

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 18 January 2023

Time: 2.30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors Miss J Burton
D G Foot
M J Ford, JP
Mrs C L A Hockley
S Ingram
P Nother
Mrs S M Walker

Deputies: Ms C Bainbridge
F Birkett
S Dugan
Mrs K K Trott



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 19)

To confirm as a correct record the minutes of the Planning Committee meeting held on 14 December 2022.

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 20)

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

ZONE 1 - WESTERN WARDS

ZONE 2 - FAREHAM

(1) **P/21/1157/FP - 94 HIGHLANDS ROAD FAREHAM PO156JE** (Pages 23 - 39)

(2) **P/21/1398/FP - 58 ALEXANDER GROVE FAREHAM PO16 0TX** (Pages 40 - 51)

(3) **P//22/0709 - ADMIRAL HOUSE & NICHOLSON GATE HIGH STREET PO16 7BQ** (Pages 52 - 79)

ZONE 3 - EASTERN WARDS

(4) **P/22/0268/FP - LAND AT THE DOWNSWAY REAR OF 79-85 WEST STREET PORTCHESTER** (Pages 82 - 97)

(5) **P/22/1116/FP - 85 HILL HEAD ROAD FAREHAM PO14 3JP** (Pages 98 - 107)

(6) **P/22/1702/FP - TURRET HOUSE HOSPITAL LANE PORTCHESTER PO16 9LT** (Pages 108 - 114)

(7) **Planning Appeals** (Pages 115 - 120)



P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
10 January 2023

**For further information please contact:
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FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 14 December 2022

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors: Miss J Burton, D G Foot, M J Ford, JP, Mrs C L A Hockley, S Ingram, Mrs S M Walker and Mrs K K Trott (deputising for P Nother)

**Also
Present:**



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor P Nother.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 9 November 2022 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcement:

“I would like to announce that as from the January meeting, we will be making a slight change to the deputation scheme which will mean that any written deputations submitted will no longer be read out at the meeting but will be shared with Planning Committee Members ahead of the meeting. This will ensure that the decision makers have plenty of time to consider the content of written deputations.

To ensure continued transparency, I will confirm at the start of each item that Members have received and read the deputations and the content will be treated as background papers and will be appropriately saved by Democratic Services.

The relevant changes to the Constitution and Council’s webpages will be made to enable this slight change in procedure.”

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	Dep Type
ZONE 1 – 1.00pm					
Mr John Boardman (Agent)		LAND OFF ROOKERY AVENUE – RESIDENTIAL DEVELOPMENT OF 32 DWELLINGS, PARKING AND A	Supporting	6(1) P/19/0870/FP Pg 20	In Person (3mins)

		MEANS OF ACCESS FROM ROOKERY AVENUE FOLLOWING DEMOLITION OF 2 DWELLINGS, GLASSHOUSES AND ASSOCIATED OUTBUILDINGS			
Mr Rob Megginson		LAND ADJACENT TO 125 GREENAWAY LANE, WARSASH, SOUTHAMPTON - RESERVED MATTERS APPLICATION PERTAINING TO LAYOUT, SCALE, APPEARANCE AND LANDSCAPING FOR THE CONSTRUCTION OF 80 DWELLINGS TOGETHER WITH ASSOCIATED PARKING, OPEN SPACE, LANDSCAPING AND OTHER INFRASTRUCTURE AND DEVELOPMENT WORKS, PURSUANT TO OUTLINE PLANNING PERMISSION P/19/0402/OA AND APPROVAL OF DETAILS REQUIRED BY CONDITIONS 7 AND 18 (BIODIVERSITY & ENHANCEMENT MITIGATION STRATEGY) AND 9(I) ARCHAEOLOGY OF P/19/0402/OA.	Opposing	6(2) P/21/1780/RM Pg 52	Written
Mr Richard Jarman		14 MARINERS WAY, WARSASH - RAISE RIDGE HEIGHT, EXTERNAL ALTERATIONS TO	Opposing	6(3) P/22/1312/FP Pg 75	In Person (3mins)

		<p>INCLUDE FRONT EXTENSION, REAR BALCONY, FIRST FLOOR SIDE EXTENSION AND SECOND FLOOR LOFT CONVERSION WITH FRONT/REAR DORMERS, RENDER, CLADDING AND FENESTRATION INSTALL</p>			
ZONE 2 – 2.00pm					
Mr Bob Marshall	The Fareham Society	<p>WELBORNE LAND NORTH OF FAREHAM - RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPE, LAYOUT AND SCALE FOR THE CREATION OF A NORTH TO SOUTH BRIDLEWAY CONNECTION ON THE WESTERN SIDE OF WELBORNE INCLUDING CONNECTIONS TO EXISTING PUBLIC RIGHTS OF WAY, THE PROVISION OF A CAR PARK TO SUPPORT THE USE OF DASHWOOD AS A SANG, PUBLIC RIGHT OF WAY PROVISION AT FAREHAM COMMON AND REQUISITE UTILITY CONNECTIONS TO SERVE THE FIRST PHASES OF DEVELOPMENT, INCLUDING ANY ASSOCIATED HARD AND SOFT</p>	Opposing	<p>6(5) P/22/0867/RM Pg 98</p>	In Person (3mins)

		<p>LANDSCAPING, DRAINAGE, CONSTRUCTION ACCESS, ENGINEERING OPERATIONS AND EARTHWORKS INCLUDING DETAILS PURSUANT TO CONDITIONS 45 (DASHWOOD CAR PARK PROVISION) AND 56 (WORK WITHIN 15M OF THE GAS MAIN).</p>			
<p>Mr Bob Marshall</p>	<p>The Fareham Society</p>	<p>WELBORNE, LAND NORTH OF FAREHAM – RESERVED MATTERS IN RELATION TO OUTLINE PLANNING PERMISSION P/17/0266/OA: FOR ACCESS, APPEARANCE, LANDSCAPE, LAYOUT AND SCALE FOR THE CONSTRUCTION OF HAUL ROADS AND INITIAL BASE COURSE ROAD CARRIAGEWAY RELATED TO THE DELIVERY OF INITIAL PHASES OF WELBORNE TO THE NORTH OF KNOWLE ROAD, INCLUDING ANY ASSOCIATED DRAINAGE, SOIL MOVEMENT, UTILITY CONNECTIONS, SUBSTATIONS, CONSTRUCTION ACCESS, ENGINEERING OPERATIONS AND EARTHWORKS INCLUDING</p>	<p>Opposing</p>	<p>6(6) P/22/1020/RM</p>	<p>In Person (3mins)</p>

		<p>DETAILS PURSUANT TO CONDITIONS 13 (COMPLIANCE WITH THE SITE WIDE BIODIVERSITY ENHANCEMENT STRATEGY), 16 (SCALE, MATERIALS, DESIGN AND LANDSCAPING), 17 (LEVELS), 19 (CONTAMINATION), 22 (CEMP), 27 (SURFACE WATER DRAINAGE), 28 (ECOLOGY MITIGATION), 29 (TREES) AND 56 (CROSSING OF THE GAS PIPELINE)</p>			
ZONE 3 – 3.00pm					
Mr Paul Woodman	The Portchester Society	<p>ASSHETON COURT CASTLE STREET PORTCHESTER – DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 60 ONE AND TWO BEDROOM FLATS WITH ASSOCIATED EXTERNAL WORKS AND LANDSCAPING</p>	Supporting	<p>6(7) P/22/1012/FP Pg 133</p>	Written
Mrs Robyn Lyons (FBC)		-Ditto-	-Ditto-	-Ditto-	In Person (3 mins)
Mr Tom Betts (Agent)		<p>CAMS HILL SCHOOL SHEARWATER AVENUE FAREHAM – CONSTRUCTION OF 3G SPORTS PITCH WITH ASSOCIATED FEATURES INCLUDING 6NO. 12M HIGH LED FLOODLIGHTS, FENCING AND ALTERATIONS TO</p>	Supporting	<p>6(8) P/22/1253/FP Pg 164</p>	In Person (3mins)

		PEDESTRIAN AND VEHICULAR ACCESS WITHIN THE SCHOOL SITE		
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6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The committee noted a report by the Director of Planning and Regeneration on the development control matters, including information regarding new appeals and decisions.

(1) P/19/0870/FP - LAND OFF ROOKERY AVENUE WHITELEY

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

(Councillor M J Ford, JP was absent from the meeting during this item)

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to:

- i) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:
 - a. Financial contributions to provide for satisfactory mitigation of the ‘in combination’ effects that the increase in residential units on the site would cause through increased recreational disturbance on the Solent and Southampton Water and Portsmouth Harbour Special Protection Areas;
 - b. Hampshire County Council reptile translocation contribution;
 - c. Traffic Regulation Order (TRO) for parking restriction works to junction of site with Rookery Avenue and Shetland Rise;
 - d. The delivery of 40% of the permitted dwellings as a mixture of 12 on-site affordable houses and an off-site financial contribution equivalent to 0.8 of a unit; and
- ii) The conditions in the report.
Was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

RESOLVED that, subject to: -

- i) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:
 - a. Financial contributions to provide for satisfactory mitigation of the ‘in combination’ effects that the increase in residential units on the site would cause through increased recreational disturbance

on the Solent and Southampton Water and Portsmouth Harbour Special Protection Areas;

- b. Hampshire County Council reptile translocation contribution;
 - c. Traffic Regulation Order (TRO) for parking restriction works to junction of site with Rookery Avenue and Shetland Rise;
 - d. The delivery of 40% of the permitted dwellings as a mixture of 12 on-site affordable houses and an off-site financial contribution equivalent to 0.8 of a unit; and
- ii) The conditions in the report.
PLANNING PERMISSION be granted.

(2) P/21/1780/RM - LAND ADJACENT TO 125 GREENAWAY LANE WARSASH SO31 9HT

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

(Councillor M J Ford, JP was absent from the meeting during this item)

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

1.1 additional representation received raising the following queries:

- a. *Can the council confirm that a play area will be located on land to the south of Greenaway Lane and on which site?*
- b. *Can the council clarify their position on the two junior football pitches as detailed in the draft local plan?*

Officer comment:

- a. *The s106 secures a financial contribution towards a play area on land to the south of Greenaway Lane. The location of the play area has not yet been agreed but will be confirmed within the 'scheme of works' required by the s106.*
- b. *Policy HA1 of Emerging Local Plan states that 2 junior football pitches will be required within the area allocated for development within policy HA1. Officers can confirm that policy requirements will be sought as part of any future applications relating to land allocated under HA1.*

2. Update to part A of the recommendation to confirm that the pedestrian and cycle routes will also be maintained by the management company:

- A) *DELEGATE to the Head of Development Management in consultation with the Solicitor to the Council to complete a legal agreement to ensure:*
 - i) *the creation of a management company (funded by a residents' service charge) to maintain and manage the open space,*

- sustainable urban drainage features, pedestrian/cycle routes and ecological corridors in perpetuity;*
- ii) *a mechanism for securing appropriate funding of the management company for the lifetime of the development;*
- iii) *a mechanism for ensuring collection and enforcement of the funding stream provided in ii) above to fund the monitoring and management of the communal areas of the development for the lifetime of the development;*
- iv) *the creation of and retention of an ecological corridor along part of the eastern boundary.*

Upon being proposed and seconded the officer recommendation to grant approval of the reserved matters application and approval of details pursuant to conditions 7, 9(I) and 18 of P/19/0402/OA, subject to: -

- a) DELEGATION be given to the Head of Development Management in consultation with the Solicitor to the Council to complete a legal agreement to ensure:
 - i) the creation of a management company (funded by a residents' service charge) to maintain and manage the open space, sustainable urban drainage features, pedestrian/cycle routes and ecological corridors in perpetuity;
 - ii) a mechanism for securing appropriate funding of the management company for the lifetime of the development;
 - iii) a mechanism for ensuring collection and enforcement of the funding stream provided in ii) above to fund the monitoring and management of the communal areas of the development for the lifetime of the development;
 - iv) the creation and retention of an ecological corridor along part of the eastern boundary; and

b) The conditions in the report.

Was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to: -

- a) DELEGATION be given to the Head of Development Management in consultation with the Solicitor to the Council to complete a legal agreement to ensure:
 - i) the creation of a management company (funded by a residents' service charge) to maintain and manage the open space, sustainable urban drainage features, pedestrian/cycle routes and ecological corridors in perpetuity;
 - ii) a mechanism for securing appropriate funding of the management company for the lifetime of the development;

- iii) a mechanism for ensuring collection and enforcement of the funding stream provided in ii) above to fund the monitoring and management of the communal areas of the development for the lifetime of the development;
- iv) the creation and retention of an ecological corridor along part of the eastern boundary; and

b) The conditions in the report.

APPROVAL of RESERVED MATTERS and DETAILS PURSUANT to conditions 7, 9(l) and 18 of P/19/0402/OA be granted.

(3) P/22/1312/FP - 14 MARINERS WAY WARSASH SO31 9FN

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

(Councillor M J Ford, JP had joined the meeting at the start of this application and was able to take part in the debate and vote on the application)

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

One further letter of objection has been received in relation to the latest revision, raising the following concerns: -

- *More overbearing and overlooking to all neighbours, and will materially increase the light shadow over us*
- *Affect the harmony of the existing roof lines in this side of Mariners Way making it a visual eyesore for everyone on the street*

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; 1 against)

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

(4) P/19/0437/FP - FAREHAM POINT WICKHAM ROAD PO16 7FN

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

The following conditions has been included as part of the recommendation for Approval:

7) The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between FBC, SDNPA and Andrew Sellick of Gawthorpe Estate dated 1 April 2021 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.

REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around the Solent.

8) No development shall take place beyond damp proof course (dpc) level until details of how and where Electric Vehicle (EV) charging points will be provided at the following level:

At least one Electric Vehicle (EV) charging point per dwelling with allocated parking provision;

The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first occupation of dwelling to which it serves.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

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

(Voting: 9 in favour; 0 against)

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

(5) P/22/0867/RM - WELBORNE LAND NORTH OF FAREHAM

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

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

The following conditions are included as part of the recommendation for Approval:

- 1) *The works hereby approved shall be undertaken within three years from the date of this consent.*

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:*

- *Drawing WEL-PBF-WM-XX-DR-CH-00010 Revision S4-P10 Reserved Matters Application Redline Boundary*
- *Drawing WEL-PBF-WM-XX-DR-CH-00018 Revision S4-P01 Reserved Matters Application Construction Access Visibility*
- *Drawing WEL-PBF-HB-XX-DR-CD-00101 Revision S4-P01 Septic Tank*
- *Drawing WEL-PBF-WM-XX-DR-CH-00015 Revision S4-P03 Reserved matters Application Construction Compound & Access*

- *Drawing WEL-PBF-WM-XX-DR-CH-00001 Revision S4-P13 Engineering Layout Sheet 1 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00002 Revision S4-P11 Engineering Layout Sheet 2 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00003 Revision S4-P09 Engineering Layout Sheet 3 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00004 Revision S4-P10 Engineering Layout Sheet 4 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00005 Revision S4-P10 Engineering Layout Sheet 5 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00013 Revision S4-P02 Engineering Layout Sheet 6 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00014 Revision S4-P06 Engineering Layout Sheet 7 of 8*
 - *Drawing WEL-PBF-WM-XX-DR-CH-00017 Revision S4-Poo Engineering Sheet 8 of 8*
 - *Drawing DD557L5-3 Revision C INF2 Landscape Mitigation Area F*
 - *Drawing DD557L5-2 Revision D INF2 Landscape Mitigation Area C, D & E*
 - *Drawing DD557L5-1 Revision D INF2 Landscape Mitigation Area A & B*
 - *REASON: To avoid any doubt over what has been permitted.*
- 3) *The development shall be undertaken in accordance with the Outline Construction Environmental Management Plan, dated October 2022, prepared by Mayer Brown and its associated appendices.
REASON: To protection the occupiers of nearby residential properties and surrounding ecological features against noise and disturbance during the construction period.*
- 4) *Notwithstanding the detail within the Construction Environmental Management Plan (CEMP) no work on site relating to the construction of any of the development hereby permitted (including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.
REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.*
- 5) *Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures all work in the affected area must stop immediately. A site investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed in writing by the Local Planning Authority for the affected area. The remediation shall be fully implemented in-accordance with the approved method statement prior to work re-commencing in the affected area.
REASON: To protect the on-site workers, future occupants of the site and nearby residential properties.*

- 6) *No development shall take place within 50m of trees or hedgerows to be protected as identified in the Arboricultural Method Statement dated September 2022, reference JFA0173INF2 until the measures of tree and hedgerow protection as set out in Appendix JF3 of the same Arboricultural Method Statement have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site. There shall be no storage of materials, plant or equipment at any time within the areas of tree protection fencing.*

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

- 7) *The new footpath for the diverted Right of Way 87, as shown on Drawing WEL-PBF-WM-XX-DR-CH-00014 Revision S4-P06 Engineering Layout Sheet 7 of 8, shall be constructed and laid out for public use within eight weeks from the commencement of development on any land north of Knowle Road and shall be retained thereafter with the exception of the connection directly adjacent to the A32. Until such time as the path connection directly adjacent to the A32 is provided and is open for public use a banksman shall be in place at the Heytesbury Farm/A32 access to manage any conflict between vehicles and the users of the path as set out in Paragraphs 513-5.15 of the Construction Traffic Management Plan, titled "Use of Traffic Marshalls".*

REASON: In the interest of the public safety during the construction period.

- 8) *The temporary haul roads hereby permitted shall be removed once they are no longer required for this purpose. Once removed the land shall be restored to its former state unless a subsequent permission / permissions have been granted on the land, or unless otherwise agreed in writing with the Local Planning Authority.*

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

Upon being proposed and seconded the officer recommendation to approve the reserved matters and details pursuant to conditions 45 and 56, subject to the conditions in the update report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the update report, APPROVAL for RESERVED MATTERS and DETAILS PURSUANT to conditions 45 and 56 is granted.

(6) P/22/1020/RM - WELBORNE LAND NORTH OF FAREHAM

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

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

Consultations:

Lead Local Flood Authority: No Objection

- Infiltration rates have been provided and the calculations have been updated accordingly.
- Suitable storage is available for the proposals, and evidence has been provided to show that future phases can connect into this system subject to the proposed impermeable area.
- Any extra storage required for future development in addition to that proposed in this application is to be provided as phases are developed.

Recommendation:

The following conditions are included as part of the recommendation for Approval:

- 1) The works hereby approved shall be undertaken within three years from the date of this consent.
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) Drawing WEL-PBF-00-XX-DR-CH-00120 Revision S4-P03
 “Reserved Matters Application Redline Boundary”
 - b) Drawing WEL-PBF-DW-XX-DR-CH-00101 Revision S4-P04
 “Engineering layout sheet 1 of 8”
 - c) Drawing WEL-PBF-DW-XX-DR-CH-00102 Revision S4-P04
 “Engineering Layout Sheet 2 of 8”
 - d) Drawing WEL-PBF-DW-XX-DR-CH-00103 Revision S4-P04
 “Engineering Layout Sheet 3 of 8”
 - e) Drawing WEL-PBF-CH-XX-DR-CH-00104 Revision S4-P03
 “Engineering Layout Sheet 4 of 8”
 - f) Drawing WEL-PBF-CH-XX-DR-CH-00105 Revision S4-P03
 “Engineering Layout Sheet 5 of 8”
 - g) Drawing WEL-PBF-CH-XX-DR-CH-00106 Revision S4-P03
 “Engineering Layout Sheet 6 of 8”
 - h) Drawing WEL-PBF-HB-XX-DR-CH-00107 Revision S4-P04
 “Engineering Layout Sheet 7 of 8”
 - i) Drawing WEL-PBF-HB-XX-DR-CH-00108 Revision S4-P04
 “Engineering Layout Sheet 8 of 8”
 - j) Drawing WEL-PBF-00-XX-DR-CH-00130 Revision S4-P03
 “Reserved Matters Application Site Compound, Spoil & Tracking”
 - k) Drawing WEL-BBF-00-XX-CD-CH-00151 Revision S4-P02
 “Standard Details Highway Details”
 - l) Drawing WEL-PBF-00-CD-CH-00152 Revision S4-P03 “Standard Details Drainage Details”
 - m) Drawing WEL-PBF-00-XX-DR-CH-00131 Revision S4-P01
 “Reserved Matters Application Site compounds & Access Visibility”
 - n) Drawing DD557L06 Revision C “INF4 Interim Landscape Proposals”
 - o) Drawing A-200 “Substation Plan and Elevation”

p) Drawing A-201 “Communications Building Plan and Elevation”

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

- 3) *The development shall be undertaken in accordance with the Outline Construction Environmental Management Plan, dated October 2022, prepared by Mayer Brown and its associated appendices.
REASON: To protect the occupiers of nearby residential properties and surrounding ecological features against noise and disturbance during the construction period.*

- 4) *Notwithstanding the detail within the Construction Environmental Management Plan (CEMP) no work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.
REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.*

- 5) *No development shall take place in the locations identified in the Omnia Phase 1 Geo-Environmental Site Assessment (Ref: A11744/1.1) until the applicant has submitted to and had approved in writing by the Local Planning Authority an intrusive site investigation and an assessment of the risks posed to human health, and the wider environment including water resources for those specifically targeted areas within the application site. Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statement to address identified risks shall be part of the submission to the Local Planning Authority. The details shall include the nomination of a competent person to oversee the implementation of the measures.
REASON: To protect the on site workers, future occupants of the site and nearby residential properties.*

- 6) *Prior to commencement of the site operations (including works of the site set up and demolition works) in the targeted areas as identified as locations in the Omnia Phase 1 Geo-Environmental Site Assessment (Ref: A11744/1.1) the agreed scheme of remedial measures in condition 5 shall be fully implemented.
Remedial measures shall first be validated in writing by an independent competent person as agreed with the approved remedial measures under condition 5. The validation shall include (where necessary) photographic evidence and as built drawings.
REASON: To protection the on site workers, future occupants of the site and nearby residential properties.*

- 7) *Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures all work in the affected area must stop immediately. A site investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed in writing by the Local Planning Authority for*

the affected area. The remediation shall be fully implemented in accordance with the approved method statement prior to work recommencing in the affected area.

