

**AGENDA**  
**PLANNING COMMITTEE**

**Date:** Wednesday, 19 July 2017

**Time:** 2.30 pm

**Venue:** Collingwood Room - Civic Offices

**Members:**

Councillor N J Walker (Chairman)

Councillor C J Wood (Vice-Chairman)

Councillors B Bayford  
T M Cartwright, MBE  
P J Davies  
K D Evans  
M J Ford, JP  
A Mandry  
R H Price, JP

**Deputies:** S Cunningham  
Mrs C L A Hockley  
L Keeble  
Mrs K K Trott



**1. Apologies for Absence**

**2. Minutes of Previous Meeting (Pages 1 - 6)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 21 June 2017.

**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 7)**

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/17/0257/OA - 274 BRIDGE ROAD BURRIDGE SOUTHAMPTON (Pages 9 - 18)**

(2) **P/17/0651/OA - EGMONT NURSERIES BROOK AVENUE WARSASH SO31 9HN (Pages 19 - 28)**

(3) **P/17/0648/FP - BURRIDGE VILLAGE HALL BOTLEY ROAD SO31 1BS (Pages 29 - 35)**

**ZONE 2 - FAREHAM**

(4) **P/17/0613/FP - 126 OAK ROAD FAREHAM PO15 5HP (Pages 37 - 39)**

**ZONE 3 - EASTERN WARDS**

(5) **P/17/0519/FP - 54 CORNAWAY LANE FAREHAM PO16 9DD (Pages 41 - 46)**

(6) **Planning Appeals (Pages 47 - 49)**



P GRIMWOOD  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
11 July 2017

**For further information please contact:**  
**Democratic Services, Civic Offices, Fareham, PO16 7AZ**  
**Tel:01329 236100**  
**[democraticservices@fareham.gov.uk](mailto:democraticservices@fareham.gov.uk)**

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 21 June 2017

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor C J Wood (Vice-Chairman)

**Councillors:** B Bayford, T M Cartwright, MBE, K D Evans, A Mandry,  
R H Price, JP and L Keeble (deputising for M J Ford, JP)

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councilors P J Davies and M J Ford, JP.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 24 May 2017 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcement:

We have had a request from the Fareham Beach Hut Association to be considered for the Council's list of recognised amenity groups in relation to the scheme of deputations.

Having consulted with the relevant Ward Members I can confirm that it has been agreed to include the Fareham Beach Hut Association onto the list of recognised amenity groups for proposals relating to or affecting Beach Huts represented by their Assication that it is held in relation to the scheme of deputations for the Planning Committee.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**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>				
<b>ZONE 2 – 2.30pm</b>				
Mrs B Clapperton	The Fareham Society	22-24 THACKERAY MALL (ABOVE SHOPS) FAREHAM SHOPPING CENTRE PO16 0PQ – DEMOLITION OF EXISITING OFFICE BUILDING &	<b>Opposing/ Commenting</b>	6(1) P/17/0426/FP Pg 10

		SHOPPING CENTRE CANOPY, CHANGE OF USE OF ANCILLARY SHOPPING CENTRE MANAGEMENT AREA TO HOTEL (CLASS C1) TOGETHER WITH ERECTION OF HOTEL (CLASS C1) ACCOMMODATION INCLUDING ANCILLARY BAR/RESTAURANT AREA AND ASSOCIATED ALTERATIONS TO SERVICE YARD, INCLUDING NEW SHOPPING CENTRE MANAGEMENT SUITE		
Ms D Illingworth		-Ditto-	<b>Supporting</b>	-Ditto-
<b>ZONE 3 – 2.30pm</b>				

**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/17/0426/FP - 22-24 THACKERAY MALL (ABOVE SHOPS) FAREHAM SHOPPING CENTRE FAREHAM PO16 0PQ**

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: -

*Changes/additions to plan/drawing numbers:*

*Existing –*

*Roof Plan – 16387-0001-P-00 – there is no such plan and so should be deleted*

*Elevations 1 & 2 – 16387-0001-P-00 should read 16387-0026-P-00*

*Proposed –*

*Palmerston Avenue Sketch Views 16387-0317-P-01 should read 16387-321*

*SK – 01 P1 first floor ventilation*

*SK – 02 P1 second floor ventilation*

*M – 5705 P2 Ventilation roof layout*

*Plans have been submitted showing the kitchen ventilation system predominantly located towards the rear of the building. The supply and extract ducts are sited towards the building frontage; this is set by the location of the kitchen below. Notwithstanding this the ducts measure no more than 0.7 metre in height and are set in from the edge of the building. The ducts would not be seen from ground level, but may be seen from Osborn Road at a higher level, but at a greater distance. As a result officers do not consider screening is required.*

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.

**(2) P/17/0508/PC - 1A FAREHAM PARK ROAD FAREHAM PO15 6LA**

Upon being proposed and seconded the officer recommendation to grant prior approval, subject to:-

- (i) The conditions in the report; and
- (ii) An additional condition restricting the use of tables and chairs to inside the premises only

Was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to: -

- (i) The conditions in the report; and
- (ii) An additional condition restricting the use of tables and chairs to inside the premises only

PRIOR APPROVAL is granted.

**(3) P/17/0514/FP - 3 MARIGOLD CLOSE FAREHAM PO15 5HF**

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

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted.

**(4) P/17/0405/FP - 27A STUBBINGTON GREEN FAREHAM PO14 2JY**

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

*Within the highways section of the report it is stated that census data (2001) has been analysed but this should read (2011).*

*Representations*

*Three additional letters of objection have been received since the report was written.*

#### *Consultation*

*Southern Water – No objection subject to suggested planning condition and informative.*

#### *Additional planning condition;*

*Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.*

*REASON: To ensure adequate drainage is provided to serve the permitted development.*

#### *Further information*

*A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).*

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

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

#### Reasons for Refusal

The development would be contrary to Policies CS5 & CS17 of the adopted Fareham Borough Core Strategy 2011 and the adopted Residential Car & Cycle Parking Standards Supplementary Planning Document 2009 and is unacceptable in that:

- a) The proposed development fails to provide appropriate parking space for residents of the new units which would lead to pressure on the availability of on-street parking in the vicinity and parking spaces within nearby public car parks; and
- b) By virtue of the relationship between first floor windows serving the proposed units set within the northern elevation of the building and the refuse stores associated with the ground floor commercial units below them, the development would be harmful to the living conditions of future residents due to the odour and noise from those refuse stores. In addition, by virtue of their location, limited size and the odour likely to be created by storage of refuse, the proposed storage facilities for refuse and recycling bins would be inadequate and harmful to the living conditions of future residents.



**(5) P/17/0411/VC - SHELL PETROL FILLING STATION 33  
STUBBINGTON LANE FAREHAM PO14 2PN**

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

*Planning Considerations – there is a typo in the first sentence of the second paragraph. The sentence should read –*

*Following the agreement with the applicant to alter the proposal from a 24hr petrol filling station, to one opening only between the hours of 0600hrs and 2300hrs, it is considered that this level of change would not result in a significant alteration to the current arrangement and as such would be unlikely to have an adverse impact on the living condition of neighbouring occupiers.*

Upon being proposed and seconded, the officer recommendation to grant planning permission, was voted on and CARRIED.  
(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted.

**(6) UPDATE REPORT**

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

**7. PLANNING APPEALS**

The Committee noted the information in the report.

(The meeting started at 2.30 pm  
and ended at 4.10 pm).

**Report to  
Planning Committee**

**Date:** 19 July 2017

**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**

Items relating to development in all wards will be heard from 2.30pm at Civic Offices, Civic Way, Fareham PO16 7AZ.

# Agenda Annex

## ZONE 1 - WESTERN WARDS

Park Gate  
Titchfield  
Sarisbury  
Locks Heath  
Warsash  
Titchfield Common

### Reference

### Item No

**P/17/0257/OA**  
SARISBURY

274 BOTLEY ROAD BURRIDGE SOUTHAMPTON HAMPSHIRE  
ERECTION OF ONE CHALET BUNGALOW TOGETHER WITH  
ASSOCIATED CAR PARKING AND LANDSCAPING

**1**  
**OUTLINE**  
**PERMISSION**

**P/17/0651/OA**  
WARSASH

EGMONT NURSERIES BROOK AVENUE WARSASH  
SOUTHAMPTON HAMPSHIRE SO31 9HN  
DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION  
OF EIGHT DETACHED HOUSES AND CREATION OF PADDOCK  
(OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

**2**  
**REFUSE**

**P/17/0648/FP**  
SARISBURY

BURRIDGE VILLAGE HALL BOTLEY ROAD BURRIDGE  
FAREHAM SO31 1BS  
SCOUT HUT, RE-SITED STORAGE CONTAINER, NEW ACCESS  
FROM A3051 AND PROVISION FOR 12NO. CAR PARKING  
SPACES

**3**  
**PERMISSION**

# Agenda Item 6(1)

**P/17/0257/OA**

**SARISBURY**

MR CHRIS COLLINS

AGENT: W Y G

ERECTION OF ONE CHALET BUNGALOW TOGETHER WITH ASSOCIATED CAR PARKING AND LANDSCAPING

274 BOTLEY ROAD BURRIDGE SOUTHAMPTON HAMPSHIRE

## ***Report By***

Richard Wright - Direct dial 01329 824758.

## ***Introduction***

This application follows the refusal of four previous proposals for a dwelling on this site:

1. Planning application reference P/11/0549/OA - refused in August 2011
2. Planning application reference P/12/0373/OA - refused in July 2012 (an appeal was subsequently lodged and dismissed)
3. Planning application reference P/14/0935/OA - refused in November 2014
4. Planning application reference P/15/0946/OA - refused in November 2015 (again, an appeal was subsequently lodged and dismissed).

A number of key planning issues were resolved in the first appeal concerning the 2012 application. However, in reaching his decision on that appeal, the Planning Inspector concluded that the lack of satisfactory visibility looking northwards at the junction with Botley Road meant that he had no alternative but to refuse permission. He considered it was "vital that there is adequate visibility to ensure safe movements when entering and exiting the road" and that the visibility splay required northwards from the junction to be 2.0 x 60 metres.

