditions of existing residents.*

*8. Before any of the apartments hereby permitted are first occupied 156 parking spaces shall be laid out and made available for use on the site in accordance with the approved site plan (drawing no. 15.2082.101 P6). The parking spaces shall be retained at all times thereafter. No less than 57 of these parking spaces shall be provided on an un-allocated basis for the purposes of parking by residents living in the existing and hereby approved apartments on the site and visitors of those residents and shall remain so unless otherwise agreed in writing by the local planning authority. Any parking spaces provided on an allocated basis shall be for use by residents living in the existing and hereby approved apartments only.*

*REASON: To ensure an appropriate level of parking provision.*

*9. Before any of the apartments hereby permitted are first occupied the refuse storage areas shown on the approved plans shall be provided and thereafter kept available for refuse storage at all times.*

*REASON: To ensure adequate bin storage facilities and to ensure a high quality design and appearance to the development.*

*10. Before any of the apartments hereby permitted are first occupied the cycle storage areas shown on the approved plans shall be provided and thereafter kept available for cycle storage at all times.*

*REASON: To promote alternative modes of transport to the motorcar.*

*11. Before any of the apartments, hereby permitted are first occupied the sound of attenuation measure identified on the approved plans and in the approved Noise Impact Assessment (Clarke Saunders Acoustics – revised 23<sup>rd</sup> march 2016) shall be fully installed. Any replacement windows or openings in the external elevations of the buildings hereby permitted shall be to the same glazing and acoustic specification as that identified in the approved plans and Noise Impact Assessment.*

*REASON: to ensure the satisfactory living conditions of occupants of the development.*

*12. Before any of the apartments hereby approved are first occupied, details of two batboxes to be erected at the site shall be submitted to and agreed by the local planning authority in writing. The details shall include the size, design and siting of the batboxes. The approved batboxes shall be installed before any of the permitted apartments are first occupied and shall thereafter be retained at all times.*

*REASON: To conserve and enhance biodiversity.*

*13. Before any of the apartments hereby permitted are first occupied three bat accessible ridge tiles shall be incorporated into the new pitched roof sections of the development hereby permitted.*

*REASON: To conserve and enhance biodiversity.*

*14. No work relating to the construction of any of the development hereby permitted shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays*



*or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.*

*REASON: To protect the living conditions of existing residents.*

*15. Before any of the apartments hereby permitted are first occupied the external amenity area enclosed by the existing Blocks A, B & C and Block D hereby approved shall, with the exception of those private amenity spaces indicated as such on the approved site plan (drawing no. 15.2082.101.PE), be provided and retained for use by all residents living on the site.*

*REASON: To ensure a high quality outdoor amenity space is provided for the occupants of the new and existing apartments.*

*16. The ground and first floor windows proposed to be inserted into the southern elevation of Block E to serve the living/dining rooms for apartments 2 & 6 shall be glazed with obscure glass and be of a non-opening design and construction to a height of 1.7 meters above internal finished floor and shall thereafter be retained in that condition at all times.*

*REASON: To protect the privacy of occupants of nearby existing apartments.*

*17. No development shall take place until details of the proposed means of foul water disposal and an associated implementation timetable have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved detail and time table.*

*REASON: To ensure the satisfactory disposal of waste water.*

The Committee raised several questions over the amount of parking provision, the split between allocated and unallocated spaces, and the number of spaces that would actually be available to the residents. Member also sought further information with regards the current arrangement to allow employees of Hampshire County Council to park on the application site.

A motion, to defer the item to allow more time to investigate the amount of parking provision and interim parking arrangement with Hampshire County Council, was proposed and seconded, which was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that the item be DEFERRED.

#### **(4) P/16/0434/CU - 20 SILVER BIRCH AVENUE FAREHAM PO14 1SZ**

The Committee received the deputation referred to in Minute 5 above.

A motion was proposed and seconded to refuse the application, which was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

#### Reasons for Refusal:

The relocation of the garden wall would result in the loss of an area for planting which was an original design feature for Silver Birch Avenue, and

would also result in a tall boundary wall in very close proximity to the back edge of the public footway. The loss of this open area coupled with the siting of the wall so close to the footway would be harmful to the appearance of Silver Birch Avenue. The proposed development would therefore be contrary to Policy CS17 of the adopted Fareham Borough Core Strategy.

**(5) P/16/0465/OA - 60A ALEXANDER GROVE FAREHAM PO16 0TX**

The Committee received a deputation referred to in Minute 5 above.

Upon being proposed and seconded, the Officer Recommendation to grant planning permission was voted on and CARRIED.  
(Voting: 7 in favour; 0 against; 1 abstention)

RESOLVED that PLANNING PERMISSION be granted.

**(6) P/16/0128/CU - 27 STUBBINGTON GREEN FAREHAM PO14 2JY**

The Committee's attention was drawn to the Update Report which contained the following information:- *Additional Third Party Comments:*

*Two additional third party comments have been received. No further comments raised.*

Upon being proposed and seconded, the officer recommendation subject to the conditions in the report, was voted on and CARRIED.  
(Voting: 7 in favour; 0 against; 1 abstention)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(7) P/16/0270/FP - DAEDALUS AERODROME BROOM WAY FAREHAM PO13 9YA**

Councillor J E Butts declared a Personal Non-Pecuniary Interest in this item as he holds a private pilot's licence and occasionally flies from the Daedalus Site. He remained in the room for the discussion of this item and took part in the vote.

The Committee received the deputation referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:- *REPRESENTATIONS:*

*One further representation has been received since the publication of the main agenda. A letter of support has been received from Solent Microlights based at Daedalus. The support is with the proviso that it does not comprise the provision of a grass strip runway for occasional cross wind operations.*

**RECOMMENDATION:**

*PERMISSION subject to conditions as follows:*

*01 The development shall commence before the expiry of three years from the date of this decision notice.*

*REASON: To comply with Section 91 of the Town and Country Planning Act 1990.*

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

- DS08700AA100ASPT Issue 2, Sheet 2 of 5 (East and South Elevations)*
- DS08700AA100ASPT Issue 2, Sheet 3 of 5 (Site Plan and Block Plan)*
- DS08700AA100ASPT Issue 2, Sheet 4 of 5 (Shadow Trace Study)*
- DS08700AA100ASPT Issue 2, Sheet 5 of 5 (North and West Elevations)*
- DS08700AA101ASPT Issue 1 (Site Location Plan)*
- DS08700AA102ASPT Issue 2 (Access Gates and Fence)*

*REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.*

*03 No development shall take place until a Detailed UXO Threat Assessment has been undertaken in accordance with the Recommendation of the 1<sup>st</sup> Line Defence Express Preliminary UXO Risk Assessment (reference OPNN3119). The detailed UXO Threat Assessment shall be submitted to and approved in writing by the Local Planning Authority. This assessment shall include any development specific measures or mitigation to be employed during the construction period in the event that UXO is present on site, all of which should be implemented in full and confirmed as completed in writing to Local Planning Authority before first transmission.*

*REASON: To ensure the safety of the site during construction and to ensure that the construction period does not have a detrimental impact upon the environment of future users of the site.*

*04 Should unidentified contamination be encountered during the works, construction should stop and the contamination investigated and an agreed scheme of remedial measures shall be submitted to and agreed in writing by the Local Planning Authority before work recommences. The remediation measures shall be fully implemented prior to the first use of the radar and confirmed as completed in writing to satisfaction of Local Planning Authority.*

*REASON: To ensure that the construction period does not have a detrimental impact upon the environment of future users of the site.*

*05 Prior to the first use of the radar hereby permitted the site access, gates and fencing as shown on drawing DS08700AA102ASPT Issue 2 in the area hatched black (to the south of the application site) on drawing DS08700AA101ASPT, Issue 1 "Site Location Plan" shall be provided and retained as such.*

*REASON: To ensure that the site can be accessed and will be secure in the interest of the operational airfield.*

*06 No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:*

- Details of the parking arrangement for site vehicles and contractors*
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08:00 to 09:00) and PM peak (16:30 to 18:00) periods.*
- areas for loading and unloading;*
- areas for the storage of plant and materials;*
- security hoarding position and any public viewing platforms (if necessary);*
- site office location;*
- construction*

A further verbal update was provided by the Head of Development Management in respect of proposed Condition 3. The Head of Development Management explained that discussions were still ongoing between Planning Officers and the applicants over the precise wording of this condition. Should Member resolve to grant planning permission, the Head of Development Management requested that that authority be delegated to him to agree the detailed wording of proposed Condition 3 with the applicant.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the Update Report, and the detailed wording of Condition 3 being agreed between Officers and the applicants, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to the conditions in the Update Report, PLANNING PERMISSION be granted.

**(8) P/16/0301/FP - 65 OLD STREET FAREHAM PO14 3HQ**

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 7 in favour; 1 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(9) P/16/0422/CU - 18 HILL HEAD ROAD FAREHAM HAMPSHIRE PO14 3JH**

The Committee received the deputation referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information: - *An additional 3 objections have been received. No additional issues have been raised.*

The Committee was informed that Condition 5, set out in page 64 of the report, is no longer required as the information has been provided.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report but excluding Condition 5, was voted on and CARRIED.

(Voting: 7 in favour; 1 against)

RESOLVED that, subject to the conditions in the report but excluding condition 5, PLANNING PERMISSION be granted.

**(10) Planning Appeals**

The Committee noted the information in the report.

**(11) UPDATE REPORT**

The Update Report was tabled at the meeting and considered with the relevant agenda item.

(The meeting started at 2.30 pm  
and ended at 5.50 pm).

# FAREHAM

## BOROUGH COUNCIL

### Report to Planning Committee

**Date:** 22 June 2016

**Report of:** Director of Planning and Regulation

**Subject:** PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

#### SUMMARY

This report recommends action on various planning applications and miscellaneous items

#### RECOMMENDATION

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

#### AGENDA

(1) Items relating to development in the Western Wards: Sarisbury, Warsash, Park Gate, Titchfield, Titchfield Common and Locks Heath will be heard from 2.30pm

(2) Items relating to development in Fareham Town: Fareham South, Fareham North, Fareham North-West, Fareham East and Fareham West will not be heard before 4.00pm

**ZONE 1 - WESTERN WARDS**

Park Gate  
 Titchfield  
 Sarisbury  
 Locks Heath  
 Warsash  
 Titchfield Common

Reference		Item No
<b>P/16/0359/FP</b> WARSASH	20 CHURCH ROAD WARSASH SOUTHAMPTON SO31 9GD ERECTION OF 4 DETACHED DWELLINGS, TOGETHER WITH ASSOCIATED CAR PARKING AND NEW ACCESS FROM SANDYCROFT	<b>1</b> <b>PERMISSION</b>
<b>P/15/1023/FP</b> WARSASH	20 CHURCH ROAD WARSASH FAREHAM SO31 9GD DEMOLITION OF EXISTING SINGLE GARAGE AND THE ERECTION OF NEW DOUBLE DETACHED CAR PORT WITH USE OF THE EXISTING ACCESS.	<b>2</b> <b>PERMISSION</b>
<b>P/16/0015/FP</b> SARISBURY	TIDE MARK SWANWICK SHORE ROAD SWANWICK SOUTHAMPTON SO31 7EF ERECTION OF TWO STOREY REAR EXTENSION WITH BASEMENT	<b>3</b> <b>PERMISSION</b>
<b>P/16/0243/OA</b> WARSASH	EGMONT NURSERIES BROOK AVENUE WARSASH FAREHAM SO31 9HN DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF EIGHT DETACHED HOUSES AND CREATION OF PADDOCK (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)	<b>4</b> <b>REFUSE</b>
<b>P/16/0398/RM</b> SARISBURY	THE NAVIGATOR - LAND ADJACENT - SWANWICK LANE LOWER SWANWICK SO31 7EB 37 DWELLINGS WITH ASSOCIATED ACCESS AND PARKING FOR EXISTING PLAY AREA - RESERVED MATTERS IN RELATION TO OUTLINE APPLICATION, P/13/1121/OA : APPEARANCE, LANDSCAPING, LAYOUT & SCALE	<b>5</b> <b>APPROVE</b>

# Agenda Item 6(1)

P/16/0359/FP

WARSASH

MASCOT HOMES LTD

AGENT: WYG

ERECTION OF 4 DETACHED DWELLINGS, TOGETHER WITH ASSOCIATED CAR PARKING AND NEW ACCESS FROM SANDYCROFT

20 CHURCH ROAD WARSASH SOUTHAMPTON SO31 9GD

## **Report By**

Mark Wyatt Direct dial 01329 824704.

## **Site Description**

The application site is a large area of garden to the rear of number 20 Church Road, Warsash. The site is generally flat and laid to grass with evidence of some recent clearance of small on site fruit trees within the centre of the site. The site opens out at the rear of 24 Church Road and extends westwards to the boundary with the properties that front Osborne Road. The southern boundary adjoins the Sandycroft development and due north of the site are the two dwellings of 16a and 16b Church Road. The boundaries are either hedged or domestic style fencing.

## **Description of Proposal**

This application is made following the recent refusal (P/15/0947/FP refers) for a four dwelling scheme on the application site. The application seeks to amend the proposal in order to overcome the reasons for refusal. The amendments to the scheme are as follows:

- Resiting of plot 1
- Reduction in footprint of plot 1
- Increase in garden area for plot 1 as a result of the reduction in dwelling size
- Reduction in footprint of plot 2
- Increase in garden size for plot 2 as a result of the reduction in dwelling size
- Redesign of plot 2 to better address the site access
- Relocation of third parking spot for plot 3 to the northern site boundary
- Reduction of double car ports to single car ports
- Creation of an additional visitor parking space
- Re-siting of plot 3 one metre further north east

As a consequence of this the proposal changes from four 4 x bedroom dwellings to three 4 x bedroom houses and one 3 x bedroom dwelling (plot 2). The gardens are detailed as follows:

Plot	Max. depth	Max width	Garden area
1	15.9m	16.07m	226 sqm
2	11.5m	23.2m	234sqm
3	11.0m	16.1m	217 sqm
4	12.2m	14.8m	217 sqm

## **Policies**

The following guidance and policies apply to this application:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)



**Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

**Approved SPG/SPD**

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

**Development Sites and Policies**

DPS1 - Sustainable Development

DSP3 - Impact on living conditions

DSP4 - Prejudice to adjacent land

***Relevant Planning History***

The following planning history is relevant:

P/15/0947/FP - Four 4 bedroom detached houses, garage & car ports, parking and new access off Sandycroft Refused 29/01/2016 for the following reasons:

(1) The proposed development, by virtue of its cramped layout and garden provision to plots one and two, is considered to result in overdevelopment of the site through the failure to provide adequate usable external amenity space to meet the requirements of future occupiers. The development is therefore considered to be contrary to policy CS17 of the Fareham Borough Design Guide (Excluding Welborne) Supplementary Planning Document.

(2) In the absence of a completed agreement pursuant to section 106 of the Town and Country Planning Act 1990 to secure:

- A financial contribution towards the Solent Recreation Mitigation Strategy,
- A contribution towards reptile translocation and habitat enhancement,
- Affordable Housing Claw Back Obligation for Affordable Housing should a residential proposal come forward on the site of planning permission P/15/1023/FP.

The proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas; have a detrimental impact upon reptiles using the site and fail to provide the opportunity to secure a contribution towards affordable housing. The development would therefore be contrary to Policy CS18 (Provision of Affordable Housing) of the adopted Fareham Borough Core Strategy and policies DSP13 (Nature Conservation) and DSP15 (Recreational Disturbance on the Solent Special Protection Areas) of the Fareham Borough Development Sites and Policies Plan.

An appeal has been made against this refusal.

P/15/1023/FP - Demolition of existing single garage and the erection of new double detached car port with use of the existing access - reported elsewhere on this Agenda

P/15/0673/FP - Construction of 3 X 4 Bed Detached and 2 X 3 Bed Semi Detached Houses, Car Ports, Parking With Access Off Sandycroft; 1 X 3 Bed Detached House and Parking Between 20-24 Church Road - withdrawn 04/04/2016

P/15/0254/FP - Erection Of 7 Houses With Associated Parking, Accessed Via Sandycroft - refused 02/06/2015 - Appeal Dismissed 05/05/2016.