REASON: To protect the on site workers, future occupants of the site and nearby residential properties.

- 8) *No development shall take place within 50m of trees or hedgerows to be protected as identified in the Arboricultural Method Statement dated September 2022, reference JFA0173INF4 until the measures of tree and hedgerow protection as set out in Appendix JF3 of the same Arboricultural Method Statement have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site. There shall be no storage of materials, plant or equipment at any time within the areas of tree protection fencing.*

REASON: To ensure that the trees, shrubs and other natural features to be retained are protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

- 9) *The new footpath for the diverted Right of Way 87, as shown on Drawing WEL-PBF-WM-XX-DR-CH-00014 Revision S4-P06 Engineering Layout Sheet 7 Of 8, shall be constructed and laid out for public use within eight weeks from the commencement of development and shall be retained thereafter with the exception of the connection directly adjacent to the A32. Until such time as the path connection directly adjacent to the A32 is provided and is open for the public use a banksman shall be in place at the Heytesbury Farm/A32 access to manage any conflict between vehicles and the users of the path as set out within Paragraph 5.15 of the Construction Traffic Management Plan, titled "Use of Traffic Marshalls".*

REASON: In the interest of public safety during the construction period.

Upon being proposed and seconded, the officer recommendation to grant reserved matters and approval of details pursuant to conditions 13, 16, 17, 19, 22, 27, 28, 29 and 56, subject to the conditions in the Update Report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the update report, APPROVAL is granted for the RESERVED MATTERS and DETAILS PURSUANT to Conditions 13, 16, 17, 19, 22, 27, 28, 29 and 56.

(7) P/22/1012/FP - ASSHETON COURT CASTLE STREET PORTCHESTER PO16 9PT

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: -

Two further comments have been received from members of the public, both of whom had previously commented, raising no new matters.

The applicant has provided a roof plan which has been added to the application file. The list of approved drawings and documents under Condition 2 is therefore proposed to be expanded to include "Proposed Roof Plan – 20-026-0007 P01".

Following discussion with the applicant, suggested Condition 3 a) & b) is proposed to be amended to read (additional wording underlined):

"a) Details of how provision is to be made on site or nearby for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles

b) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parking within the planning application site or nearby as identified in the details provided pursuant to a) above."

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to: -

- (i) DELEGATION be given to the Head of Development Management in consultation with the Solicitor to the Council to consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and to make any minor modifications to the proposed conditions, addition of conditions or any other subsequent minor changes arising as a result of Natural England's comments regarding the Appropriate Assessment;
- (ii) The Conditions in the report; and
- (iii) The amended Conditions 2 and 3 as set out in the Update Report.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to: -

- (i) DELEGATION be given to the Head of Development Management in consultation with the Solicitor to the Council to consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and to make any minor modifications to the proposed conditions, addition of conditions or any other subsequent minor changes arising as a result of Natural England's comments regarding the Appropriate Assessment;
- (ii) The Conditions in the report; and
- (iii) The amended Conditions 2 and 3 as set out in the Update Report.

PLANNING PERMISSION be granted.

(8) P/22/1253/FP - CAMS HILL SCHOOL SHEARWATER AVENUE

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

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

Condition 2 has been amended to include two additional plans which were omitted in error. The condition would read as follows with the additional plan numbers in bold;

2.The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- i)Location Plan S22-049 / DWG / 0001*
 - ii)Proposed Site Plan S22-049 / DWG / 0003*
 - iii)Proposed Layout S22-049 / DWG / 0005*
 - iv)Proposed Layout S22-049/DWG/0006***
 - v)Proposed Drainage S22-049 / DWG / 0007*
 - vi)Proposed Structures S22-049/DWG/0009***
 - vii)Proposed Elevations S22-049 / DWG / 0010*
 - viii)Tree Survey Report and Arboricultural Impact Assessment (ref: JSL4460_770)*
 - ix)Ecological Assessment (RPS, July 2022)*
 - x)Flood Risk Assessment and Drainage Strategy (reference: R-FRA-24796-01-0)*
 - xi)Flood Lighting Calculations (October 2022)*
 - xii)Proposed Floodlights S22-049 /DWG / 0008 Rev 01*
- REASON: To avoid any doubt over what has been permitted.*

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report and the amended condition 2 in the update report, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to, the conditions in the report and amended condition 2 in the update report, PLANNING PERMISSION be granted.

(9) Planning Appeals

The Committee noted the information in the report.

(10) UPDATE REPORT

The Update Report was circulated prior to the meeting and considered along with the relevant agenda item.

7. LOCAL INFORMATION REQUIREMENTS

The Committee considered a report by the Director of Planning and Regeneration on Local Information Requirements.

RESOLVED that the Members agreed that the proposed changes to Fareham Borough Council's Local Information Requirements are put out for public consultation.

(The meeting started at 1.00 pm
and ended at 4.49 pm).

Agenda Item 6



Report to Planning Committee

Date: 18th January 2023

Report of: Director of Planning and Regeneration

Subject: PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

SUMMARY

This report recommends action on various planning applications.

RECOMMENDATION

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

AGENDA

The meeting will take place on Wednesday 18th January 2023 in the Collingwood Room, Civic Offices, Civic Way, Fareham, PO16 7AZ.

Items for Zone 2 (Fareham South, Fareham North, Fareham North-West, Fareham East and Fareham West wards) will start at 2.30pm. Items for Zone 3 (Stubbington, Hill Head, Portchester East and Portchester West wards) will start no earlier than 3.30pm.

ZONE 1 – WESTERN WARDS

Park Gate

Titchfield

Sarisbury

Locks Heath

Warsash

Titchfield Common

REFERENCE SITE ADDRESS & PROPOSAL
NUMBER &
WARD

ITEM NUMBER &
RECOMMENDATION

No items in this Zone

Agenda Annex

<p>ZONE 2 – FAREHAM</p> <p>Fareham North-West</p> <p>Fareham West</p> <p>Fareham North</p> <p>Fareham East</p> <p>Fareham South</p>

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/21/1157/FP FAREHAM NORTH-WEST	94 HIGHLANDS ROAD FAREHAM PO15 6JE CONSTRUCTION OF AN APARTMENT BLOCK CONTAINING 8 FLATS FOLLOWING THE DEMOLITION OF THE EXISTING DWELLING, WITH VEHICULAR ACCESS FROM FAREHAM PARK ROAD	1 PERMISSION
P/21/1398/FP FAREHAM SOUTH	58 ALEXANDER GROVE FAREHAM HANTS PO16 0TX ERECTION OF DETACHED 3-BED CHALET BUNGALOW	2 PERMISSION
P/22/0709/FP FAREHAM EAST	ADMIRAL HOUSE & NICHOLSON GATE HIGH STREET FAREHAM PO16 7BQ DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A 75-BEDROOM CARE HOME IN C2 USE WITH ASSOCIATED CAR PARKING, LANDSCAPING AND ACCESS	3 PERMISSION

OFFICER REPORT FOR COMMITTEE

DATE: 18/01/2023

P/21/1157/FP
LANDVEST

FAREHAM NORTH WEST
AGENT: MR JAMIE BRAHA

CONSTRUCTION OF AN APARTMENT BLOCK CONTAINING 8 FLATS
FOLLOWING THE DEMOLITION OF EXISTING DWELLING, WITH VEHICULAR
ACCESS FROM FAREHAM PARK ROAD

94 HIGHLANDS ROAD, FAREHAM, PO15 6JE

Report By

Katherine Alger - Direct Dial: 01329 824666

1.0 *Introduction*

1.1 This application is reported to the Planning Committee for determination due to the number of third-party representations that have been received.

2.0 *Site Description*

2.1 The application site is located within the designated urban area of Fareham and is in close proximity to a number of local services and facilities. The site is sustainably located with a regular bus service along Highlands Road, and a 20 minute walk (approximately 1.6 km) to Fareham Town Centre.

2.2 The site itself relates to a detached dwelling located on the corner of Highlands Road and Fareham Park Road. To the northeast of the application site are other detached residential dwellings fronting Highland Road, and to the southwest of the site is the recently constructed block of flats on the former Hampshire Rose site. To the rear of the application site, fronting Fareham Park Road are several commercial buildings in retail uses. To the southeast of the site, on the opposite side of Highland Road is the Highlands Road Local Centre. There is a pedestrian zebra crossing over Highlands Road directly outside the site.

3.0 *Description of Proposal*

3.1 The proposal is for the demolition of the existing dwelling and for the construction of an apartment block containing eight studio, one-bed and two-bed apartments. The scheme has undergone several changes over the course of the lifetime of the planning application. It was initially proposed for two buildings comprising a contemporary designed block fronting onto Highlands Road, and a more traditionally designed, pitched roof block to the

rear. The plans have been revised to a pitched roof building with similar design features to the prevailing character of Highlands Road.

- 3.2 The ground floor accommodation would comprise of 1 x one bedroom flat, 1 x two bedroom flat and one studio flat. A bin and cycle store would also be located on the ground floor, accessed via Fareham Park Road.
- 3.3 The first-floor accommodation would comprise of 1 x one bedroom flat and 3 x studio flats.
- 3.4 The second-floor accommodation would comprise of 1 x two bedroom flat.
- 3.5 The flats would benefit from a parking area located to the northwest of the application site accessed from Fareham Park Road. This would provide 7 unallocated car parking spaces.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2:	Housing Provision
CS4:	Green Infrastructure, Biodiversity and Geological Conservation
CS5:	Transport Strategy and Infrastructure
CS6:	The Development Strategy
CS7:	Development in Fareham
CS17:	High Quality Design

Adopted Development Sites and Policies

DSP1:	Sustainable Development
DSP2:	Environmental Impact
DSP3:	Impact on Living Conditions
DSP13:	Nature Conservation
DSP15:	Recreational Disturbance on the Solent Special Protection Areas

Emerging Fareham Local Plan 2037

- 4.2 The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of main modifications to the Plan. The proposed main modifications were the subject of public consultation from 31st October until 12th December 2022. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On

adoption the Local Plan will have full weight and at this stage is a material consideration for the determination of planning applications.

H1:	Housing Provision
HP1:	New Residential Housing Development
NE1:	Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE2:	Biodiversity Net Gain
NE3:	Recreational Disturbance on the Solent Special Protection Areas (SPAs)
NE4:	Water Quality Effects on the Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
NE9:	Green Infrastructure
TIN1:	Sustainable Transport
TIN2:	Highway Safety and Road Network
TIN4:	Infrastructure Delivery
CC1:	Climate Change
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
D4:	Water Quality & Resources
D5:	Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 In September 2003 planning permission was approved for the change of use from a Post Office to Residential, Alterations to Front Elevation & Erection of Side Conservatory & Single Garage (Ref P/03/1212/CU).

6.0 Representations

6.1 A total of 9 representations have been received. They raise objection on the following grounds:

- Lack of consultation
- Parking
- Disruption during construction
- Highway safety
- Lack of parking surveys carried out
- Demand on local services
- Impact on environment

- Insufficient size of parking bays
- Overlooking
- Noise from balcony
- Risk of flooding
- Over-development
- Not in-keeping
- Loss of light
- Impact on property value
- Appeal dismissed for similar application
- Lack of car charging points
- Unclear how many flats proposed
- Flats could be overcrowded

7.0 Consultations

INTERNAL

Tree Officer

7.1 No objection

Environmental Health (Contaminated Land)

7.2 No Objection

Environmental Health (Noise and Pollution)

7.3 No Objection regarding pollution or suitability of use.

EXTERNAL

Highways Hampshire County Council

7.4 No objection, subject to condition

Natural England

7.5 No Objection subject to appropriate mitigation being secured.

7.6 Ecology

No Objection subject to condition.

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal:

- a) Principle of development
- b) Design/Impact on character and appearance of surrounding area
- c) Impact on residential amenity

- d) Highways
- e) Ecology
- f) Trees
- g) Impact on Habitat Sites
- h) Other issues raised in objections
- i) Conclusion

a) Principle of development

- 8.2 Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place priority on re-using previously developed land within the defined urban settlement boundaries to provide housing. The National Planning Policy Framework (NPPF) excludes private residential gardens from being defined as previously development land but sets out that there should be a strong presumption in favour of sustainable development. It is recognised that garden sites can assist in meeting housing needs provided that the development is acceptable in all other respects. The site is located within the defined urban settlement boundary, and in a sustainable location such that the principle of re-development of the land is acceptable subject to all other material considerations.

b) Design/Impact on character and appearance of surrounding area

- 8.1 Policy CS17 of the Core Strategy states that all development will be designed to respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form and spaciousness and use of external materials. Draft Policy D1 of the submitted Fareham Local Plan 2037 similarly requires development proposals and spaces to be of high-quality design based on the principles of urban design and sustainability.
- 8.3 The Fareham Borough Design Guidance SPD highlights the importance of new dwellings having regard to the scale and character of the surrounding area. Highlands Road and Fareham Park Road are varied in character with a mixture of residential apartments and dwellings. The pitched roof design would have regard to the pitched roof properties along Highlands Road and chalet style dwellings along Fareham Park Road. It is therefore considered that the design would be acceptable and would relate to the character of the surrounding area.
- 8.4 The Fareham Borough Design Guidance SPD also highlights the importance of adequately sized good quality outdoor space. A garden of 25m² will normally be sufficient for most one or two bedroom flats. Where it is not possible to provide each flat with its own private garden, a communal garden will be acceptable. Approximately 200m² of outdoor amenity space has been provided around the site. Some of this outdoor space is allocated to the ground floor flats

and the rest of the space would be easily accessible outdoor space for the other flats within the block. Therefore, it is considered that the development would meet the requirements of the Design Guidance SPD with regards to the provision of outdoor amenity space. A condition will be imposed to ensure that details of the landscaping are provided prior to the completion of the development.

- 8.5 Each apartment would comply with the Nationally Described Space Standards.
- 8.6 It is therefore considered that the design of the proposal would be acceptable and would have regard to the key characteristics of the surrounding area.

c) Impact on Residential Amenity

- 8.7 Policy DSP3 of the adopted Local Plan Part 2: Development Sites & Policies and draft Policy D2 of the Fareham Local Plan 2037 (emerging) concern the impact of development on living/environmental conditions. The policies state that development proposals should ensure that there will be no unacceptable adverse impact upon living/environmental conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy.
- 8.8 The building would be positioned in a similar location to the existing dwelling. The neighbouring property to the northeast, 92 Highlands Road is set further back from the building. There would be a sufficient separation distance to retain a suitable outlook from this property. In terms of the impact of overlooking, all windows at first floor level which face directly towards the garden of No 92 would be obscure glazed. Whilst there is a sitting/bedroom window proposed to serve Flat 4, within close proximity to the boundary with No 92, due to its positioning, any views into the rear garden would be at an oblique angle. The only windows at second floor level would be rooflights. It is therefore not considered that the proposal would result in an unacceptable adverse impact on the living conditions of 92 Highlands Road.
- 8.9 To the rear of the application site are a group of single storey flat roof commercial units. Beyond the commercial units is a detached dwelling of 1 Fareham Park Road. There would be a separation distance of approximately 40 metres to this property. Therefore, the proposal would not result in any unacceptable adverse impact on the residential occupiers within Fareham Park Road.
- 8.10 On the opposite site of the application site is the two apartment blocks at 96 Highlands Road (Hampshire Rose). There would be a separation distance of 20 metres between the proposed first floor windows and this development.

However, the majority of the proposed first floor windows face onto the car park. Furthermore, the first-floor side windows of 96 Highlands Road are obscure glazed. Therefore, it is considered that the proposal would not result in any unacceptable adverse impact on the residential occupiers within 96 Highlands Road.

- 8.11 There would be a separation distance of approximately 35 metres between the application site and the shops on the opposite site of Highlands Road.
- 8.12 The development proposal is therefore considered to accord with the requirements of the Design Guidance and would not result in an unacceptable adverse impact on the living conditions of neighbouring occupiers or future residents, in accordance with Policies DSP3 and draft Policy D2.

d) Highways/Parking

- 8.13 The Highway Authority has commented on the application. The applicant has provided accident data within the latest 5-year period which was requested as part of a previous highway consultation response. After a review of the detailed accident reports dated between the years of 01/05/2016 - 30/04/2021, there appears to not be an existing safety issue around the study area that may be exacerbated by the number of trips produced by the development.
- 8.14 The applicant has submitted an additional drawing which shows the visibility splays on the site plan of the development. A 45-metre visibility splay northwest of the access can be achieved and a 20 metres splays to the tangent of the junction with Fareham Park Road and Highlands Road can be achieved to the southeast. The visibility splays can be considered acceptable in accordance with the proposed vehicle crossover access requirements as set out in Hampshire County Council's Technical Guidance Document.
- 8.15 With regard to the proposed location of the dropped kerb, the Highway Authority raises no objection in principle. The Highway Authority has recommended two planning conditions relating to the construction of the visibility plays and ensuring that the parking provision is made available prior to occupation and retained.
- 8.16 In terms of parking, the Residential Car Parking Standards SPD requires 0.75 spaces of shared/unallocated parking spaces for a 1 bedroom dwelling and 1.25 spaces of shared/unallocated spaces for a 2 bedroom dwelling. The total requirement is 7.25 spaces. The development proposes 7 car parking spaces, including a disabled space. In light of the sustainable location of the site and the number of unallocated spaces to be provided on site, Officers are satisfied that sufficient car parking spaces are being proposed.

- 8.17 The ground floor plan includes an internal bin store and cycle storage.
- 8.18 Concerns have been raised regarding the sizes of the parking bays. The parking bays are considered to comply with the minimum requirements specified in the Standing Advice provided by the Highway Authority.

e) Impact on Protected Habitat Sites

- 8.19 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 and draft Policies NE3 and NE4 of the Fareham Local Plan 2037 (emerging) confirms the requirement to ensure the designated sites, sites of nature conservation value, protected and propriety species populations and associated habitats are protected and where appropriate enhanced.
- 8.20 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10% of the global population of Brent Geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.
- 8.21 In light of their importance, areas within The Solent have been specially designated under UK/European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.22 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on the designated Habitat Sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated HS. This is done following a process known as an Appropriate Assessment (AA). The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.23 To fulfil the requirements under the Habitats Regulations, Officers have carried out an AA in relation to the likely significant effects on the HS which concludes that there would be no adverse effects on the integrity of the protects sites

subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.