The planning applications that followed in 2014 and 2015 attempted to address this one remaining concern but failed to ensure that safe access could be provided. The appeal relating to the 2015 application again looked primarily at the issue of visibility northwards from the access lane onto Botley Road and found it unacceptable to grant planning permission. The Planning Inspectorate later however wrote to the appellant to acknowledge that the Inspector had misunderstood the evidence before her in relation to the visibility splay crossing over third party land, nonetheless the decision to dismiss the appeal stood.

This current application is very similar in nature to the previous proposals but with clarification and minor revisions made in respect of the means of access/egress from Botley Road.

## ***Site Description***

The application site is located beyond the defined urban area and is defined countryside for the purposes of planning determinations. It is triangular in shape, bound on two sides by the garden areas of dwellings fronting Botley Road and by a metalled, but overgrown public footpath (No. 21) along its southern boundary. The site itself is overgrown and a tree preservation order (TPO) protected oak tree grows at its eastern end.

Included within the red-edged area of the submitted plans is the stretch of footpath (No. 21) from the proposed bungalow to Botley Road. A row of TPO protected poplar trees runs adjacent to the southern edge of the footpath close to the development site.

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

This application seeks outline planning permission for the erection of a detached chalet bungalow with associated parking and landscaping. Matters of access, landscaping and layout are submitted for approval with all other matters reserved. The submitted plan shows an 'L' shaped detached dwelling, with vehicular access taken from Botley Road along the line of Footpath 21.

### ***Policies***

The following policies apply to this application:

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

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

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

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

#### **Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

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

DSP3 - Impact on living conditions

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

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

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

The following planning history is relevant:

<b><u>P/15/0946/OA</u></b>	<b>ONE CHALET BUNGALOW TOGETHER WITH ASSOCIATED CAR PARKING AND LANDSCAPING (OUTLINE APPLICATION SEEKING APPROVAL FOR MATTERS OF ACCESS, LANDSCAPING AND LAYOUT)</b>
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REFUSE	27/11/2015
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APPEAL: DISMISSED	09/12/2016
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<b><u>P/14/0935/OA</u></b>	<b>ERECTION OF ONE CHALET BUNGALOW TOGETHER WITH ASSOCIATED CAR PARKING AND LANDSCAPING</b>
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REFUSE	24/11/2014
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<b><u>P/12/0373/OA</u></b>	<b>PROPOSED ONE CHALET BUNGALOW WITH ASSOCIATED CAR PARKING AND LANDSCAPING (OUTLINE APPLICATION FOR ACCESS, LANDSCAPING AND LAYOUT, RESUBMISSION OF P/11/0549/OA)</b>
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REFUSE 27/07/2012  
APPEAL: DISMISSED 06/06/2013

**P/11/0549/OA**

**ERECTION OF ONE DETACHED DWELLING (OUTLINE APPLICATION)**

REFUSE 23/08/2011

### ***Representations***

Objections from five parties have been received in relation to this application on the following grounds:

- Backland development out of keeping with countryside and contrary to policy
- Overdevelopment
- Highway safety at junction with Botley Road
- Harmful to safety of users of footpath / right of way
- Disruption and highway safety implications from construction on the site
- Harm to trees on site and nearby
- Overlooking

### ***Consultations***

INTERNAL

Highways -

This proposal is to erect a chalet bungalow along a private track that also forms a public footpath. The track has a priority junction with the A3051 Botley Road.

The track itself has vegetation trimmed back so that adequate visibility is available between drivers of vehicles and pedestrians. There should be a requirement that this vegetation is kept trimmed. The track currently provides access to a single dwelling and a small storage yard.

The proposals for the chalet bungalow are acceptable as adequate parking and turning can be achieved. To maintain pedestrian safety adjacent to the bungalow, it would be necessary for the section of hedge fronting the parking/turning area to be maintained at a height of not more than 0.6m.

The proposals include the widening of the track to 5m within 10m of its junction with Botley Road. This will encroach upon a small bank and grass verge on the south side.

Consistent with advice in the Department for Transport's document 'Manual for Streets' and the Chartered Institution of Highways and Transportation's document 'Manual for Streets 2', visibility splays of 2m by 59m can be provided to the north and south of the centreline of the proposed junction according to an independent topographical survey. These splays would be derived as follows -

- A 2m 'x' distance has been used on account of the very low level of traffic that would be emerging from the track.
- It has been accepted that all traffic approaching from the north will be visible to emerging drivers on the understanding that no vehicles approaching at ambient speeds would be

within the 1m wide strip adjacent to the nearside kerb.

- Given the deviating alignment of Botley Road, it is accepted that northbound drivers do not overtake on the bend south of the junction and thus visibility here can be taken to the centreline of the road at 59m from the junction.

It has been submitted that the applicant has used, and carried out maintenance, of the track over a considerable period of time and has taken steps to identify the owner/s without success. This would suggest there is a reasonable prospect that the junction improvements can be secured by a 'Grampian' condition.

It is accepted that it will ultimately be the responsibility of the Highway Authority to enforce against any vegetation that overhangs the highway (and in this case, the footway) so as to restrict the safe use of the highway. Whilst Hampshire County Council would seek to resolve such matters privately between land-owners, a lack of such resolution would ultimately need to be an enforcement matter under the Highways Act.

Accordingly, subject to appropriate conditions relating to securing parking and turning clear of Botley Road, the above junction improvements and maintenance of the track, no highway objection is raised to the application.

Trees -

There are no arboricultural reasons for refusal subject to a more comprehensive tree protection method statement / tree protection plan.

Ecology -

The supporting ecological information confirms that the site supports low/negligible potential for reptiles but recommends a precautionary approach to grassland removal. [Recommended conditions relating to works in accordance with ecology report and biodiversity enhancement measures].

EXTERNAL

Hampshire County Council - Countryside Access Development Officer -

As identified by the proposal, Fareham Footpath 21 runs along Verne Close, through which the proposal seeks vehicular access.

As mentioned in our previous responses to applications P/11/0549/OA and P/12/0373/OA, there are no recorded public vehicular rights through Verne Close and it is an offence under section 34 of the Road Traffic Act 1988 to drive over a public footpath without lawful authority. We note that the application form states that Verne Close is unregistered land and that the applicant claims a right of way. The applicant needs to satisfy themselves that they have adequate authority or permission to use the route for vehicular access for an additional dwelling and to carry out any proposed works to the route.

We have objected to the previous applications on the grounds that due to the nature and width of the footpath, it would cause conflict between vehicles accessing the site and users of the right of way. We note that the proposal now seeks to widen the access road to 3 metres and resurface it. Such works would require the permission of Hampshire County

Council as Highway Authority, be up to the Countryside Service Design Standards, and a commuted sum provided to the County Council to cover the additional maintenance burden of an upgraded highway. Should it be proposed to be sealed and adopted then HCC Highways will need to be consulted and agree to take on future maintenance. The application does not include details on the proposed surfacing works, and a commuted sum has not been proposed. Until such information is provided to our satisfaction as the Highways Authority we object to this proposal.

Notwithstanding this, if you are minded to grant permission, we ask that the application be required to erect signage warning all drivers, including contractors and delivery drivers, of the presence of walkers and of the requirement to give way, and that a low-speed limit be imposed.

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

#### **PRINCIPLE OF DEVELOPMENT AND VISUAL IMPACT**

In relation to the 2012 appeal, the Council argued that, since the site lies outside of the urban area and is within the countryside and since there was no justification or demonstrable need for a new dwelling in this location, the proposal was contrary to Policy CS14 of the adopted Fareham Borough Core Strategy. The Planning Inspector determining the appeal disagreed with these assertions. The Inspector's view was that, although outside the defined urban area as shown in the local plan, the site does not fulfil the role or function of open countryside nor is it 'backland' in the normal meaning of the term. He concluded that there was sufficient evidence to make an exception to the local plan policy in this instance. Taking into account the appeal inspector's conclusions on this matter, the current proposal is considered to be acceptable in principle notwithstanding its location within the countryside designation of the local plan.

In considering the previous appeal, the planning inspector did not find the proposal to be overbearing or visually harmful to the character of the area. Notwithstanding therefore the previous concerns held by the Council over the likely effect of the new dwelling in this respect, it is acknowledged that matters such as the scale and design of the building could be reserved matters for future approval and the proposal is considered to accord with Policy CS17 of the adopted Fareham Borough Core Strategy.

#### **HIGHWAY SAFETY AT THE ACCESS POINT WITH BOTLEY ROAD**

The safety of the access onto and from Botley Road is the key planning consideration when determining this application. It has been the subject of deliberation by Officers ever since the 2012 appeal decision concluded the access proposed at that time was not acceptable for planning permission to be granted. That has led to the refusal of two subsequent applications on the grounds that Officers were not satisfied that the access as proposed would not be harmful to the safety of highway users.

In this latest submission the applicant has provided detailed drawings based on a newly carried out more accurate survey and showing the precise layout of the proposed access with Botley Road. The topographical features shown on the drawings have been verified by Officers and have been found to be accurate.

The drawings show, unlike previous submissions, how the existing access track from Botley Road to the site would be widened over the first 10 metres back from the carriageway on its southern side to allow for a 5 metre wide stretch. The owner of the access track from



Botley Road to the site itself is unknown. The applicant has owned the land where he proposes to build the house for a number of years but does not own the track and does not know who might do. He has attempted to trace the owner and, as required by law, has placed advertisements in the local press each time every one of the five applications for planning permission have been submitted. No one has come forward to lay claim to owning the track and Land Registry records for the access track do not name an owner. Whilst therefore the applicant does not own or control the track it is considered unlikely that an owner would come forward at a later date to prevent the proposed access improvements from being carried out. It is therefore reasonable to expect that the access improvements shown on the submitted drawings are capable of being carried out.

The drawings also show where the visibility splays in both a southward and northward direction should be taken from and the northward splay is shown in great detail. The previous applications and appeal decisions have focused chiefly on the visibility available to drivers leaving the site when looking northwards. Previously it was considered that, in order to obtain satisfactory visibility to a sufficient distance along the road drivers would need to rely on visibility over third party land (namely a small sliver of land within the ownership of 270 Botley Road and not the applicant). When lodging their appeal against the 2015 refusal the applicant produced these new drawings to demonstrate this wasn't the case however the Inspector in dealing with that appeal misunderstood the evidence before her. Nonetheless the drawings submitted with the current application confirm that satisfactory visibility northwards is achievable without relying on this third party land. If vegetation from the adjacent third party land were to overhang the visibility splay within the highway the highway authority Hampshire County Council could require it to be cut back.