P/14/1161/FP - Proposed three 4 Bed & one 3 Bed Houses With Garaging And Access From Sandycroft - withdrawn 03/02/2015

P/14/1106/FP - Proposed three 4 Bed & one 3 Bed Houses With Garaging And Access From Sandycroft - Invalid 02/12/2014

### ***Representations***

One Letter of Support from 16b Church Road:

- This takes account of the previous reason for refusal on P/15/0947/FP.
- We are relieved that the house on plot 2 has no first floor windows overlooking our patio or dining room.
- Providing plot 2 stays as shown, we support the proposal.

Nine letters of objection from 36 Church Road; 1, 2 (x2 but counted as one), 4, 6, 7, 9, 11 Sandycroft and 19 Osborne Road.

- Nothing has changed since earlier objections
- Church Rd will still be affected by traffic and there is a real safety issue here especially at peak school times.
- There are still errors with the submission referring to the site area and the density of development. These were pointed out before.
- The footprint of the dwellings are more revealing than the density - the footprint takes up 21% of the land area where as in Sandycroft it is only 18.8%
- splitting the site into two is a cynical attempt to avoid payments for social housing as required.
- The precedent for backland developments were set previously with only single or 1.5 storey dwellings.
- The Strategic Housing Review for the Borough identified that Warsash has less employment than the rest of the Borough and any developments would increase the reliance on the car.
- There are still real issues with the bulk of the development.
- Parking, cars and access are still an issue. Two visitor spaces is inadequate.
- Cars parked in line are hardly convenient.
- Difficulty for large vehicles - refuse trucks, emergency vehicles, shopping delivery lorries - to manoeuvre.
- Parking for plot 4 has poor visibility.
- The local doctors cannot expand any further and the schools are at capacity.
- There is no mention of the protection to the hedgerow like the previous scheme. What height is this to remain at?
- Why is the hedge to the south west not marked as existing?
- There is nothing to stop homeowners from converting the car ports to garages.

- 20 Church Road will no longer have an 11m deep garden as plot 3 has moved closer to it?
- The design SPD advises that driveways should be placed next to other driveways and not adjacent to rear gardens. Plot 4 conflicts with this.
- The landing window on plot 4 needs to be fixed shut and obscurely glazed to meet the privacy requirements of the design SPD.
- Plot 4 is still overbearing and oppressive to 6 Sandycroft.
- We feel that the reptile surveys suggested by the Inspector should be done.
- Loss of privacy to all neighbours. History restricts all development facing Osborne Rd to single storey.
- How will the hedge be protected once the protective fence is removed and the dwellings occupied
- Some of the trees appear as though they are in the Osborne Road Gardens.
- The gardens for plots 1 and 2, whilst larger are still of an undesirable shape and size and the proposals continues to therefore be overdevelopment of the site.
- The nature and appearance of the development is completely different to the established area.
- The developer has ignored the Design Guide SPD advice to make backland dwellings single storey.
- The front door to plot 2 is directly onto the road and there is no access to the rear garden other than through the house.
- The 17.25m distance between plot 4 and 6 Sandycroft omits the chimney and the conservatory on 6 Sandycroft such that the previous impacts and concerns remain.
- Loss of daylight to number 6 Sandycroft and a sense of enclosure to the rear garden of number 6 Sandycroft.

### ***Planning Considerations - Key Issues***

The key issues in the determination of this application are:

- The principle of the development
- Residential garden sizes (reason for refusal 1)
- Ecology and affordable housing (reason for refusal 2)
- Impact upon the Character and Amenity of the area
- Parking and highway impacts
- Other matters

### **THE PRINCIPLE OF THE DEVELOPMENT:**

The site is, for the purposes of the development plan, within the defined urban settlement boundary. Core Strategy policy CS2 (Housing Provision) and policy CS6 (The Development Strategy) are relevant for housing proposals. Additionally policy CS9 (Development in the Western Wards and Whiteley) applies which seeks to provide for housing development (among other things) within the settlement boundary providing the setting of the settlement is protected.

The National Planning Policy Framework (NPPF) seeks to resist development of residential gardens where it would harm the character of the local area (para 53). Additionally, the NPPF excludes gardens from the definition of Previously Developed Land (PDL) in annexe 2. The policy does not, therefore, restrict development in gardens it simply requires an assessment of the impact of such a development upon the character and appearance of the area.

Additionally it is noted from the planning history for Sandycroft that the legal agreement as part of the planning permission provides for access to the application site and services to be

provided up to the point of access with a right to connect into the services and road.

Although the appeal against the seven dwelling scheme (P/15/0254/FP) was recently dismissed, with regard to identifying the key issues for assessment in the appeal, the Inspector noted that "The proposal would make efficient use of land in a sustainable urban location close to facilities and would make a useful contribution towards meeting housing needs with associated social and economic benefits" (para 5).

The redevelopment of land for housing purposes is therefore acceptable in principle subject to the consideration of the relevant planning considerations.

#### RESIDENTIAL GARDEN SIZES (REASON FOR REFUSAL 1)

The first reason for refusal on the previous scheme (P/15/0947/FP) was focused specifically on the garden sizes of plots 1 and 2 only. The inadequate garden size for these two dwellings was considered to result in overdevelopment of the site and result in a cramped development.

As described above the applicant has taken steps to revise the house types on plots 1 and 2, to re-site plot 1 as well as revising the extent of car port provision. This has enabled the layout to be re-designed with an increase in size to the gardens of plots 1 and 2.

In considering garden size parameters the Design Guidance SPD clearly sets out that gardens should be at least 11m in length. The SPD does also set out that large family gardens should have more generous gardens. In this case plot 1 is a four bedroom dwelling and plot 2 is a three bed room house. The garden sizes are as follows:

Plot	Max. depth	Max width	Garden area
1	15.9m	16.07m	226 sqm
2	11.5m	23.2m	234sqm

It is clear that plot 1, as the larger family home, exceeds the 11m depth by nearly 4m and the width is also generous. It is noted that the garden is of an irregular shape however its area is over two hundred square metres.

Plot 2 just exceeds the 11m garden length requirement but is more than double this in overall length, although this garden is also irregular in shape, wrapping around the western and northern sides of the dwelling, its area also exceeds two hundred square metres.

The garden area for these two family homes is considered to be acceptable and policy compliant. Both gardens exceed the Council's minimum garden size requirements and garden sizes were not raised as a concern by the Inspector in dismissing the seven unit scheme recently. As such it is considered that the scheme is not designed to overdevelop the plot and that adequate garden amenity space will be provided. The proposal therefore addresses the first reason for refusal on the recently refused scheme.

#### ECOLOGY AND AFFORDABLE HOUSING (REASON FOR REFUSAL 2):

The second reason for refusal of application P/15/0947/FP was related specifically to the lack of an agreement pursuant to section 106 of the Town and Country Planning Act 1990. This agreement was intended to secure:

- A financial contribution towards the Solent Recreation Mitigation Strategy (SRMS),
- A contribution towards reptile translocation and habitat enhancement,
- Affordable Housing Claw Back Obligation for Affordable Housing should a residential proposal come forward on the site of planning permission P/15/1023/FP.

The applicant raised no objection previously to the first two obligations referred to above - namely the contributions towards the SRMS and provision of an off site reptile mitigation habitat enhancement contribution. The applicant continues to be in agreement that these two obligations are necessary within the terms of any agreement with this new proposal.

Since the previous application was refused (P/15/0947/FP) the appeal decision for the seven unit scheme has also been received. In considering the ecology constraints of the site, and specifically reptiles, the Inspector noted that:

"It appears that whilst no reptiles have been found on the site (and there has been no presence or activity survey), the [applicant's] report indicates that it contains habitat that may be potentially attractive to reptiles including slow worms and grass snakes. On what appears to be a precautionary basis it is proposed to trap any such reptiles and then relocate any found to an area along the site's western boundary that is also to be protected for its bat habitat. The Council questions the suitability of this area for reptiles given that it would apparently form part of the relatively short rear gardens of two houses. I note that there is no long term strategy to manage this area and its vegetation or to address likely conflicts with pets or children" (para 38).

The Inspector continued that the use of the western boundary hedging as reptile mitigation was unsatisfactory. He concluded that more certainty as to whether reptiles are on site is needed with surveys at the appropriate time of the year, before mitigation is proposed (para 39).

Whilst the Inspector has drawn this conclusion, the Applicant had previously (P/15/0947/FP) agreed with the Council's Ecologist that based on the precautionary approach to the loss of suitable reptile habitat that a trapping exercise would be undertaken and any reptiles would be translocated off site to nearby Warsash Common. This translocation process and the mitigation location was previously proposed by the Council's Ecologist as a suitable and appropriate mitigation strategy rather than the use of the western site boundary. Given that the applicant remains committed to this trapping and relocation, the Inspector's suggested further survey work is not considered necessary on the basis that the Council's Ecologist did not recommend any further survey work previously and that the mitigation is secured and the translocation occurs at a suitable time of the year before the commencement of development.

Moving to the final obligation previously required; policy CS18 of the Core Strategy would typically apply to this type of proposal and would require 30% of the units to be offered for affordable housing given that the site is part of a demonstrably larger housing site as demonstrated by the seven unit appeal scheme.

The third obligation required in the reason for refusal refers to the land to the south side of number 20 Church Road and the application site. The Council has previously sought to bind the application site and this adjoining land to the south side of number 20 to ensure that if residential development involving 5 dwellings or more occurs across the two parcels of land then a contribution towards affordable housing will be sought.

However, at the time of considering the seven unit scheme the Council did not apply policy CS18 and seek affordable housing contributions and neither did it include a reason for refusal on the basis of the lack of an affordable housing contribution.

The reason for this is that at the time of that application being determined the National Planning Practice Guidance (NPPG) set out that affordable housing contributions should not be sought "...from developments of 10-units or less". This NPPG advice was as set out in the Written Ministerial Statement on small-scale developers. Whilst not part of the development plan, it was considered that the NPPG advice was a material consideration afforded significant weight in decision making and outweighed the policy requirement in CS18 during the determination of the seven unit scheme.

West Berkshire Council and Reading Borough Council sought to judicially challenge the Ministerial Statement in the High Court and were successful in July 2015. As such the weight afforded to the development plan policy was reversed and became greater than the ministerial statement and the paragraph in the NPPG was removed. It is on the basis of the successful challenge by Reading and West Berkshire that the Council sought to bind the application site and the land to the south side of Church Road in the recently refused scheme (P/15/0947/FP).

However, since this refusal, the Government appealed this decision and very recently (May 2016) the Court of Appeal handed down its judgement to the effect that the High Court judgement has been overturned which in effect means the return of the 10-unit threshold below which Local Authorities cannot require affordable housing. The third obligation required in the recent reason for refusal is therefore not sought for this application.

#### IMPACT UPON THE CHARACTER AND AMENITY OF THE AREA:

The height of the development, the density of the layout and the architecture proposed was considered when the previous application, P/15/0947/FP, was considered. The impact of the development upon the character of the area and the visual amenities of the area were not raised as reasons for refusal and it can be taken therefore that these matters were previously acceptable to the Local Planning Authority. Given that the scheme changes are not fundamentally departing from that previously found to be acceptable, the character and appearance of the area will not be materially harmed in the view of Officers.

#### PARKING AND HIGHWAY IMPACTS:

The changes to the layout result in single car ports being provided for each dwelling with driveway parking providing the remaining space to meet the standards within the residential parking standards SPD. An additional visitor space is also now provided as a result of the reduced parking requirements for plot 2. Notwithstanding this compliance with the standard, third parties have expressed concern at the suitability of the access and the quantum of parking as well as the likely disruption during construction.

Areas for contractor parking and a construction management plan to avoid the peak periods on the highway can all be secured by planning condition.

As was the case previously, the turning head on Sandycroft is adequate for the Council's refuse truck to turn such that central bin collection points are not needed with the collection truck being able to access the development. This was not a matter previously identified for a reason for refusal.

## OTHER MATTERS:

Third party letters make reference to the impact of plot 4 on the dwellings to its south, 4-6 Sandycroft and suggest, as per the design SPD, that for backland sites that a single storey unit would be more appropriate here. The siting of plot 4 is in the same location as the recently refused scheme P/15/0947/FP; Members did not raise objection to the relationship of this property to numbers 4-6 Sandycroft.

The amended parking for plot 4 actually now provides for more space along side the northern edge of the boundary hedge to number 6 Sandycroft than the recently refused scheme.

The existing hedge along the rear of number 4 and 6 Sandycroft is marked on the plans to be retained. Neighbouring letters have requested a fence on the inside of plot 4. Details of boundary treatment could be addressed by planning condition. However a fence is not considered necessary to make the development acceptable in planning terms.

One further change to the layout from the recently refused scheme is the re-siting of plot 3 one further to the north east. In turn the garden boundary between plot 3 and 20 Church Road moves the same direction by the same distance. The Design Guide requires first floor windows to be at least 11m from boundaries. The bedroom windows in the rear of plot 3 meet this standard. The one window less than the 11 m and at a distance of 10m serves a bathroom which would be obscurely glazed and the Design Guide notes that this is not a habitable room. It is also noted that the rear of the first floor of number 20 Church Road has no openings facing plot 3 and in any event this is in excess of the 22m separation distance requirements.

The garden for plot 3 remains an appropriate size. The garden for number 20 Church Road is only 10m in length, but is 16m wide providing for a garden area of 160sq.m. There are other gardens in this part of Warsash that also have gardens at a depth of only 10m such that the 1m difference in garden length from the standard is unlikely to be discernible or noticeable from the public realm or as a departure from the character of the area plus the required window to window separation distances are achieved so as to not result in a loss of privacy. Added to the planning balance, is that as a consequence of the re-siting of plot 3 and the re-arrangement of the on site parking areas (including a reduction in parking provision for plot 2 as a consequence of the reduction in bedrooms), a further visitor parking spot is provided along the northern boundary - providing two spaces for visitors as opposed to one for the refused scheme P/15/0947/FP.

The site is within reasonably easy reach of schools, doctors, shops and a variety of local employment providers. Representations refer to the already strained schools, doctors and other surgeries in the area. Concerns of this nature were expressed to the Inspector at the appeal for housing on land at the Navigator public house in Swanwick (P/13/1121/OA). In allowing the appeal the Inspector found that "...I accept that there may be pressures on some local services, especially doctors and schools, but at a time when population numbers are increasing throughout the region, the same is true in many areas, and ultimately the task of adapting to meet future needs is one for the providers of those services. In the present case, this would not be a proper reason to refuse planning permission" (para 95). There is no valid reason to draw a different conclusion on the matter for this site.

## CONCLUSION:

In summary the amendments made to the layout address the previous reason for refusal with regard to the adequacy of the usable garden areas for plots 1 and 2. The proposal will not have a harmful impact upon reptiles on site given the precautionary approach to site clearance advocated by the Councils Ecologist. As such no additional reptile survey work is required as suggested by the Inspector for the recent seven unit scheme decision.

The Court of Appeal judgement on affordable housing thresholds is a material consideration afforded significant weight in the decision making such that the previously required obligation to claw back any affordable housing contributions if the site were developed separately to the land on the south side of number 20 Church Road is no longer part of the recommendation.

The scale and bulk of the dwellings are acceptable without demonstrable harm to the amenity of neighbours or the character of the area and the proposal meets the Councils expected parking standards. As such the proposal is recommended for permission.