- 8.24 In respect of Recreational Disturbance, the development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The applicants have made the appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP) and therefore, the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the HS as a result of recreational disturbance in combination with other plans or projects on the Solent SPAs.
- 8.25 In addition, the development lies within 13.8km of the New Forest Special Protection Area (SPA), New Forest Special Area of Conservation (SAC) and the New Forest Ramsar Site. Research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest designated sites will result in a marked increase in the use of sites and exacerbate recreational impacts. It was found that the majority of visitors to the New Forest designated sites, on short visits/day trips from home, originated from within 13.8km radius of the sites referred to as the 'Zone of Influence; (ZOI).
- 8.26 The Council has produced an Interim Mitigation Solution to address this newly identified likely significant effect of development in Fareham within the ZOI. The Interim Mitigation Solution was approved by the Council's Executive on 7th December 2021 and was prepared in consultation with Natural England. The mitigation comprises a financial contribution from the developer to mitigate against this impact through improvements to the open spaces within Fareham Borough and a small contribution to the New Forest National Park Authority. The applicant has made this contribution, which has been secured by a further Section 111 agreement.
- 8.27 In respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.28 A nitrogen budget has been calculated in accordance with Natural England's 'Nutrient Neutrality Generic Methodology' (February 2022) and The Solent Nutrient Budget Calculator which confirms that the development will generate 6.36kg TN/year. In the absence of sufficient evidence to support bespoke

occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for purposes of the nitrogen budget is considered to be urban residential as there is an existing building on the site. Due to the uncertainty of the effect of nitrates from the development on the HS, adopting a precautionary approach, and having regard to the NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.

- 8.29 The applicant has purchased 6.36kg of nitrate mitigation 'credits' from Whitewool Farm as evidenced by the submission of a Notice of Purchase. Through the operation of a legal agreement between Fareham Borough Council, South Downs National Park, W.N Butler and J.N. Butler, and H N Butler Farms Ltd dated 3rd November 2021, the purchase of credits will result in a corresponding parcel of agricultural land at Whitewool Farm within South Downs National Park being removed from intensive agricultural use. Therefore, the purchase of these credits will provide a corresponding reduction in nitrates entering The Solent marine environment.
- 8.30 In addition to water quality impacts, air quality impacts are also a factor that needs consideration. The Council's Air Quality Habitats Regulations Assessment for the Fareham Local Plan 2037 identifies that from the development proposed to be brought forward in the emerging Local Plan there would not be a significant impact as a result of air pollution on the Habitat Sites for the life of the plan, up to 2037.
- 8.31 The Council's Appropriate Assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. The difference between the nitrates credits secured and the output will result in a small annual net reduction of nitrogen entering The Solent.
- 8.32 Natural England were consulted on the Council's Appropriate Assessment in May 2022 and raised no objection in respect of recreational disturbance on The Solent SPAs, New Forest SPA, SAC and Ramsar Site or on water and air quality implications. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4, DSP13 and DSP15 of the adopted Local Plan and NE1, NE2, NE3 and NE4 of the emerging Local Plan.

Conclusion

- 8.33 Notwithstanding the representations received, it is considered that the proposal would be acceptable and would be in accordance with the Fareham Borough

Core Strategy, the Fareham Local Plan Part 2: Development Sites and Policies and the emerging Fareham Local Plan 2037.

h) Other issues raised in objections

- 8.34 **Construction Disturbance:** Any development is likely to result in a minor level of disturbance and disruption to the local area during the course of the construction period. The application would be subject to a condition requiring the submission of a Construction Management Plan in order to ensure that any impact is minimised. Further, the disturbance would only be for a limited period of time, during the construction period.
- 8.35 **Noise:** Concern regarding potential noise disturbance from traffic along Highlands Road has been raised. The proposed living accommodation is situated in a similar location to the existing property, and modern building practices and an appropriate condition has been applied to ensure suitable noise mitigation measures are put in place.
- 8.36 **Loss of property value:** This is not a material planning consideration and can therefore not be considered as part of this planning application.
- 8.37 **Flooding:** The site is located within Flood Zone 1 therefore, it is not considered that the proposal would result in an increased risk of flooding.
- 8.38 **Environmental impact:** It is not considered that the addition of 8 apartments would result in a detrimental impact on the environment, as set out earlier in the report.
- 8.39 **Lack of consultation:** Concerns have been raised due to the lack of consultation on this planning application. The Local Planning Authority is satisfied that the consultation process was carried out in accordance with the statutory requirements defined within the Town and Country Planning (Development Management Procedure) (England) Order 2015. This included written notification and the displaying of site notices.
- 8.40 **Appeal dismissed for similar application:** The appeal site in which this objection comment relates to is for a different application site (Land to the rear of 82-84 Highlands Road). The overarching principle for the consideration of planning applications is that every site must be considered on its own merits. This plot is very different compared to the application site including plot size and character of the surrounding area. Therefore, this appeal should not be used for comparison when considering this application.

- 8.41 **Demand on local services:** It is not considered that the addition of 8 dwellings would have a significant impact on the demand for local services.
- 8.42 **Overcrowding:** There will be no restriction on the number of occupants in each dwelling. However, given that the apartments will be 1-2 bedrooms it is not considered that the proposal would result in overcrowding. Each apartment accords with Nationally Described Space Standards.

Conclusion

- 8.43 Notwithstanding the representations received, it is considered that the proposal would be acceptable and would be in accordance with the Fareham Borough Core Strategy, the Fareham Local Plan Part 2: Development Sites and Policies and the emerging Fareham Local Plan 2037.

9.0 Recommendation

- 9.1 DELEGATE authority to the Head of Development Management to:

(a) Make any necessary modification, deletion or addition to the proposed conditions; and

(b) Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition, or deletion of the conditions and heads of terms as drafter to ensure consistency between the two sets of provisions.

GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development shall begin before the expiry of three years from the date of this decision.
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) Location Plan FLU.1370.3.11
 - b) Existing Site Plan FLU.1370.3.01 Rev A
 - c) Proposed Site Plan FLU. 1370.3.05 Rev J
 - d) Existing Front and Side Elevations FLU.1370.3.03
 - e) Existing Rear and Side Elevations FLU.1370.3.04
 - f) Front and Side Elevation FLUE.1370.3.09 Rev H
 - g) Rear and Side Elevations FLU.1370.3.10 Rev L
 - h) Access arrangements 2101710-001 Rev D

- i) Existing Floorplans FLU.1370.3.02
- j) Proposed Ground Floor Plan FLU.1370.3.06 Rev G
- k) Proposed First Floor Plan FLU.1370.3.07 Rev I
- l) Proposed Second Floor Plan FLU.1370.3.08
- m) Ecology Report
- n) Tree Assessment

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

3. No development hereby permitted shall proceed beyond dpc level until details of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.
REASON: To secure the satisfactory appearance of the development.

4. No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:

a) How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;

b) the measures the developer will be implementing to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;

c) the measures for cleaning the wheels and underside of all vehicles leaving the site;

d) a scheme for the suppression of any dust arising during construction or clearance works;

e) the measures for cleaning Fareham Park Road and Highlands Road to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and

f) the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.

The development shall be carried out in accordance with the approved CMP and areas identified in the approved CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA. No construction

vehicles shall leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

5. No dwelling hereby approved shall be first occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use on an unallocated basis. Those areas shall thereafter be kept available for parking as unallocated spaces and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application made for that purpose.

REASON: In the interests of highway safety.

6. None of the dwellings hereby permitted shall be first occupied until the bicycle storage relating to them, as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To encourage cycling as an alternative mode of transport.

7. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

8. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

9. The landscaping scheme, submitted under Condition 8 shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

10. The development hereby approved shall not be brought into use until the 1.8 metre high privacy screening indicated on the approved plans for the balcony has been erected. The screening shall subsequently be retained at all times.

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

11. The development hereby permitted shall not proceed above damp proof course (dpc) level until a noise impact assessment has been submitted to, and approved in writing by the Local Planning Authority. Once implemented, the development shall accord with the recommendations of this report and retained for the lifetime of the development.

REASON: In the interests of residential amenity.

12. The development hereby permitted shall not proceed beyond damp proof course (dpc) level until details of how electric vehicle charging points will be provided has been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

13. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

14. None of the residential units hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day.

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

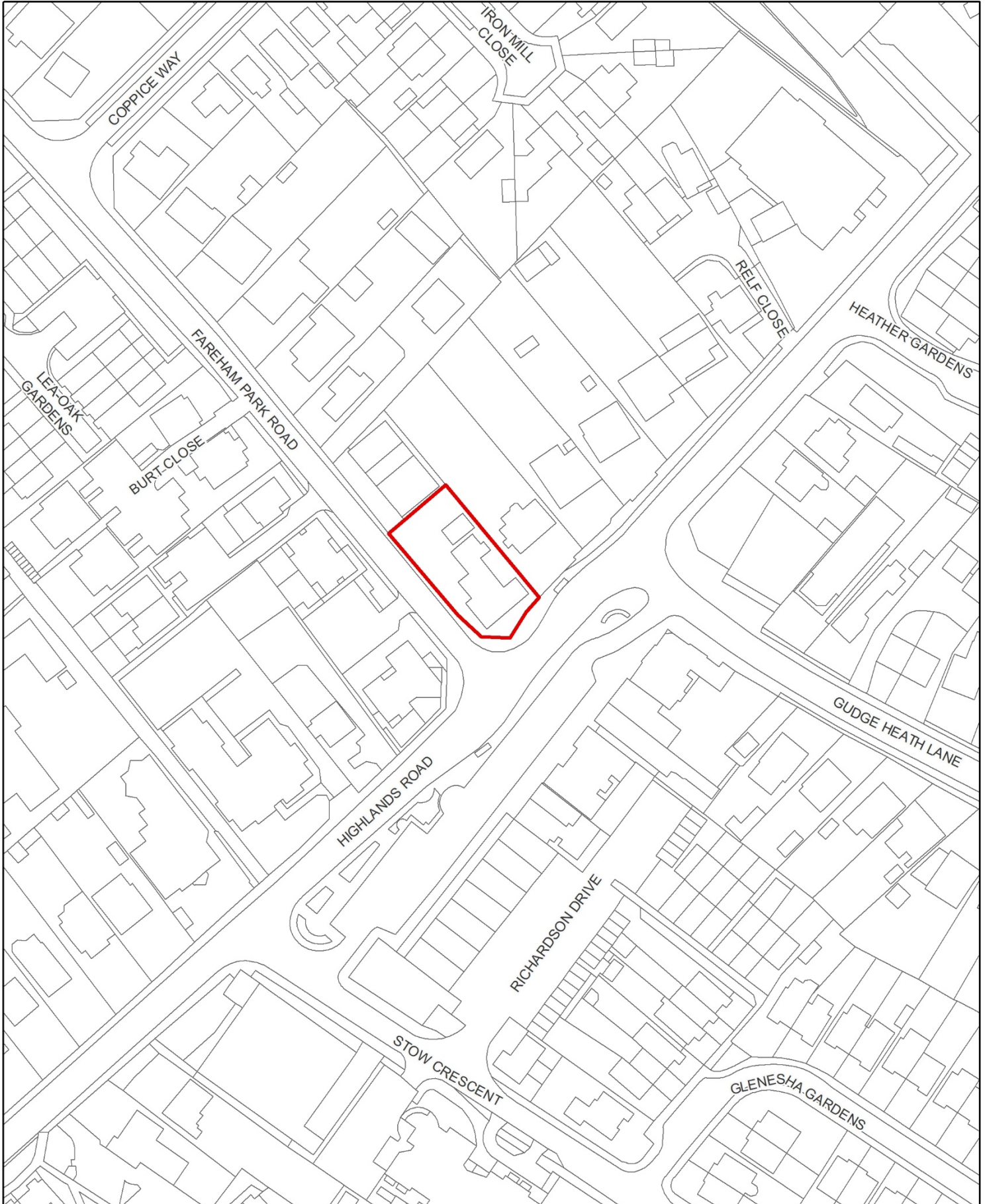
REASON: In the interests of preserving water quality and resources

10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



94 Highlands Road
Fareham
Scale 1:1,250



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Agenda Item 6(2)

OFFICER REPORT FOR COMMITTEE

DATE: 18/01/2023

P/21/1398/FP
MR D LANGRIDGE

FAREHAM SOUTH

ERECTION OF DETACHED 3-BED CHALET BUNGALOW

58 ALEXANDER GROVE, FAREHAM, PO16 OTX

Report By

Susannah Emery – direct dial 01329 824526

1.0 Introduction

1.1 This planning application is reported to the Planning Committee for determination due to the number of third party representations received.

2.0 Site Description

2.1 The application site is located within the urban area to the east of Alexander Grove, to the north of No.58 Alexander Grove. The site originally formed part of the residential curtilage of this property. It is now separated from the amenity space belonging to this property by a 1.8m high fencing which encloses the site. The site is hard surfaced and mainly used for vehicle parking and has an unkempt appearance. The Alexander Grove Public Open Space abuts the site to the north.

2.2 The predominant form of development on Alexander Grove is terraces or semi-detached two storey dwellings which all have a uniform design and appearance. The existing dwelling at No. 58 Alexander Grove is however a bungalow, as is the neighbouring property to the south. Two detached two-storey dwellings have been constructed in recent years on the corner plot to the south of this alongside the neighbouring property.

3.0 Description of Proposal

3.1 Planning permission is sought for the erection of a detached 3-bed chalet bungalow alongside the existing bungalow at No.58 Alexander Grove.

3.2 The property would have a shared vehicular access with No.58 Alexander Grove and both properties would have two car parking spaces on the frontage.

- 3.3 The proposed dwelling would have a triangular shaped amenity space to the rear and also to the northern side. The maximum depth of the rear garden would be 9m and the maximum depth of the side garden would be 8m.
- 3.4 The proposal complies with nationally described minimum space standards.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

- CS2 - Housing Provision
- CS4 - Green Infrastructure, Biodiversity and Geological Conservation
- CS5 - Transport Strategy and Infrastructure
- CS6 - The Development Strategy
- CS7 - Development in Fareham
- CS15 - Sustainable Development and Climate Change
- CS16 - Natural Resources and Renewable Energy
- CS17 - High Quality Design
- CS20 - Infrastructure and Development Contributions

Adopted Development Sites and Policies

- DSP1 - Sustainable Development
- DSP2 - Environmental Impact
- DSP3 - Impact on living conditions
- DSP13 - Nature Conservation
- DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Fareham Local Plan 2037 (Emerging)

The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of modifications to the Plan. The proposed modifications were the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

- H1 Housing Provision
- HP1 New Residential Development

- NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network
- NE2 Biodiversity Net Gain
- NE3 Recreational Disturbance on the Solent Special Protection Area (SPA's)
- NE4 Water Quality Effects on the SPA/SAC and Ramsar Sites of the Solent
- NE9 Green Infrastructure
- TIN1 Sustainable Transport
- TIN2 Highway Safety & Road Network
- TIN4 Infrastructure Delivery
- CC1 Climate Change
- D1 High Quality Design & Placemaking
- D2 Ensuring Good Environmental Conditions
- D4 Water Quality & Resources
- D5 Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/09/0332/FP	Erection of Detached Chalet Bungalow with Associated Cycle/Bin Storage
Refused	22 July 2009
P/08/1037/FP	Erection of Two Semi-Detached Chalet Bungalow with Associated Parking, Cycle and Bin Storage
Refused	10 October 2008

6.0 Representations

6.1 Six representations have been received raising the following concerns;

- Insufficient parking will increase roadside parking
- The vehicles currently parked on the application site will be displaced elsewhere including large commercial vehicles
- Vehicles parked on the road are detrimental to highway safety
- There has been on-going building work at the site for some time
- The existing property is in a state of disrepair

- Loss of privacy and overlooking
- Loss of light to adjacent garden
- Loss of property value
- Noise during construction

7.0 Consultations

EXTERNAL

Natural England

- 7.1 Your appropriate assessment dated 29 September 2022, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

8.0 Planning Considerations

- 8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal:

- a) Principle of Development
- b) Impact on Character & Appearance of the Area
- c) Impact on Amenity of Neighbouring Properties
- d) Highways
- e) The Impact upon Habitat Sites

a) Principle of Development

- 8.2 Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place priority on reusing previously developed land within the defined urban settlement boundaries to provide housing. The National Planning Policy Framework (NPPF) excludes private residential gardens from being defined as previously developed land but sets out there should be a strong presumption in favour of sustainable development. It is recognised that garden sites can assist in meeting housing needs provided that the proposed development is acceptable in all other respects. The site is located within the defined settlement boundary such that the principle of re-development of the land is acceptable subject to all other material considerations.

- 8.3 The progress of the emerging Local Plan is considered to be sufficiently advanced for it to carry some weight in the consideration of planning applications. Policy HP1 (New Residential Development) of the emerging Fareham Local Plan 2037 states that residential development within the Urban Area boundary, as shown on the Policies map, will be supported in principle.
- 8.4 Planning permission was refused in 2008 (ref P/08/1037/FP) for the erection of a pair of semi-detached chalet bungalows on the application site as it was considered this proposal would result in a detrimental impact on the visual amenities of the streetscene and the character of the area by virtue of the design of the dwellings and the subdivision of the plot into two plots markedly smaller than those in the surrounding area. It was also considered that the proposal would have an unacceptable impact on the living conditions within the existing dwelling. Planning permission was subsequently refused in 2009 for a very similar proposal to the current application (ref P/09/0332/FP). However the reason for refusal related solely to non-payment of contributions required at that time towards the maintenance and improvement of public open space and highways infrastructure. The application for a single dwelling was considered acceptable in all other respects.

b) Impact on Character & Appearance of the Area

- 8.5 Policy CS17 (High Quality Design) of the adopted Fareham Borough Core Strategy states that all development should respond positively to and be respectful of the key characteristics of the area, including landscape, scale, form, spaciousness and use of external materials. The Council's adopted Design Guidance (excluding Welborne) Supplementary Planning Document sets out guidance for the development of dwellings within existing streets. It states that it is important that the scale of a new house relates well to its surroundings and that care should be taken to ensure that the space left between houses reflects the spaciousness and character of the area. Gardens lengths of at least 11m length should be sought but in order to preserve the character of an area, larger gardens will be required in more spacious areas.
- 8.6 It is not considered that the sub-division of the plot would result in plot sizes that would be out of keeping with the character of the area or that the proposal would result in a cramped or unsympathetic form of development. The proposed dwelling would be positioned 4m from the flank wall of No. 58 Alexander Grove to the south and would sit alongside the public open space to the north.

- 8.7 It is acknowledged that the proposal would not provide a standard 11m length square rear garden. However, the dwelling would have an amenity space extending to both the rear and to the north of the dwelling which is considered to be proportionate in size to the scale of the dwelling and sufficient to meet the needs of future residents. Officers do not consider the proposal would be harmful to the character and appearance of the surrounding area.

c) Impact on Living Conditions of Neighbouring Properties

- 8.8 The neighbouring property to the rear (No.19 Coombe Farm Avenue) has a rear garden measuring in excess of 7.5m. The proposed dwelling would be positioned at an angle to the rear garden boundary so that it would be positioned between 6-9 metres from that boundary. The back-to-back separation distance between the proposed dwelling and the neighbouring property would therefore be a minimum of 13.5m and this is considered to be sufficient level of separation to ensure that there would not be an adverse impact in terms of loss of light or outlook.
- 8.9 In respect of the concerns raised in relation to overlooking and loss of privacy there would be no first floor habitable windows within the rear elevation of the proposed dwelling. The single rooflight serving the bathroom would be subject to a planning condition requiring it to have a minimum sill height of 1.7m above internal finished floor level to prevent overlooking. Further details of boundary treatment would be sought to ensure the provision of a boundary enclosure of appropriate height to prevent overlooking from the ground floor windows and mutual privacy within rear gardens.

d) Highways

- 8.10 The proposal makes adequate provision on site for the parking of two vehicles for both the existing and proposed dwelling in accordance with the requirements of the Council's adopted residential car parking standards. There would also be space to enable residents to turn on site and thus leave and enter the highway in a forward gear.

e) The impact upon Habitat Sites

- 8.11 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.

- 8.12 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.
- 8.13 In light of their importance, areas within The Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.14 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.15 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the HS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.16 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The applicants have made the appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP).
- 8.17 In addition research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest designated sites will result in a marked increase in use of the sites and exacerbate recreational impacts. It was found that the majority of visitors to the New Forest designated sites on short visits/day trips from home originated from within a 13.8km radius of the sites referred to as the 'Zone of Influence' (ZOI). The Councils Interim Mitigation Solution to address this likely significant effect was approved by the Council's Executive Committee on 7th December 2021 and was prepared in consultation with Natural England. The mitigation comprises a financial contribution from the developer to mitigate against this impact

through improvements to open spaces within Fareham Borough and a small contribution to the New Forest National Park Authority. The applicant has made the appropriate financial contribution.