In considering whether both the northward and southward visibility splays to be provided are adequate, Officers have had regard to the technical advice provided by the Council's Transport Planner and the evidence put forward by the applicant's own consultants. In particular there are two pieces of technical advice that have been considered in great detail.

The first of these concerns how far back from the edge of the carriageway should the visibility splays northwards and southward be measured from (referred to as the 'X' distance).

Both the Council's Transport Planner and the applicant have referred to the guidance set out in the Department for Transport's document Manual for Streets. At 7.7.6- 7.7.7 it says that:

"An X distance of 2.4m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and driver's eye.

A minimum figure of 2m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and the manoeuvre around it without undue difficulty, should be considered".

Botley Road is not a lightly-trafficked route. The access track is however infrequently used by vehicular traffic and serves one house. Notwithstanding, the applicant considers a 2m 'X' distance to be acceptable. They contend that the visibility for drivers travelling along Botley Road is greater than 59 metres and they are therefore able to see the vehicle emerging from the junction in ample time to take appropriate action necessary. When dealing with

the 2012 application Officers agreed that a 2m 'X' distance was appropriate in this instance. The Planning Inspector who handled the subsequent appeal reiterated in his deliberation on the issue of highway safety that an 'X' distance of 2m was required and did not suggest that a greater distance of 2.4m was required. The Inspector dealing with the 2015 appeal also did not challenge the use of an 'X' distance of 2.0m. It must also be borne in mind that the existing access, which would be widened and improved if permission was granted, already serves one dwelling and Officers are not aware of any evidence of accidents having occurred.

The second technical point concerns how far should visibility northwards and southwards be provided (referred to as the 'Y' distance) and to what point in the road should this be measured. The applicant and Officers agree that 59m in each direction should be achieved.

To the north the visibility need not be to the nearside kerb since it is acknowledged that vehicles will normally be travelling a distance from the kerb line (Manual for Streets 7.7.3). The applicant has demonstrated that the 'Y' distance of 59m can be achieved without deviating from the kerb line more than 1 metre.

To the south the applicant and Officers agree that the 'Y' distance could be measured to the centerline of the carriageway (the nearest point where vehicles travelling on the approaching northbound side would be) and this is considered achievable in this instance. On this Manual for Streets says at 7.7.5:

"Some circumstances make it unlikely that vehicles approaching from the left on the main arm will cross the centerline of the main arm - opposing flows may be physically segregated at that point, for example. If so, the visibility splay to the left can be measured to the centerline of the main arm".

There is no physical barrier along the centre of Botley Road at this point. However, it is considered unlikely that vehicles travelling northward would move across into the right hand lane to the extent that vehicles emerging from the access track would be unable to see them. Overtaking is considered unlikely to occur regularly on this particular stretch because of the nature of the road dissuading drivers from doing so. Notwithstanding, if vehicles, including motorbikes, were to do so they would most likely still fall within the visibility of the emerging driver and in any event the vehicle being overtaken would since it would still be travelling in the left hand lane.

## SAFETY OF USERS OF THE PUBLIC FOOTPATH USED TO ACCESS THE SITE

In refusing planning application ref. P/12/0373/OA the Council considered that the condition and width of the access track meant that vehicle movements associated with the dwelling would cause undue danger and inconvenience to users of the footpath. The appeal inspector found to the contrary, stating that the proposed widening and surfacing of the track would make it evident that it was for vehicular use as well as pedestrian. He found no harm to the safety and convenience of users of the footpath from the proposal.

The letters of representation received in relation to the current proposal have iterated that the neighbours living nearby believe usage of the footpath has increased in the last four years. Notwithstanding, in the appeal decision the inspector acknowledged that, "with the amount of new housing to the east, it might be expected that pedestrian use might increase". It is clear therefore that any increase in usage was taken into account at the time

the appeal was determined and still it was considered by the inspector that there was no conflict and that the safety and convenience of pedestrians would be safeguarded by the improvements to the track.

The inspector agreed with the Council's view that 15 metres forward visibility should be provided around the inside of the bend of the track by trimming back adjacent vegetation. The current proposal has clarified that 13.85 metres forward visibility is only actually possible. The advice received from the Council's Transport Planner is that, given the low speeds of traffic expected in this location on the lane, the proposed visibility would be sufficient to protect the safety of other users of the footpath.

The comments from the Countryside Access Development Officer at HCC indicate that their objection to the application is related to the fact that no financial contribution has been provided by the applicant. However, the track is not owned by HCC and the applicant has not indicated that they wish for the highway authority to adopt the footpath. With that in mind there would be no requirement for the applicant to make a contribution to the County Council for future maintenance of the access.

It is considered that there would be no justification for resisting granting planning permission on the basis that using the footpath to provide access to the new dwelling would be harmful to the safety or convenience of pedestrians.

## ECOLOGY

The Council's ecologist has considered the revised ecology report submitted in support of the application. The advice received is that, subject to conditions, planning permission could be granted.

Additional dwellings may result in a corresponding increase in recreational visits to the Borough's coastline, part of the Solent Coastal Special Protection Areas which are internationally designed sites of importance for nature conservation. Policy DSP15 of the adopted Local Plan Part 2: Development Sites and Policies explains any such 'in combination' effects may be satisfactorily mitigated through the provision of a financial contribution towards the Solent Recreational Mitigation Strategy (SRMS). The applicant has been invited to provide the required financial contribution which would be secured through an agreement under section 111 of the Local Government Act 1972.

## TREES

The Council's Tree Officer has not raised an objection to the application, however there has been concern raised by third parties over the ability for the site to be connected to services without causing harm to the protected trees on and adjacent to the site, in particular those adjacent the access track. Officers have sought clarification from the applicant on this matter and will provide a written update to Members of the Planning Committee.

## Conclusion

The proposed application is very similar to that considered in previous planning applications and appeals. The views of the inspectors in dealing with the 2012 and 2015 proposals have been given weight accordingly when making the following recommendation.

The principle of development is considered acceptable and similarly it is not considered that the dwelling would appear overbearing subject to the scale and design of the development

being a reserved matter. There would be no material adverse harm to the safety of pedestrians through the use of the footpath to provide vehicular access to the dwelling.

The key issue of the safety of the access from Botley Road has been considered in great detail. Whilst it is acknowledged that the provision of satisfactory visibility for emerging drivers particularly in a northward direction is marginal, Officers consider that, on balance, the applicant has been able to demonstrate that the access arrangements proposed would not be materially harmful to highway safety.

Having regard therefore to the relevant development plan policies and taking into account other material considerations including the technical advice provided by the Council's Transport Planner and the findings of the Planning Inspectors, the proposed development is recommended favourably for permission.

***Recommendation***

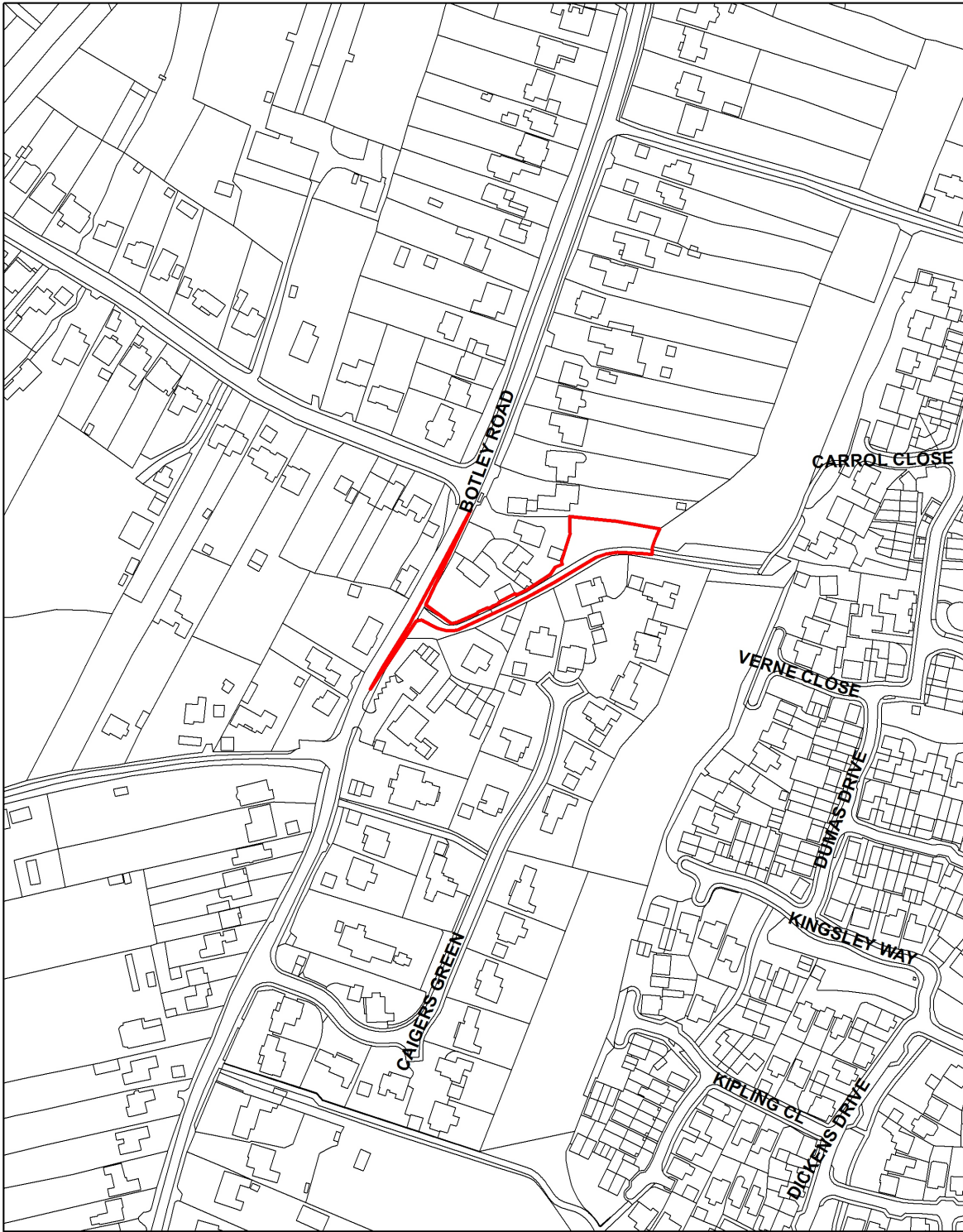
Subject to the applicant making a financial contribution towards the Solent Recreational Mitigation Strategy (SRMS) secured through an agreement under section 111 of the Local Government Act 1972:

PERMISSION subject to conditions:

Conditions to be provided in a written update to Members prior to the Committee meeting.