### ***Recommendation***

Subject to the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:

- A) Contribution towards reptile translocation and habitat enhancement
- B) Contribution towards the Solent Recreation Mitigation Strategy

Then PERMISSION subject to conditions:

01. The development shall begin before the expiry of three years from the date of this decision notice.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development shall be carried out in accordance with the following approved plans:

- TJK1688 Survey
- 10259-PL-01 Revision B Location Plan and Block Plan
- 10259-PL-02 Revision K Proposed Site Layout
- 10259-PL-02 Revision K Proposed Site Layout (without garden dimensions)
- 10259-PL-22 Revision B Proposed Site Layout Garden Areas
- 10259-PL-24 Revision A Proposed Site Layout with refused overlaid
- 10259-PL-03 Revision C Plot 1 Floor Plans
- 10259-PL-04 Revision C Plot 1 Elevations
- 10259-PL-03 Revision C Plot 2 Proposed Floor Plans
- 10259-PL-04 Revision C Plot 2 Proposed Elevations
- 10259-PL-05 Revision B Plot 3 Proposed Floorplans
- 10259-PL-06 Revision B Plot 3 Proposed Elevations
- 10259-PL-07 Revision B Plot 4 Proposed Floorplans
- 10259-PL-08 Revision B Plot 4 Proposed Elevations
- 10259-PL-10 Revision G Proposed Carports

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

03. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:



- parking for site vehicles and contractors
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from demolition and or construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.
- areas for loading and unloading;
- areas for the storage of plant and materials;
- security hoarding position and any public viewing platforms (if necessary);
- site office location;
- construction lighting details (to ensure no lightspill to the boundary hedgerows and vegetation);
- wheel washing facilities;
- dust and dirt control measures;
- a scheme for the recycling of construction waste; and
- vegetation clearance details

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

REASON: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Policies CS5, CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

04. No development shall take place, including site clearance and preparatory work, until the protective fencing along the eastern and southern boundaries as set out in the "Bat Activity and Bat and Reptile Mitigation Strategies" Addendum and the approved site layout drawing 10259-PL-02 Revision K has been erected.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and bat foraging corridor in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

05. Protective fencing measures installed (in accordance with the condition above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written agreement of the Local Planning Authority.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

06. All service routes, drain runs, soakaways or excavations in connection with the development shall remain wholly outside the protective barriers unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

07. No development shall take place above damp proof course (dpc) on any building until details of all external materials to be used in the construction of that building hereby permitted have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

08. No development shall take place above damp proof course (dpc) level on any new dwelling hereby permitted until a detailed hard and soft landscaping scheme identifying all existing trees, shrubs and hedges to be retained (including a minimum height at which they will be retained) together with the species, planting sizes, planting distances, density and numbers of any new planting and including new boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include provisions for the implementation of the new hard and soft landscaping across the whole site and provisions for future maintenance of all planting (both proposed and retained), including all areas to be grass seeded and turfed. The maintenance plan should include details of the actions to be taken should any of the landscaping (existing or proposed) be removed, damaged or die. The development shall be undertaken in accordance with the agreed planting scheme and implementation plan.

REASON: In order to secure the satisfactory appearance of the development and in the interests of the amenities of neighbouring properties.

09. No dwelling shall be occupied until the approved parking areas for that property have been constructed and laid out in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking of vehicles at all times unless otherwise agreed in writing by the local planning authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety; in accordance with Policy CS5 of the Fareham Borough Core Strategy.

10. The site shall be monitored during construction for evidence of previously unidentified contamination. If suspected contamination is encountered then no further development shall be carried out in the affected area(s) until investigation and remediation measures have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure any land contamination not previously identified is assessed and remediated so as to not present any significant risks to human health or the wider environment in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

11. All construction work in relation to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 08.00 hours and 18.00 hours Monday to Friday and 08.00 hours and 13.00 hours Saturdays and at no time on Sundays and recognised bank/public holidays

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

12. No materials obtained from site clearance or from construction works shall be burnt on the site.

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy

13. Details of any external lighting to be fitted to any of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to its installation on the site. The lighting will be installed in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

14. All of the properties hereby approved shall have any external electricity meter box located on a side elevation.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

15. The staircase window proposed to be inserted into the south elevation of plot 4 shall be glazed with obscure glass and be of a non opening design and construction to a height of 1.7 metres above internal finished floor level of the first floor landing and shall thereafter be retained in that condition at all times.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent property.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by Classes B and C of Part 1, Schedule 2 shall be constructed unless otherwise agreed in writing by the local planning authority following the submission of a planning application made for that purpose.

REASON: In the interest of the development integrating with the character of the area and the amenity of neighbouring properties in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no doors, gates, structures or other means of enclosure shall be erected on the approved car ports.

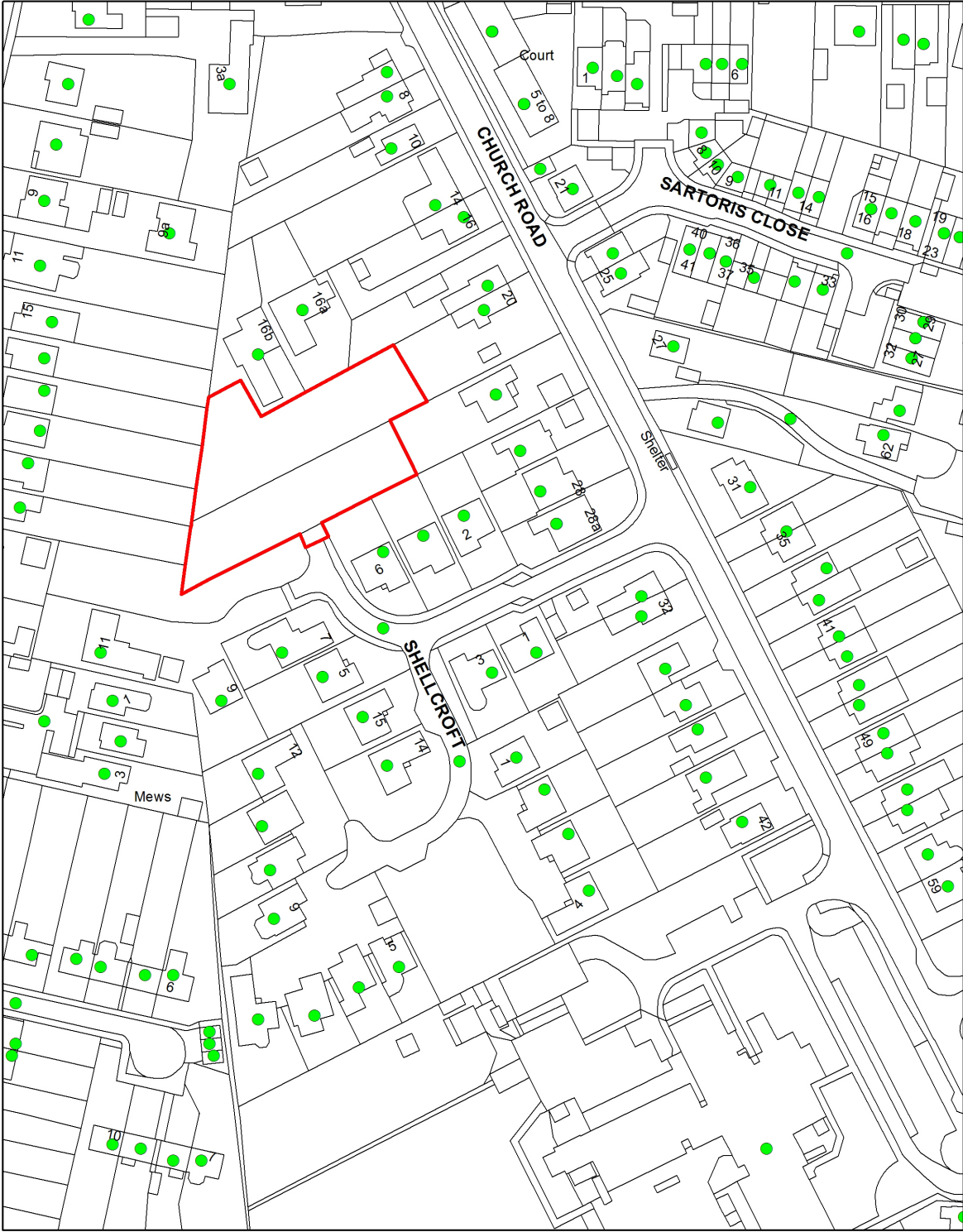
Reason: In the interest of retaining an adequate supply of parking provision and in the interest of highway safety.

### ***Background Papers***

See "relevant planning history" section above

# FAREHAM

BOROUGH COUNCIL



20 Church Road, Warsash  
Scale 1:1250



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# Agenda Item 6(2)

**P/15/1023/FP**

**WARSASH**

MR PETER FULLEGAR

AGENT: VIVID DESIGN STUDIO  
LTD

DEMOLITION OF EXISTING SINGLE GARAGE AND THE ERECTION OF NEW DOUBLE DETACHED CAR PORT WITH USE OF THE EXISTING ACCESS.

20 CHURCH ROAD WARSASH FAREHAM SO31 9GD

## ***Report By***

Mark Wyatt Direct Dial 01329 824704

## ***Introduction***

At the meeting of the Planning Committee in January 2016 the Committee resolved to grant a planning permission for the proposed development subject to the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act 1990. The Obligation under Section 106 sought to bind the application site, and the adjoining land to the rear of number 20, to ensure that if residential development exceeding 5 dwellings or more occurred across the two parcels of land then a contribution towards affordable housing would be secured. The agreement is in draft form but has not yet been completed.

In November 2014 the National Planning Practice Guidance (NPPG) set out that affordable housing contributions should not be sought "...from developments of 10-units or less". This NPPG advice was as set out in the Written Ministerial Statement on small-scale developers. Whilst not part of the development plan, it was considered that the NPPG advice was a material consideration afforded significant weight in decision making and outweighed the policy requirement in CS18.

West Berkshire Council and Reading Borough Council sought to judicially challenge the Ministerial Statement in the High Court and were successful in July 2015. As such the weight afforded to the development plan policy was reversed and became greater than the ministerial statement and the paragraph in the NPPG was removed. It is on the basis of the successful challenge by Reading and West Berkshire that the Council sought to bind the application site and the land to the rear of 20 Church Road earlier this year.

However, since this resolution by the Planning Committee, the Government appealed this decision and very recently (May 2016) the Court of Appeal handed down its judgement. The earlier High Court judgement was overturned which in effect means the reinstatement of the 10-unit threshold below which Local Authorities cannot require affordable housing. The NPPG was subsequently amended in mid-May to reflect this Judgement.

On the basis that the NPPG advice and the recent case law is afforded more weight than development plan policy CS18, Officers do not believe that the planning obligation required by the Committee resolution in January can now be required for this application.

Below, for Members information, is the previous committee report which sets out the issues. The recommendation is amended, however, to one of simply Permission subject to conditions, with no requirement for a legal agreement.

## ***Site Description***

The application site is to the south side of number 20 Church Road in Warsash. The site is

currently laid primarily to lawn with a driveway up to a pre-fabricated garage. The levels on the site are generally flat and consistent.

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

The application seeks full planning permission for a new double car port in place of an existing single, pre-fabricated garage.

### ***Policies***

The following guidance and policies apply to this application:

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

In addition to the development Plan Policies below, the recently adopted Borough Design Guide (excluding Welborne) SPD is of relevance.

### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

### **Approved SPG/SPD**

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

### **Development Sites and Policies**

DPS1 - Sustainable Development

DSP3 - Impact on living conditions

DSP4 - Prejudice to adjacent land

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

The following planning history is relevant:

P/15/0947/FP - Four 4 bedroom detached houses. garage and car ports, parking and new access from Sandycroft - under consideration

P/15/0673/FP - Construction of 3 X 4 Bed Detached And 2 X 3 Bed Semi Detached Houses, Car Ports, Parking With Access Off Sandycroft; 1 X 3 Bed Detached House And Parking Between 20-24 Church Road - under consideration.

P/15/0254/FP - Erection Of 7 Houses With Associated Parking, Accessed Via Sandycroft - refused 02/06/2015 - Appeal Lodged and pending.

P/14/1161/FP - Proposed 3no. 4 Bed & 1no. 3 Bed Houses With Garaging And Access From Sandycroft - withdrawn 03/02/2015

### ***Representations***

Seven letters (if more than one is from the same address it is counted as one) received from:

1, 2 (x2), 11 Sandycroft; 8, 14, 24 Church Road; 9a Osborne Road

Objecting on the following grounds:

- This is an attempt to divide up the space previously treated as a whole
- It denies the possibility of access to the rear of 20 Church Road rather than via Sandycroft
- Endorsing the division creates an opportunity for further development should the permission lapse and avoid affordable housing
- No public notice has been posted anywhere
- I have received no notification and am not on the consultee list despite having made comments on other applications
- Is the garage not contaminated?
- Is an ecology report required?
- Concern at demolition as the garage has a cement roof and may contain asbestos

### ***Planning Considerations - Key Issues***

The key issues in the determination of this application are:

- The principle of the development
- Impact upon the Character and Amenity of the area
- Parking and highway impacts
- Affordable housing

#### **THE PRINCIPLE OF THE DEVELOPMENT:**

The site is, for the purposes of the development plan, within the defined urban settlement boundary such that the principle for this type of application is acceptable.

#### **IMPACT UPON THE CHARACTER AND APPEARANCE OF THE AREA:**

Church Road is typically made up of semi detached pairs of dwellings within generally narrow plots of reasonable length and parking generally to the side and front.

The proposed car port will replace an old and deteriorating pre-fabricated garage building. To the south, at number 24 is a detached forward garage such that the proposed car port is not considered to be an alien addition to the street scene and will preserve the character of the area.

#### **PARKING AND HIGHWAY IMPACTS:**

The proposal provides for adequate parking for number 20 and there is adequate turning space proposed.

#### **AFFORDABLE HOUSING:**

Policy CS18 of the Core Strategy would not typically apply to this type of proposal given that the proposed development only proposes a car port.

However policy CS18 does states that "...should a site fall below the...identified thresholds but is demonstrably part of a potentially larger developable site, the Council will seek to achieve affordable housing on a pro-rata basis".

The planning history above clearly sets out two applications for six and seven units proposed on land including the application site and the adjoining land to the rear of number 20 Church Road. The site, therefore, is clearly part of a demonstrably larger site such that policy CS18 is engaged and takes effect.

In order to ensure that the application site is not combined with the adjoining land to create a larger site it is a requirement of the recommendation that the applicant should enter into a legal agreement including an obligation to the effect that should the car port be demolished and a residential scheme be proposed on the application site in the future then there would be a requirement to provide an affordable housing contribution at that time compliant with the development plan policies.

Subject to the above planning obligation and appropriate conditions the proposal is considered to be acceptable for permission without demonstrable harm to the visual amenities of the area or users of the highway.

### ***Recommendation***

PERMISSION subject to conditions:

01. The development shall begin before the expiry of three years from the date of this decision notice.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development shall be carried out in accordance with the following approved plans:

- 150062 01 Site Location Plan
- 150062 02 Proposed Site Plan
- 150062 03 Proposed Car Port Details

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

03. No development shall take place above damp proof course (dpc)/slab level on the car port until details of all external materials to be used in the construction of that building hereby permitted have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

Informatives:

The applicant is advised to take care and seek specialist advice (if necessary) on the demolition of the existing garage to ensure that in the event it contains asbestos fibres that these are appropriately removed from the site and safely disposed of.