- 8.18 Secondly in respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.19 A nitrogen budget has been calculated in accordance with Natural England's *Nutrient Neutrality Generic Methodology* (Feb 2022) ('the NE Advice') and updated calculator (April 2022) which confirms that the development will generate 0.8 kgTN/year. In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be residential urban land as it forms part of the curtilage of the existing dwelling. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.20 The applicant has purchased 0.8 kg of nitrate mitigation 'credits' from a wetland scheme at Whitewool Farm and provided the Council with the completed allocation agreement to confirm. Through the operation of a legal agreement between the landowners (William and James Butler), the tenant (Butler Farms) and Fareham Borough Council dated 3rd November 2021, the purchase of the credits will result in a corresponding reduction in nitrogen entering the Solent marine environment.
- 8.21 The Council's appropriate assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the PS either alone or in combination with other plans or projects. Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

Summary

8.22 In summary it is not considered that the proposal would have any materially detrimental impact on the character or appearance of the surrounding area, the living conditions of neighbouring residential properties, or highway safety. It is not considered that the proposal would have an adverse effect on the integrity of the HS as appropriate mitigation has been secured. The proposal accords with the relevant local plan policies and is recommended for approval.

9.0 Recommendation

DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions; and

GRANT PLANNING PERMISSION, subject to the following conditions:

1. The development hereby permitted shall be begun before within 3 years from the date of this decision notice.

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

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

- i) Location Plan (1:1250)
- ii) Proposed Site Plan - drwg No. 02.09.2 Rev 3
- iii) Proposed Floor Plans & Elevations – drwg No. 02.09.1 Rev C

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

3. No development hereby permitted shall proceed beyond damp proof course level until details of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

4. The first floor rooflight window proposed to be inserted into the rear elevation of the development hereby approved shall be constructed so as to have a cill height of not less than 1.7 metres above internal finished floor level. The window shall thereafter be retained in this condition at all times.

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

5. The dwelling hereby approved shall not be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all

boundaries has been submitted to and approved in writing by the Local Planning Authority. The approved scheme of boundary treatment shall be fully implemented prior to first occupation and retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, in the interests of highway safety and to ensure that the development harmonises well with its surroundings.

6. The dwelling hereby approved shall not be first occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.

REASON: In the interests of highway safety.

7. No development shall proceed beyond damp proof course (dpc) level until details of how one electric vehicle charging points will be provided. The development shall be carried out in accordance with the approved details.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

8. The dwelling hereby permitted shall not be first occupied until the bicycle storage as shown on the approved plan (drwg No. 02.09.2 Rev 3), has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To encourage cycling as an alternative mode of transport.

9. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

REASON: to enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

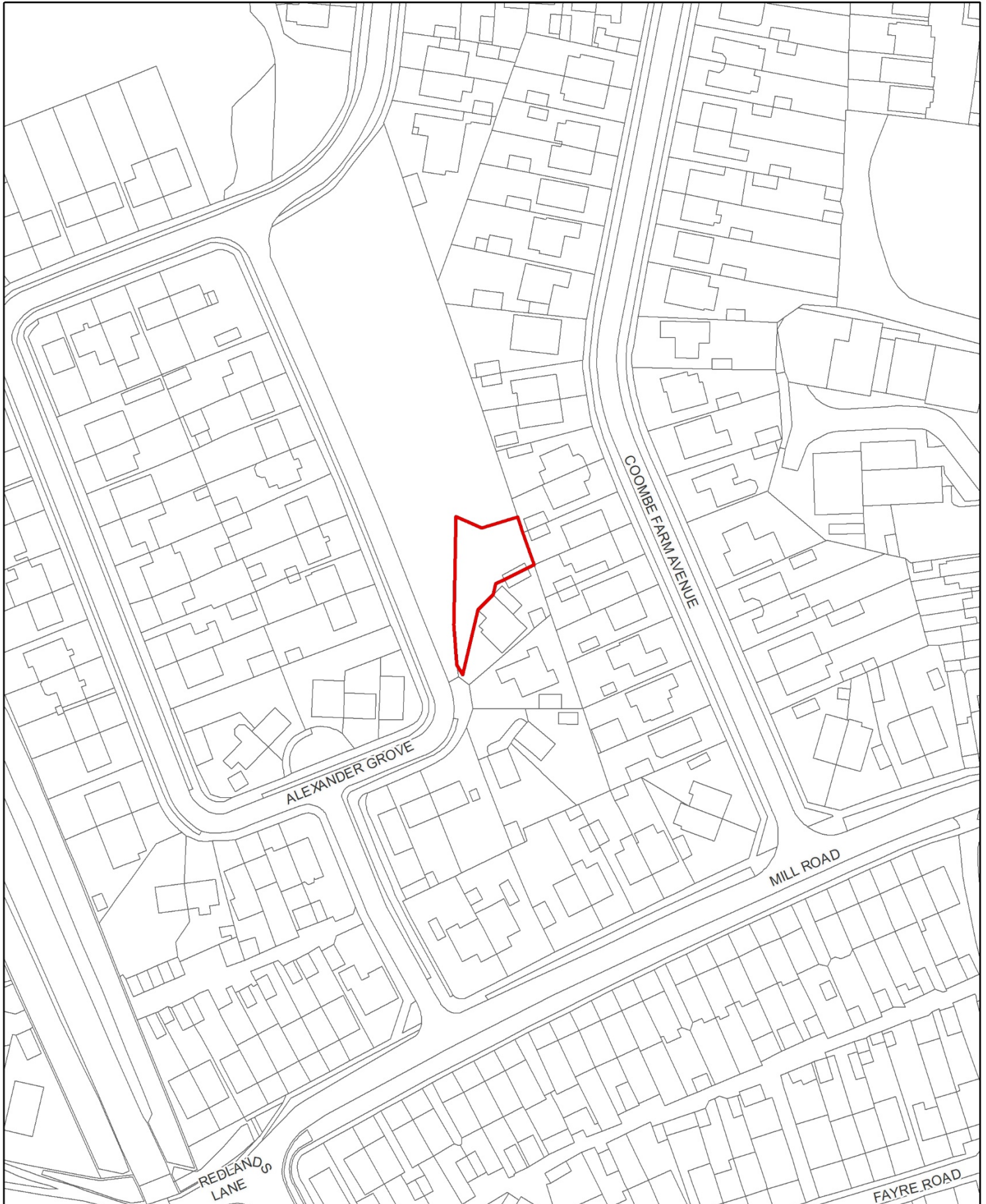
10. Notwithstanding the provisions of Classes A, B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions or additions or alterations to the roof of the dwelling shall be carried out unless first agreed in writing with the Local Planning Authority following the submission of a planning application.
REASON: To protect the outlook and privacy of the adjacent residents; to ensure adequate car parking provision; To ensure the retention of adequate garden area.
11. The dwelling hereby approved shall not be occupied until details of water efficiency measures to be installed have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.
REASON: In the interests of preserving water quality and resources.
12. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the Local Planning Authority.
REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



58 Alexander Grove
Fareham

Agenda Item 6(3)

OFFICER REPORT FOR COMMITTEE

DATE: 18/01/2023

P/22/0709/FP

NL CARE LTD & PALACE CAPITAL
(SIGNAL) LTD

FAREHAM EAST WARD

AGENT: WOOLF BOND PLANNING

DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A 75-BEDROOM CARE HOME IN C2 USE, WITH ASSOCIATED CAR PARKING, LANDSCAPING AND ACCESS

ADMIRAL HOUSE & NICHOLSON GATE, HIGH STREET, FAREHAM, PO16 7BQ

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

1.1 The application is presented to the Planning Committee for determination due to the number of third party letters that have been received.

2.0 Site Description

2.1 The site is located to the northern end of Fareham High Street, within the designated Urban Settlement Boundary, and within the Fareham High Street Conservation Area. The site is located on the eastern side of the High Street, where it turns into Wickham Road, and is situated to the southern side of Wallington Hill. Wallington Hill is a 'no through road' which provides access to the site and Wates House (to the northern side of Wallington Hill) and the pedestrian/cycle link over Wallington Way (A32) which connects the High Street to Wallington village and Broadcut.

2.2 The site itself is relatively steeply sloped, sloping down to the northeast towards Wallington Way, where the Wallington River valley lies. The site is bounded by mature trees, the majority of which are protected either by individual Tree Preservation Orders or by their siting within the Conservation Area. A footpath wraps around the northern and eastern sides of the site, linking Wallington Hill to Lysses Open Space that is situated to the rear of Lysses Hotel.

2.3 There are two existing buildings on the site, with large areas of metaled car parking. Nicholson Gate is a modern office building constructed in the 1980s, which has been consistently vacant for a considerable period of time. Admiral House, is an extended 1930s building set within the upper parts of slope, which is partially occupied as office accommodation presently. The building has been extended and modified significantly over the years.

3.0 Description of Proposal

- 3.1 The application proposes the demolition of the existing buildings on the site, and the erection of a single replacement structure, largely sited over the Admiral House building, comprising a 75 bedroomed care home (Use Class C2 – Residential Institutions). The building, designed in a neo-Georgian style is set over four floors, comprising lower ground floor, upper ground floor, first floor and second floor, making use of the topography of the site.
- 3.2 The lower part of the site (where Nicholson Gate is situated) is located within the designated flood plain and is therefore proposed to be used for car parking and landscaping. The majority of the surrounding protected trees around the site would be retained.
- 3.3 The application submission has been supported by a number of technical documents, including Planning, Design and Access Statement, Preliminary Ecological Report, Bat Activity Survey, Nitrates Budget Assessment Report, Biodiversity Impact Assessment, and Metric 3.1 Calculation, Arboricultural Impact Assessment, Tree Protection Plan, Contaminated Land Assessment, Noise Impact Assessment, Transport Assessment and Travel Plan, Archaeological Assessment, Utilities Statement, Flood Risk Assessment, Heritage Statement, Surface and Foul Water Drainage Strategy, Lighting Assessment and Office Marketing Report.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

- CS1: Employment Provision
CS2: Housing Provision
CS3: Vitality and Viability of Centres
CS4: Green Infrastructure, Biodiversity and Geological Conservation
CS5: Transport Strategy and Infrastructure
CS6: The Development Strategy
CS7: Development in Fareham
CS17: High Quality Design

Adopted Development Sites and Policies

- DSP1: Sustainable Development
DSP2: Environmental Impact
DSP3: Impact on Living Conditions
DSP5: Protecting and Enhancing the Historic Environment
DSP13: Nature Conservation
DSP17: Existing Employment Sites and Areas

- DSP24: Mix of Uses in Fareham High Street
DSP42: New Housing for Older Persons

Emerging Fareham Local Plan 2037

- 4.2 The Fareham Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector requested a number of modifications to the Plan. The modifications were the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

- H1: Housing Provision
HP1: New Residential Development
HP8: Older Persons' and Specialist Housing Provision
E5: Existing Employment Areas
R1: Retail Hierarchy and Protecting the Vitality and Viability of Centres
CC2: Managing Flood Risk and Sustainable Drainage Systems
NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE2: Biodiversity Net Gain
NE4: Water Quality Effects on the Special Protection Area (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of The Solent
NE6: Trees, Woodland and Hedgerows
NE9: Green Infrastructure
TIN2: Highway Safety and Road Network
D1: High Quality Design and Placemaking
D2: Ensuring Good Environmental Conditions
D4: Water Quality and Resources
D5: Internal Space Standards
HE1: Historic Environment and Heritage Assets
HE2: Conservation Areas

Other Documents:

- Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Non-Residential Parking Standards Supplementary Planning Document 2015

5.0 Relevant Planning History

5.1 Both Admiral House and Nicholson Gate have long planning histories with various alterations and amendments to the structures over the years. Several proposals were put forward in the 1960s and 1970s for residential development on the Nicholson Gate site, although only the office development in the 1980s was approved. There are no recent relevant applications relating to the current application proposal.

6.0 Representations

6.1 Nine letters have been received from the local community, including from The Fareham Society at various stages where amendments had been made to the scheme. Of the nine letters, eight were letters of objection, and one was a letter of support provided the old Yew trees on the site were retained. The letters of objection raised the following matters of concern:

- Admiral House should be considered worthy of retention
- Carbon footprint impact of demolition and reconstruction
- Noise impact during construction
- Building is out of scale and overdevelopment of the site
- Overbearing impact on neighbouring property
- Out of character with the High Street
- Impact on residential amenity
- Inadequate car parking
- Loss of trees
- Loss of light
- Impact on views of Wallington River Valley from High Street/Wickham Road
- Impact of setting of The Old Manor House (Grade 2* Listed Building)

7.0 Consultations

EXTERNAL

Hampshire County Council – Highway Authority

7.1 No objection subject to condition (Construction Environmental Management Plan)

Southern Water

7.2 No objection. Separate approval is required to build over or diversion of the foul sewer.

Hampshire County Council – Lead Local Flood Authority

7.3 No objection, subject to conditions.

Hampshire County Council – County Archaeologist

7.4 No objection, subject to conditions.

Natural England

7.5 Comments awaited regarding the Council's Appropriate Assessment.

INTERNAL

Urban Designer

7.6 No objection. Conditions regarding precise levels and construction design and landscaping should be required.

Conservation Planner

7.7 No objection, subject to appropriate materials and detailing on the building being of a high quality.

Ecology

7.8 No objection, subject to conditions and informative.

Recycling Co-ordinator and Policy Officer

7.9 No objection

Principal Tree Officer

7.10 Subject to compliance with the submitted arboricultural method statement and tree report, no objection would be raised.

Environmental Health Officer (Noise and Pollution)

7.11 No objection.

Environmental Health Officer (Contaminated Land)

7.12 No objection, subject to conditions.

8.0 *Planning Considerations*

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Principle of the development
- b) Fareham Local Plan 2037 (emerging)
- c) Unmet need for housing for the elderly
- d) Effect on the Conservation Area and heritage assets
- e) Effect on trees
- f) Effect on living conditions

- g) Car parking and highway implications
- h) Existing Employment Areas
- i) Protected species
- j) Impact on Habitat Sites
- k) Other matters
- l) Conclusion

a) Principle of the development

- 8.2 The application site is located within the designated urban settlement area of Fareham and lies within the both the Fareham Town Centre Boundary and Existing Employment Area. The application proposes the replacement of the existing commercial premises on the site with a care home.
- 8.3 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 DSP17 (Existing Employment Sites and Areas) and draft Policy E5 Existing Employment Areas) protects a number of employment sites from redevelopment, and highlights that redevelopment, extensions and intensification in these areas that would result in additional economic development floorspace will be supported. Policy DSP42 (New Housing for Older Persons) also contains additional criteria relating to the detailed proposals that must be satisfied. The requirements of Policy DSP42 are considered later in this report.
- 8.4 Given the location of the site within the designated urban area, the principle of supporting a care home is acceptable, subject to compliance with the other relevant material planning considerations, including its situation within an existing employment area. Detailed consideration of the location of a care home within the town centre and existing employment area is set out further in this report.

b) Fareham Local Plan 2037 (emerging)

- 8.5 National planning policy allows Council's to give appropriate weight to relevant policies in emerging plans according to the stage of preparation of the plan, the extent to which there are unresolved objections and the degree of consistency with the NPPF (para 48 of the NPPF). Members will be aware that the Revised Publication version of the Fareham Local Plan which addresses the Borough's development requirements up until 2037 has been examined by the Planning Inspector and the modifications were recently

subject to public consultation (consultation period ending on 12 December 2022).

8.6 Emerging Policy HP8 (Older Persons' and Specialist Housing Provision) sets out three criteria for the provision of new older persons' accommodation within the Urban Area boundary:

- 'a) Sufficient parking and services are available to fulfil the needs of residents, visitors and any care and servicing intended to be provided on site; and*
- b) Accommodation is provided in sustainable locations having regard to accessibility, local services, community integration and safety, and to the need for staff and services to access the accommodation; and*
- c) An appropriate provision of amenity space is provided having regard to the needs of the potential users.'*

8.7 No modifications to this policy were requested by the Local Plan Inspector and therefore it is considered that considerable weight can be applied to this policy, in addition to Policy DSP42, both considered in more detail later in this report.

c) Unmet Need for Housing for the Elderly

8.8 A specialist housing background paper was prepared to support the emerging Fareham Local Plan 2037, which concluded that the overall requirement for specialist housing in the future is uncertain and dependent on location, design and accessibility of mainstream housing as well as local and national policies to provide care in an older persons own home.

8.9 This report represents the most up to date assessment of the demand and need for specialist accommodation for older people in Fareham. It separates the different types of specialist accommodation such as sheltered housing, extra care housing, residential care and nursing care provision. The application is for a Care Home, providing those requiring additional care bed spaces and dementia bed spaces, falling within the C2 (Residential Institutions) use class.

8.10 The specialist housing background paper concludes that at present there is a shortfall in residential and nursing care accommodation being provided and there is likely to be considerable unmet demand for this type of housing in the future. This unmet need weighs heavily in favour of granting planning permission as a means of boosting the Council's housing supply in this particular specialist area.

d) Effect on the Conservation Area and Heritage Assets

- 8.11 The application site lies within the Fareham High Street Conservation Area, towards its northern end. In accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) development within Conservation Areas should seek to preserve or enhance its character and appearance. Development which are considered to detract from the character and appearance should not be supported. These requirements are expanded upon in Policy DSP5 (Protecting and Enhancing the Historic Environment), which requires any development within Conservation Areas to have regard to the Conservation Area Character Appraisal and Management Strategy.
- 8.12 There are two existing buildings on the site, Admiral House, a 1930s, extended arts and craft building which is largely screened from the High Street by the numerous trees on the road frontage. Admiral House is used for offices at present and due to the age and is of some architectural merit that does contribute toward the character and appearance of the Conservation Area. The second is Nicholson Gate, a modern 1980s office building located to the rear of site at the lower level, towards the northern part of the Wallington Valley corridor, adjacent to the Lysses Open Space. Nicholson Gate has been vacant for a number of years and is of limited architectural merit. The provision of a modern office building in the Conservation Area, despite its discrete siting fails to preserve or enhance the character and appearance of the Conservation Area.
- 8.13 During the course of the planning application, amendments and further information has been provided to reduce the impact of the proposed building on the High Street, and in particular to preserve an important view of the Wallington Valley as seen from Wickham Road, looking southeast. The Council's Conservation Planner has considered the proposals, and whilst initially raising concerns about the overall scale and appearance of the proposed building, made the following comments on the amended scheme:
- *The building is not set further back from Wallington Hill, which is more appropriate for the very prominent location. As long as it is fully implemented, the proposed landscaping now also gives the site a softer visual edge than was previously proposed.*
 - *The recent 3D imagery and additional landscape plans show how the changes in level and planting help soften the visual impact of the proposal. On balance and taking account of the recently submitted landscape strategy, the proposals are now considered to be acceptable.*

- *Unlike Nicholson Gate which has no architectural merit, although it has suffered from some unfortunate alterations and additions, Admiral House still has some architectural and historic merit and does still make a contribution to the overall character of the Conservation Area. However, the building does not have sufficient quality that it would be considered to be a heritage asset that would prevent its replacement with something that made also makes a positive contribution to the overall character of the Conservation Area.*
- *At the moment there are still attractive vistas both into and out of the Conservation Area and views across the river valley over to Wallington and the landscape beyond. This forms an important visual background to the Conservation Area and adds to its overall character. The changes that have been made to the original proposals mean that the building is now set further back from the roadside lessening its visual impact.*

8.14 Having regard to the above comments, and the changes made to the scale and massing of the structure, particularly along its northern edge and its relationship with Wallington Hill, it is considered that the proposals would make a positive contribution to the Conservation Area, preserving and enhancing its character and appearance. The proposal accords with the policies requirements of DSP5, and emerging Policies HE1 (Historic Environment and Heritage Assets) and HE2 (Conservation Areas).

8.15 The nearest listed buildings are The Old Manor House, a Grade II* listed property on the northern side of Wallington Hill, and the Grade II listed Church of St Peter and St Paul on Osborn Road. These listed buildings and their settings, would be preserved by the development proposal.

e) Effect on Trees

8.16 The site contains three trees specifically subject to individual Tree Preservation Orders (two Ash trees and one Yew tree). The remaining trees on the site are protected by virtue of them being located within the Fareham High Street Conservation Area. The majority of the trees are located to the frontage with High Street, the southern boundary with 44 High Street, and to the eastern side of the site around Nicholson Gate and its car park.