# FAREHAM

BOROUGH COUNCIL



274 Botley Road  
Scale 1:2500



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# Agenda Item 6(2)

**P/17/0651/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 SOUTHAMPTON HAMPSHIRE  
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 and updated in May 2017) to accompany those earlier studies. Also submitted with the application is a Desk Top Study in respect of potential land contamination and a Landscape and Visual Assessment (May 2017).

The application is described as a resubmission following the refusal of a similar application last year. Planning application reference P/16/0243/OA proposed eight houses on the same site and was refused in June 2016 on the following grounds:

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;

(d) insufficient information has been submitted to demonstrate that Dormice, a protected species, and their habitat would be protected and enhanced during the development.

### ***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

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

DSP1 - Sustainable Development

DSP3 - Impact on living conditions

DSP5 - Protecting and enhancing the historic environment

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

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

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

The following planning history is relevant:

<b><u>P/16/0243/OA</u></b>	<b>DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF EIGHT DETACHED HOUSES AND CREATION OF Paddock (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)</b>
	REFUSE 28/06/2016

<b><u>P/15/0540/OA</u></b>	<b>INSTALLATION OF 2820 PHOTOVOLTAIC PANELS AND USE OF EXISTING OFFICE BUILDING FOR INSTALLATION OF INVERTER &amp; CONTROL EQUIPMENT (OUTLINE APPLICATION)</b>
	APPROVE 19/11/2015

## ***Representations***

Forty-six letters of objection have been received raising the following concerns:

- Harmful to countryside and contrary to planning policy
- Visual impact of development
- Inappropriate location of access off Brook Avenue
- Harmful impact on highway safety of users of Brook Avenue
- No pavements / poor access along Brook Avenue will be exacerbated
- The traffic generated by the nursery was not as significant as the applicant contends
- Pressure on local services and infrastructure
- Impact on wildlife and negative effect on nearby river and nature reserve
- Drainage concerns
- Disturbance from construction traffic
- The dereliction of the site should not be a reason to grant planning permission. The Council should use powers under section 215 of the Act to require the site to be tidied up instead.

Twenty-eight letters of support have been received with the following points:

- The existing greenhouses and buildings on site are ugly and an eyesore
- The proposed development is sympathetic and would improve the area
- There is a need for housing

## ***Consultations***

INTERNAL

Contaminated Land -

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: 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 more details information on tree protection measures, new landscaping and tree planting.

Highways -

The proposal is to create a new access to the site, close to the western end of the site frontage and the existing access. Clarification is required that the applicant has control over the western boundary hedgerow so that, by foreshortening the southern end of the hedge, a visibility splay of 2.4m by 45m can be provided to the west.



Additional information has been received from local residents and interested parties that the most recent use of the site as a nursery, generated minimal traffic associated with seasonal tomato and bedding plant growing and distribution. This is contrary to the submitted Planning, Development and Access Statement which indicated that a high volume of traffic, including HGVs, was generated.

Whilst it is acknowledged that there may have been only minimal traffic associated with the former use and that the site could legitimately come back into use with a higher level of intensity and traffic, the proposals are likely to only generate some 5-6 vehicle movements in peak hours (one vehicle every ten minutes on average) and less throughout other hours. It is thus concluded that, given its nature, Brook Avenue has the capacity to safely accommodate this additional level of traffic.

Subject to the above clarification and conditions, there is no highway objection to the application.

Ecology -

Local designated sites: Subject to the provision of a 15m buffer and appropriate pollution management during construction, there are no anticipated impacts on the interest features of adjacent designated sites (Holly Hill Woodland Park Local Nature Reserve and Winnard's & Cawte's Cpses Site of Importance for Nature Conservation).

Bats: The retention and protection of identified bat foraging habitat and sensitive lighting as recommended by the applicant's ecologist should be secured by condition if consent is to be granted.

Reptiles: Further details on proposed receptor locations and on-going management should be secured by condition if consent is to be granted.

Great Crested Newts: There is agreement with the conclusion of the ecological report that impacts on great crested newts are not anticipated.

Breeding Birds: The applicant's ecologist has recommended suitable measures in respect of breeding birds which can be secured in a construction environment management plan.

International Designated Sites: With respect to Solent SPA sites, funding is to be provided by the applicant towards the Solent Recreation Mitigation Partnership (SRMP).

No objection subject to conditions.

EXTERNAL

Hampshire County Council (Minerals and Waste) -

In line with a previous response for an earlier application on the same plot of land (P/15/0529/OA) we have no objections to make on this application. Whilst the site's boundary is within a mineral safeguarded area (as defined by Policy 15 of the adopted Hampshire Minerals and Waste Plan) the site area is less than three hectares and therefore the potential loss of safeguarded mineral resource through sterilization is minimal.

***Planning Considerations - Key Issues***

## PRINCIPLE OF DEVELOPMENT

The development of eight houses is proposed on the site of a derelict commercial nursery. The site at present is not 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. The site is also within an area which is outside of the defined urban settlement boundary.

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.

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 is an important part of the currently ongoing 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.

In the applicant's submission comparisons have been made with the nearby sites at Cawtes Reach (the site of the former Keileen Nurseries) and Yorkdale (the site of a former concrete works). Whilst 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, it should be noted that the circumstances which led to the granting of planning permission for those developments 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".

## HOUSING LAND SUPPLY

The Council's current five year housing supply position is based upon the housing requirements in the Borough's adopted Local Plan; Part 2 - Development Sites and Policies (adopted June 2015) and Part 3 - Welborne (adopted June 2015). Over the five year period from 1st April 2016 to 31st March 2021, Fareham's housing requirement is 1,932 dwellings. In accordance with paragraph 47 of the NPPF, this requirement includes a 5% buffer brought forward from later in the plan period to ensure choice and competition in the market for land.

It is acknowledged that the Council's adopted housing requirement is not based on Objectively Assessed Need (OAN), as required by the NPPF. In light of this and in accordance with the Inspector's Report on Local Plan Part 2, the Council has committed to and commenced a review of the adopted Local Plan, in order to plan positively for meeting Objectively Assessed Housing Need.

The PUSH (Partnership for Urban South Hampshire) OAN study, the PUSH Spatial Position Statement, and the CLG ministerial Letter of December 2014 all note that OAN figures remain untested until they have passed through the Local Plan process, and the importance of Councils being given adequate time to respond to these figures in preparing plans for their areas. The Council thus considers at the current time that it remains appropriate to rely on the Adopted Local Plan housing requirement to determine the five year housing land supply. It is acknowledged that this approach was not accepted in the Navigator appeal decision, however the circumstances of that decision differ as it predated the Adoption of Local Plan Parts 2 and 3.

The Council's land supply figures from April 2016, updated as part of the preparation of evidence to the recent Cranleigh Road Inquiry, is that it has a five year deliverable supply of 2,003 dwellings. This represents a 5.2 year supply, and this means that the determination of the application should be in accordance with Section 38 (6) of the Planning and Compulsory

Purchase Act 2004.

## LANDSCAPE CHARACTER AND VISUAL IMPACT

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 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. The applicant has submitted a detailed landscape and visual assessment notwithstanding which Officers remain concerned that the proposed housing development would have a harmful urbanizing effect on this countryside location. The indicative site plan and the quantum of development proposed suggests two-storey housing would be constructed which would clearly significantly alter the visual appearance of the site notwithstanding that there are some glasshouses and other ancillary buildings on the site at present. Such a development would harm the site's landscape character, appearance and function contrary to Core Strategy Policy CS14.

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. Some of the comments received 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.

The Council's ecologist has confirmed that there are no ecological issues which cannot be satisfactorily controlled by means of planning conditions.

## THE PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that when making decisions on planning applications the local planning authority must do so in accordance with the adopted development plan.

This report explains that Officers consider this application to be contrary to policies contained within the adopted Fareham Borough Core Strategy and Local Plan Part 2: Development Sites and Policies. Specifically the proposal is found to conflict with Core Strategy Policies CS2, CS6, CS14, CS17 & CS18 and Local Plan Part 2 Policies DSP6 & DSP15.

The application site is not previously developed land and is located outside the defined urban settlement boundary where there is an in principle objection to new residential development, and none of the exceptions set out within the adopted policies have been claimed here. This in principle policy objection weighs heavily against granting planning permission. Furthermore, the nature of the proposed development would harm the character of the landscape and visual amenity. The proposal would urbanise the existing site and adversely affect the countryside's landscape character, appearance and function.

It is acknowledged that the principal benefit of granting permission would be the delivery of housing. However, notwithstanding this, it is considered that the harm caused through the conflict with the development plan is not outweighed and so planning permission should be refused.

Even if the Council could not demonstrate a five year housing land supply as the applicant contends, the Council considers that, under the required approach to decision making set

out in paragraph 14 of the National Planning Policy Framework (NPPF), it would have concluded that the adverse impacts of granting planning permission would significantly and demonstrably outweighed the benefits of doing so.

In this regard, whilst policies for the supply of housing would have to be considered out of date, the conflict with development plan policy CS17 would be given significant weight in the decision making process. The Council has considered the extent to which these policies accord with the NPPF, and it concludes that they do accord with the NPPF. Notwithstanding the benefits arising from the application proposals, identified above, the adverse impacts of granting planning permission significantly and demonstrably outweigh the benefits of doing so. The application is therefore recommended for refusal.