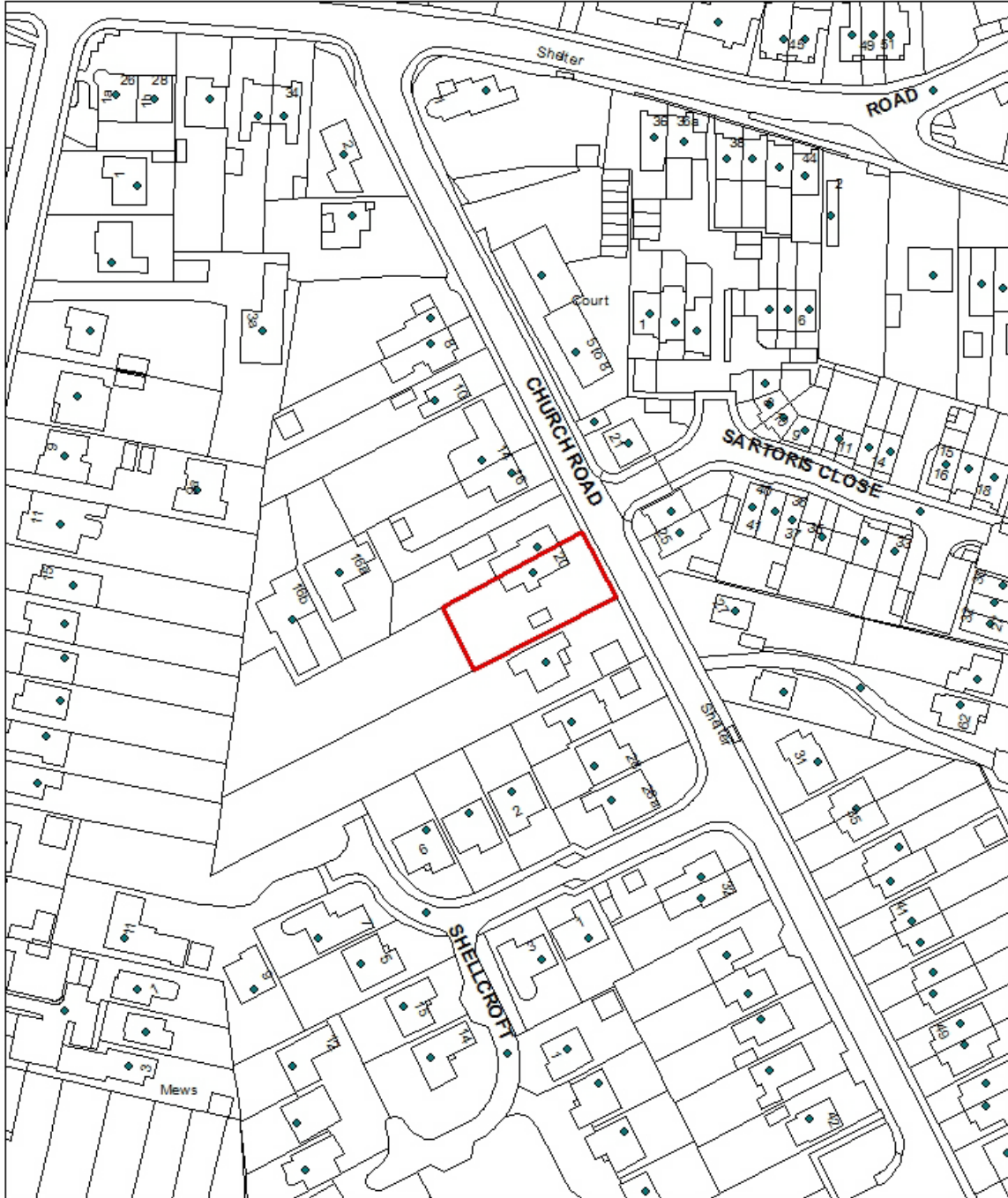
### ***Background Papers***

see "relevant planning history" section above



# FAREHAM

## BOROUGH COUNCIL



20 Church Road  
SCALE: 1:1,250

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# Agenda Item 6(3)

P/16/0015/FP

MR ANDREW SMITH

SARISBURY

AGENT: WILDCRY TECHNICAL SERVICES

ERECTION OF TWO STOREY REAR EXTENSION WITH BASEMENT

TIDE MARK SWANWICK SHORE ROAD SWANWICK SOUTHAMPTON SO31 7EF

## ***Report By***

Susannah Emery - Direct dial 01329 824526

## ***Site Description***

This application relates to a detached two storey dwelling on Swanwick Shore Road which fronts on to the public footpath which runs along the bank of the River Hamble. The dwelling has previously been extended to the side with the original part of the dwelling standing closest to Swanwick Shore Road. The dwelling is located within the Swanwick Shore Road Conservation Area.

## ***Description of Proposal***

Planning permission is sought for the erection of a two storey rear extension measuring a maximum of 5.4m in depth, 10.7m in width with varying ridge heights.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Development Sites and Policies**

DSP3 - Impact on living conditions

DSP5 - Protecting and enhancing the historic environment

## ***Relevant Planning History***

The following planning history is relevant:

### **P/02/0703/FP**

**Erection of Single Storey Side Extension With Verandah and Increase Size of Existing Extension & Alterations to Front Elevation**

PERMISSION 19/07/2002

## ***Representations***

Eight letters have been received objecting on the following grounds;

- Too large in mass and volume and disproportionate to other buildings within the Conservation Area
- The dwelling would become almost three times its original size
- Unsympathetic overdevelopment of the site
- The proposal is not subservient to the host dwelling
- Conservation Area assessment identifies the open space to the rear of Tidemark as being of importance
- Destructive to the rural character of the Conservation Area

- Introducing an urban aspect to Swanwick Shore Road
- The extension would not enhance or conserve the existing dwelling
- Proposed extension would overshadow Swanwick Shore Road and block sunlight
- The extension would dominate the view of and the approach to the river in an adverse way
- unsympathetic to neighbouring properties
- The height of the extension will have a tunnel like impact on Swanwick Shore Road
- The dwelling is located on a well used public footpath
- The dwelling is already more than large enough for a family home
- Loss of light to neighbouring properties
- Not a pretty sight
- Obscuring views of the trees beyond
- The extension would dominate the stone brick wall
- Contrary to local plan policy

### ***Consultations***

INTERNAL

Conservation - This revised scheme which is reduced in height and depth is a significant improvement from that previously proposed. The extensions as now proposed are acceptable, subject to the use of appropriate materials, which would not be harmful to the character and appearance of the Swanwick Shore Conservation Area.

### ***Planning Considerations - Key Issues***

The main planning considerations in the determination of this planning application are the impact of the proposal on the character and appearance of the Conservation Area and the impact on the living conditions of the neighbouring properties.

#### Impact on Character & Appearance of Conservation Area

The rear elevation of the existing dwelling is visible in views south from Bridge Road along Swanwick Shore road to the river as it stands closer to the road than the frontage dwellings. The dwelling stands on the bend of Swanwick Shore Road on the waterfront presenting its flank elevation to the road. There is a tall stone wall measuring in excess of 2m in height which runs along the side boundary and encloses the rear garden which is a feature of noted importance within the Conservation Area Character Assessment.

The design of the proposed extension has been discussed at length with officers and the application as originally submitted has been significantly amended. The original scheme was for a two storey extension which would have extended a total of 6.8m out from the rear of the dwelling into the rear garden within close proximity to the boundary wall. The initial 3.5m would have extended the flank wall straight out from the rear of the dwelling and would have retained the same ridge height as the existing dwelling. The extension would then have been set in slightly from the flank wall with a reduced height for the final 3.3 metres. Officers were concerned that the overall height and massing of the proposed extension in such a prominent location would have had a detrimental impact on the streetscene and the appearance of the Conservation Area.

The amended plans have set the whole of the two storey rear extension in from the flank wall and reduced the depth of the first floor extension along the western boundary by 2.4 metres to 4.4 metres. The mass of the extension has also been reduced by breaking it into different elements which are roofed separately enabling ridge heights to be lowered below the height of the original dwelling. The extension would now appear as subservient to the

existing dwelling. To compensate for the loss of floor space the width of the extension has been increased extending into the area which sits to the rear of the central part of the dwelling and therefore away from the site boundaries. There is a significant change in levels on the application site so that the ground floor level of the central part of the dwelling is at a lower level than both the original part of the dwelling and the garden area and there is currently a flight of stairs from a sunken patio at the rear of the dwelling up to the garden area. By increasing the width of the extension and utilising this central area it is possible to provide additional first floor accommodation which would have a reduced floor level and ridge height so that it would not be prominent over the boundary wall when viewed from Swanwick Shore Road. The revised drawings have received a positive response from the Council's Conservation Officer.

Officers are of the opinion that the amended proposal would address the concerns raised and the proposal would not have a detrimental impact on the visual appearance or character of the Conservation Area.

Furthermore having regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Officers consider that the proposal will preserve the character and appearance of the Swanwick Shore Conservation Area.

#### Impact on Living Conditions of Neighbouring Properties

It is not considered that the proposal would have any detrimental impact on the living conditions of the occupants of the neighbouring properties. Longreach which is the property which sits on the river frontage adjacent to Tidemark has no windows facing towards the application site. Riversdale House to the rear would be in excess of 20 metres from the proposed extension with the nearest facing windows being 28m away.

#### Summary

The proposal complies with Policy CS17 (High Quality Design) of the Fareham Borough Core Strategy and Policies DSP3(Impact on Living Conditions) and DSP5 (Protecting & Enhancing the Historic Environment) of the Fareham Borough Local Plan Part 2 : Development Sites and Policies and is considered acceptable.

#### ***Recommendation***

PERMISSION; subject to conditions;

1. The development shall begin before the expiry of three years from the date of this decision notice.

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

2. The development shall be carried out in accordance with the following approved documents:

- i) Location & Block Plan - drwg No. Tide003 Rev A
- ii) Existing Tree Layout - drwg No. Tide005
- iii) Plans & elevations as Existing - drwg No. Tide001
- iv) Plans & Elevations as Proposed - drwg No. Tide002 Rev C
- v) Proposed Basement Plan - drwg No. Tide 008

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

3. No development shall take place until details of all proposed facing and roofing materials have been submitted to and approved by the local planning authority in writing.

REASON: To ensure that the finished appearance of the development blends satisfactorily with its surroundings in accordance with Policy CS17 of the Fareham Borough Core Strategy.

***Background Papers***

P/16/0015/FP

# FAREHAM

BOROUGH COUNCIL



Tide Mark  
Scale 1:1250



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# Agenda Item 6(4)

**P/16/0243/OA**

MR RAY HANSLIP

**WARSASH**

AGENT: PAUL AIREY PLANNING  
ASSOCIATES

DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF EIGHT DETACHED HOUSES AND CREATION OF PADDOCK (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

EGMONT NURSERIES BROOK AVENUE WARSASH FAREHAM SO31 9HN

## ***Report By***

Richard Wright - direct dial 01329 824758

## ***Site Description***

The application site comprises an area of countryside around 1.9 hectares in size and located on the northern side of Brook Avenue, Warsash. Approximately 60% of the site is covered by derelict buildings, glasshouses and hard standing and was used up until the 1990s as a commercial nursery. A horse paddock forms a considerable portion of the site in its north-western corner. Adjacent to the northern site boundary is Holly Hill Woodland Park.

Residential properties fronting Brook Avenue lie close by as does the small housing development at Yorkdale (to the immediate west of the application site).

## ***Description of Proposal***

Outline planning permission is sought for eight detached dwellings. All matters are reserved meaning the application seeks simply to establish the principle and quantum of development on the site. Notwithstanding this, an illustrative site layout plan has been provided showing the possible arrangement of eight dwellings on the site with an area of open space/paddock shown along the western site edge.

Submitted in support of the application are Phase I and II ecology surveys (carried out in June and November 2014 respectively) and a Ecological walkover survey report (carried out in January/February 2016) to accompany those earlier studies.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

### **Approved SPG/SPD**

**Development Sites and Policies**

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP13 - Nature Conservation

***Relevant Planning History***

The following planning history is relevant:

**P/15/0540/OA**      **INSTALLATION OF 2820 PHOTOVOLTAIC PANELS AND USE OF EXISTING OFFICE BUILDING FOR INSTALLATION OF INVERTER & CONTROL EQUIPMENT (OUTLINE APPLICATION)**

APPROVE                      19/11/2015

**P/15/0529/OA**      **CONSTRUCTION OF EIGHT DETACHED HOUSES AND CREATION OF Paddock (OUTLINE APPLICATION)**

WITHDRAWN                      03/11/2015

**P/09/0126/FP**      **ERECTION OF SINGLE STOREY REAR EXTENSION TO EXISTING OFFICE BUILDING TO PROVIDE WC FACILITIES**

PERMISSION                      08/04/2009

**P/07/1644/VC**      **REMOVAL OF CONDITION 2 ON PLANNING APPROVAL P/06/0982/CU CONTINUED USE OF BUILDING AS OFFICE**

PERMISSION                      21/02/2008

**P/06/0982/CU**      **Change of Use of Building to Office (Non Agricultural)**

PERMISSION                      19/10/2006

***Representations***

Twenty-one sets of comments have been received in support of the application and making the following points:

- This will enhance the environment
- Plans are sympathetic and in keeping with quality developments like Yorkdale and Cawtes Reach
- There would be no unacceptable increase in vehicular traffic on Brook Avenue

However, several of these letters of support express reservations such as:

- Eight houses are too many
- Could the paddock be protected from further housing development in the future?
- More information is needed on the enhanced western site boundary
- Open aspect frontage may encourage verge parking
- Damage to private road from site traffic
- Traffic calming measures should be introduced
- Will this be a special case dissuading owners of other redundant greenhouses in the



vicinity from also applying for planning permission?

Nine sets of comments have been received raising the following concerns. Of these, six stated they were in objection to the proposal.

- Contrary to countryside policies of local plan
- This piece of land is part of a gap between the built up community and the River Hamble
- Not in keeping with semi-rural aspect of Brook Avenue
- Visual impact of two storey houses
- Will set a precedent for the development of other nursery sites nearby
- Harmful to highway safety / risk to pedestrians
- Brook Avenue is not suitable for an increase in traffic and public access
- Lorries using other end of Brook Avenue which is unsuitable for heavy vehicles

### **Consultations**

INTERNAL

Contaminated -

The site is a horticultural nursery and therefore there is potential for land to be affected by contamination.

The application could be approved subject to a condition that takes account of the following: a desk study investigation and site walkover, an intrusive site investigation and risk assessment if required, a strategy of remedial measures if required, the implementation of those remedial measures and their validation by an independent competent person. In addition, should contamination be encountered during works that has not been investigated or considered, details of remedial measures should be agreed with the LPA and implemented and validated.

Trees -

No objections subject to a detailed tree planting and landscaping scheme.

Highways -

This is a proposal to redevelop this redundant nursery site with eight detached dwellings, an open paddock and an access road with turning head. Across the site frontage and along the northern side of its loop leading to Brook Lane, Brook Avenue is a wide, tarmacked, private street with no footway provisions and limited street lighting.

Whilst the application submission does not specify the level of activity that the former nursery site would have had, it is apparent that this large site would have employed a number of workers and thus have attracted a reasonable level of vehicular and non-vehicular movements along Brook Avenue. These would have been staff, commercial vehicles and, possibly, customer movements.

By contrast, and following the construction phase, the proposed residential development would be expected to generate a lower level of activity along Brook Avenue. Consequently, subject to conditions, there is no highway objection to the application.

Ecology - Comments will be provided as an update to the committee report

## EXTERNAL

Hampshire County Council (Minerals and Waste) -

The proposed development site boundary overlies part of the MWCA. The MWCA in this area indicates that there is a high potential that viable sand and gravel deposits are present within the site. Due to the scale of the proposed application it is unlikely to have a significant impact as the development would not sterilise a significant amount of safeguarded resources. At this time Hampshire County Council has no objection to this development in terms of minerals and waste policy.

### ***Planning Considerations - Key Issues***

#### PRINCIPLE OF DEVELOPMENT

The development of eight houses is proposed on the site of a derelict commercial nursery. Such a use would not be considered to constitute 'previously developed land' under the definition of such given in the Glossary to the National Planning Policy Framework (NPPF) which excludes land that is or has been occupied by agricultural buildings.

Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban areas. Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries.

The application site lies within an area which is outside of the defined urban settlement boundary.

Policy CS14 of the Core Strategy states that:

"Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure."

Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states "There will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map)."

This application site has been submitted for the Council's consideration in the 'Call for Sites' exercise, which commenced in November last year, as an important part of the Local Plan Review. The site is comparable to a number of other sites in the locality containing glasshouses, which have also been submitted for the Council's consideration in the 'Call for Sites' or which are subject to consultation by site promoters prior to the submission of planning applications. It is considered most appropriate for sites such as these to be properly considered as part of the Local Plan Review, whereby suitable sites come forward through the plan led process and are properly consulted upon as the emerging plan moves through to adoption.

The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6 and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

## LAND SUPPLY

The Council's five year housing supply position is based upon the requirements of the Borough's adopted Local Plan (Part 2 and Part 3). Since the appeal at the site adjacent to The Navigator public house in December 2014 (reference P/13/1121/OA), Local Plan Part 2 and Local Plan Part 3 have both been found sound and adopted by the Council. In accordance with the Planning Practice Guidance, the Borough's housing requirement figures in the adopted Local Plans provide the basis for calculating the five year supply.

The NPPF requirement for Local Plan housing requirement to be based on Objectively Assessed Need (OAN) is acknowledged. This is addressed through the development of the PUSH Spatial Position Statement, which identifies what the Borough's objectively assessed housing need is, and translates this into a housing requirement figure for the Borough to be used in the emerging Local Plan Review.

The Fareham Today: Special Housing Update November 2015 publication explains that in order to take account of the emerging Objectively Assessed Housing Need for the authority, Fareham have commenced a review of the adopted Local Plan, so that the authority can properly plan for the emerging housing [and employment] needs until 2036. Therefore it is currently considered premature to base housing requirement on emerging work.

Expected housing supply over the period 2016/17 to 2020/21 is comprised of sites with planning permission, which are scheduled to be completed during this five year period; sites allocated within Local Plan Part 2, which are expected to be delivered over this period; and other policy compliant sites that the Council know to be available, suitable and deliverable within this five year period. In addition the delivery of housing at Welborne forms a significant component of the Borough's overall housing supply. However, due to the existing delay in the delivery of housing at Welborne, supply is now scheduled to commence in 2019/2020.