8.17 The site steeply slopes down to the northeast, and the existing property at Admiral House is partially cut into the slope, resulting in a number of the site's frontage trees set at an elevated position to Admiral House. The application has been supported by an Arboricultural Impact Assessment and Tree Protection Plan which sets out how the care home will be situated in respect of these existing trees.

8.18 The Council's Principal Tree Officer has reviewed the supporting documents and had regard to the landscape scheme and raised no objection to the implementation of the development. Officers consider that subject to compliance with the Impact Assessment and Tree Protection Plan the existing perimeter trees would be protected during and after the construction of the care home. The proposed development therefore complies with draft Policy NE6 of the emerging Fareham Local Plan 2037.

f) Effect on Living Conditions

- 8.19 Policy DSP3 and emerging Policy D2 seek to ensure that the new development does not result in an unacceptable adverse impact on the living or environmental conditions of neighbouring occupiers, by way of loss of sunlight, daylight, outlook and/or privacy. Due to the corner location of the development site, the only immediate neighbours are located to the south at Altavia House, 44 High Street, a former office building converted to residential apartments in 2014/2015.
- 8.20 The proposed care home will be sited closer to the mutual boundary with Altavia House than the existing building, Admiral House, however, the separation distance remains over 9 metres at its closest point, with the proposal being sited over 6 metres to the boundary. At this point, the only windows proposed on the side elevation of the care home towards Altavia House are at the end of a communal corridor on each floor.
- 8.21 Due to the level of separation, the retention of boundary trees and provision of no habitable room windows on this elevation, it is considered that the proposals would not have an unacceptable adverse impact on the living conditions of occupiers of Altavia House. There are however habitable room windows facing towards Altavia House further into the site. These windows are at the closest to Altavia House over 22 metres away, and also separated by the retained boundary vegetation. Officers therefore consider that no materially unacceptable overlooking or loss of privacy would be created as a result of the proposed building, and therefore Policies DSP3 and D2 are complied with.
- 8.22 Draft Policy HP8 (c) seeks to ensure that adequate amenity space for future residents is provided. The scheme includes communal gardens around the building to the northwest corner and to the south of the building, and terraces from the communal lounges and dining areas. Additional garden areas are located to the east of the parking area and there is a direct footpath access to the Lysses Open Space that wraps around the northern and eastern part of the site. It is therefore considered that there is a suitable level of communal amenity space for the future occupiers, in accordance with draft Policy HP8.

g) Car Parking and Highway Implications

- 8.23 Policy CS5 states that the Council will permit development which does not adversely affect the safety and operation of the strategic and local road network, public transport operations or pedestrian and cycle routes.
- 8.24 The site's existing single access point from Wallington Hill will be used for the care home, with a separate pedestrian access created to the northwest corner of the site directly onto corner of Wallington Hill/High Street.
- 8.25 The layout of the car park and access to Wallington Hill and High Street/Wickham Road has been considered by the Highway Authority (Hampshire County Council), who consider that the site is suitable to accommodate refuse and emergency vehicles, and the level of parking is not likely to result in additional on-street parking pressures. The Highway Authority raise no objection, subject to condition regarding the provision of a Construction Management Plan.
- 8.26 Policy DSP42 (New Housing for Older Persons) states that new accommodation designated specially for older people should *inter alia*:
- (i) offer easy access to community facilities, services and frequent public transport or, where a site is not within easy access to community facilities, services and frequent public transport, on-site services should be provided...,
 - (iii) provide sufficient car parking for visitors and residents.
- 8.27 Draft Policy HP8 (Older Persons' and Specialist Housing Provision) likewise to Policy DSP42 requires such accommodation to be provided in sustainable locations. The site is located within the town centre of Fareham and is therefore located in close proximity to community facilities, services and provision for public transport. In addition, the care home will include an on-site café, visitors lounge, cinema, hair salon and activity room for residents, together with communal lounges and dining rooms. The proposal therefore complies with DSP42 (i).
- 8.28 The proposal includes the provision of 33 car parking spaces (including 2 disabled spaces). Additionally, there is a separate space for an ambulance and a space for delivery vehicles. Car parking provision for Care Homes is set out in the Council's adopted Non-Residential Car Parking Standards. The submitted Transport Statement indicates that the care home will employ 70 staff in part-time and full-time roles. From these 70 members of staff, a maximum of 30 staff are expected to be on site at any one time, with only 7-8

staff likely to be on site overnight. No members of staff would be permanent residents and based on the adopted car parking standards, for a 75-bed care home, 19 spaces for residents and 9 spaces for staff are required.

- 8.29 The provision of 33 spaces on site, in this highly sustainable location is therefore considered acceptable and in excess of the requirement sought by the Parking Standards. The proposal therefore complies with DSP42 (iii).
- 8.30 Five electric vehicle (EV) charging points within the car park will also be provided, and additional infrastructure put in place to provide more to allow for additional future demand.

h) Existing Employment Areas

- 8.31 As stated above, the application site is located within the designated Fareham Town Centre Boundary and an existing Employment Area. The construction of the care home will result in the loss of two existing office buildings with a residential care home. Whilst Nicholson Gate has been vacant for a number of years, Admiral House is still partially occupied as office accommodation.
- 8.32 Policy DSP17 (Existing Employment Sites and Areas) and draft Policy E5 (Existing Employment Areas) highlights that *'changes of use or redevelopment within existing employment areas that would result in the loss of floorspace for economic development uses will not be permitted unless:*
- i. All appropriate alternative forms of economic development have been considered*
 - ii. It can be clearly demonstrated that the land or buildings is not fit for purpose and modernisation or redevelopment for employment uses would be financially unviable; and*
 - iii. The proposal is accompanied by details of marketing of the vacant site/buildings covering a period of not fewer than 12 months'.*
- 8.33 Additionally draft Policy E5 (Existing Employment Areas) similarly states, *'Proposals that will result in the loss of land and/or buildings to uses other than employment within an Existing Employment Area will be permitted where policy requirements are demonstrated together with the following:*
- i. The proposals are not for residential development; and*
 - ii. All appropriate alternative forms of employment uses have been dismissed as unsuitable or unviable; and*
 - iii. It can be clearly demonstrated that the land or building is not fit for purpose and modernisation or redevelopment for employment uses would be unviable; and*

- iv. *The proposals are accompanied by details of marketing of vacant site/buildings covering a period of not fewer than 12 months; and*
- v. *Where proposals are for 'main town centre uses' such as retail or leisure facilities, but excluding offices, a full sequential assessment will be required as part of a planning application'.*

8.34 Both policies highlight employment generating uses as offices, general industrial and storage and distribution uses. Given the location of the site within the Conservation Area, adjacent to existing residential development and due to the topography and access constraints, general industrial and storage and distribution uses on the site would be wholly inappropriate and not capable of being supported.

8.35 The application has been supported by a Marketing Report (prepared by Goadsby, dated May 2022). Nicholson Gate has been vacant for a number of years, with Natwest Bank surrendering its lease in 2017, although they had vacated the building several years prior to this. Half of Admiral House is currently vacant, and has been continuously marketed alongside Nicholson Gate. The combined floor areas of Admiral House and Nicholson Gate equates to 1,209 sqm. The care home results in a floor area of 3,891 sqm. The report concludes that,

'For a number of years prior to the pandemic there was uncertainty in the office sector with the growing trend of office decentralisation and working from home. This was more visible in non-core office locations and have been particularly evident at the subject properties.

The growing trend of decentralisation and working from home was fast tracked by the associated consequences of the pandemic. Enquiry levels have completely disappeared and the continued uncertainty in the market means that the majority of office requirements are on hold for the foreseeable future. Unfortunately this means that we do not know when or if we will receive any further interest'.

8.36 The small extent of the designated Existing Employment Area is limited to the buildings to the immediate north and south of the application site, extending up to the roundabout with Wallington Way. This includes a number of existing buildings that have been lost from offices to residential under permitted development rights, including Fareham Point and Wates House (to the north of the site) and Altavia House (to the south of the site). The application site in itself could also be subject to permitted development rights for conversion to residential.

8.37 Whilst the offices would be lost and replaced with a residential use (C2 – Residential Institution) which would be contrary to policies DSP17 and E5, as set out above, the provision of a care home would result in an employment generating use. The applicant anticipates the creation of 70 full-time and part-time jobs for the local area. This coupled with the provision of additional residential accommodation within the heart of Fareham Town which would contribute towards the vitality and viability of the town centre, and given the current lack of demand for offices and unsuitability of the site for other employment generating uses, it is considered by Officers that in this respect, the provision of a care home would be a suitable redevelopment of the site.

i) Protected Species

8.38 The application has been supported by a number of ecological reports and a Biodiversity Impact Assessment. A further Bat survey has been provided to consider further potential activity around Admiral House. The Council's Ecologist has reviewed the submitted information and considers that no objection is raised subject to the imposition of conditions and informatives.

j) Impact on Habitat Sites

8.39 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced. Draft Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network confirms that development will only be permitted where international, national and local sites of nature conservation value, priority habitats and the Ecological Network are protected and enhanced.

8.40 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.

8.41 In light of their importance, areas within The Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).

- 8.42 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated HS or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated HS. This is done following a process known as an Appropriate Assessment (AA). The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.43 To fulfil the requirements under the Habitat Regulations, Officers have carried out an AA in relation to the likely significant effects on the HS which concludes that there would be no adverse effects on the integrity of protected sites subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.
- 8.44 In respect of Recreational Disturbance, new residential development within 5.6km of The Solent SPAs are considered to require appropriate mitigation to offset the impact on the integrity of The Solent SPAs. Draft Policy NE3: Recreational Disturbance on the Solent SPAs confirms that development will only be permitted where the financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP) has been made. The proposed care home will provide accommodation for people who require a level of care that means it will be 'highly unlikely' that they will own a car and would not own a dog. Given the proposed tenure and the anticipated capabilities of residents of the proposed care home is not likely to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The Council's Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the HS as a result of recreational disturbance in combination with other plans or projects.
- 8.45 In respect of recreational disturbance on the New Forest, firstly the development site lies more than 13.8km away from the New Forest Special Protection Area (SPA), New Forest Special Area of Conservation (SAC) and the New Forest Ramsar site. Research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest's designated sites will result in a marked increase in use of the sites and exacerbate recreational impacts. It was found that the majority of visitors to the New Forest designated sites on short visits/day trips from home originated from within a 13.8km radius of the sites referred to as the 'Zone of Influence' (ZOI). Secondly, as with The Solent SPA recreational disturbance, the intended users of the care home are unlikely to venture to the New Forest.

- 8.46 Given that the site lies outside this 13.8km ZOI, and the likely limited mobility of future residents, no mitigation is required or would be sought due to the conclusion outlined in paragraph 8.38 above (regarding The Solent SPAs).
- 8.47 In respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted those increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS. Draft Policy NE4: Water Quality Effects on the SPAs, SACs and Ramsar Sites of The Solent confirms that permission will only be granted where the integrity of the designated sites maintained.
- 8.48 A nitrogen budget has been calculated in accordance with Natural England's 'National Generic Nutrient Neutrality Methodology' (February 2022) ('the NE Advice') and the updated calculator (20 April 2022) which confirms that the development will generate 28.05 kg TN/year. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.49 The applicant has entered into a contract (conditional on the grant of planning permission) to purchase 28.05 kg of nitrate mitigation 'credits' from Whitewool Farm, East Meon, Petersfield as evidenced by the submission of the Deed of Allocation of Nitrate Offsetting Scheme. Through the operation of a legal agreement between the landowners (William and James Butler), the tenant (Butler Farms) and Fareham Borough Council dated 3rd November 2021, the purchase of the credits will result in a corresponding reduction in nitrogen entering The Solent marine environment. A condition will be imposed to ensure that the development does not commence on site until confirmation of the purchase of the credits from Whitewool Farm has been received by the Council.
- 8.50 The Council's Appropriate Assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. The difference between the credits and the output will result in no increase in the amount of nitrogen entering The Solent.
- 8.51 Natural England was consulted on the Council's Appropriate Assessment in December 2022 and comments from them are awaited. It is considered that

the development accords with the Habitat Regulations and complies with Policies CS4, DSP13 and DSP15 of the adopted Local Plan, and draft Policies NE1, NE3 and NE4 of the Fareham Local Plan 2037 (emerging).

k) Other Matters

- 8.52 **Flood risk** – The rear part of the site, to the northeast lies within the designated Flood Zone 2. However, this is limited to the location where Nicholson Gate is currently located. This area would solely be used as car parking and as part of the wooded garden area for future residents. As the main residential elements of the building are located outside of the Flood Zones (within Flood Zone 1), residents would not be at risk from flooding of the site. This is clarified in the submitted Flood Risk Assessment (prepared by SLP, dated April 2022).
- 8.53 **Scale of Building** – Third parties have raised concern that the scale of the building is excessive for the site, resulting in overdevelopment. The proposed building, whilst substantial in scale is comparable to other buildings in the local area, including Altavia House to the south and The Old Manor House to the north. A significant level of existing vegetation and space to boundaries is being retained and whilst ground levels on the site are changing to accommodate the building, Officers consider, as set out above, that the building will sit comfortably within the site and its surrounding, and with the loss of Nicholson Gate, not result in overdevelopment of the site.
- 8.54 **Carbon Footprint** – It is common practice where demolition takes place that the existing building materials will be recycled. The replacement modern building will meet strict Building Regulations requirements for renewables and low carbon technologies, and the building will be significantly more energy efficient than the existing building.

l) Conclusion

- 8.55 The proposed care home has been sensitively designed to provide a high quality living environment for future occupiers, whilst responding positively to the historic character and architecture of the local area. The plans have been tailored to address the complex topography of the site and evolved during the course of the application to ensure the building respects the open vistas of the Wallington Valley, the mature trees on the site and the proposed development would respect the amenities of neighbouring occupiers.
- 8.56 Whilst there is an acknowledged conflict with the loss of the site for employment purposes within an existing Employment Area, given the lack of demand for office accommodation as evidenced by the submitted Marketing

Report, coupled with the alternative acceptable employment uses (general industrial and storage and distribution) being inappropriate for this location, and the fact that residential care homes are in themselves employment generating uses, it is considered by Officers that the conflict with policy is acceptable. Notwithstanding this, the proposed development is considered to comply with the requirements of the relevant Local Plan policies (adopted and emerging) and provide a valuable contribution towards the unmet need for older persons accommodation within a town centre location.

9.0 Recommendation

9.1 DELEGATE authority to the Head of Development Management to:

- (a) make any necessary modification, deletion or addition to the proposed conditions; and
- (b) make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions as drafted to ensure consistency between the two sets of provisions.

Then:

9.2 GRANT PLANNING PERMISSION, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three years from the date of this decision notice.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development shall be carried out in accordance with the following approved documents:
 - a) Location Plan (Drawing: LP01)
 - b) Existing Site Plan (Drawing: PL01 Rev A)
 - c) Proposed Information Plan (Drawing: PL10 Rev A)
 - d) Proposed Site Plan (Drawing: PL20 Rev F)
 - e) Proposed Lower Ground Floor Plan (Drawing: PL21 Rev C)
 - f) Proposed Upper Ground Floor Plan (Drawing: PL22 Rev C)
 - g) Proposed First Floor Plan (Drawing: PL23 Rev C)
 - h) Proposed Second Floor Plan (Drawing: PL24 Rev C)
 - i) Proposed Roof Plan (Drawing: PL25)
 - j) Proposed Elevations – Sheet 1 of 2 (Drawing: PL26 Rev C)
 - k) Proposed Elevations – Sheet 2 of 2 (Drawing: PL27 Rev C)

- l) Proposed Site Sections (Sheet 1 of 4) (Drawing: PL28 Rev C)
- m) Proposed Street Scene Elevation (Drawing: PL29 Rev D)
- n) Proposed Site Sections (Sheet 2 of 4) (Drawing: PL30 Rev A)
- o) Proposed Site Sections (Sheet 3 of 4) (Drawing: PL31 Rev A)
- p) Proposed Site Sections (Sheet 4 of 4) (Drawing: PL32 Rev A)
- q) Proposed Site Sections (Sheet 1 of 7) (Drawing: PL40)
- r) Proposed Site Sections (Sheet 2 of 7) (Drawing: PL41)
- s) Proposed Site Sections (Sheet 3 of 7) (Drawing: PL42)
- t) Proposed Site Sections (Sheet 4 of 7) (Drawing: PL43)
- u) Proposed Site Sections (Sheet 5 of 7) (Drawing: PL44)
- v) Proposed Site Sections (Sheet 6 of 7) (Drawing: PL45)
- w) Proposed Site Sections (Sheet 7 of 7) (Drawing: PL46)
- x) Landscape Masterplan (Drawing: 7911/LMP/3.0A Rev C)
- y) Topographical Survey (Sheet 1 of 2) (Drawing: 31490YOLS-01)
- z) 11.2m Large Refuse Vehicle Tracking Diagram (Drawing by PEP)
- aa) 4.7m Estate Car Vehicle Tracking Diagram Drawing by PEP)
- bb) Existing Visibility at Wallington Hill/Wickham Road Junction (Drawing: 3435.04)

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

3. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification, the development hereby approved shall only be used as a Care Home for purposes within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification, and for no other use.

REASON: To protect the occupiers of the nearby residential properties from possible disturbance from permitted uses other than that specifically granted through this permission.

5. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by

the Local Planning Authority and the approved boundary treatment has been fully implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

6. None of the development hereby approved shall be occupied until details of the proposed bin and cycle storage areas [including bin collection points if necessary] have been submitted to and approved by the Local Planning Authority and the approved areas fully implemented. The details shall include the siting, design and the materials to be used in construction. The areas shall be subsequently retained for bin and cycle storage or collection at all times.

REASON: To ensure that the character and appearance of the development and the locality are not harmed.

7. None of the development hereby permitted shall be occupied, or by such time as shall be agreed in writing with the Local Planning Authority, until the car parking spaces marked on the approved plan, and sufficient to serve that part of the overall development completed at that time, have been provided on site and these spaces shall be subsequently retained at all times.

REASON: To prevent on-street parking problems in the future and for highway safety.

8. No development shall commence until details of the width, alignment, gradient and type of construction proposed for the access road and footways, including all relevant horizontal and longitudinal cross sections showing the existing and proposed ground levels, together with details of street lighting (where appropriate), the method of disposing of surface water, and details of a programme for the making up of roads and footways, have been submitted to and approved by the Local Planning Authority in writing. The development shall be subsequently carried out in accordance with the approved details.

REASON: To ensure that the roads are constructed to a satisfactory standard. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

9. No development shall take place beyond damp proof course (dpc) level until details of how and where Five Electric Vehicle (EV) charging points will be provided. The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first occupation.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

10. Notwithstanding the details set out on the Landscape Masterplan (Drawing: 7911/LMP/3.0A Rev C) no development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

11. The landscaping scheme, submitted under Condition 10, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

12. The development hereby approved shall be undertaken in accordance with the mitigation recommendations and conclusions of the submitted Noise Impact Assessment (prepared by SLR, (ref: 425.064531.00001 Version No.1) dated August 2022). Once implemented, the mitigation measures shall be retained for the lifetime of the development.

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

13. A detailed scheme of Biodiversity Enhancements to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The measures shall be related to creation of new habitats and incorporating wildlife features such as bat and bird boxes. Development shall subsequently proceed in accordance with any such approved details. REASON: To enhance biodiversity in accordance with the NPPF. The details secured by this condition are considered essential to be provided prior to the commencement of the development on the site so that appropriate measures are in place to ensure a net gain in biodiversity.
14. No development shall commence until the measures of tree and hedgerow protection as set out in the Arboricultural Report (prepared by Andrew Day Arboricultural Consultancy, dated 11 May 2022), and the submitted Tree Protection Plan (Drawing dated 11 May 2022) as approved as part of the planning permission have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site. REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period.
15. No development hereby permitted shall commence until a surface water drainage strategy, based on the principles within the Surface and Foul Water Drainage Strategy 402.12077.00001 Version No. 1 (SLR, April 2022), has been submitted to and approved by the Local Planning Authority in writing. The strategy shall include the following elements:
- a) A technical summary highlighting any changes to the design from that within the approved Drainage Strategy
 - b) Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed (if infiltration features are proposed)
 - c) Detailed drainage plans to include type, layout and dimensions of drainage features including reference to link to the drainage calculations.
 - d) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - e) Evidence that urban creep has been included within the calculations.
 - f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

- g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

16. An intrusive site investigation and risk assessments should be carried out following the demolition of the existing buildings. The assessment should include the risks posed to human health, the building fabric and the wider environment such as water resources, and where the site investigation and risk assessment reveal a risk to receptors, a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use shall be submitted to and approved by the LPA in writing.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the LPA. This shall be investigated to assess the risks to human health and the wider environment and a remediation scheme implemented following written approval by the Local Planning Authority. The approved scheme for remediation works shall be fully implemented before the permitted development is first occupied or brought into use.