### ***Recommendation***

REFUSE for the reasons:

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.

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

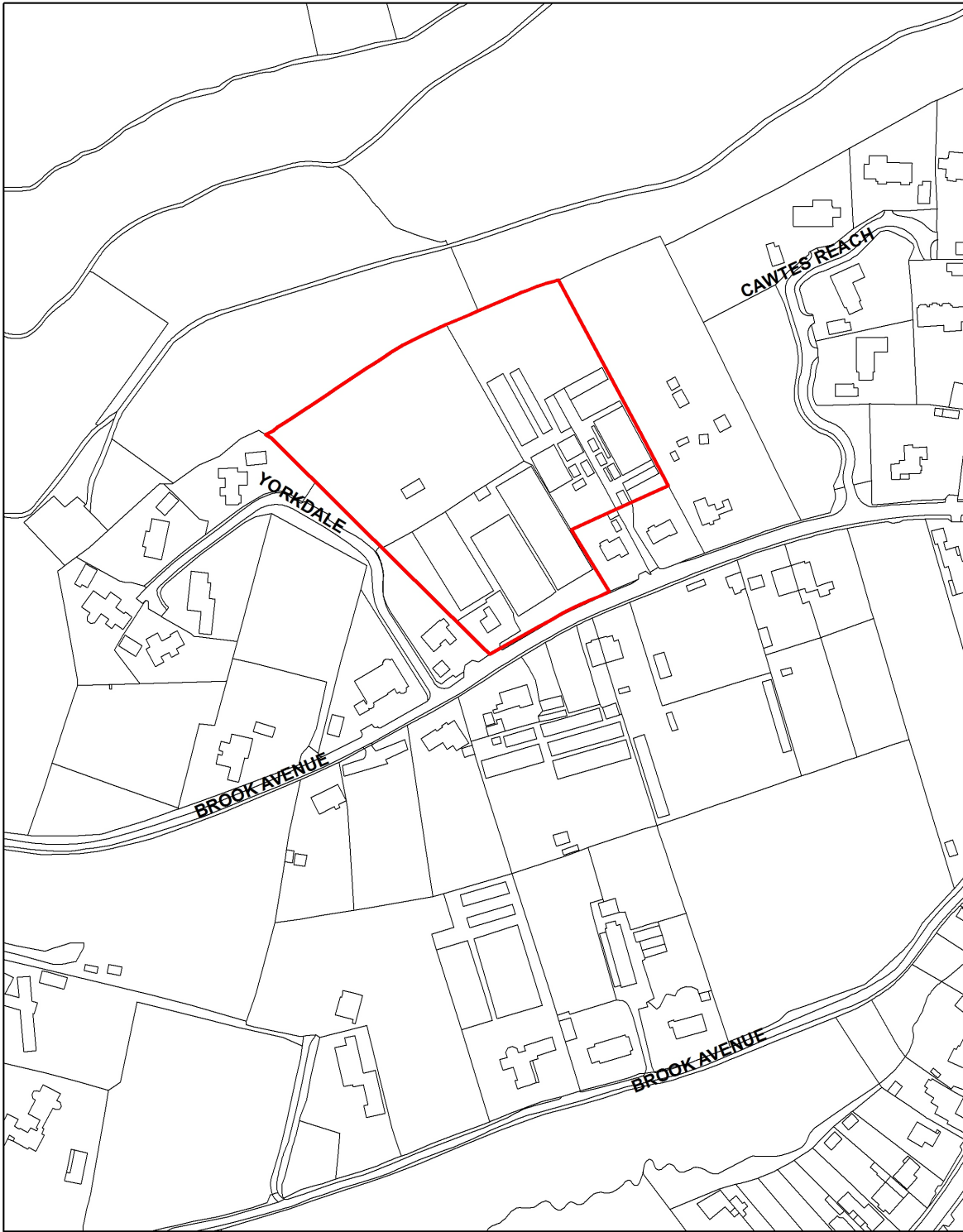
Had it not been for reason for refusal (a), the Council would have sought to address reasons for refusal (b) and (c) by inviting the applicant to enter into a legal agreement under Section 106 of the Town & Country Planning Act 1990 to secure financial contributions to mitigate the harm to the Solent Coastal Special Protection Areas and for the off-site provision of affordable housing in the Borough.

### ***Background Papers***

P/17/0651/OA; P/16/0243/OA

# FAREHAM

BOROUGH COUNCIL



Egmont Nurseries  
Scale 1:2500



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# Agenda Item 6(3)

**P/17/0648/FP**

**SARISBURY**

DR TOBY KING

AGENT: DR TOBY KING

SCOUT HUT, RE-SITED STORAGE CONTAINER, NEW ACCESS FROM A3051 AND PROVISION FOR 12NO. CAR PARKING SPACES

BURRIDGE VILLAGE HALL BOTLEY ROAD BURRIDGE FAREHAM SO31 1BS

## ***Report By***

Peter Kneen - Direct dial 01329 824363

## ***Site Description***

The application site lies on the western side of Botley Road. The site comprises the northern most of two tennis courts owned by Fareham Borough Council.

Access to the site would be from a track running west from Botley Road, immediately to the north of the tennis courts. The track is owned by the National Trust.

Burrige Village Hall lies immediately to the south of the tennis courts, with the Burrige Recreation Ground to the west.

The site lies outside of the urban settlement boundary and is designated open space within the Adopted Core Strategy.

## ***Description of Proposal***

Provision of a cabin-style scout hut measuring 16 metres (52' 6") x 12.5 metres (41') in floor area, sited at the southern end of the existing northern tennis court. The building would have a dual pitched roof with a ridge height of 5.7 metres (18' 8") and would be constructed of redwood pine, coloured brown with grey asphalt roof shingles.

An existing storage container which is currently sited adjacent to the recreation ground (close to the southern boundary), which measures 14 metres long (46') , 2.44 metres (8') wide and 2.44 metres (8') high would be relocated to the eastern side of the proposed scout hut.

Twelve parking spaces would be provided at the northern end of the site, accessed via a new access from the adjacent track. The car park would be secured with a metal gate 3.5 metres (11' 6") wide.

## ***Policies***

The following policies apply to this application:

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

CS5 - Transport Strategy and Infrastructure

CS14 - Development Outside Settlements

CS17 - High Quality Design

CS21 - Protection and Provision of Open Space

### **Development Sites and Policies**

DSP2 - Environmental Impact



***Relevant Planning History***

The following planning history is relevant:

<b><u>P/11/0404/FP</u></b>	<b>PROVISION OF STORAGE CONTAINER</b>	
	PERMISSION	12/08/2011

***Representations***

Eighteen representations have been received supporting the application.

One representation supporting the principle of the new local scout hut, but raising the following comments:

There has not been a wide spread consultation carried out assessing the value or need of the tennis court;

The tennis courts were renovated a few years ago which received strong support from local residents;

Potential for noise generated from overnight use.

One representation has been received objecting to the loss of any sporting and recreational facilities and that the evidence stating the under usage of the tennis court is not robust.

***Consultations***

Highways (including Winchester City Council Highway Officer) -

No highway objection is raised subject to securing adequate visibility for drivers emerging onto Botley Road; the access track being repaired/surfaced for the first 10 metres (32' 8") of the access from Botley Road and appropriate signage.

Head of Leisure and Environmental Services -

The Scout Group have actively been looking for a permanent home for some time. The Council were aware that the tennis courts adjacent to Burr ridge Village Hall were underused and therefore one of the two tennis courts was suggested as a suitable site. There is no objection to the proposals in principle.

Trees -

No objection subject to conditions.

***Planning Considerations - Key Issues***

Principle of development in the countryside

Policy CS14: Development Outside Settlements of the Core Strategy states:

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. The

conversion of existing buildings will be favoured. Replacement buildings must reduce the impact of development and be grouped with other existing buildings, where possible. In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from the land or water.

Policy DSP8: New Leisure and Recreation Development Outside of the Defined Urban Settlement Boundaries states:

Proposals for leisure and recreation development outside of the defined urban settlement boundaries will be permitted, where they do not have an unacceptable adverse impact on the strategic and or local road network.

Proposals should have particular regard to the requirements of Core Strategy Policy CS14. They should avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts or detrimental impact on the character or landscape of the surrounding area.

New buildings should be well designed to respect the character of the area and, where possible, should be grouped with existing buildings.

The 1st Sarisbury Scout Group were previously resident in the former Coldeast Hospital Community Hall but vacated the property when it became dilapidated. The Group moved to Burridge Village Hall where they hire the facilities two nights a week and also have a container on the site which they use to store their equipment. Since vacating the Coldeast Community Hall, the group have been looking for a permanent home.

Burridge has been identified for the Scout Hut as it is close to the Scouts AE Roberts Memorial Camp Site (at the end of Burridge Road, with direct access from the bottom of the cricket field), contains a large recreation field and woods, and is close to the River Hamble. It is also where the Scout Group currently meet, and where all the camping equipment is located (in the container on the Recreation Ground.)

A number of options were explored in and around Burridge before progressing proposals for the northern tennis court; these options included extending the Village Hall in several different ways. It was concluded that extensions to the Village Hall were not possible without significantly impacting upon either the existing car parking or the sports pitches. Another option was to build a hut adjacent to the children's play area, but a number of trees would have needed to be felled, the play area would have to be relocated and there would have been some effect on existing parking. The applicant also explored incorporating a scout hall into the plans for sports changing facilities on Coldeast but the scout group were unable to raise sufficient funds.

Having considered the matter carefully officers are of the view that there is a justification for the siting of the scout building and associated container in this countryside location.

Loss of the tennis court

Policy CS21: Protection and Provision of Open Space of the Core Strategy States:

The Borough Council will safeguard and enhance existing open spaces and establish networks of Green Infrastructure to add value to their wildlife and recreational functions. Development which would result in the loss of or reduce the recreational value of open

space, including public and private playing fields, allotments and informal open space will not be permitted, unless it is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size.

Furthermore The National Planning Policy Framework, paragraph 74 states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.

The adjacent Village Hall was modernised some years ago by the Council and at that time the two tennis courts, one of which is subject of this application, were repaired and made fit for purpose.