Taking these positions on housing requirement and housing supply into account, Fareham Borough Council is currently able to demonstrate a five-year land supply of 5.4 years.

## DENSITY, CHARACTER AND PATTERN OF DEVELOPMENT IN THE SURROUNDING AREA

This application is presented in outline form only meaning that permission is not sought at this stage for the precise layout of the site. Notwithstanding, the illustrative site layout provided with the application shows a possible development at a density of 5.5 dwellings per hectare (dph). This is similar in comparison to the adjacent housing development at Yorkdale (approx. 4.5 - 5 dph) and nearby Cawtes Reach (approx. 4 dph).

The proposal is also similar to these two nearby developments in that it would be located behind the ribbon development of older houses which front Brook Avenue. The streetscene of Brook Avenue would be affected by the formation of an access, which although not proposed for formal consideration could not feasibly be provided by any other route, but the houses themselves could potentially be sited some 35 metres north of the road.

Beyond those observations however any further comparison is not possible due to the fact that the scale, appearance and layout of the development are all matters which the applicant has asked to be reserved so that they can be considered at a later date should the principle of development be held to be acceptable. It should be noted that the

circumstances which led to the granting of planning permission for the development at Cawtes Reach (the site of the former Keileen Nurseries) and Yorkdale (the site of a former concrete works) are materially different from those at Egmont Nurseries.

The Cawtes Reach/Keileen Nursery site, first granted outline permission for six detached dwellings in 2008 (ref P/08/0101/OA), is located immediately alongside the urban settlement boundary. The Officer report to the Planning Committee in that case acknowledged that the development would enhance the outlook from neighbouring properties which were particularly close by to large and derelict greenhouses on land in need of remediation. The report explained that Officers felt that there was a fine balance between the benefits and disbenefits of the proposal but concluded that the environmental improvements from the proposed development would outweigh the conflict with countryside policy and so permission should be granted. It is not considered that the same benefits are evident with the proposed redevelopment of Egmont Nurseries and notably the current application site is not adjacent to houses within the urban area.

The development at Yorkdale, granted outline permission for six detached dwellings in 2000 (ref P/98/1398/OA), was carried out on the site of a former concrete works. The Planning Officer's report put forward the following view which importantly draws a distinction between the site and adjacent commercial nurseries:

"The present use could readily be regarded as an established commercial use not requiring a countryside/coastal area that should be better situated in an existing commercial area within the Borough. Setting aside everything else the removal of this non-conforming use from this countryside location and the cessation of associated commercial vehicle movements along Brook Avenue may be regarded as desirable. The consequence of supporting the above notion may raise the aspirations of owners of commercial businesses that occupy adjoining land. The uses, some of which may be regarded as redundant, are in the main of an horticultural nature, a use appropriate to a countryside area and therefore in Officers' opinion are different, albeit they are both commercial business buildings in the countryside. In visual terms redundant glasshouses can often be regarded as obtrusive. The removal of such glasshouses may be regarded desirable but such land could readily return to other forms of agricultural use which is not the case of the application site".

For the reasons set out earlier in this report, there is an objection in principle to residential development upon this site under the policies of the adopted Core Strategy and adopted Local Plan Part 2. Officers furthermore consider that development in the manner proposed would be harmful to the character of this countryside location.

## ACCESS

The means of access to the site is a reserved matter however it is unrealistic for vehicular access to the site to be provided by any other route than Brook Avenue. Several of the comments received, both from those residents objecting and those supportive of the proposal in principle, have raised the issue of the private road's suitability to cope with additional vehicle movements along it.

The advice received from the Council's Highways Officer is that, notwithstanding the condition of the road surface, lack of street lighting and pedestrian footway, the number of vehicle movements created by the development would not be adverse taking into account the site's previous use as a commercial nursery. No detailed information has been provided by the applicant concerning the type and extent of traffic generated by the use of the site as

a nursery up until the 1990s. In reality the now derelict site is unlikely to have generated any large number of vehicle movements for some twenty or more years. However, even after taking this into account, it is not considered that the amount of development proposed would have a materially harmful effect on the safety or convenience of highway users.

## AFFORDABLE HOUSING

Policy CS18 of the adopted Fareham Borough Core Strategy, requires residential developments on sites that can accommodate between 5 and 9 dwellings to provide 30% affordable units or the equivalent financial contribution towards off-site provision.

A recent Court of Appeal decision (West Berkshire DC/Reading BC v SoS CLG) has resulted in the reinstatement by the government of certain paragraphs of the Planning Practice Guidance (PPG) which relate to Planning Obligations. Paragraph 31 of the relevant section of the PPG explains that "there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development". It goes on to set out these circumstances including that "contributions should not be sought from developments of 10-units or less, AND which have a maximum combined gross floorspace of no more than 1000sqm" (emphasis added). In this instance although the number of units is less than 10, the construction of eight large detached houses would inevitably constitute a development with a gross floorspace of more than 1000sqm.

Had the application been considered acceptable in all other regards the applicant would have been invited to enter into a section 106 agreement to secure a financial contribution towards the off-site provision of affordable housing.

## ECOLOGY

Policy DSP15 of the adopted Fareham Borough Local Plan Part 2 requires the 'in combination' effects of recreation on the Solent Special Protection Areas to be satisfactorily mitigated where additional residential units are proposed. Had the proposal been found to be acceptable in all other regards the applicant would have been invited to make a financial contribution or a legal agreement to secure such towards the Solent Recreational Mitigation Strategy (SRMS) in order to offset the 'in combination' effects.

Full comments from the Council's ecologist will be reported by way of an update to this report in which any further outstanding ecological matters will be explained along with a revised recommendation if required.

## CONCLUSION

The application site is upon land which is entirely outside the defined urban settlement boundary where there is an in principle objection to new residential development except in exceptional cases. None of the exceptions set out within the adopted policies are considered relevant in this instance. This in principle policy objection weighs heavily against granting planning permission. In addition to this the proposal would be harmful to the character of this countryside location.

Any benefits that would arise from the proposed redevelopment, would not in the opinion of Officers, outweigh the harm caused by developing this agricultural land outside the defined urban settlement boundary.

In addition the proposal does not provide the means to secure a financial contribution towards off-site affordable housing provision and would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas. The proposals would be contrary to policies contained within the adopted Fareham Borough Core Strategy and Local Plan Part 2: Development Sites and Policies.

Officers recommend that the planning application should be refused for the reasons set out below.

***Recommendation***

Subject to comments received from the Council's Ecologist;

**REFUSE:**

The development would be contrary to Policies CS2, CS6, CS14, CS17 and CS18 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

(a) the proposal represents development outside the defined urban settlement boundary for which there is no justification or overriding need. Furthermore development of this site by the erection of eight detached dwellings would be harmful to the character of this countryside location;

(b) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

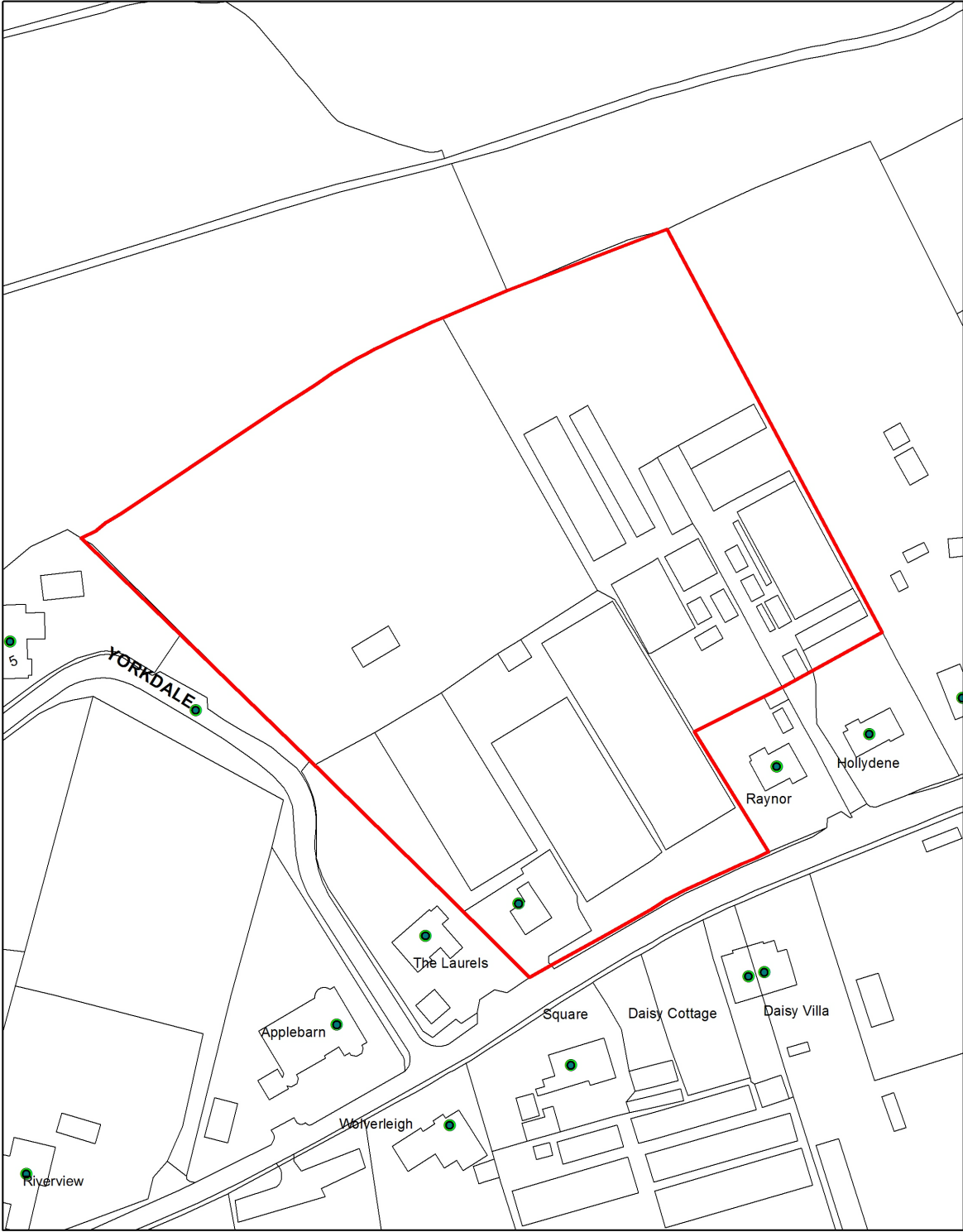
(c) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to contribute to the off-site provision of affordable housing in the Borough.

***Background Papers***

P/16/0243/OA

# FAREHAM

BOROUGH COUNCIL



Egmont Nurseries  
Scale 1:1250



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# Agenda Item 6(5)

**P/16/0398/RM**

**SARISBURY**

BELLWAY HOMES LTD

AGENT: WYG

37 DWELLINGS WITH ASSOCIATED ACCESS AND PARKING FOR EXISTING PLAY AREA - RESERVED MATTERS IN RELATION TO OUTLINE APPLICATION, P/13/1121/OA : APPEARANCE, LANDSCAPING, LAYOUT & SCALE

THE NAVIGATOR - LAND ADJACENT - SWANWICK LANE LOWER SWANWICK SO31 7EB

## ***Report By***

Kim Hayler - Direct dial 01329 824815

## ***Site Description***

The site lies on the north western side of Swanwick Lane, close to its signalised junction with Bridge Road. Swanwick Marina lies to the south west on the other side of the A27 Bridge Road, with residential properties to the south east and north east;

The site wraps around the Navigator Public House and its associated car park; a children's play area accessed from Swanwick Lane lies immediately to the east of the site;

The site measures approximately 1.1 hectares of rough grassland which has been used for grazing of horses;

The site lies outside of the urban settlement boundary;

There are two trees protected by FTPO713; a horse chestnut on the north west boundary with the Navigator and a black poplar sited on the corner of Bridge Road with Swanwick Lane; there is a mature treed buffer running along the north western boundary.

## ***Description of Proposal***

In 2015 outline planning permission (P/13/1121/OA) was granted on appeal for the erection of 37 dwellings at the site. Whilst this outline planning permission established the principle of the development and the number of units, the only detailed matter agreed at the outline stage was the point of access.

This application now seeks permission for all outstanding reserved matters, pursuant to the outline permission. These are: detailed layout, scale and external appearance of buildings and landscaping.

The mix of units proposed at the site is as follows:

22 open market two, three and four bed units;

15 affordable units; 10 for rent and 5 for shared ownership;

Six parking spaces for the existing children's play area would be provided within the development, including a second pedestrian access into the play area. The developer has also given a commitment to provide a new bow top fence around the existing play area.

## ***Policies***



The following policies apply to this application:

**Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

**Development Sites and Policies**

DPS1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

***Relevant Planning History***

The following planning history is relevant:

P/13/1121/OA - OUTLINE APPLICATION FOR THE ERECTION OF 37 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS AND PARKING FOR EXISTING PLAY AREA - REFUSED 11 MARCH 2004 - ALLOWED ON APPEAL 20 JANUARY 2015

***Representations***

Sixteen objections have been received raising the following points:

The developer should be considerate to local residents;

Ecology and wildlife is very important on this site;

Loss of privacy;

Exterior lighting should be controlled;

Traffic has increased due to additional traffic from Whiteley;

97 houses are being built the other side of the bridge, adding to additional traffic;

The play area parking spaces are hidden away;

The gate to the play area from Swanwick Lane should be retained;

The houses are out of character;

Lack of infrastructure in the area;

Why are trees to be removed?

There should be a natural screen between the play area and the new houses;

Lay-by should be retained;

Little green space left in the area;

Over development of site.

***Consultations***

## INTERNAL

Refuse and Recycling - No objection.

Ecology - The reserved matters application is supported by an Ecological Mitigation and Enhancement Strategy (Abbas Ecology, March 2016) which is provided specifically in response to condition 25 of the permission. It does satisfactorily address the necessary measures outlined within the original ecological reports.

Trees - No objection, subject to further information in relation to the protected Poplar.

Environmental Health (noise) - No objection provided dwellings are built in accordance to glazing ventilation strategy (A097604, 6th June 2016).

Highways - No objection subject to conditions.

Parks and Open Spaces - All the fencing around the play area should be replaced by the developer.

## EXTERNAL

Hampshire Constabulary (Crime Prevention Design Advisor) - A number of comments have been made in relation to boundary treatment which have been taken into account by the developer and included within amended plans.

Hampshire County Council (Flood and Water Management) - no objection.

Hampshire County Council (Archaeology) - no objection.

Southern Water Services (SWS) - No objection to the proposal however there is insufficient capacity within the existing foul sewerage system. A formal application under section 104 is required to be submitted and approved by Southern Water before implementing on site.

The applicant is currently talking to SWS and has agreed to carry out a number of upgrades within the existing foul sewerage system.

### ***Planning Considerations - Key Issues***

Principle of development

Design

Affordable housing

Highways and transportation

Ecology and trees

Amenity issues for residents adjoining the site

## PRINCIPLE OF DEVELOPMENT

Outline planning permission was allowed on appeal on 20 January 2015 for 37 dwellings on the site. All matters (layout, appearance, scale and landscaping) other than means of access were reserved.

The principle of residential development on the site along with the number of units has therefore been established and permitted.

## DESIGN

The dwellings would be two storey with a part two, part three storey block of flats on the corner of the site to Bridge Road. There is a three storey flatted building opposite on the other corner of Swanwick Lane with Bridge Road.

The dwellings have been designed to front highways and the existing children's play area to maximise natural surveillance. Dwellings backing onto neighbouring properties in Green Lane to the north east have gardens deeper than the minimum normally sought in order to prevent unacceptable overlooking.

The layout generally consists of a mix of terraced, semi-detached and detached dwellings together with a flatted block. The level of development and its character would respect the locality.

The layout has been informed, by the design principles set out in the Council's Design Guidance Supplementary Planning Document.

The flatted part of the development comprises 10 flats (two one bedroom and 8 two bedroom) within one block, one flat (two bedroom) over a garage and one unit containing two maisonettes (each two bedroom). The Council's Design Guidance SPD requires 25 square metres of amenity area per flat which equates to 325 square metres for the proposed 13 flats. In this case, the larger areas of open space measure 435 square metres.

Officers consider that in terms of residential development design expectations the proposal complies with Policy CS17 of the adopted Fareham Borough Core Strategy and the Council's Design Guidance Supplementary Planning Document.