On completion of the remediation works and prior to the occupation of any properties on the development, the developers and/or their approved agent shall confirm in writing that the works have been completed in full and in accordance with the approved scheme.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place.

17. No demolition or development shall commence until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement

REASON: In order to ensure that the site, which is located in an area where there is potential for archaeological discovery, is adequately investigated prior to development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

18. No development shall commence until details of the internal finished floor levels of all of the proposed buildings in relation to the existing and finished ground levels on the site and the adjacent land have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the area and to assess the impact on nearby residential properties. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

19. The recommendations contained within the submitted Travel Plan (prepared by Peter Evans Partnership, dated March 2022) shall be implemented in accordance with the identified timescales set out in the Action Plan and shall be adhered to thereafter in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

REASON: To encourage sustainable means of transport.

20. No development shall take place until the Council has received evidence that the required nitrate mitigation capacity has been allocated to the development pursuant to the allocation agreement dated 19 December 2022 between (1) William Northcroft Butler and James Nicholas Butler, (2) H N Butler Farms Ltd and (3) Palace Capital (Signal) Ltd.

REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on Habitat Sites.

21. None of the building hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

22. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

a) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;

b) The measures the developer will implement to ensure that operatives'/contractors'/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;

c) Arrangements for the routing of lorries and details for construction traffic access to the site;

d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;

e) The measures for cleaning the wheels and underside of all vehicles leaving the site;

f) A scheme for the suppression of any dust arising during construction or clearance works;

g) The measures for cleaning Wallington Hill, High Street and Wickham Road to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and

h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;

i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;

j) Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms⁻¹ at the boundary of the SPA;

k) Provision for storage, collection, and disposal of rubbish from the development during construction period;

l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

m) Temporary lighting;

n) Protection of pedestrian routes during construction;

o) No burning on-site;

p) Scheme of work detailing the extent and type of piling proposed;

q) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;

r) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

REASON: In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

23. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

Informatives:

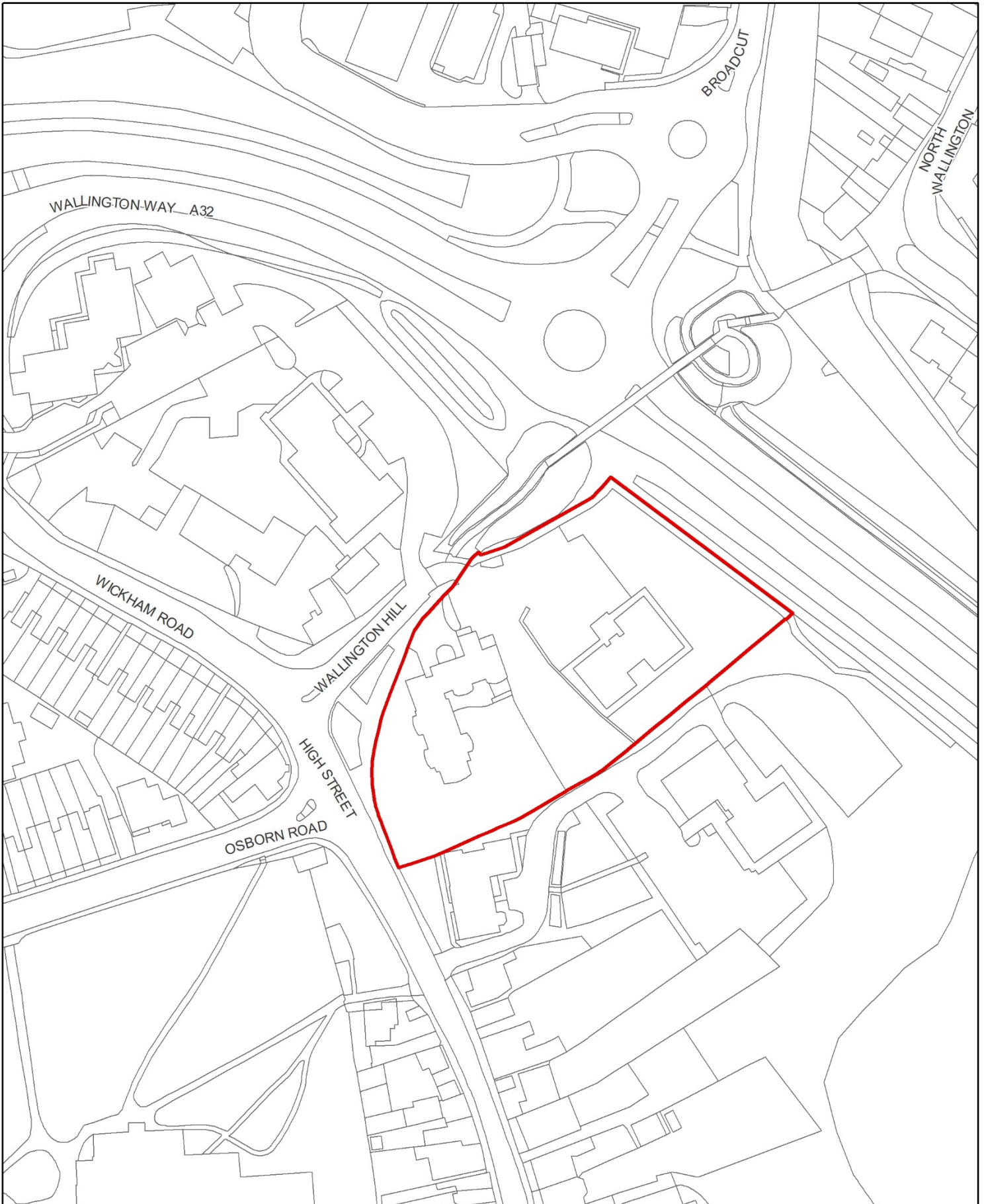
Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional licenced ecologist.

10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Admiral House & Nicholson Gate
High Street, Fareham
Scale 1:1,250



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Agenda Annex

ZONE 3 – EASTERN WARDS

Portchester West

Hill Head

Stubbington

Portchester East

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/22/0268/FP PORTCHESTER EAST	LAND AT THE DOWNSWAY REAR OF 79-85 WEST STREET PORTCHESTER CONSTRUCTION OF 2 X THREE BEDROOM HOUSES	4 PERMISSION
P/22/1116/FP HILL HEAD	85 HILL HEAD ROAD FAREHAM PO14 3JP REMODEL OF INTERNAL LAYOUT TO GROUND FLOOR INCLUDING NEW FACING MATERIALS, FIRST FLOOR EXTENSION TO THE NORTH AND BALCONY TO THE SOUTH. EXISTING FIRST FLOOR ROOF TO BE RAISED WITH NEW FEATURE WINDOW TO THE EAST. NEW EXTERNAL WINDOWS AND DOORS THROUGHOUT. ASSOCIATED LANDSCAPING INCLUDING NEW ACCESS GATE, BOUNDARY WALL, ANCILLARY SINGLE STOREY STORE TO THE WEST AND SAUNA POD TO THE NORTH.	5 PERMISSION
P/22/1702/FP PORTCHESTER EAST	TURRET HOUSE HOSPITAL LANE PORTCHESTER FAREHAM PO16 9LT SINGLE STOREY REAR EXTENSION	6 PERMISSION

Agenda Item 6(4)

OFFICER REPORT FOR COMMITTEE

DATE: 18/01/2022

P/22/0268/FP

APPLICANT: SCP LIMITED

PORTCHESTER EAST

AGENT: MR M MOYSE

CONSTRUCTION OF 2 X THREE BEDROOM HOUSES

LAND AT THE DOWNSWAY REAR OF 79-85 WEST STREET, PORTCHESTER

Report By

Katherine Alger – direct dial 01329 824666

1.0 Introduction

1.1 This application is reported to the Planning Committee for determination due to the number of third-party representations which have been received.

2.0 Site Description

2.1 This application relates to an area of land located to the rear of 79-85 West Street. The site is located within the designated urban area of Portchester and is accessed via an access way located to the south of 2 The Downsway. The surrounding area is predominantly residential in character with a variety of residential properties located on the surrounding roads of West Street, St James Way and The Downsway. To the south of the application site is a Dentist Surgery, which uses the rear access track to access the car park at the rear of the practice.

2.2 The site lies to the northwest of Portchester District Centre, and is therefore in a highly accessible location, close to services and facilities within the centre of Portchester, and to the public transport links along the A27 and Portchester Railway Station.

3.0 Description of Proposal

3.1 The proposal is for the construction of two semi-detached dwellings.

3.2 The dwellings would comprise of a lounge, kitchen/dining area, utility room and WC at ground floor. There would be two bedrooms including a bathroom and en-suite at first floor and an additional bedroom at second floor.

3.3 The properties include a front and rear garden with car parking located to the side of each property.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

- CS2: Housing Provision
- CS4: Green Infrastructure, Biodiversity and Geological Conservation
- CS5: Transport Strategy and Infrastructure
- CS17: High Quality Design

Adopted Development Sites and Policies

- DSP1: Sustainable Development
- DSP2: Environmental Impact
- DSP3: Impact on Living Conditions
- DSP13: Nature Conservation
- DSP15: Recreational Disturbance on the Solent Special Protection Areas

Emerging Fareham Local Plan 2037

4.2 The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector requested a number of main modifications to the Plan. The proposed main modifications were the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022/3. On adoption the Local Plan will have full weight and at this stage is a material consideration for the determination of planning applications.

- H1: Housing Provision
- HP1: New Residential Housing Development
- NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
- NE2: Biodiversity Net Gain
- NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)
- NE4: Water Quality Effects on the Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- NE9: Green Infrastructure
- TIN1: Sustainable Transport
- TIN2: Highway Safety and Road Network
- TIN4: Infrastructure Delivery
- CC1: Climate Change
- D1: High Quality Design and Placemaking
- D2: Ensuring Good Environmental Conditions

- D4: Water Quality & Resources
D5: Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document
(excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

- 5.1 There is no relevant planning history for this site.

6.0 Representations

- 6.1 Twenty representations have been received objecting on the following grounds:

- a) Inadequate drainage
- b) Disturbance during construction
- c) Loss of parking
- d) Road unable to withstand heavy machinery
- e) Cost of damage during construction
- f) Cramped form of development
- g) Time period to comment on application too short
- h) Road is privately owned
- i) Block access to 79-85 West Street
- j) Light and CO2 pollution
- k) Sewage system cannot cope with additional dwellings
- l) Access road too narrow
- m) Loss of light
- n) Loss of privacy
- o) Highway safety
- p) Decreases property value
- q) Increase in noise pollution
- r) Unsuitable for emergency vehicles to access
- s) Unclear where bins would be located
- t) Driveway belongs to No 83 West Street
- u) Only access to Dentist surgery
- v) Out of character

7.0 Consultations

EXTERNAL

Highways

- 7.1 No objection

Natural England

- 7.2 No objection subject to appropriate mitigation being secured.

INTERNAL

Refuse and Recycling

- 7.3 No objection - The bins for these houses will need to be brought out to The Downsway for emptying on bin day. They will be left on the pavement outside other houses, or alternatively, a Bin Collection Point can be provided at the end of the driveway. There will need to be space for at least 6 bins. On recycle day there will be a recycle bin and also possibly a garden waste bin for each property.

8.0 Planning Considerations

- 8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Principle of development
- b) Design/effect on character of area
- c) Residential Amenity
- d) Highway
- e) Impact on Habitat Sites
- f) Other issues raised in objections

a) Principle of development

- 8.2 Having regard to the policy provision of the Development Plan, the site is located within the designated Urban Settlement Boundary, where there is a presumption in favour of development, subject to compliance with the provisions of the National Planning Policy Framework and the policies of the Development Plan.
- 8.3 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.
- 8.4 Draft Policy H1 sets out the housing requirement for the Borough between 2021 and 2037, and draft policy HP1 states that new residential development within the Urban Area boundary will be supported in principle.

8.5 The principle of development is considered to be acceptable in accordance with Policy CS2 of the adopted Core Strategy and draft Policies H1 and HP1 of the emerging Fareham Local Plan 2037.

b) Design/Impact on Character of area

8.6 Policy CS17 of the Core Strategy states that all development will be designed to respond positively to and be respectful of the key characteristics of the area. Including heritage assets, landscape, scale, form and spaciousness and use of external materials. Draft Policy D1 of the submitted Fareham Local Plan 2037 similarly requires development proposals and spaces to be of high-quality design based on the principles of urban design and sustainability.

8.7 The application site is currently an unmade piece of land which is currently used to store building materials. The site measures approximately 409 square metres and is surrounded by Heras fencing. Whilst not visible in the wider area, the resultant development would tidy up the site and make efficient use of a brownfield site within the urban area.

8.8 The proposal is to construct two dwellings to the rear of 79-85 West Street. The dwellings would be accessed via a private driveway located on the eastern side of The Downsway to the south of 2 The Downsway.

8.9 The dwellings would be orientated so that their front elevations face east and the rear gardens face west. The dwellings would have a garden depth of at least 11m.

8.10 The Fareham Borough Council Design Guidance states that proposals for new houses in rear gardens should ensure both the new plot and the remaining plot are similar in size to nearby properties. The new dwelling should be in proportion to the plot, so it does not appear cramped or out of character.

8.11 The surrounding area is characterised by a variety of residential dwellings. The properties to the west of the application site (Nos 95-87 West Street) are semi-detached properties with large rear gardens. However, the properties to the south of the application site (Nos 85-79) have much smaller gardens and are comparable in plot size to the proposed development. The properties along The Downsway and St James Way are also comparable to the plot sizes of the proposed development. Therefore, it is considered that the development would not appear cramped or out of character and would reflect the spaciousness of the surrounding area. The surrounding properties are constructed in brickwork similar to the proposed dwelling.

- 8.12 There is currently a large flat roof rear dormer proposed on the rear elevation of the proposed dwellings. This is considered to be inappropriate in design terms as the scale of the dormer would dominate the roofslope, and whilst sited on the rear, would be visible from the public domain along The Downsway. Amended plans have been sought to address this concern by reducing the scale and roof pitch of the dormer to a more modest design, meeting the requirements for dormers as set out in the adopted Design Guidance. Subject to the amended plans being acceptable and address the concerns raised then these amendments will be provided to the Planning Committee by way of an update.
- 8.13 Provided that the amended plans address the concerns in relation to the rear dormer, the proposal would be acceptable in design terms and would have regard to the key characteristics of the surrounding area. It would also improve the appearance of the existing unsightly piece of land and would therefore be in accordance with Policies CS17 and D1.

c) Residential Amenity

- 8.14 Policy DSP3 of the adopted Local Plan Part 2: Development Sites & Policies and draft Policy D2 of the emerging Fareham Local Plan 2037 concern the impact of development on living and environmental conditions. The policies state 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.
- 8.15 The Design Guidance SPD sets out that first floor windows in new dwellings should be at least 11m from the boundaries of private amenity areas they face towards and no less than 22m from facing windows in neighbouring houses. There would be a separation distance of 11m between the front facing windows and the boundary behind 9 St James Way. There would be a separation distance of 21.5 metres between the proposed front windows of the application site and the rear elevation of 9 St James Way. Whilst marginally below the minimum 22 metres sought, the direct line of sight distance relates primarily to the first floor bathroom window (which would be obscure glazed) and one bedroom window of Plot 1. Plot 2 and part of Plot 1 also face towards a garage compound and parking area off St James Way, and would not therefore impact of living conditions.
- 8.16 In terms of the impact on the properties to the rear of the site, the rear windows would face onto the ends of the rear gardens of Nos 95-87 West Street. Therefore, it is not considered that the proposal would result in an unacceptable adverse impact on the amenities of these properties.

- 8.17 To the north of the application site is 2 The Downsway where there is a separation distance of approximately 37 metres between the application site and the rear elevation of 2 The Downsway, at an oblique angle. Therefore, it is considered that the proposal would not result in an unacceptable adverse impact on the amenities of 2 The Downsway.
- 8.18 There would be a separation distance of approximately 13 metres between the application site and the rear elevation of 8 St James Way. Due to the orientation of the site, the only views to the rear garden of No 8 would be oblique. Therefore, it is considered that the proposal would not result in an unacceptable adverse impact on the amenities of 8 St James Way.
- 8.19 There would be no windows on the side elevation of the proposed dwellings. Therefore, it is not considered that the proposal would result in any significant impact on the amenities of Nos 79-85 West Street to the south of the site.
- 8.20 Concerns have been raised that the proposal would result in an increase in noise. Having regard to the residential character of the surrounding area, it is considered that the proposal would not result in an increase in noise and disturbance to the neighbouring residential occupiers.
- 8.21 The development has been assessed against the Nationally Described Space Standards. The Nationally Described Space Standards set out acceptable minimum standards for property sizes based on the number of bedrooms and intended number of occupants and contains minimum standards for single- and double-bedroom sizes. The proposal is fully compliant with the Space Standards, and therefore complies with draft Policy D5.
- 8.22 The development proposal is considered to accord with the requirements of the Design Guidance SPD and would not result in an unacceptable adverse impact on the living conditions of neighbouring occupiers or future residents, in accordance with Policy DSP3 and draft Policies D2 and D5.

d) Highways/Parking

- 8.23 Hampshire County Council as Highway Authority has reviewed the application and have stated that the existing access onto the highway will be utilised without any proposed changes. Numerous vehicular trips access and egress to and from the site and onto the highway already. Therefore, it is considered that the proposals will not generate a significant increase in the number of vehicular trips over and above the existing situation. It would be unlikely to cause a detriment to the operation and safety of the local highway network.

- 8.24 The Residential Car Parking Standards requires at least 2 car parking spaces for a three-bedroom dwelling. The submitted site plan demonstrates that 2 car parking spaces can be provided for each property. Therefore, the proposal complies with the Residential Car Parking Standards SPD.
- 8.25 The Highway Authority has also stated that there appears to be adequate space for vehicles to turn on site and therefore access and egress the site in a forward gear.
- 8.26 The Highway Authority has therefore raised no objection to the proposal.
- 8.27 Concerns have been raised regarding loss of parking to the properties 79-85 West Street. There would be no changes to the existing car parking arrangement to the rear of these properties.
- 8.28 Concerns have also been raised regarding the lack of space for emergency vehicles to access the dentist surgery at No 83 West Street. There would be no changes to the access and parking to the rear of 83 West Street. Therefore, it is considered that the development would not hinder emergency vehicles entering the site.
- 8.29 The applicant has included in the site plan details of where the bins would be located on bin collection day. These would be placed outside of the access track to the site located on The Downsway. The Recycling Co-ordinator and Policy Officer considers the location of the bins to be acceptable.
- 8.30 It is therefore considered that the proposal accords with Policies CS5 and CS17 of the adopted Local Plan and draft Policy TIN2 of the emerging Fareham Local Plan.

e) Impact on Habitat Sites

- 8.31 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 and draft Policies NE1, NE2, NE3 and NE4 of the emerging Fareham Local Plan 2037 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.
- 8.32 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 percent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and

other animals within the Solent which are of both national and international importance. In light of their importance, areas within the Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are referred to as protected Habitat Sites (HS).