Since that time, the courts have been open for public use with no booking system in place. The courts have been used by the public on an adhoc basis. Without any booking system in place it is difficult to accurately identify the frequency of use, apart from gaining information from users of the courts, Village Hall and recreation ground.

The evidence obtained suggests that the southernmost court is the more popular of the two courts as it is closer to the village hall and is not over shadowed by trees. This is reinforced by the on site evidence of the condition of the courts. The southernmost court hard surfacing shows some wear and is clear of moss and discolouring which confirms its preferred use of the two courts.

In addition, the Council's Parks and Open Spaces Team rarely receive calls from users of the tennis courts asking for maintenance/repairs to be carried out to the northernmost court; the Parks and Open Spaces Team have received such calls about the southernmost court. This again reinforces the view that the northern most court is used to a lesser extent than the southernmost court.

The applicant has explored other alternative options for providing permanent scout facilities as identified in the previous section above, however it has not been possible to find a suitable location.

The applicant approached the Council in its capacity as the owner of the site. In its capacity as the owner of the site, the Council considers that the current demand for the tennis courts can be accommodated with just one court. The Burrige and Swanwick Resident's Association and the Village hall Committee have been consulted about the loss of one tennis courts and raised no particular concerns.

In the absence of any formal booking system connected with the use of the Tennis Courts, Officers acknowledge the difficulty in establishing the full extent of their usage. Based however on the evidence available, and the views of the Head of Leisure and Environmental Services that tennis provision can reasonably be accommodated on one court, no objection is raised to the loss of one of the courts.

Character and appearance of the area

The siting of the new scout building and container would be grouped close to the existing Village Hall.

The building is designed as a 'log cabin' style building with a pitched roof, constructed from sustainably sourced redwood pine logs. The external logs (and the timber windows and doors) will be stained brown with a preservative. The design and materials would be sympathetic to the character of this rural location.

The storage container measures 2.4 metres (8') wide and 14 metres (46') long and is coloured dark green. There are mature trees and understorey planting along the eastern boundary between the site and Botley Road. Although these trees form a green visual screen when looking west across the site, it is currently possible to look through openings between the trees to the wider countryside beyond. The applicant has offered to enhance the hedgerow and understorey planting in order to soften the impact of the storage container and scout hut when viewed from Botley Road. Furthermore, relocating the container from its current prominent position adjacent to the recreation ground is considered to be a benefit in visual terms.

Officers are of the opinion that subject to additional planting, the proposal would be respectful of the key characteristics of the area.

#### Effect upon nearby properties

The nearest residential property lies approximately 50 metres to the south east on the opposite side of Botley Road.

The supporting information submitted with the planning application states that the scout hut may be used occasionally (a few times per year) for young people to stay overnight. The windows of the Hut will be double-glazed and fully insulated to meet building regulations, and the doors will be closed overnight for security and safeguarding reasons. There will be no traffic entering or leaving the premises during unsociable hours. The site is separated from residential properties by Burrige Village Hall which is frequently booked for parties late into the evening and with amplified music.

The applicant has advised that the hut may be used for child care type uses during the week day; scouting activities during weekday evenings and childrens' parties at weekends. The applicant has confirmed there will be no amplified music played from the building and is happy for a planning condition securing this.

In light of the foregoing, officers do not believe the proposal will have an unacceptable adverse impact upon the living conditions of nearby residential properties.

#### Highways

The proposed Scout Hut would be accessed from a private track that leads off the A3051 Botley Road. It is accepted that the activity associated with a Scout use would be limited and mostly outside of the main traffic peaks along Botley Road.

There is a possibility that the building could be used for other community uses, such as childrens' day care and childrens' parties, therefore the surface of the track should be repaired/resurfaced for its first 10 metres (32' 8") from Botley Road and it is essential that there is good visibility for drivers.

Twelve car parking spaces will be provided on the site which is considered acceptable for general Scout activity. It is suggested appropriate signage should be erected on the track

diverting car users to the Village Hall Car Park in the event that there is insufficient space.

Subject to securing the above matters through planning conditions it is considered the proposal is acceptable in highway safety terms.

#### Conclusion

There is no doubt that the proposal would benefit the 1st Sarisbury Scout Group who provide a significant community benefit for local people in the area.

The applicant has explored many options but to date it has not been possible to find a permanent home for the Scouts. In light of the Scouts association with the site for many years and other nearby land, the principle of providing a scout hut here is considered acceptable in principle. Officers have concluded that based on the evidence available, the loss of one tennis court is acceptable in this instance.

The siting of the scout building and associated container in this location, subject to additional planting, would be respectful of the key characteristics of the area. There are no highway objections to the proposal subject to appropriate conditions.

Notwithstanding the objection received, Officers consider the proposal acceptable subject to the imposition of appropriate conditions.

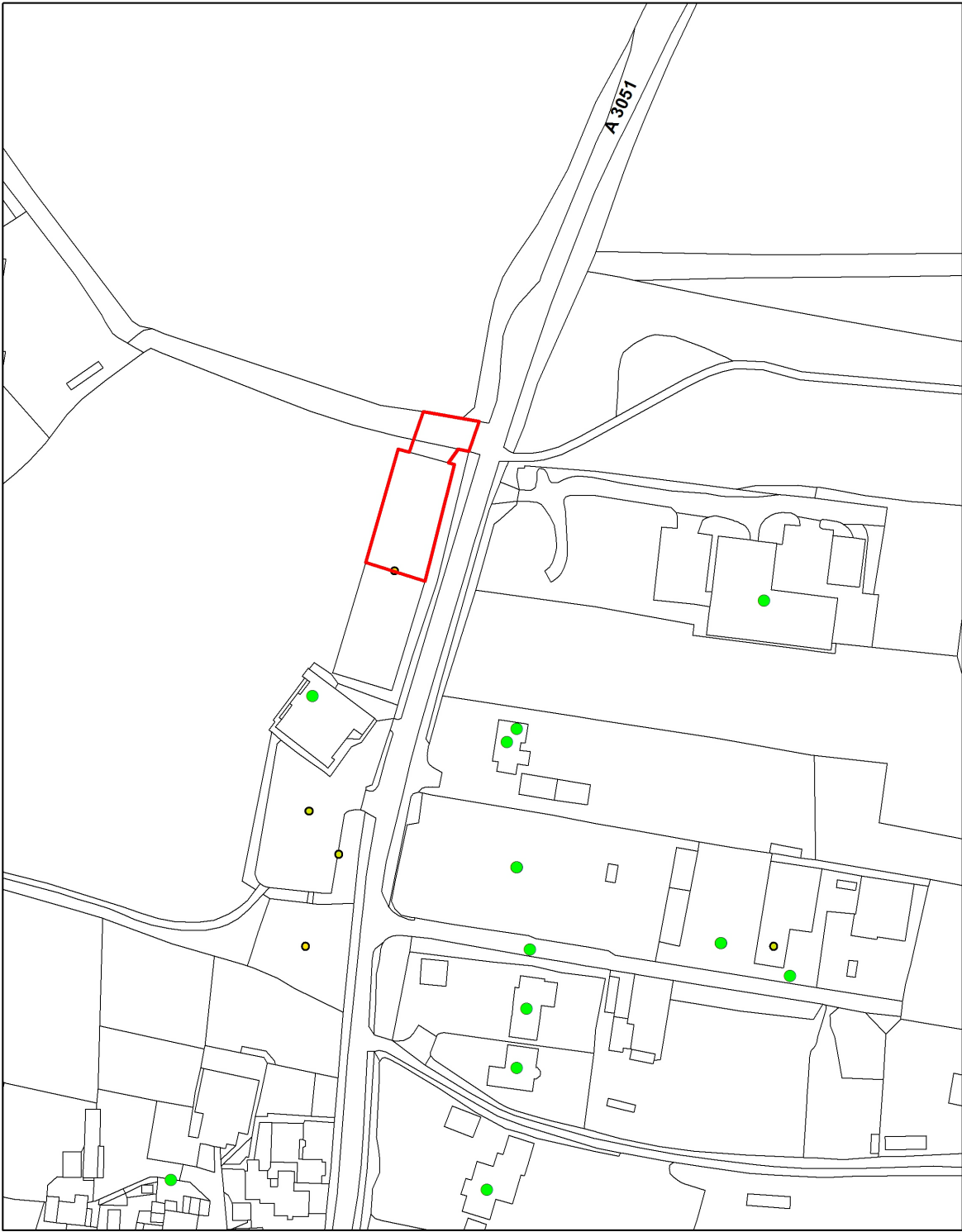
#### ***Recommendation***

PERMISSION subject to conditions:

A full set of conditions will be available for Members in an update.

# FAREHAM

BOROUGH COUNCIL



Scale 1: 1250  
Land north of Burridge Village Hall



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# Agenda Annex

## ZONE 2 - FAREHAM

Fareham North-West

Fareham West

Fareham North

Fareham East

Fareham South

### Reference

### Item No

**P/17/0613/FP**  
**[O]**  
FAREHAM  
WEST

126 OAK ROAD FAREHAM PO15 5HP  
GABLE BUILD UP AND REAR DORMER

**4**  
**PERMISSION**

# Agenda Item 6(4)

P/17/0613/FP [O]

FAREHAM WEST

MR & MRS CUTLER

AGENT: THORNS YOUNG LTD

GABLE BUILD UP AND REAR DORMER

126 OAK ROAD FAREHAM PO15 5HP

## **Report By**

Lucy Knight - Direct dial 01329 824579

## **Site Description**

This application relates to a semi-detached bungalow which sits in a row of semi-detached bungalows

## **Description of Proposal**

Permission is sought to build up the hip to gable end of the roof to the west side and the construction of a flat roof dormer window to the rear.

## **Policies**

The following policies apply to this application: CS17 and DSP3

## **Representations**

No responses have been received in the 21 day period for comment.

## **Planning Considerations - Key Issues**

Design:

Oak Road is made up of many pairs of semi-detached bungalows. A number of the bungalows have had various additions to the roof. When travelling west of the application site towards the junction with Priory Road there are a number of existing hip to gable build ups (such as at number 131), roof lights and front dormers such that the proposal is not considered to be harmful to the character of the area.