## AFFORDABLE HOUSING

A planning condition was imposed on the outline planning application seeking the delivery of 40% affordable units, including 10 for affordable rented tenure and five for shared ownership.

Fifteen units comprising a range of one, two and three bedroom accommodation are proposed within the site. The proposals are considered satisfactory and will cater for a range of needs. This is appropriate, in line with the outline planning permission and complies with Policy CS18 of the adopted Fareham Borough Core Strategy.

## HIGHWAYS AND TRANSPORTATION

The residential proposal would be accessed by a new access created from Swanwick Lane. This new access was permitted under the outline planning application.

The existing highway layby in Swanwick Lane would be removed to facilitate sight lines. Currently three cars can comfortably park within this layby. Although the layby is adjacent to the existing children's play area, it is available for general use. The planning Inspector imposed a planning condition requiring six parking spaces for public use within the new development to replace the existing layby.

The development has been designed with a shared surface approach. There are nine garages proposed, seven of which are counted towards the overall parking requirements for the development; however these garages measure 7 metres long x 3 metres wide, allowing for the parking of a car and a secure storage area to the rear. Furthermore due to the shared surface design there is the opportunity to provide 13 additional spaces on the road, in addition to the six required by the Inspector. As a result there is an over provision of residential car parking spaces for a development of this size.

Ten car ports are proposed, designed with a secure storage facility to the rear and within the roof. The developer has designed the car ports in this way in order to mitigate potential future pressure from occupiers to fully enclose the car ports in order to provide secure storage space.

The development proposals are therefore considered to comply with Policy CS5 of the Fareham Borough Core Strategy

## ECOLOGY AND TREES

The application site is in a sensitive position in close proximity of internationally designated habitats. The Solent Recreation and Mitigation Strategy indicates that any increase in residential development would be likely to have a significant impact on the nature conservation interests of the designated sites.

The applicant entered into a Unilateral Undertaking during the appeal process in order to make a financial contribution to mitigate for any disturbance to protected species or habitats.

Furthermore the Unilateral Undertaking secured the submission of a woodland management plan for the tree belt on the land along the western boundary of the site.

A small number of trees are proposed to be felled and suitable and sustainable replacements are incorporated within the detailed landscape plan. The Council's Arborist is supportive of this approach.

Officers consider that in terms of European Designated Sites, protected species, and biodiversity protection and enhancement issues, the proposal complies with Policy CS4 of the adopted Fareham Borough Core Strategy and Policies DSP13 and DSP15 of the Local Plan Part 2: Development Sites and Policies Plan.

## AMENITY ISSUES FOR RESIDENTS ADJOINING THE SITE

A small number of properties in Green Lane would back on to a run of detached houses proposed along the north eastern side of the site. These properties in Green Lane have large rear gardens in excess of 43 metres long. The nearest property, 288 Swanwick Lane, an 'L' shaped backland property would in part face on to plots 36 and 37. The distance between the nearest windows in this property and the new dwellings would measure approximately 23 metres. This property is also sited higher than the application site. The applicant has agreed to erect a new 1.8 metre high fence along this boundary together with additional planting.

Officers are satisfied that the proposal would not materially harm the amenities of existing local residents in relation to light, outlook and privacy in accordance with Policy DSP3 of

the Local Plan Part 2: Development Sites and Policies Plan.

## CONCLUSION

The site presently enjoys outline planning permission for 37 dwellings and will deliver fifteen much needed affordable dwellings.

Officers acknowledge the concerns raised by interested parties. The majority of the concerns raised were considered in depth by the appeal Inspector during the original appeal. Furthermore the report sets out above how the development of the site would be undertaken to ensure the living conditions of local residents are safeguarded.

It is the opinion of officers that the proposal is an acceptable form of development.

### ***Recommendation***

APPROVE

Subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan - P1234\_07

Topo survey - 05SW01 Sheet 1.pdf;

Topo survey - 05SW01 Sheet 2.pdf;

Planning layout - P1234.01 Rev E;

Block A ground floor plan (Plots 1-10) - P1234.BLKA.01 Rev A;

Block A first floor plan (plots 1-10) - P1234.BLKA.02 Rev B;

Block A second floor plan (plots 1-10) - P1234.BLKA.03 Rev B;

Block A roof plan (plots 1-10)- P1234/BLKA.04 rev B;

Block A front elevation (plots 1-10) - P1234.BLKA.05 rev A;

Block A side elevation (plots 1-10) - P1234/BLKA.06 rev B;

Block A rear elevation (plots 1-10) - P1234.BLKA.07 rev B;

Carport and storage plans and elevations (plots 16, 17 & 35) - P1234.GAR.08;

Carport and storage plans and elevations (plots 27, 36 & 37) - P1234.GAR.09;

Double carport and storage plans and elevations (plots 21, 22, 32 & 33) - P1234.GAR.10;

Swept path analysis for plots 18 to 20 - 509/21;

Tenure layout - P1234\_04.pdf;

Engineering assessment - 5090-02;

Longitudinal sections - 5090-03;

Highway construction details - 5090-05;

Permeable paving design - 5090-Permeable Paving Design\_March2016;

P1234 Issue Sheet P1\_230216;

P1234 Issue Sheet P2\_230216;

P1234.2BF.01;

P1234.2BF.02;

P1234.2BM.01;

P1234.2BM.02;

P1234.GAR.01;

P1234.GAR.02;

P1234.GAR.03;

P1234.GAR.04;

P1234.GAR.05;  
P1234.GAR.06;  
P1234.H06.01;  
P1234.H06.02;  
P1234.H08.01;  
P1234.H11.01;  
P1234.H11.02;  
P1234.H12.01;  
P1234.H12.02;  
P1234.H13.01;  
P1234.H13.02;  
P1234.H15.01(1);  
P1234.H15.02;  
P1234.H15.03;  
P1234.H15.04;  
P1234.H17.01;  
P1234.H17.02;  
P1234.S01.01;  
P1234.S02.01;  
P1234.SS.01;  
P1234.SS.02

REASON: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

2. None of the dwellings hereby permitted shall be first occupied until the car parking (Including garages and car ports) and bicycle storage area relating to them as shown on the approved plan have been laid out/constructed and made available. These areas shall thereafter be retained and kept available for their respective purposes at all times.

REASON: In the interests of highway safety; to ensure adequate on site car parking provision.

3. At no time shall the car ports serving plots 16, 17, 21, 22, 27, 32, 33, 35, 36 and 37 hereby permitted be enclosed or provided with doors unless otherwise agreed in writing by the local planning authority following the submission of a planning application.

REASON: In the interests of highway safety; to ensure adequate on site car parking provision.

4. The visitor spaces as shown on the approved plan shall be retained as unallocated visitor parking spaces at all times.

REASON: In the interests of highway safety; to ensure adequate on site car parking provision.

5. None of the dwellings hereby permitted shall be first occupied until they are built in accordance with the glazing ventilation strategy (A097604, 6th June 2016).

REASON: In the interests of the living conditions of the new occupiers.

6. Prior to the occupation of the first unit, the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure adequate drainage is provided to serve the permitted development.

Notes for information:

For the avoidance of doubt the following conditions require discharging in relation to the outline planning permission:

Condition 4 (ii), (iii), (iv) and (v) - Affordable Housing;

Condition 5 - Archaeology (in part only);

Condition 6 - contamination;

Condition 9 - Tree protection (in part);

Condition 17 - Access/off site highways works (timetable);

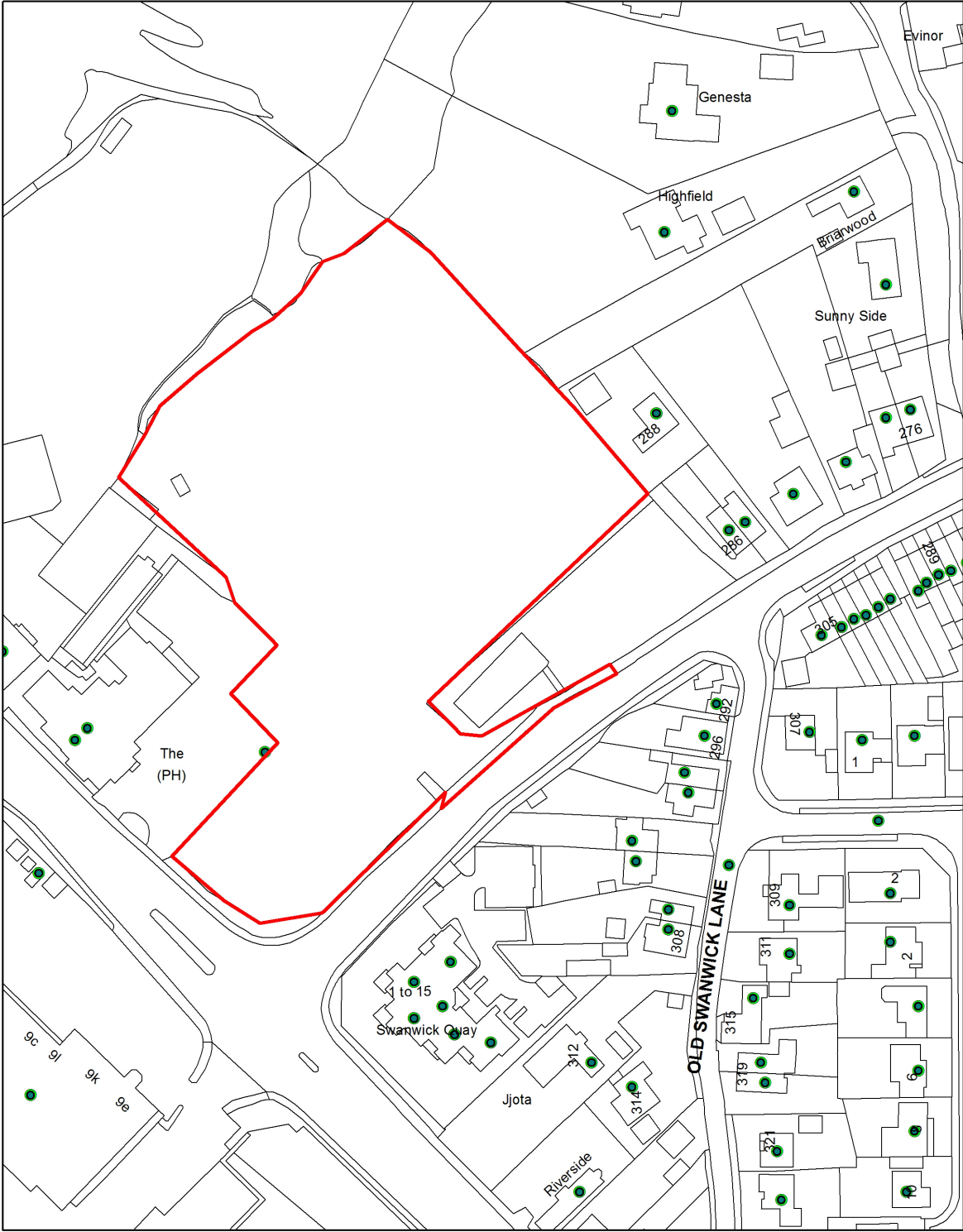
Condition 18 - Signage.

***Background Papers***

See above.

# FAREHAM

BOROUGH COUNCIL



The Navigator - land adjacent -  
Scale 1:1250



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**ZONE 2 - FAREHAM**

Fareham North-West  
 Fareham West  
 Fareham North  
 Fareham East  
 Fareham South

Reference		Item No
<b>P/15/1261/FP</b> FAREHAM EAST	LAND AT FURZE COURT WICKHAM ROAD FAREHAM PO16 7SH CONSTRUCTION OF 33 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORAGE	6 <b>PERMISSION</b>
<b>P/16/0319/LB</b> [O] FAREHAM NORTH	UPLANDS LODGE 67 PARK LANE FAREHAM PO16 7HJ ALTERATIONS TO EXISTING REAR EXTENSIONS COMPRISING CHANGES TO DOOR AND WINDOW OPENINGS AND PROVISION OF NEW DOORS AND WINDOWS. PROVISION OF RAILINGS TO REPLACE EXISTING TIMBER FENCING ON THE SOUTHERN AND EASTERN BOUNDARIES.	7 <b>LISTED                      BUILDING                      CONSENT</b>
<b>P/16/0453/FP</b> [O] FAREHAM NORTH	UPLANDS LODGE 67 PARK LANE FAREHAM PO16 7HJ ALTERATIONS TO EXISTING REAR EXTENSIONS COMPRISING CHANGES TO DOOR AND WINDOW OPENINGS AND PROVISION OF NEW DOORS AND WINDOWS. PROVISION OF RAILINGS TO REPLACE EXISTING TIMBER FENCING ON THE SOUTHERN AND EASTERN BOUNDARIES.	8 <b>PERMISSION</b>

# Agenda Item 6(6)

P/15/1261/FP

FAREHAM EAST

AMBITIO LTD

AGENT: WYG

CONSTRUCTION OF 33 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORAGE

LAND AT FURZE COURT WICKHAM ROAD FAREHAM PO16 7SH

## ***Report By***

Richard Wright - Direct dial 01329 824758

## ***Introduction***

Members will recall that this application was first presented to the Planning Committee at the meeting held on Wednesday 25th May 2016.

At the meeting Members of the Committee raised concerns over the number of parking spaces being made available to service the development and the adjacent apartments. Clarification was also sought with regards the current arrangement for employees of Hampshire County Council to park at the application site. Further information has been submitted by the applicant in relation to these matters and the issue of parking provision is discussed in the following report.

## ***Site Description***

This application relates to a site known as Furze Court located at the northern end of the A32 Wickham Road, Fareham and close to Junction 10 of the M27 motorway.

Planning permission was granted in 1987 for the two-storey office buildings standing on the site at present. In 2014 an application was submitted seeking confirmation as to whether the Council's prior approval was required to convert the offices to residential units under permitted development rights. The Council confirmed in November of that year that no such prior approval was required and the offices have subsequently undergone refurbishment to create 66 new apartments, some of which are already occupied.

The offices now turned to residential use lie in the centre of the site in a G-shaped layout. The buildings enclose an area of landscaped gardens whilst around the edge of the site are some 156 car parking spaces along with additional planting.

The site falls within the urban settlement area and also the existing Furzehall Farm Employment Area (as designated by virtue of Policy DSP17 of the Fareham Borough Local Plan Part 2).

## ***Description of Proposal***

Planning permission is sought for the provision of 33 apartments (9 x 1-bedroom and 24 x 2 bedroom) arranged over two new buildings.

The first of these new buildings, labeled Block D, would be located in the north-eastern section of the site and effectively extend the G-shaped layout of the existing buildings (Blocks A, B & C) to form a complete O-shape enclosure. It would comprise of 23 apartments arranged over three storeys with communal bicycle and bin storage incorporated within the ground floor of the building.

The second of the new buildings, Block E, would be sited to the north of and form a direct extension to the existing Block C building. It would provide 10 further apartments arranged over three storeys albeit with the top floor accommodation being provided within the roof space.

Additional refuse and visitor cycle storage is to be provided in external areas. It is intended that the landscaped space within the O-shaped arrangement of the existing and proposed buildings would provide external amenity space for the occupants of the apartments.

### ***Policies***

The following policies apply to this application:

#### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS6 - The Development Strategy

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

#### **Approved SPG/SPD**

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

#### **Development Sites and Policies**

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP17 - Existing Employment Sites and Areas

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

The following planning history is relevant:

#### **FBC.7459/34**

PERMISSION 17/07/1987

#### **P/14/0952/PC**

**PRIOR APPROVAL FOR A CHANGE OF USE FROM CLASS B1A (OFFICE USE) TO CLASS C3 (RESIDENTIAL)**

PRIOR APPR NOT 11/11/2014  
REQRD

### ***Representations***

Five letters, including one from The Fareham Society, have been received raising the following comments:

- Not an ideal location for residential development particularly in terms of air quality and noise
- Increase in traffic congestion
- Increase in noise levels
- Impact on schools, doctors and other facilities
- Development being 'crammed in'

- Parking provision must be adequate
- No provision for children's play areas which will lead to children living in the apartments using the adjacent Furzehall Farm and landscaped areas to the detriment of office users and the listed buildings

### **Consultations**

#### INTERNAL

Ecology - Recommended conditions relating to biodiversity enhancements and bat boxes/bat-accessible ridge tiles

Highways - As it is accepted that there would be a reduction in peak hour and daily vehicular activity [as a result of the conversion of the existing office buildings to residential use] and that adequate car and cycle parking and servicing would be accommodated, no highway objection is raised subject to conditions.