- 8.33 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated Habitat Sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated Habitat Sites. This is done following a process known as an Appropriate Assessment (AA). The Competent Authority is responsible for carrying out this process. Although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.34 To fulfil the requirements under the Habitats Regulations, Officers have carried out an AA in relation to the likely significant effects on the HS which concludes that there would be no adverse effects on the integrity of the protected Habitat Sites subject to mitigation measures. The key considerations for the assessment of the likely significant effects are set out below.
- 8.35 The first likely significant effect on HS relates to deterioration in the water environment through increased nutrients (particularly nitrates) entering The Solent. Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering the Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the Habitat Sites.
- 8.36 Achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites. Natural England has provided a methodology for calculating nutrient budgets and options for mitigation should this be necessary. The nutrient neutrality calculation includes key inputs and assumptions that are based on the best available scientific evidence and research, however for each input there is a degree of uncertainty. Natural England advises Local Planning Authorities to take a precautionary approach when addressing uncertainty and calculating nutrient budgets.
- 8.37 A nitrogen budget has been calculated with Natural England's 'Nutrient Neutrality Generic Methodology' (February 2022) and The Solent Nutrient Budget Calculator (March 2022) which confirms the development will generated

3.18kg TN/year. In the absence of sufficient evidence to support bespoke occupancy rate, the Council accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for purposes of the nitrogen budget is considered to be urban as there is an existing building on the site. Due to the uncertainty of the effect of nitrates from the development on the HS, adopting a precautionary approach, and having regard to the NE advice, Officers will need to be certain that the output will effectively be mitigated to ensure at least nitrogen neutrality before it can grant planning permission.

- 8.38 The applicant has purchased 3.18kg TN/year of nitrate mitigation 'credits' from Whitewool Farm. This has been secured through the operation of a legal agreement between Whitewool Farm, South Downs National Park Authority and Fareham Borough Council dated 3rd November 2021. The creation of a managed wetland at Whitewool Farm is removing nitrates from the River Meon and therefore providing a corresponding reduction in nitrogen entering the Solent marine environment. The purchase of credits has the effect of allocating a proportion of this reduction in nitrates to this development, meaning that the scheme can demonstrate nutrient neutrality
- 8.39 In addition to water quality impacts, air quality impacts are also a factor that needs consideration. The Council's Air Quality Habitats Regulations Assessment for the emerging Fareham Local Plan 2037 identifies that from the development proposed to be brought forward in the emerging Local Plan there would not be a significant impact as a result of air pollution on the Habitat Sites for the life of the plan, up to 2037.
- 8.40 The second likely significant effect on the HS, relates to disturbance on The Solent coastline SPA, SAC and Ramsar sites through increased recreational use by visitors to these sites.
- 8.41 The development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The applicant has made the appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP) and therefore, the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the HS as a result of recreational disturbance in combination with other plans or projects on the Solent SPA.
- 8.42 The sites lies outside the 13.8km Zone of Influence (ZOI) of the New Forest SPA, SAC and Ramsar site, and is therefore not subject to recreational disturbance mitigation for this proposal.

- 8.43 The Council's Appropriate Assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the HS either alone or in combination with other plans or projects. The difference between the nitrates credits secured and the output will result in a small annual net reduction of nitrogen entering The Solent.
- 8.44 Natural England were consulted on the Council's Appropriate Assessment in October 2022 and raised no objection in respect of recreational disturbance on The Solent SPAs or on water or air quality implications. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4, DSP13 and DSP15 of the adopted Local Plan and NE1, NE2, NE3 and NE4 of the emerging Local Plan.

Conclusion

- 8.45 In summary, the proposed development would be an appropriate form of development that would improve the unsightly appearance of the disused existing piece of land. It would not have a detrimental impact on the living conditions of the neighbouring residential properties or have an impact on highway safety. Furthermore, it is considered that the proposal would not have an adverse effect on the integrity of the HS as appropriate mitigation has been secured. Therefore, the proposal would be acceptable and would be in accordance with the Fareham Borough Core Strategy, the Fareham Local Plan Part 2: Development Sites and Policies and the emerging Fareham Local Plan 2037.

f) Other issues raised in objections

- 8.46 **Construction disturbance-** Any development is likely to result in a minor level of disturbance and disruption to the local area during the course of the construction period. A condition will be imposed requiring the submission of a Construction Management Plan in order to ensure that any impact is minimised. Furthermore, the disturbance would only be for a limited time period, during the construction period.
- 8.47 **Time period to comment on application too short-** Concerns have been raised regarding the time period to comment on the application. The Local Planning Authority is satisfied that the consultation process was carried out in accordance with the legislation within the Town and Country Planning (Development Management Procedure) (England) Order 2015 giving the neighbouring residents the statutory 21-day consultation process to comment.

- 8.48 **Drainage-** Details of surface and foul water drainage would be subject to a planning condition
- 8.49 **Increase in light and CO2 pollution-** It is not considered that the addition of two dwellings would result in a significant increase in light and CO2 pollution.
- 8.50 **Cost of damage during construction-** Should any damage occur during the construction period this would be a civil matter.
- 8.51 **Road is privately owned-** The Town & Country Planning Act 1990 and the Town and Country Planning (Development Management Procedure) (England) Order 2015 requires notices to be served on owners of the land. The applicant has served notice on the owners of the site.
- 8.52 **Sewerage system cannot cope with additional dwellings-** It is not considered that the addition of two dwellings would result in a significant impact on the sewage system. Southern Water are legally obliged to ensure adequate capacity of the sewage system to meet existing and future demands.
- 8.53 **Decrease in property value-** This is not a material planning consideration and will therefore not be considered as part of this application.

9.0 Recommendation

9.1 DELEGATE authority to the Head of Development Management to:

(a) Make any necessary modification, deletion or addition to the proposed conditions; and

(b) Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition, or deletion of the conditions and heads of terms as drafter to ensure consistency between the two sets of provisions.

PERMISSION- Subject to receipt of amended plans

Subject to the following conditions:

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

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 that time.

2. The development shall be carried out in accordance with the following approved documents:
 - a) Site and Location Plans May 20201 Drawing No: 01
 - b) Proposed 2No. Three Bedroom Houses Drawing No: 02- August 2022
 - c) Transport Assessment- August 2021REASON: To avoid any doubt over what has been permitted

3. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.
REASON: To secure the satisfactory appearance of the development.

4. No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:
 - a) How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
 - b) the measures the developer will be implementing to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
 - c) the measures for cleaning the wheels and underside of all vehicles leaving the site;
 - d) a scheme for the suppression of any dust arising during construction or clearance works;
 - e) the measures for cleaning The Downsway to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
 - f) the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.

The development shall be carried out in accordance with the approved CMP and areas identified in the approved CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA. No construction vehicles shall

leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

5. None of the residential units hereby permitted shall be occupied until details of water efficiency measures to be installed in each dwelling have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving water quality and resources

6. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

7. No development hereby permitted shall commence until details of the means of surface and foul water drainage from the site have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

REASON: To ensure satisfactory disposal of surface and foul water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

8. No development shall take place beyond damp proof course (dpc) level until details of how and where Electric Vehicle (EV) charging points will be provided for each dwelling with allocated parking provision.

The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first occupation of the dwelling to which it serves.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

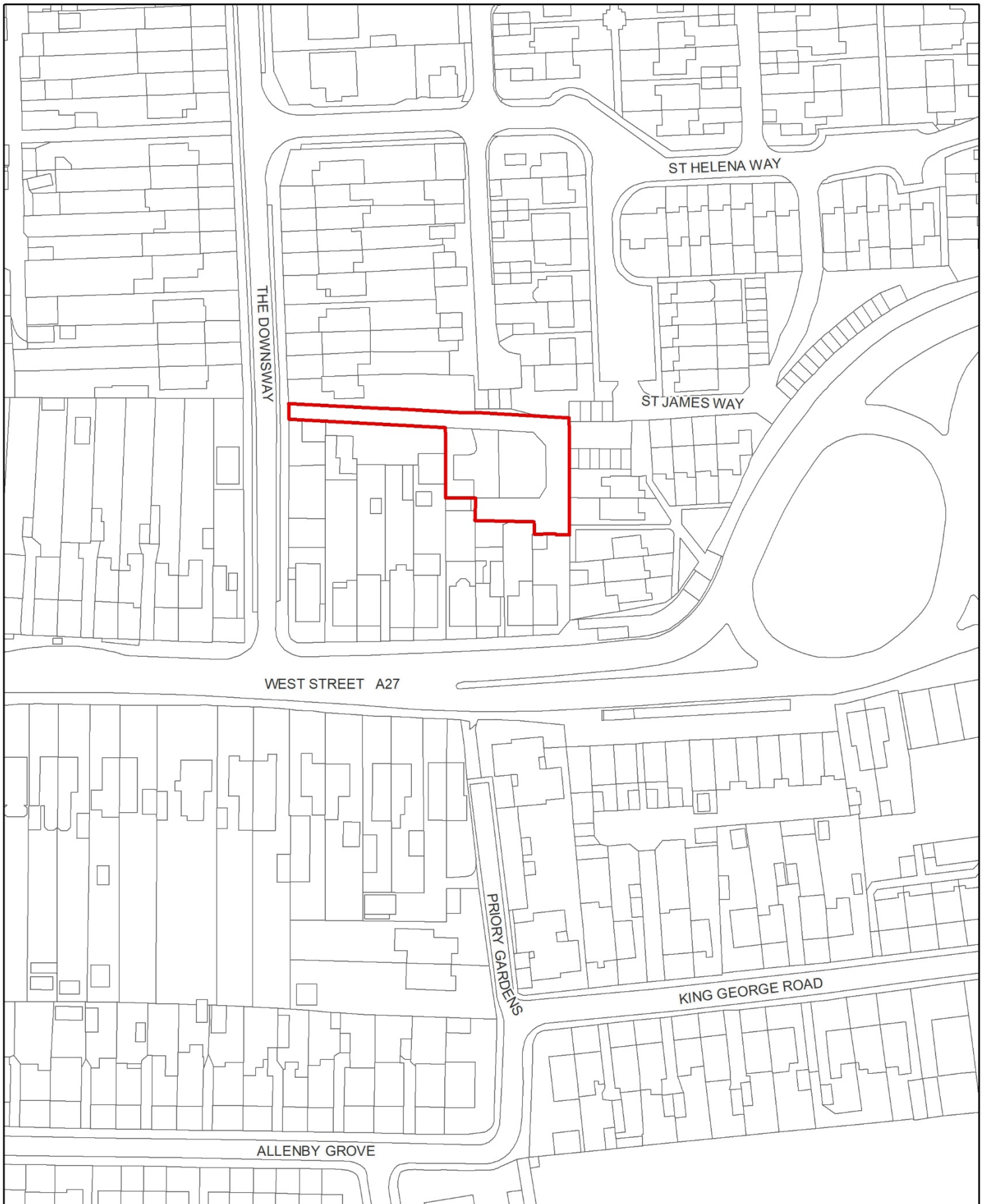
10.0 Background Papers

Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

P/22/0268/FP

FAREHAM

BOROUGH COUNCIL



Land at The Downsway
Portchester
Scale 1:1,250



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Agenda Item 6(5)

OFFICER REPORT FOR COMMITTEE

DATE: 18/01/2023

P/22/1116/FP
MS SUZY FOSTER

HILL HEAD
AGENT: MISS REBECCA SMITH

REMODEL OF INTERNAL LAYOUT TO GROUND FLOOR INCLUDING NEW FACING MATERIALS, FIRST FLOOR EXTENSION TO THE NORTH AND BALCONY TO THE SOUTH. EXISTING FIRST FLOOR ROOF TO BE RAISED WITH NEW FEATURE WINDOW TO THE EAST. NEW EXTERNAL WINDOWS AND DOORS THROUGHOUT. ASSOCIATED LANDSCAPING INCLUDING NEW ACCESS GATE, BOUNDARY WALL, ANCILLARY SINGLE STOREY STORE TO THE WEST AND SAUNA POD TO THE NORTH.

85 HILL HEAD ROAD, Hill HEAD, FAREHAM, PO14 3JP

Report By

Jon Snook – Direct Dial 01329 824703

1.0 Introduction

1.1 This planning application is being reported to the Planning Committee for determination due to the number of third-party representations received.

2.0 Site Description

2.1 The application site lies within the defined urban settlement boundary and consists of a detached two storey chalet bungalow which is situated on the southern side of Hill Head Road. The property sits considerably lower than Hill Head Road with a steep bank leading down to the bungalow and pedestrian access being provided by steps. Vehicular access is provided to the site via Giblet Ore which is located to west of the application site, with the driveway wrapping round from the western boundary to the south of the chalet bungalow. Access is also provided this way to a row of terraced properties located to the east of the application site. The southern boundary of the application site and the terraced properties adjoin the Hill Head beach. Whilst a portion of the lower part of the application site is located within Flood Zone 2 & 3, the existing dwelling itself and the footprint of the proposed development is within Flood Zone 1.

2.2 The surrounding area of Hill Head Road is a pleasant residential area comprising of mainly large-detached properties with good sized gardens. Immediately to the east of the application site however is a row of eight terraced properties and a large detached public house named The Osborne View.

3.0 Description of Proposal

3.1 This application proposals the remodelling of the internal layout to the ground floor of the existing dwelling, new external facing material, a first-floor extension to the north and a balcony to the south elevation of the house. In addition, the existing first floor roof is to be raised and altered and a new feature window installed in the southern facing gable. New external windows and doors will be fitted throughout. Finally, ancillary works are proposed including a new access gate, boundary wall, ancillary single storey store to the west and sauna pod to the north of the house.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS17 – High Quality Design

Adopted Development Sites and Policies

DSP2 - Environmental Impact

DSP3 – Impact on Living Conditions

Fareham Local Plan 2037 Main Modification Version

D1 - High Quality Design and Place Making

D2 - Ensuring Good Environmental Conditions

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/18/0876/OA	OUTLINE APPLICATION FOR FIVE TERRACED 2.5 STOREY DWELLINGS WITH ACCESS FROM GIBLET ORE, FOLLOWING THE DEMOLITION OF THE EXISTING DWELLING
WITHDRAWN	20/08/18
P/22/0422/FP	REPLACEMENT BUILDING FOR USE AS AN ANNEX ANCILLARY TO MAIN HOUSE
CURRENTLY UNDETERMINED	

6.0 Representations

6.1 There have been a total of nine representations in response to this application. Of those representations, one was neutral with regards the proposed development, whilst the other eight raised the following concerns: -

- Unnecessary height of the building which is not in line with the neighbouring 'cottages' along the seashore.
- Negative impact upon the current street/beach views and local amenity
- The proposed increase in height of the roof obscures views
- The proposals are for a bigger, higher building with substantially more of a presence, imposing on the road in a way that is out of keeping with current character of the area.
- The proposed roofline is substantially different from the current one, being both significantly higher than the current ridge and having a totally changed shape
- The modern look is out of place with the quaint sea front
- The radical re-design is markedly different in character to the adjacent row of Victorian cottages and more traditional nearby properties.
- The proposed structure is considerably bulkier than the existing building, especially from the west and east elevations, and will be an over-dominant presence.
- Increase in contractor vehicles and other machinery movements associated with the re-development.
- Out of keeping with the local area and endangers setting a precedent for further work resulting in the area losing its unique character forever. The redesign is significantly out of character to the adjacent row of Victorian cottages and more traditional nearby properties.
- Obstruction of sight lines along these routes by contractor traffic increases the hazard for pedestrians and other road users.
- The area is a haven for bats and significant development work may endanger the natural habitat

The Hill Head Residents' Association have made the following comments in response to the planning application: -

- We recognise the comments made by neighbours and others and believe these should be considered by the Council
- We acknowledge this is a large plot and the property is in need of modernisation and improvement
- The issue of most concern to neighbours is understandably the height of the elevations. Whilst recognising that this would possibly not be grounds for refusal, it would nevertheless be welcomed by neighbours if some reconsideration could be given to this aspect

- As would be the case with any development on this site, the road access will be difficult for construction vehicles and we would encourage the applicants to liaise with all neighbours about that aspect
- Clarification would also be welcome on how the combined parking requirements of the main dwelling and the proposed rebuilt garage annex will be positioned on site.

7.0 Consultations

7.1 None

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) The principle of development
- b) Effect on Character & Appearance of the Area
- c) Effect on Amenity of Neighbouring Properties

The principle of development

8.2 The planning application seeks to carry out development to an existing chalet bungalow including by the addition of a first-floor extension and raising the roof line of the property. The property is located within the defined urban settlement boundary where such development would normally be acceptable in principle, subject to considerations such as the impact on the character and appearance of the area and the amenity of neighbouring properties.

Effect on the Character of the area

8.3 The properties in Hill Head Road consist of predominantly large-detached properties with generous sized gardens and those on the south side of the road overlook Hill Head beach. There is a row of eight cottages to the east of the application site which separate the site from The Osborne View Public House. A number of properties in the area, including those immediately in the location of the application site, have been subject to improvement and development over recent years. The general character of the area is one which is well spaced out, creating an open and spacious feel within the neighbourhood.

8.4 The Fareham Borough Design Guidance (excluding Welborne) Supplementary Planning Document provides guidance on improving and extending residential properties. The guidance states that a successful extension or improvement to a house will respect the existing character of the

house and the street. High-quality, long-lasting materials which are complementary to the original dwelling will make a big difference to the overall appearance of the house.

- 8.5 In this case, the re-development of the property consists of raising the existing roof line and a first-floor extension to the north of the dwelling. There is no increase to the overall ground floor footprint of the property.
- 8.6 The chalet bungalow currently has a main roof ridge that runs from east to west with two chimney stacks. The overall height of the roof ridge is 7.66 metres whilst the chimney stacks are 8.98 metres. It is proposed to replace the single ridge with two ridges which will both run from north to south, the ridge on the eastern side of the property will incorporate the new first floor extension and be 8.34 metres high whilst the shorter ridge on the western side will measure 9.11 metres high. The development of the first-floor extension is set in the area between the existing property and Hill Head Road which is at a considerably higher level than the property. In view of the changes in levels the new development will be mostly hidden from Hill Head Road and the properties on the opposite side of the road.
- 8.7 Concern has been expressed to the proposed changes in the roof line of the property and views from Hill Head Road and properties located on the northern side of the road. The applicant has provided an additional drawing which shows the comparison between the dwelling as it currently exists and the proposed roof line. Whilst the new roof pitches would stand higher than the original ridge line, the chimneys on the existing roof would be removed which are similar in overall height to the new roof. Having regard to the limited increase in overall height of the new roof and the fact that the house is set on a much lower level than the roadside, Officers do not consider the proposed development would have a harmful effect on the character or appearance of Hill Head Road. Whether or not private views of the sea from houses on the opposite side of the road would be affected is not a material planning consideration.
- 8.8 When viewed from the south the proposed re-development of 85 Hill Head Road will be larger and more imposing than the existing property. The views of the property will be from the public beach with the dwelling set back from the beach by a considerable distance in the row of established properties. There have been a number of other properties in the immediate area which have been subject to redevelopment including that of 89 Hill Head Road and properties to the east of The Osborne View Public House.
- 8.9 The property to the east of the application site, 83 Hill Head Road which is the end terrace property, sits at the same land level as the application site. The

front elevations for the properties are broadly similar and therefore a significant part of the proposed development sits to the rear of the properties and is sub-servient to the original building line. The property to the west of the application site, 87 Hill Head Road, occupies a much higher position as it adjoins Hill Head Road at street level. This property faces due south with only one first floor window on the eastern elevation which is located very close to Hill Head Road, therefore most views of the proposed changes to the application site will be obscured due to the positioning of the windows.

- 8.10 In support of this planning application the applicant has provided a materials schedule which comprises of the external walls being coated with white render, stone slip cladding and charred timber cladding, whilst the roof will have grey metal panels. The window frames would be powder coated a bronze colour to match the balcony frame.
- 8.11 The Design Guidance SPD outlines that appropriate front boundaries should reflect the positive aspects of the street's character and where possible enhance it. As part of this application, it is proposed that there will be a new entrance gate and wall on the western boundary. The proposed timber gate in Giblet Ore will adjoin a new wall which will step down to the south of the gate towards the beach. The proposed boundary treatment is consistent with the other walls and gates in the Giblet Ore and therefore it is not considered that it would have a harmful impact upon the character or appearance of the area or street scene.
- 8.12 Taking all of the above into account, the property occupies a generous plot with the first-floor extension occupying the void between the property and Hill Head Road which is set at a much higher level. The development responds positively to and is respectful of the key characteristics of the area including landscape, scale, form, spaciousness and use of external materials. Officers do not consider the development would be harmful to the character and appearance of the area. It is considered that the proposals accord with Policy CS17(High Quality Design) of the Fareham Borough Council Core Strategy, Policy D1 (High Quality Design and Place Making) of the Local Plan 2037 Main Modification Version and the Design Guidance SPD.