The flat roof dormer to the rear will not be fully visible from the street scene and it has been observed on site that the property next door but one to the application site (number 130) is currently having a rear dormer constructed. Flat roof dormer windows are not an alien feature in this part of the borough such that this element of the proposal is also considered to be acceptable.

Impact on the living conditions of the neighbours:

The impact on the neighbouring properties is considered to be acceptable. The proposal shows no windows other than a roof light to the front within the gable build up. The rear dormer only has windows to the rear facing down the applicants garden rather than into private amenity areas of the neighbours. The application is seeking to re-locate the existing bedrooms into the roof but is not increasing the number of bedrooms and therefore there is no impact on parking provision.

Conclusion:

The proposal is considered to be acceptable without harm to the character of the area or



the amenity of neighbouring dwellings. The application complies with the development plan policies CS17 and DSP3 and as such is recommended for Permission.

***Recommendation***

PERMISSION; subject to conditions:

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

a) Proposed floor and elevations plan - drawing PG 2046.17. Rev B

b) Location Plan

c) Site Plan

REASON: To avoid any doubt over what has been permitted

3. The external materials to be used in the construction of the extension hereby permitted shall match those of the existing dwellinghouse.

REASON: To protect the character of the area.

# FAREHAM

BOROUGH COUNCIL



126 Oak Road  
Scale 1:1250



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# Agenda Annex

## ZONE 3 - EASTERN WARDS

Portchester West  
Hill Head  
Stubbington  
Portchester East

### Reference

### Item No

**P/17/0519/FP**  
PORTCHESTER  
EAST

54 CORNAWAY LANE FAREHAM PO16 9DD  
CONSTRUCTION OF TWO PAIRS OF 2-STOREY SEMI-  
DETACHED HOUSES WITH ASSOCIATED CAR PARKING,  
CYCLE STORAGE, MEANS OF ENCLOSURE AND  
LANDSCAPING AFTER DEMOLITION OF EXISTING BUILDINGS.

**5**  
**REFUSE**

# Agenda Item 6(5)

**P/17/0519/FP**

**PORTCHESTER EAST**

MR DAVID PLOMER

AGENT: THORNS YOUNG LTD

CONSTRUCTION OF TWO PAIRS OF 2-STOREY SEMI-DETACHED HOUSES WITH ASSOCIATED CAR PARKING, CYCLE STORAGE, MEANS OF ENCLOSURE AND LANDSCAPING AFTER DEMOLITION OF EXISTING BUILDINGS.

54 CORNAWAY LANE FAREHAM PO16 9DD

## ***Report By***

Rachael Hebden - Direct dial 01329 824424

## ***Site Description***

The site is irregular in shape and loosely has an 'L' shaped footprint which wraps around the rear of no's 50-52a Cornaway Lane.

The site is level and partially hard surfaced with areas of gravel. The majority of the site is undeveloped, with the exception of a single storey building in the eastern corner and a two storey building at the front (west of the site) which formerly housed Lawnswood Limousines.

There are dwellings to the north, south and east of the site. There are also a number of garages to the east of the site which are accessed via a drive along the south of the site.

## ***Description of Proposal***

The application proposes the demolition of the existing structures and the erection of 2 pairs of two storey, semi-detached dwellings. Plot no's 1 and 2 would be accessed directly off Cornaway Lane and would incorporate car parking spaces to the front of the proposed dwellings. Plot no's 3 and 4 would be positioned to the rear of no's 52 and 52a Cornaway Lane and accessed via the drive which currently serves the garages to the east of the site. Parking for plot no's 3 and 4 would also be provided to the front of the proposed dwellings.

## ***Policies***

The following policies apply to this application:

National Planning Policy Framework 2012

Fareham Borough Design Guidance (excluding Welborne) Supplementary Planning Document

Residential Car and Cycle Parking Standards Supplementary Planning Document

## **Approved Fareham Borough Core Strategy**

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS2 - Housing Provision

CS20 - Infrastructure and Development Contributions

CS5 - Transport Strategy and Infrastructure

## **Development Sites and Policies**

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

## ***Relevant Planning History***

The following planning history is relevant:

**P/17/0110/FP      Construction of a two-storey building comprising four 1-bed flats and a two-storey building comprising two 3-bed houses with associated access drive, car parking, means of enclosure and landscaping after demolition of existing building.**

WITHDRAWN

13/04/2017

## ***Consultations***

INTERNAL CONSULTEES

Refuse and Recycling - No objection.

Development Engineer - No objection subject to conditions.

Environmental Health (Contamination) - No objection subject to conditions.

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

Principle of development

The site, which formerly housed a limousine hire business, is located within the defined urban settlement boundary of Portchester. Policy DSP17 aims to protect existing employment sites, but does not include the site which is the subject of this application. There is therefore no requirement for the site to be retained for commercial purposes.

Policy CS11 states that small scale development will be permitted within the settlement boundaries of Portchester, Stubbington and Hill Head and Titchfield where it:

- protects the setting of the settlement;
- protects their natural, historic, biodiversity and cultural resources;
- contributes to the provision of green infrastructure;
- maintains and strengthens the character, vitality and viability of district and local centres;
- contributes to (in addition to development in other areas) around 60 dwellings in Portchester.

The proposed development of 4 dwellings is therefore acceptable in principle subject to satisfying the criteria of Policy CS11 together with the requirements of the policies listed earlier in this report.

Living conditions

The National Planning Policy Framework (NPPF) states that the Government attaches great importance of the design of the built environment and that Local Plans should develop

policies that address the integration of new development into the existing built environment. Furthermore paragraph 64 indicates that Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed dwellings would satisfy the minimum internal space standards as required by the Design Guidance SPD. The proposed dwellings would also have gardens of adequate size. The proposed car parking for the dwelling within plot no. 4 would however be directly adjacent to the proposed dwelling's living room window which is contrary to the recommendations contained in the Residential Design Guidance SPD which states that parking spaces should not be placed close to windows to habitable rooms.

Policy DSP2 (Environmental Impact) states that development proposals should not individually, or cumulatively have a significant adverse impact on neighbouring development by way of pollution (including odour). The proposed bin collection point for the dwellings within plot no's 3 and 4 would be located directly adjacent to the garden of the dwelling within plot no. 1. It is considered that the proximity of the bin collection point to the garden of the dwelling within plot no. 1 would be unneighbourly, particularly during the summer months when the use of the garden could potentially be impacted by odour from the bins.

Policy CS17 of the Core Strategy requires all development, buildings and spaces to be of a high quality of design and the Design Guidance SPD contains specific recommendations as to how high quality design can be achieved. The proximity of the parking to the living room within plot no. 4 and the proximity of the bin collection point for plot no's 3 and 4 to the dwelling within plot no. 1 is not considered to constitute high quality design and is therefore contrary to the NPPF, Policies CS17, DSP2 and the Residential Design Guidance SPD.

#### Impact on neighbouring properties

Plot no. 2 would be directly south of no. 52a. The dwelling within plot no. 2 would be in line with no. 52a and would therefore not have an adverse impact on the amenities of no. 52a. The owner of no. 52a has however expressed concerns about the impact of the proposed dwelling within plot no. 3 on her garden in terms of outlook and light.

Plot no. 3 would be positioned directly east of no. 52a. The dwelling within plot no. 3 would be separated from no. 52a's original rear elevation by a distance of 12m. Whilst there is a building to building separation distance of 12.5m referred to within the Design Guide SPD, this is relating to the advice on extensions rather than new dwellings. A 12.5m separation distance is considered to be the minimum distance between two buildings, when one is extended, in order to retain a degree of acceptable separation. Minimum separation distances are not prescribed in the design guide for the relationship of a new dwelling to an existing property.

Policy DSP3, however, states that: "Development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy." The supporting text to Policy DSP3 explains that the impact of proposed development on neighbouring sites includes both existing properties and importantly in this case, gardens.

The proposed dwelling within plot no. 3 would be 10.5m in depth and would be positioned 2m to the east of no. 52a's rear garden. The dwelling would be a full two storeys in height with a hipped roof. No. 52a has a small but well maintained garden which incorporates a

patio. The proposed dwelling within plot 3 would span beyond the full width of no. 52a's garden. No. 52a's rear garden is small and is therefore already overshadowed by the host property during the afternoon. The proposed dwelling within plot no. 3 would result in a further loss of available sunlight to no. 52a's garden (during the morning). In addition to the loss of available sunlight, it is considered that the size and proximity of the proposed dwelling in plot 3 would appear overbearing to such a degree that it would significantly impact the outlook from no. 52a's garden and would be contrary to Policy DSP3.

The proposed dwelling within plot no. 3 would also span virtually the full width of no. 52's rear garden and would also only be separated by a distance of 2m. It is therefore considered that the proposed impact of the dwelling in plot 3 on no. 52 would also be contrary to Policy DSP3.

The proposed development within plot no's 3 and 4 would be visible from the rear of no's 48, 50 and 50a and neighbours to the north east and east of the site however the separation distances are such that the impact on these properties (and their gardens) would not be significantly adverse.

Proposed plot no. 1 would be positioned to the north of no. 56 Cornaway Lane. The proposed dwelling would be visible from within no. 56's rear garden, however it would not appear overbearing or have an adverse impact on no. 56 in terms of privacy or amount of available sunlight as it would be separated by a distance of 5.2m and would not project beyond the rear elevation of no. 56. The owners of no. 56 have written in support of the application.

#### Impact on the character of the area

Cornaway Lane is characterised by regularly spaced, detached and semi-detached dwellings which adhere to a uniform building line. The dwellings in the section of Cornaway Lane in which the site is located are two storey in height with on-site parking to the front.

Plots 1 and 2 would be positioned between no's 52a and 56 Cornaway Lane. The front of the proposed dwellings would be aligned with no. 52a's front elevation. The proposed parking would be positioned to the front of plots no's 1 and 2. While it is desirable for areas of hard surfaced parking to be softened by soft planting to the side or rear, there is insufficient space for this to be achieved with the exception of a narrow strip along the north boundary. As there is an absence of soft landscaping to the front of the row of 4 houses immediately north of the site, it is not considered that the absence of soft landscaping would be out of keeping with the character of the area.

Plots no's 3 and 4 would be positioned to the rear of no's 52 and 52a and the proposed plot no. 2 and would not be visible from within Cornaway Lane.