Contaminated Land - This application could be approved without any conditions relating to land contamination.

Environmental Health - Further to the additional information submitted in respect of the proposed ventilation, the proposals where installed and maintained in accordance with manufacturers guidelines should be sufficient when combined with other noise mitigation methods outlined in the Clarke Saunders Acoustics report to provide sufficient ventilation and control of internal temperature to premises when it is not possible to open windows due to excess noise.

#### EXTERNAL

Lead Local Flood Authority (Hampshire County Council) - The proposals for surface water drainage meet the current standards/best practice in relation to surface water drainage.

Southern Water - Advice on connection to local network (suggested conditions and informative notes)

### **Planning Considerations - Key Issues**

#### A) Principle of residential development

The site lies within the urban area where the redevelopment of previous developed land for housing purposes is supported by Policies CS2 & CS6 of the adopted Fareham Borough Core Strategy.

The site also lies within the Furzehall Farm Employment Area. Policy DSP17 of the adopted Fareham Borough Local Plan Part 2 advises that:

"Changes of use or redevelopment within existing employment areas that would result in a loss of floorspace for economic development uses will not be permitted unless:

- i. all appropriate alternative forms of economic development have been considered;
- ii. it can be clearly demonstrated that the land or building is not fit for purpose and modernisation or redevelopment for employment uses would be financially unviable; and
- iii. the proposal is accompanied by details of marketing of the vacant site/building covering a period of not fewer than twelve months."

In this instance the development being proposed would not result in any loss of employment floor space, the proposal being for two new buildings but involving no demolition. Whilst it is arguable therefore that the three tests set out above are not directly relevant, the main thrust of this local policy remains to ensure that sites such as these are retained for employment purposes.

A key factor to take into account is the recent conversion of the existing office buildings on the site. Once the refurbishment works are complete no office space will remain, instead the buildings would provide sixty-six residential apartments. The site will no longer have the character of an office development. This makes it unlikely that further office development would be proposed in the future in such close proximity to these residential units and overall there is little prospect the site as a whole would be returned to an employment use in the future. The change of use of the existing buildings from offices to residential use has been carried out under permitted development rights granted by central government.

The starting point for decision making in relation to planning applications is the Development Plan. Other material considerations also need to be taken into account and in light of the current permitted development rights allowing the conversion of office floor space for housing (something that has already been exercised through the conversion of the existing buildings on the site), Officers consider that permission for the proposed scheme should not be withheld on the grounds that it conflicts with Policy DSP17.

#### B) Traffic noise

The site is in close proximity to the M27 motorway and A32 Wickham Road. The application is supported by an acoustic report examining the issue of road traffic noise and its effect on the living conditions of occupants of the proposed apartments. The report concludes that construction methods, for example high standard window glazing specification, can mitigate the effect of traffic noise to an acceptable level within the new apartment buildings. Ventilation details have been provided to demonstrate that the occupants of these units would have the means to provide fresh air and ventilate their properties without having to resort to opening windows and therefore suffering the effects of traffic noise.

Whilst it is acknowledged that the site is not in an ideal location to provide residential accommodation, the effects of road traffic noise can be satisfactorily mitigated in this instance.

#### C) Traffic movements

A transport statement has been submitted with the application which considers the impact on the local highway network of the proposed 33 apartments, as well as the 66 units currently being created in the existing buildings, compared to the previous use of the site as offices. It concludes that over a whole day there will typically be less vehicle trips to/from the residential development in comparison to the former office use including at peak times.

#### D) Parking provision

Following the concerns raised by Members at the Planning Committee meeting in May, the applicant has submitted a revised parking plan and by letter provided a written statement explaining how parking spaces will be provided on the site.

A total of 158 parking spaces are proposed on the site.

- 38 un-allocated spaces will be provided for residents of the proposed apartments (Blocks D & E).
- 70 allocated spaces have already been provided for residents of the existing apartments (Blocks A, B & C).
- 20 visitor car parking spaces will be provided for the use of visitors to all blocks
- 30 parking spaces will be retained for use by employees of Hampshire County Council

The parking provision for the proposed development meets the levels set out in the Council's adopted Residential Car & Cycle Parking Standards SPD. There are eight 1-bed apartments and twenty-five 2-bed apartments proposed in the new blocks (Blocks D & E). The applicable parking standards are 0.75 space per 1-bedroom dwelling and 1.25 spaces per 2-bedroom dwelling when spaces are offered on an un-allocated basis. The development is therefore required to provide 38 un-allocated spaces (37.25 spaces rounded up).

The parking provision for the existing apartments (Blocks A, B & C) falls below the level set out in the parking standards SPD. With thirty-six 1-bed apartments and thirty 2-bed apartments the level of parking required to demonstrate accordance with the SPD would be 96 allocated or 65 un-allocated spaces. The applicant has confirmed that these apartments have been, or are being, sold/leased with 1 allocated parking space each and four of the apartments have a second allocated space equating to 70 allocated spaces in total. There is therefore a shortfall of 26 spaces between the level of parking provided and that ordinarily expected and as set out in the adopted parking standards SPD. However, in the letter accompanying the parking plan the applicant remarks that since these apartments were converted under permitted development rights the level of parking provision associated with this part of the application site is not a relevant planning consideration and the Council's parking standards are not applicable. They continue by pointing out that these apartments could have been converted under permitted development rights without any parking provision at all.

There are twenty visitor car parking spaces provided. The Council's parking standards SPD recommends that, in areas where over 50% of the spaces are allocated, an extra 0.2 spaces per dwelling should be provided. The amount of visitor parking spaces provided is therefore sufficient not only for the proposed development but also the existing apartments.

In addition the applicant has advised of the intention to retain the remaining 30 parking spaces for use by employees of Hampshire County Council (HCC). The letter from the applicant explains the current arrangement with HCC whereby it rents a total of 50 parking spaces on the application site for use by its members of staff at Parkway, 94-96 Wickham Road. The applicant's current arrangement with HCC is short-term and casual. There is no formal contract and the applicant is not required to give HCC any notice to terminate this agreement. However, the applicant does not wish to terminate the current arrangement and is willing to continue to provide some parking for HCC's use once the proposed development has taken place. In the meantime the existing arrangement of renting 50 spaces to HCC can continue with the applicant providing HCC with at least 12 months notice of the proposed change.

The applicant has also noted that the parking spaces rented by HCC (both now and in the future) are only used during normal working hours (ie. not at evenings or weekends) which will generally be opposite to the peak parking demand generated by the residential

apartments on the site. This means the HCC spaces will be available as additional spaces for use by the residents and their visitors at these peak times.

Whilst the continued provision of some spaces for employees of HCC is welcome it is not a material consideration to be taken into account when determining this application which relates to the new thirty-three residential units in Blocks D & E. In this regard Officers consider the proposed parking provision to be acceptable in that it makes adequate space available for residents of the new units and their visitors to park.

#### E) Affordable housing provision

The application has been submitted with a viability appraisal which has been independently assessed by the District Valuer Services office (DVS). The DVS report has concluded that it would be possible for a reduced level of affordable housing provision to be provided in the form of one affordable unit on the site. Officers have invited the applicant, and the applicant has agreed, to provide the equivalent sum towards off-site provision which would be secured through a legal agreement.

#### F) Layout and appearance

The design and appearance of the two buildings would complement in visual terms the existing buildings on the site at present without creating an unattractive or unpleasant residential environment. The submitted site layout drawings show sufficient space for landscaping and planting to be carried out around the edge of the new blocks.

The position of Block D has an added benefit in enclosing the amenity space in the centre of the site to create a private communal amenity space for all residents. Block D also acts as a buffer to reduce road traffic noise levels in the centre of the site helping to make it a quieter and better quality outdoor space for residents to enjoy.

#### Conclusion

The site is presently allocated as an employment area and is impacted by noise especially from the M27 motorway. It is not an ideal location for new residential development.

The redevelopment of land within this allocated employment area is arguably contrary to Policy DSP17 of the adopted local plan. This must however be weighed up against the fact that the remainder of the Furze Court site has, or is, in the process of being converted from offices to residential flats under national permitted development rights. The recent works to convert the existing offices at the site mean that there is little prospect of the site being brought back or redeveloped for employment related uses. Officers consider that this material consideration outweighs any conflict with policy DSP17.

The applicant has proposed acceptable measures to mitigate the flats against the effects of road traffic noise whilst ensuring the new apartments are satisfactorily ventilated. The location of the new block at the north eastern corner of the site would have the further benefit of 'shielding' the existing amenity area and thereby reducing the level of noise currently experienced within it.

There would be no materially harmful effect on the wider highway network and sufficient levels of parking spaces are provided to meet the needs of future residents. The design and layout of the scheme is found to be acceptable and the proposal accords with Policy CS17 of the Core Strategy.

The proposed development would provide housing on previously developed land within the urban area in accordance with Policies CS2 & CS6 of the adopted Fareham Borough Core Strategy.

The applicant has agreed to enter into a planning obligation to secure financial contributions relating to affordable housing and in order to offset the "in combination" effects of residential development on recreational visits to the designated coastline of the Solent (addressing the requirements of Policies CS18 and DSP15 respectively).

### ***Recommendation***

Subject to the applicant / owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:

- a) A financial contribution towards the off-site provision of affordable housing;
- b) A financial contribution towards the Solent Recreational Mitigation Strategy (SRMS);

PERMISSION subject to the following conditions:

1. The development shall begin before the expiry of a period of three years from the date of this permission.

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

2. The development shall be carried out in accordance with the following approved documents:

- a) Proposed location plan - drawing no. 15.2082.110 P1
- b) Proposed site plan - drawing no. 15.2082.101 P6
- c) Proposed floor plans Block D - drawing no. 15.2082.102 P6
- d) Proposed floor plans Block E - drawing no. 15.2082.103 P4
- e) Block D - Block E proposed context elevations - drawing no. 15.2082.104 P5
- f) Proposed elevations Block D - Proposed refuse stores - drawing no. 15.2082.105 P6
- g) Proposed context elevations Block E - drawing no. 15.2082.106 P5
- h) Proposed landscaping plan - drawing no. 15.2082.107 P5
- i) Blocks A, C, & D plan extracts - drawing no. 15.2082.108 P1
- j) Typical apartment ventilation detail - Apartment 13 Block D - drawing no. 15.2082.410 P2
- k) Typical apartment window detail - Apartment 13 Block D - drawing no. 15.2082.411 P2
- l) Typical apartment ventilation detail - Apartment 15 Block D - drawing no. 15.2082.412 P3
- m) Typical apartment detail - Apartment 15 Block D - drawing no. 15.2082.413 P2
- n) Typical apartment detail - Apartment 08 Block E - drawing no. 15.2082.414 P3
- o) Typical apartment window detail - Apartment 08 Block E - drawing no. 15.2082.415 P1
- p) Domestic Ventilation and the Building Regulations Part F and L - by VentAxia
- q) Ventilation system specification - details of Sentinel Kinetic MVHR Range
- r) Ventilation system - details of MVHR - Lo-Carbon Sentinel Kinetic
- s) Extended Phase 1 Ecological Assessment prepared by Ecosupport Ltd
- t) Surface Water Strategy and Flood Risk Assessment - by Opus International - 14th March 2016
- u) Noise Impact Assessment - revised 23rd March 2016 - by Clarke Saunders Acoustics
- v) Proposed parking plan - drawing no. 15.2082.112
- w) Letter from WYG dated 8th June 2016 regarding Parking Provision



3. No development shall take place until details of all external materials to be used in the construction of the development, including all hard surfaced areas, have been submitted to and approved by the local planning authority in writing. The development shall be undertaken in accordance with the approved details.

REASON: To ensure a high quality design and appearance to the development.

4. No development shall take place until a landscaping scheme has been submitted to and approved by the local planning authority in writing. The landscaping scheme shall include the following:

- a) Details of all existing trees, shrubs and hedges to be retained;
- b) Details of all new planting including species, planting sizes, planting distances, density and numbers;
- c) Details of a specific planting schedule of native species reflecting the recommendation given in section 5.4 of the approved Phase I Ecological Assessment;
- d) Details of hard landscaped areas within the external amenity space;
- e) Details of future maintenance of all landscaped areas on the site.

The approved landscaping scheme shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure a high quality design and appearance to the development; to ensure a high quality outdoor amenity space is provided for the occupants of the new apartments.

5. No development shall take place until details of any external lighting to be installed on the buildings hereby permitted have been submitted to and approved by the local planning authority in writing. The development shall be undertaken in accordance with the approved details.

REASON: In the interest of the appearance of the development and to protect the living conditions of future residents.

6. No development shall take place until details of future maintenance of the ventilation system to be installed in the buildings hereby approved have been submitted and approved in writing by the local planning authority. Before any of the apartments hereby permitted are first occupied the approved ventilation system shall be brought into full operation and shall thereafter be maintained in accordance with the approved maintenance schedule.

REASON: To ensure the satisfactory living conditions of occupants of the development.

7. No development shall take place until a Site Setup Plan has been submitted and approved in writing by the local planning authority. The plan shall provide details of where provision will be made on the site during construction for contractors parking, storage of plant and materials, site welfare facilities and any other temporary buildings. The plan will also identify measures to prevent mud and spoil being deposited on the public highway by vehicles leaving the site. The development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety and to protect the living conditions of existing residents.

8. Before any of the apartments hereby permitted are first occupied the parking spaces as set out in the approved parking plan (drawing no. 15.2082.112) and document entitled "Letter from WYG dated 8th June 2016 regarding Parking Provision" shall be laid out and made available for use on the site for their respective purposes. The parking spaces shall be retained at all times thereafter for their respective purposes as set out in those approved documents unless otherwise agreed in writing by the local planning authority.

REASON: To ensure an appropriate level of parking provision.

9. Before any of the apartments hereby permitted are first occupied the refuse storage areas shown on the approved plans shall be provided and thereafter kept available for refuse storage at all times.

REASON: To ensure adequate bin storage facilities and to ensure a high quality design and appearance to the development.

10. Before any of the apartments hereby permitted are first occupied the cycle storage areas shown on the approved plans shall be provided and thereafter kept available for cycle storage at all times.

REASON: To promote alternative modes of transport to the motorcar.

11. Before any of the apartments hereby permitted are first occupied the sound attenuation measures identified on the approved plans and in the approved Noise Impact Assessment (Clarke Saunders Acoustics - revised 23rd March 2016) shall be fully installed. Any replacement windows or openings in the external elevations of the buildings hereby permitted shall be to the same glazing and acoustic specification as that identified in the approved plans and Noise Impact Assessment.

REASON: To ensure the satisfactory living conditions of occupants of the development.

12. Before any of the apartments hereby approved are first occupied, details of two batboxes to be erected at the site shall be submitted to and agreed by the local planning authority in writing. The details shall include the size, design and siting of the batboxes. The approved batboxes shall be installed before any of the permitted apartments are first occupied and shall thereafter be retained at all times.

REASON: To conserve and enhance biodiversity.

13. Before any of the apartments hereby permitted are first occupied three bat accessible ridge tiles shall be incorporated into the new pitched roof sections of the development hereby permitted.

REASON: To conserve and enhance biodiversity.

14. No work relating to the construction of any of the development hereby permitted shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

REASON: To protect the living conditions of existing residents.

15. Before any of the apartments hereby permitted are first occupied the external amenity area enclosed by the existing Blocks A, B & C and Block D hereby approved shall, with the exception of those private amenity spaces indicated as such on the approved site plan (drawing no. 15.2082.101 P6), be provided and retained for use by all residents living on the site.

REASON: To ensure a high quality outdoor amenity space is provided for the occupants of the new and existing apartments.

16. The ground and first floor windows proposed to be inserted into the southern elevation of Block E to serve the living/dining rooms for apartments 2 & 6 shall be glazed with obscure glass and be of a non opening design and construction to a height of 1.7 metres above internal finished floor and shall thereafter be retained in that condition at all times.

REASON: To protect the privacy of occupants of nearby existing apartments.

17. No development shall take place until details of the proposed means of foul water disposal and an associated implementation timetable have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and timetable.

REASON: To ensure the satisfactory disposal of waste water.

### ***Notes for Information***

a. The proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, and prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning.

More information can be obtained at [www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm](http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm)

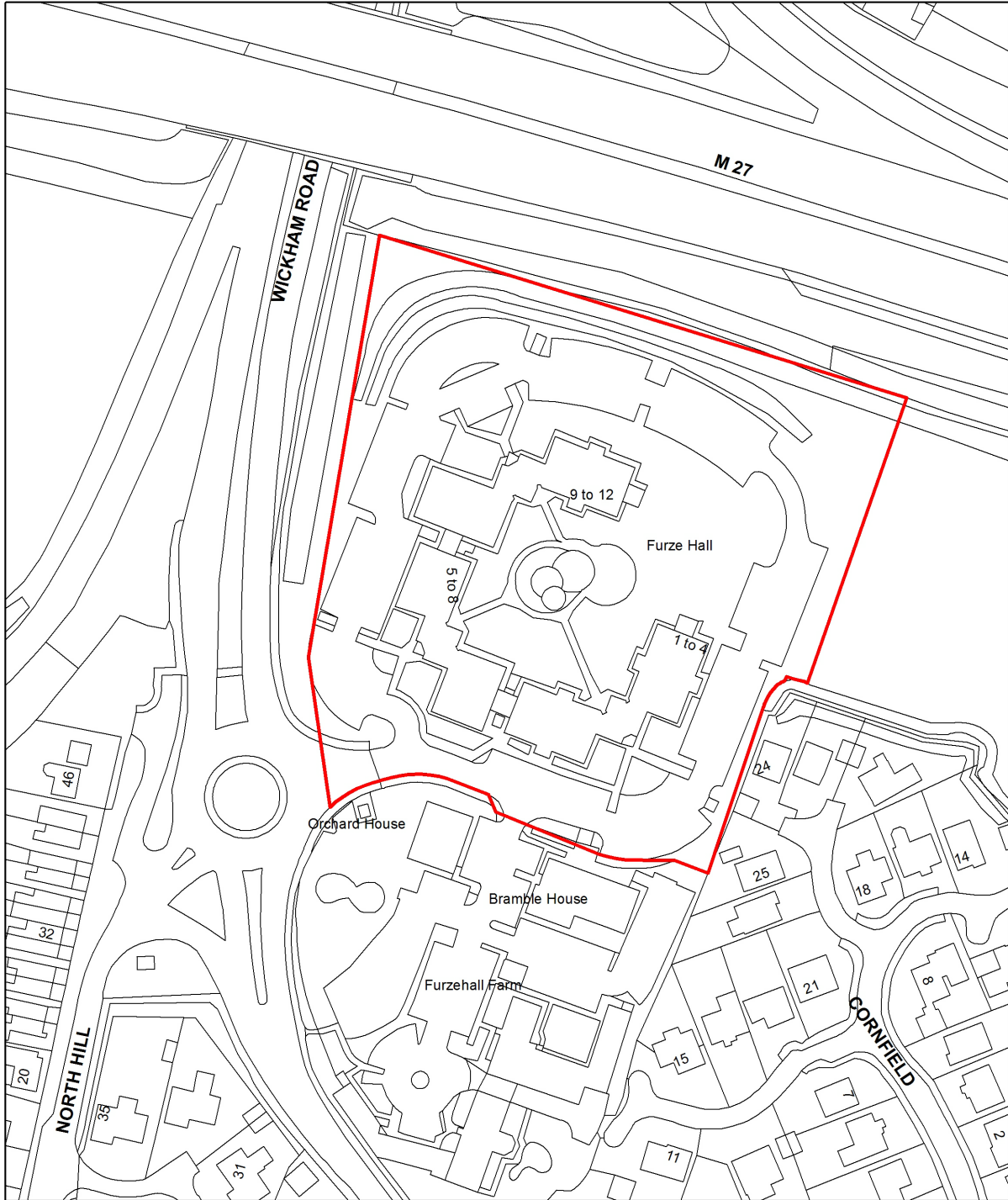
b. Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) standoff maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

### ***Background Papers***

FBC.7459/34; P/14/0952/PC; P/15/1261/FP

# FAREHAM

## BOROUGH COUNCIL



Land at Furze Court  
Scale 1:1250

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# Agenda Item 6(7)

**P/16/0319/LB [O]**

**FAREHAM NORTH**

MR ADRIAN PEEL

AGENT: MR ADRIAN PEEL

ALTERATIONS TO EXISTING REAR EXTENSIONS COMPRISING CHANGES TO DOOR AND WINDOW OPENINGS AND PROVISION OF NEW DOORS AND WINDOWS. PROVISION OF RAILINGS TO REPLACE EXISTING TIMBER FENCING ON THE SOUTHERN AND EASTERN BOUNDARIES.

UPLANDS LODGE 67 PARK LANE FAREHAM PO16 7HJ

## ***Report By***

Mike Franklin - Direct Dial 01329 824380

## ***Site Description***

This and the following application P/16/0453/FP, relates to a Grade II listed cottage situated on the corner of Park Lane with Kiln Road;

The property lies within the urban settlement boundary.

## ***Description of Proposal***

Listed building consent is sought for the following:

Alterations to existing rear extensions comprising changes to door and window openings and provision of new doors and windows.

Provision of railings to replace existing timber fencing on the southern and eastern boundaries.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Development Sites and Policies**

DSP5 - Protecting and enhancing the historic environment

## ***Relevant Planning History***

The following planning history is relevant:

<b><u>P/16/0453/FP</u></b>	<b>Alterations to existing rear extensions comprising changes to door and window openings and provision of new doors and windows. Provision of railings to replace existing timber fencing on the southern and eastern boundaries.</b>
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<b><u>P/96/0397/FP</u></b>	<b>ERECTION OF REPLACEMENT GARAGE</b>
	PERMISSION 06/06/1996

<b><u>P/96/0399/LB</u></b>	<b>REPLACE EXISTING FLAT ROOF WITH PITCHED ROOF</b>
	CONSENT 06/06/1996

<b><u>P/96/0398/FP</u></b>	<b>REPLACE EXISTING FLAT ROOF WITH PITCHED ROOF AND REPLACE FRONT FENCE WITH RAILINGS</b>
	PERMISSION 22/05/1998
<b><u>P/96/0297/LB</u></b>	<b>REPLACE EXISTING SIGN BY FRONT DOOR AND PLACE SECOND SIGN AT FRONT</b>
	CONSENT 02/05/1996
<b><u>P/95/1105/FP</u></b>	<b>ERECTION OF GREENHOUSE</b>
	PERMISSION 05/12/1995
<b><u>P/95/1093/LB</u></b>	<b>ALTERATIONS TO CHIMNEY POTS</b>
	CONSENT 23/11/1995

***Planning Considerations - Key Issues***

The key issue in this case is whether the changes to the listed building are respectful to its heritage assets and ensuring the development does not harm its setting.

Officers are satisfied the proposed changes to the windows and doors are sympathetic to the building and the proposed railings would improve its visual appearance and setting.

Furthermore having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Officers consider that the proposal would preserve the character, appearance and setting of the Grade II listed building.

***Recommendation***

GRANT LISTED BUILDING CONSENT:

Subject to the following conditions:

1. The development shall begin before the expiry of three years from the date of this decision notice.

REASON: To allow a reasonable time period for work to start, in accordance with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- Location plan;
  - Site Plan;
  - West elevation - existing;
  - East elevation - existing;
  - North elevation - existing and proposed;
  - South elevation - existing;
  - Proposed estate railing details.
- REASON: To avoid any doubt over what has been permitted.

***Background Papers***

See above

# FAREHAM

## BOROUGH COUNCIL



Uplands Lodge  
SCALE: 1:1,250

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# Agenda Item 6(8)

P/16/0453/FP [O]

FAREHAM NORTH

ADRIAN PEEL

AGENT: MR ADRIAN PEEL

ALTERATIONS TO EXISTING REAR EXTENSIONS COMPRISING CHANGES TO DOOR AND WINDOW OPENINGS AND PROVISION OF NEW DOORS AND WINDOWS. PROVISION OF RAILINGS TO REPLACE EXISTING TIMBER FENCING ON THE SOUTHERN AND EASTERN BOUNDARIES.

UPLANDS LODGE 67 PARK LANE FAREHAM PO16 7HJ

## ***Report By***

Mike Franklin - Direct Dial 01329 824380

## ***Site Description***

This and the preceding application, P/16/0319/LB relates to a Grade II listed cottage situated on the corner of Park Lane with Kiln Road;

The site lies within the urban settlement boundary.

## ***Description of Proposal***

Planning permission is sought for the following:

Alterations to existing rear extensions comprising changes to door and window openings and provision of new doors and windows.

Provision of railings to replace existing timber fencing on the southern and eastern boundaries.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Development Sites and Policies**

DSP5 - Protecting and enhancing the historic environment

## ***Relevant Planning History***

The following planning history is relevant:

**P/16/0319/LB**      **Alterations to existing rear extensions comprising changes to door and window openings and provision of new doors and windows. Provision of railings to replace existing timber fencing on the southern and eastern boundaries.**

**P/96/1297/LB**      **REPLACE EXISTING ROOF TILES WITH HANDMADE CLAY TILES**  
CONSENT                      14/02/1997

**P/96/0397/FP**      **ERECTION OF REPLACEMENT GARAGE**  
PERMISSION                      06/06/1996



<b><u>P/96/0399/LB</u></b>	<b>REPLACE EXISTING FLAT ROOF WITH PITCHED ROOF</b> CONSENT 06/06/1996
<b><u>P/96/0398/FP</u></b>	<b>REPLACE EXISTING FLAT ROOF WITH PITCHED ROOF AND REPLACE FRONT FENCE WITH RAILINGS</b> PERMISSION 22/05/1998
<b><u>P/96/0297/LB</u></b>	<b>REPLACE EXISTING SIGN BY FRONT DOOR AND PLACE SECOND SIGN AT FRONT</b> CONSENT 02/05/1996

***Planning Considerations - Key Issues***

The issues have been reported in the preceding report, P/16/0319/LB refers.

***Recommendation***

PERMISSION:

Subject to the following conditions:

1. The development shall begin before the expiry of three years from the date of this decision notice.

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

2. The development shall be carried out in accordance with the following approved plans:

Location plan;  
Site Plan;  
West elevation - existing;  
East elevation - existing;  
North elevation - existing and proposed;  
South elevation - existing;  
Proposed estate railing details.

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

***Background Papers***

See above.

# FAREHAM

## BOROUGH COUNCIL



Uplands Lodge  
SCALE: 1:1,250

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# Agenda Item 6(9)

## PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **CURRENT**

#### **ENF/15/0107**

**Appellant:** COLIN & SUSAN BARNES  
**Site:** Land To Rear Of 158 Highlands Road / Land At The Cloisters  
**Date Lodged:** 29 December 2015  
**Reason for Appeal:** CHANGE OF USE OF THE LAND FROM PUBLIC OPEN SPACE TO RESIDENTIAL GARDEN

#### **P/15/0267/FP**

**Appellant:** MR STEVE AND JO HAMMOND  
**Site:** Carron Row Farm 15 Segensworth Road Titchfield Fareham PO15 5DZ  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 23 May 2016  
**Reason for Appeal:** CHANGE OF USE LISTED BARN TO 5 BEDROOM DWELLING, FORMATION OF ACCESS AND GARDEN CURTILAGE, DEMOLITION OF SINGLE STOREY BUILDING, DEMOLITION OF THE TOILET BLOCK, DEMOLITION OF THE SINGLE STOREY FISHERMANS HUT AND REPLACEMENT WITH 3 BEDROOM DWELLING, FORMATION OF ACCESS AND GARDEN CURTILAGE FOR NEW DWELLING, FORMATION OF CAR PARKING FOR ANGLERS, ERECTION OF HERITAGE INTERPRETATION SIGN

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **CURRENT**

#### **P/15/0786/VC**

**Appellant:** Titchfield Festival Theatre  
**Site:** The Tithe Barn Mill Lane Titchfield Fareham PO15 5RB  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 09 February 2016  
**Reason for Appeal:** Remove CONDITION 2 allowing outside of barn to be used; vary CONDITION 8 to allow removable/temporary structures under 9m x 9m within the grounds of the barn to be erected for up to 72 hours; remove CONDITION 13 requiring need for visibility splays; remove CONDITION 16 allowing unrestricted number of weddings subject to recorded amplified music (DJs) or non amplified acoustic music (bands) & installation of a noise limiter; vary CONDITION 17 to allow garden benches & tables to be left in the grounds on a permanent basis.

#### **P/15/0947/FP**

**Appellant:** Mr M Southcott  
**Site:** Land To The Rear Of 20 Church Road Warsash Fareham SO31 9GD  
**Decision Maker:** Committee  
**Recommendation:** APPROVE  
**Council's Decision:** REFUSE  
**Date Lodged:** 02 June 2016  
**Reason for Appeal:** Four 4 bedroom detached houses, garage & car ports, parking and new access off Sandycroft.

#### **P/15/1225/FP**

**Appellant:** Mr Simon Pascoe  
**Site:** 5 Highlands Road Fareham PO16 7XJ  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 18 March 2016  
**Reason for Appeal:** Single storey rear/side extension

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **CURRENT**

#### **P/16/0035/FP**

**Appellant:** MR PHILIP NIELD  
**Site:** 37a Titchfield Park Road Fareham  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 09 May 2016  
**Reason for Appeal:** DETACHED GARAGE

#### **P/16/0160/TO**

**Appellant:** MR KURT BROWN  
**Site:** 24 Newtown Road Warsash Southampton Hampshire SO31 9FZ  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 11 May 2016  
**Reason for Appeal:** MONKEY PUZZLE TREE PROTECTED BY TPO 716: CROWN LIFT TO BALANCE AND ACHIEVE 2 METRE GROUND CLEARANCE

#### **P/16/0378/FP**

**Appellant:** MR STEVE SALTER  
**Site:** 30 Johns Road Fareham Hampshire PO16 0SA  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 01 June 2016  
**Reason for Appeal:** DORMER WINDOW TO FRONT ELEVATION

### **HEARINGS**

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **HEARINGS**

#### **ENF/15/0071**

#### **PUBLIC INQUIRY**

**Appellant:**

**MR LEIGH DUNKASON**

**Site:**

46 Glen Road Sarisbury Green Southampton

**Date Lodged:**

01 October 2015

**Reason for Appeal:**

CONSTRUCTION OF BUILDING COMPRISING SELF-CONTAINED LIVING ACCOMMODATION ANCILLARY TO RESIDENTIAL USE OF 46 GLEN ROAD AND ITS SUBSEQUENT CHANGE OF USE TO A SINGLE DWELLINGHOUSE

### **DECISIONS**

#### **P/15/0254/FP**

**Appellant:**

**MASCOT HOMES**

**Site:**

Land To Rear Of 20 Church Road Warsash Southampton Hants  
SO31 9DG

**Decision Maker:**

Officers Delegated Powers

**Recommendation:**

REFUSE

**Council's Decision:**

REFUSE

**Date Lodged:**

14 December 2015

**Reason for Appeal:**

ERECTION OF 7 HOUSES WITH ASSOCIATED PARKING,  
ACCESSED VIA SANDYCROFT

**Decision:**

DISMISSED

**Decision Date:**

05 May 2016

#### **P/15/0535/OA**

**Appellant:**

**TILCO LIMITED**

**Site:**

Shorewood Close Warsash Fareham SO31 9LB

**Decision Maker:**

Officers Delegated Powers

**Recommendation:**

REFUSE

**Council's Decision:**

REFUSE

**Date Lodged:**

24 March 2016

**Reason for Appeal:**

ERECTION OF TWO DETACHED HOUSES

**Decision:**

DISMISSED

**Decision Date:**

02 June 2016

## **PLANNING APPEALS**

The following list details the current situation regarding new and outstanding planning appeals and decisions.

### **DECISIONS**

#### **P/15/0667/LP**

**Appellant:** MR D MURSELL  
**Site:** 9 Chapel Road Sarisbury Green Fareham SO31 7FB  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 09 October 2015  
**Reason for Appeal:** DETACHED GARAGE AND NEW STONED DRIVE.  
**Decision:** ALLOWED  
**Decision Date:** 13 June 2016

#### **P/15/1263/AD**

**Appellant:** Mr Andrew Page  
**Site:** Delme Court Maytree Road Fareham PO16 0HX  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 26 February 2016  
**Reason for Appeal:** OUTDOOR ADVERTISTMENT TO BE DISPLAYED ON PREVIOUSLY APPROVED BOUNDARY WALL  
**Decision:** DISMISSED  
**Decision Date:** 12 May 2016