Overall the proposed development is considered to respect and respond to the character of Cornaway Lane and to be in accordance with Policy CS17.

#### Highways

Neighbours have expressed concerns regarding the number of proposed car parking spaces, however the proposed car and cycle parking satisfies the standards within the Residential Car Parking SPD and are therefore acceptable.

The proposed visibility splays onto Cornaway Lane are also acceptable and would not have an adverse impact on the safety of the highway. The proposed development would therefore be in accordance with Policy CS5.

### Contamination

Neighbours have expressed concerns regarding the contamination of the site, in particular the presence of a fuel tank. The applicant has commissioned an investigation of the site, however the results have not yet been received, therefore if the application were to be recommended for approval a condition requiring further information would be recommended.

### Ecology

The applicant has provided the necessary financial contribution towards the Solent Recreation Mitigation Partnership interim strategy, such that the proposed development is considered to mitigate its impact and would, in combination with other developments, not increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

### Conclusion

The proposed development would have a significant adverse impact on the amenities of no's 52 and 52a Cornaway Lane in terms of light and outlook.

The proximity of the proposed car parking to the living room of the dwelling in plot no. 4 and the proximity of the bin collection point for plot no's 3 and 4 to the rear garden of the dwelling in plot no. 1 constitutes poor design.

The development would, therefore, be contrary to Policies CS17, DSP2 and DSP3 of the Local Plan, the advice in the National Planning Policy Framework and the Fareham Residential Design Guidance Supplementary Planning Document.

### ***Recommendation***

REFUSE for the reasons:

The proposed development is contrary to Policies CS17, DSP2 and DSP3 of the Local Plan, the advice in the National Planning Policy Framework and the Fareham Residential Design Guidance Supplementary Planning Document and is unacceptable in that:

-by virtue of the height, depth and bulk of the dwelling on plot no. 3 and its proximity to the rear gardens of no's 52 and 52a Cornaway Lane, would represent an overbearing and unneighbourly form of development detrimental to the amenities of these properties.

-the siting of the bin collection point serving plot no's 3 and 4 to the garden of the dwelling in plot 1 would represent an unneighbourly form of development detrimental to the amenities of this property.

-the proximity of the car parking space to the living room window of the dwelling within plot 4 would not constitute high quality design to the detriment of the occupant in plot 4.

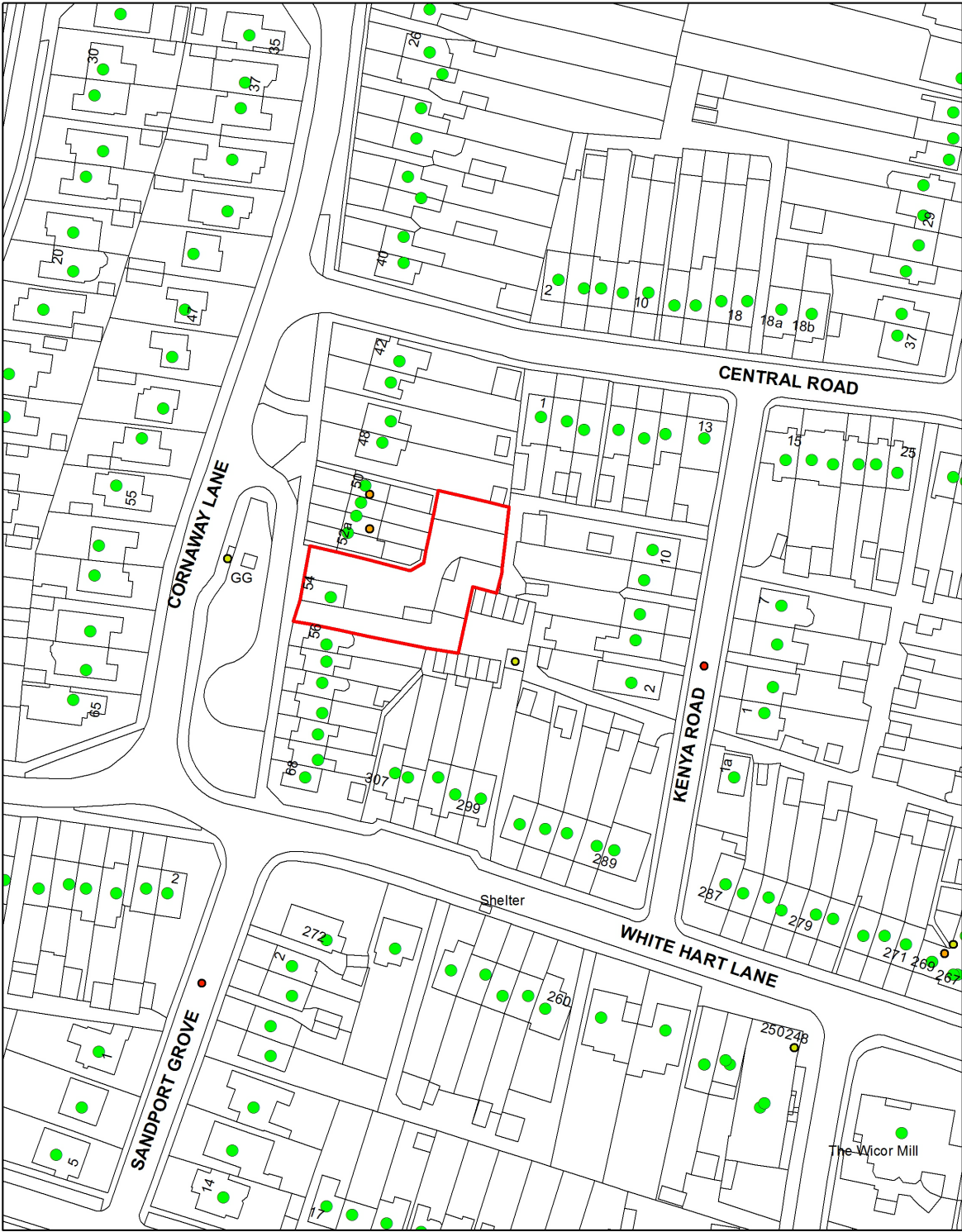
### ***Background Papers***

P/17/0110/FP



# FAREHAM

BOROUGH COUNCIL



Scale 1: 1250  
54 Cornaway Lane



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## PLANNING APPEALS

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

### CURRENT

#### **P/15/0260/OA**

#### **PUBLIC INQUIRY**

**Appellant:**

**PERSIMMON HOMES SOUTH COAST**

**Site:**

Land North Of Cranleigh Road/ West Of Wicor Primary School  
Portchester Fareham Hampshire

**Decision Maker:**

Committee

**Recommendation:**

REFUSE

**Council's Decision:**

REFUSE

**Date Lodged:**

16 September 2016

**Reason for Appeal:**

OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT FOR UP TO 120 DWELLINGS, TOGETHER WITH A NEW VEHICLE ACCESS FROM CRANLEIGH ROAD, PUBLIC OPEN SPACE INCLUDING A LOCALLY EQUIPPED AREA OF PLAY (LEAP), PEDESTRIAN LINKS TO PUBLIC OPEN SPACE, SURFACE WATER DRAINAGE AND LANDSCAPING

#### **P/16/0873/OA**

**Appellant:**

**The Estate of Patrick Michael Deceased**

**Site:**

Meon View Farm Old Street Fareham PO14 3HQ

**Decision Maker:**

Committee

**Recommendation:**

REFUSE

**Council's Decision:**

REFUSE

**Date Lodged:**

16 June 2017

**Reason for Appeal:**

Outline planning permission with access & layout to be approved for four detached four-bedroomed chalet-style dwellings, following demolition of agricultural buildings, removal telecommunication mast & cessation of the existing commercial vehicle storage use.

#### **P/16/1442/FP**

**Appellant:**

**Mr Noel Cullen**

**Site:**

33 Peters Road Locks Heath Southampton Hampshire SO31 6EJ

**Decision Maker:**

Officers Delegated Powers

**Recommendation:**

REFUSE

**Council's Decision:**

REFUSE

**Date Lodged:**

16 June 2017

**Reason for Appeal:**

3 Bedroom Chalet Bungalow

## **PLANNING APPEALS**

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

### **CURRENT**

#### **P/17/0209/FP**

**Appellant:** Mr Phillip Glead  
**Site:** 78 Blackbrook Park Avenue Fareham Hampshire PO15 5JW  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 04 July 2017  
**Reason for Appeal:** Extensions and alterations to existing bungalow to convert property into a 2-storey dwelling

### **HEARINGS**

#### **P/16/0959/OA**

#### **PUBLIC INQUIRY**

**Appellant:** Foreman Homes Limited  
**Site:** Land East Of Brook Lane Warsash Fareham SO31 9FE  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 24 March 2017  
**Reason for Appeal:** Outline Planning permission with all matters reserved (except for access), for residential development of up to 180 dwellings, associated landscaping, amenity areas & access from Brook Lane.

### **DECISIONS**

## **PLANNING APPEALS**

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

### **DECISIONS**

#### **P/15/1060/FP**

**Appellant:** Crownplex Ltd - Mr K Jivraj  
**Site:** 21 West Street Portchester Fareham PO16 9XB  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 08 March 2017  
**Reason for Appeal:** Five x 2-bed apartments & four x 1-bed apartments created by constructing an additional floor to the front of the property & two additional storeys to the rear part of the property.  
**Decision:** DISMISSED  
**Decision Date:** 30 May 2017

#### **P/16/0855/FP**

**Appellant:** REGAL HOMES LTD  
**Site:** 52 Church Road Locks Heath Southampton SO31 6LQ  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 08 March 2017  
**Reason for Appeal:** ERECTION OF DETACHED TWO BEDROOM BUNGALOW WITH CAR PORT AND PARKING TO REAR OF EXISTING DWELLING  
**Decision:** DISMISSED  
**Decision Date:** 06 June 2017

#### **P/17/0199/FP**

**Appellant:** Mr Liam Channon  
**Site:** 1 Halifax Close Fareham Hampshire PO14 4FT  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 24 April 2017  
**Reason for Appeal:** Garage door installed to existing carport.  
**Decision:** DISMISSED  
**Decision Date:** 08 June 2017