Effect on Amenity of Neighbouring Properties

- 8.13 Policy DSP3 of the Local Plan Part 2: Development of Sites and Policies states development proposals should not have an unacceptable adverse impact upon the living conditions on the site or neighbouring development by virtue of loss of sunlight, daylight, outlook and/or privacy. Policy D2 of the Fareham Local Plan 2037 requires the same.

- 8.14 As mentioned previously in this report the application sits within in a generous size plot adjoining Hill Head Road to the north but sitting much lower than the road. Therefore, the impact to any properties to the north is extremely limited and is in no way materially harmful.
- 8.15 The adjoining property to the west, of the application site, 87 Hill Head Road occupies a higher land level with only one high level window on the eastern elevation which adjoins Hill Head Road. The property to the east, 83 Hill Head Road is built up to the boundary between the properties, but there are no windows, other than two rooflights in a 'lean to' extension, on the western elevation of the site facing the application site. The application site and both neighbouring properties all face southwards, the new pitched roofs all slope away from the neighbouring properties and therefore this, along with the properties lack of opposing windows, reduces any impact on loss of outlook, privacy or sunlight.
- 8.16 As part of the assessment of this planning application, the Planning Case Officer visited both 83 and 87 Hill Head Road to consider the windows on the eastern and western elevations of the proposed development. The property to the east, 83 Hill Head Road, has two Velux type windows on the elevation facing the application site. The windows are set at a high level which would obscure and minimise any views from the new first floor windows on the eastern elevation. The property to the west of the site, 87 Hill Head Road, has one upstairs window serving a bathroom, a high-level downstairs cloakroom window for ventilation, which does not give any notable views, and glazed side door. The first-floor window is set significantly forward of the application site being located almost immediately upon Hill Head Road, the window is obscured and opens southwards and therefore only provides views over Hill Head Road. The clear glazed ground floor facing the application site is set behind a steep external brick staircase which has metal railings which greatly restricts views to and from the door.
- 8.17 The applicant has submitted updated drawings to obscure glaze all upstairs bathroom windows and to ensure that they are fixed shut to a height of 1.7 metres above finished floor level to further minimise any opportunity to overlook neighbouring properties. Whilst bedroom 1 will have a clear glazed opening window facing westwards (towards 87 Hill Head Road) and bedroom 2 will have a clear glazed window facing eastwards (towards 83 Hill Head Road) it is not considered that either window would have unacceptable intrusive views into the neighbouring properties. A planning condition will be sought to ensure that the windows stipulated in the plans as being obscure and non-opening will be retained in that condition in the future.

- 8.18 Officers consider that the proposed balcony may create the opportunity to overlook the neighbouring properties. To address this potential the applicant has submitted further drawings with the inclusion of obscure glazed panels. A planning condition securing the retention of these privacy panels is recommended.

Other Matters

- 8.19 The applicant has demonstrated on the proposed site plan that there will be three external car parking spaces on site. The proposed re-development of the site will increase the size of the property to a four-bedroom house. The Fareham Borough Council Residential Car & Cycle Parking Standards Supplementary Planning Document 2009 outlines that a four-bedroom property should provide three car parking spaces and therefore, the proposal meets the expected standard.
- 8.20 As part of the publicity process for this planning application, concern has been expressed with regard to construction traffic associated with the proposed development. Whilst it is acknowledged that access to the site is difficult due to the steep incline of the narrow access road of Giblet Ore, there is significant parking space on site to provide for parking of construction vehicles off of the road.

Conclusion

- 8.21 The proposed development would not materially harm the character or the appearance of the area or have an unacceptable adverse impact on the living conditions of residents living in neighbouring properties by way of loss of sunlight, daylight, outlook or privacy.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION

1. The development shall begin before the expiration of a period of three years from the date of this decision.
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) 08 - Proposed Gate and Boundary Wall
 - b) 09 - Scale Comparison Elevations

- c) 03G - Proposed Site Plan, Floor Plans and Elevations
- d) 04B - 3D Visual 1
- e) 05B - 3D Visual 2
- f) 06B - 3D Visual 3
- g) 07B - 3D Visual 4
- h) 05-RS-FBC-Planning Materials -2122072
- i) Site Location Plan & Block Plans
- j) Design & Access Statement
- k) Preliminary Ecological Appraisal
- l) Bat Mitigation Strategy

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

3. The balcony hereby approved shall not be brought into use until the 1800mm high obscured glass balustrade screening shown on drawing number “03G – Proposed Site Plan, Floor Plans and Elevations” has been erected as shown on the approved plans. The screening shall subsequently be retained in that manner at all times thereafter.

REASON: To protect the amenities of the occupiers of the neighbouring property and to prevent overlooking.

4. The first-floor windows proposed to be inserted into the east and west elevations of the approved development and stipulated on the drawing number “03G – Proposed Site Plan, Floor Plans and Elevations” as having “obscured glazing - fixed up to 1.7m above FFL” shall be:

- a) Obscure-Glazed; and
 - b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;
- and shall thereafter be retained in that condition at all times.

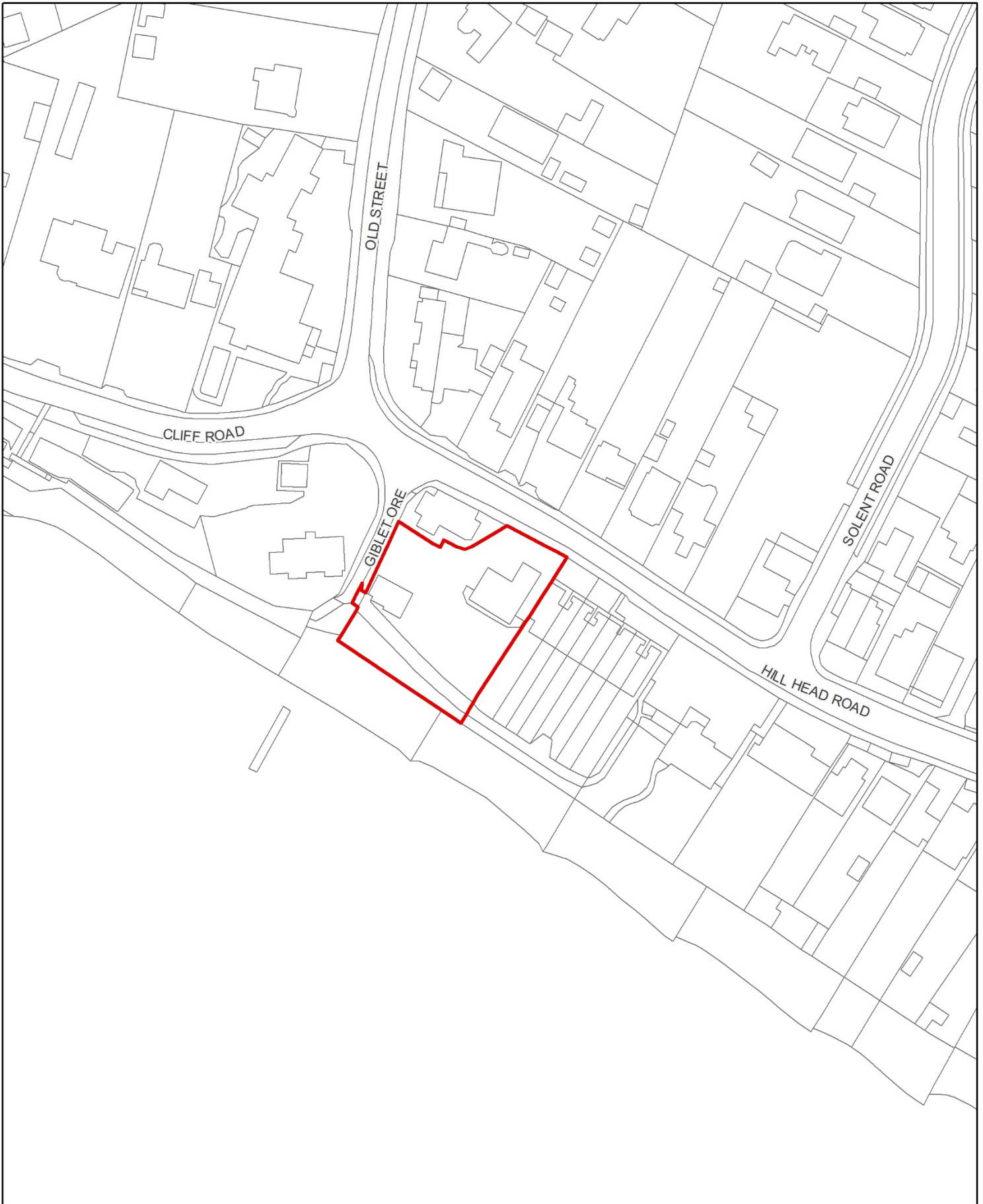
REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent property.

10.0 Background Papers

P/22/1116/FP

FAREHAM

BOROUGH COUNCIL



85 Hill Head Road
Fareham
Scale 1:1,250



Agenda Item 6(6)

OFFICER REPORT FOR COMMITTEE

DATE: 18/01/2023

P/22/1702/FP
MR N WALKER

PORTCHESTER EAST
GHP ARCHITECTS

SINGLE STOREY REAR EXTENSION.

TURRET HOUSE, HOSPITAL LANE, PORTCHESTER

Report By

Emma Marks – direct dial 01329 824756

1.0 Introduction

1.1 The application site is owned by Councillors Mr and Mrs Walker. Accordingly, this application is being reported to the Planning Committee for determination rather than being determined under Officers' delegated powers.

2.0 Site Description

2.1 This application relates to a detached dwelling located on the western side of Hospital Lane, off a private access track which runs west along the shoreline of Portsmouth Harbour.

2.2 The property is within the designated countryside area and Flood Zone 3.

3.0 Description of Proposal

3.1 Planning permission is sought for the erection of a single storey rear extension to be used as a linked annexe.

3.2 The extension will measure 12.308 metres deep, 5.294 metres wide with a maximum height of 3.910 metres. The design of the extension is to match the existing character and appearance of the host property.

4.0 Policies

4.1 The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17: High Quality Design

Adopted Development Sites and Policies

DSP3: Impact on living conditions

DSP46: Self-Contained Annexes and Extensions

Emerging Fareham Local Plan 2037

4.2 The Fareham Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector requested a number of main modifications to the Plan. The proposed main modifications were the subject of public consultation from 31st October until 12th December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and at this stage is a material consideration for the determination of planning applications.

D1: High Quality Design and Placemaking
D2: Ensuring Good Environmental Conditions
HP10: Ancillary Accommodation
CC2: Managing Flood Risk and Sustainable Drainage Systems

5.0 Relevant Planning History

5.1 The following applications represent the most recent relevant planning history for the application site:

P/22/0338/FP	Detached dwelling (self build) on adjoining land to the east
Refused	30-05-22
P/19/0925/FP	Detached dwelling with parking & access from Hospital Lane and associated landscaping & drainage works on adjoining land to the east
Refused	13-02-20
Appeal dismissed	02-11-20

6.0 Representations

6.1 None

7.0 Consultations

7.1 None

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal:

- a) Design/ principle of the proposal
- b) Annexe use
- c) Impact on neighbouring properties
- d) Flood Risk

a) Design/ principle of the proposal

- 8.2 The proposed single storey rear annexe extension will be constructed from brickwork with stone copings and heads to match the existing property. The design and style of the extension is in keeping and would blend in with the host property. Due to the location of the extension, it would not be seen by the public outside the site. The annexe would comprise of a living room, bedroom, kitchen and bathroom accommodation.
- 8.3 The property is located within the countryside where the principle of new residential development should be avoided. However, the proposal is for a residential annex to be used as ancillary residential accommodation to the occupation of the main dwelling, where it is considered acceptable. Development in this location should not have an adverse impact on the landscape character of the area. Due to the position of the extension and its modest size, Officers are satisfied that this form of development is acceptable within this countryside location.
- 8.4 The site is also located over 88 metres to the west of the Castle Street Conservation Area. Given the location of the proposed extension, to the rear of the existing house, and to the west of existing outbuildings on the eastern boundary of the site, the extension will not be visible from the Conservation Area. The proposals would not harm the character and appearance of the Castle Street Conservation Area.

b) Annexe use

- 8.5 Policy DSP46 sets out five criteria for the provision of residential annexes, which if complied with mean planning permission should be granted. These state:
- i. a functional link between the principal dwelling and the annex or extension can be demonstrated such as a relationship of the occupants of the principal dwelling and the annex;*
 - ii. the annex or extension is within the curtilage of the principal dwelling;*
 - iii. adequate car parking spaces are provided for both the residents of the annex or extension and the principal dwelling;*
 - iv. there is no boundary demarcation or sub-division of garden areas between the principal dwelling and the annexe or extension; and*
 - v. the annex or extension conforms to the space standards and design requirements as set out in Local Plan Part 1: Core Strategy Policy CS17: High Quality Design and the Design Supplementary Planning Document.*

- 8.6 The extension is proposed to be used as a residential annexe by relatives of occupiers of the main dwelling. The site is not proposed to be sub-divided in anyway and there is adequate car parking to serve the additional residential accommodation, and the occupiers of the annexe would have full access to the shared private garden. A condition will be imposed to ensure that the unit is occupied only for ancillary residential purposes in conjunction with the use of the remainder of the property as single dwelling and shall at no time be occupied separately as an independent unit of accommodation.
- 8.7 The proposed annexe has been considered under the provision of the Nationally Described Space Standards and meets the requirements.
- 8.8 Officers are of the view that the application meets the requirements set out in Policy DSP46 of the adopted Fareham Local Plan Part 2: Development Sites and Policies and HP10 of the emerging Fareham Local Plan 2037.

c) Impact on neighbouring properties

- 8.9 The proposed extension is over 125 metres from the closest neighbouring property and therefore there are no concerns that the development would create an adverse impact on any neighbours with regards to loss of light, outlook or privacy. The proposal therefore complies with policy DSP3 and draft policy D2 of the emerging Fareham Local Plan 2037.

d) Flood Risk

- 8.10 The property is situated within Flood Zone 3 and in light of this a Flood Risk Assessment has been submitted with the application for consideration. Planning permission was recently refused for a detached self-contained dwelling on the land adjacent to this site, due to the impact of flood risk. National Policy advice advocates that where new residential developments take place within areas at risk of flooding (Flood Zones 2 and 3), they must be subject additional considerations including the sequential test and exceptions test. These tests must demonstrate that there are no alternative sites within Flood Zone 1 (outside an area at risk of flooding) that can accommodate the proposed development. This was not the case for the refused application. The consideration for residential extensions to existing properties differs, as they are not subject to the same tests as required by national policy guidance.
- 8.11 The proposed annex is ancillary residential accommodation, and as such will be occupied in conjunction with the occupiers of the main dwelling. No separate, independent unit of residential accommodation would be provided

and therefore, subject to the provision of a flood risk assessment, developments for essentially householder applications, such as this extension are considered acceptable.

- 8.12 Officers are of the view that the flood risk management measures and drainage proposal set out within the submitted Flood Risk Assessment are acceptable in relation to this proposed development, and would not exacerbate the risk of flooding to occupiers of the property. The Flood Risk Assessment ensures compliance with the requirements set out in draft Policy CC2 of the emerging Fareham Local Plan 2037, and is therefore acceptable.

9.0 Recommendation

9.1 DELEGATE authority to the Head of Development Management to:

- (a) make any necessary modification, deletion or addition to the proposed conditions; and
- (b) make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions as drafted to ensure consistency between the two sets of provisions.

Then:

9.2 GRANT PLANNING PERMISSION, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three years from the date of this decision notice.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development shall be carried out in accordance with the following approved documents:
 - a) Proposed Site Plan – Drawing No: 100
 - b) Proposed Ground Floor Plan – Drawing No: P 200
 - c) Existing and Proposed Elevations – Drawing No: P 300
 - d) Floor Risk Assessment prepared by GHP ArchitectsREASON: To avoid any doubt over what has been permitted.
3. The annex accommodation hereby permitted shall be occupied only for ancillary residential purposes in conjunction with the use of the remainder

of the property as a single dwelling and shall at no time be occupied separately as an independent unit of accommodation.

REASON: The site is incapable of accommodating a separate unit of accommodation; The site is located in an area where new residential development would not normally be permitted; To ensure adequate internal and external space including parking provision is made.

4. The development hereby permitted shall be undertaken in accordance with the recommendations of the Flood Risk Assessment (prepared by GHP Architects, ref: 22.557). The annex shall not be occupied until the measures recommended by the approved FRA have been fully implemented, and these measures shall be subsequently retained.

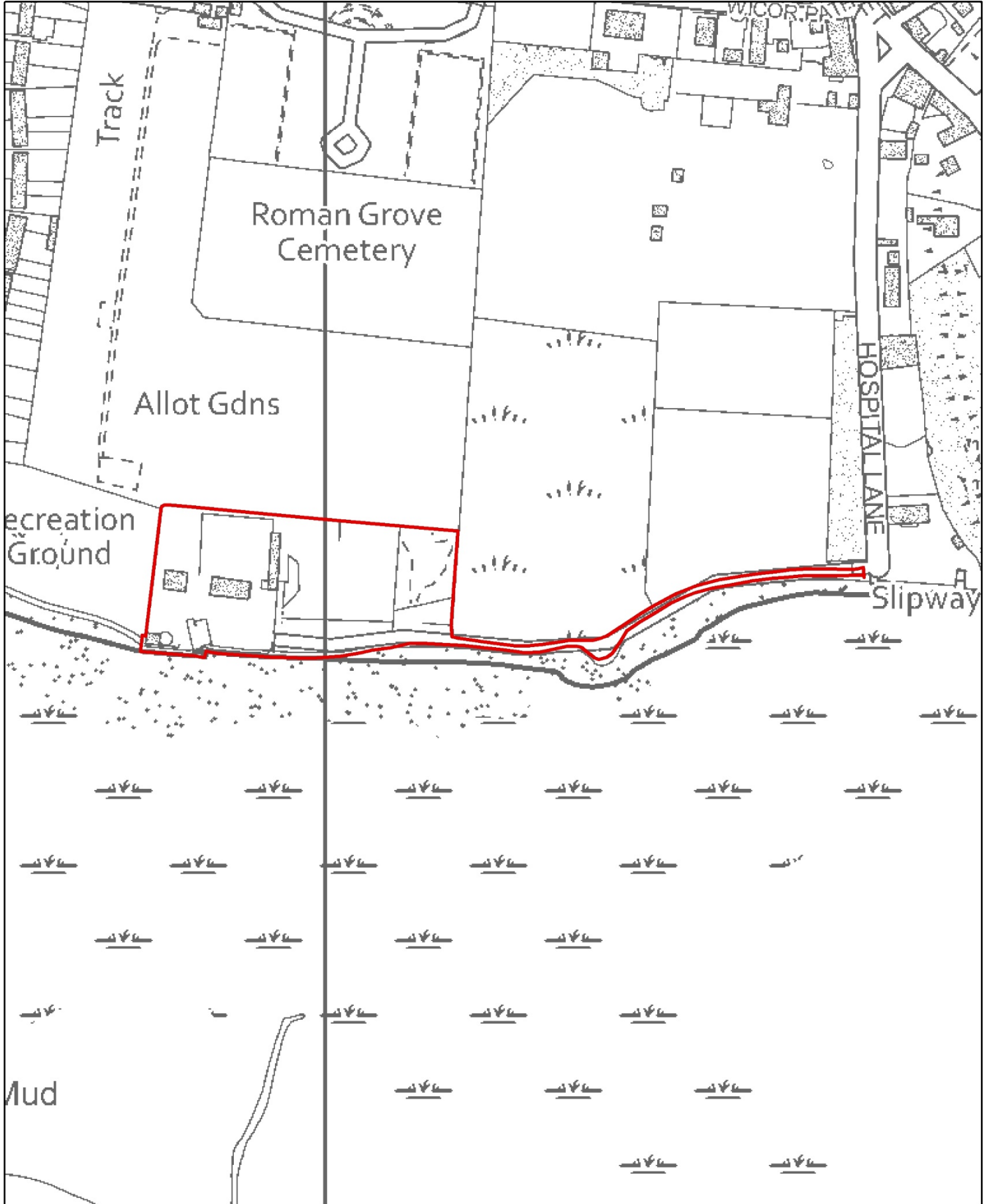
REASON: To ensure the protection of the development against flooding.

10.0 Background Papers

- 10.1 Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

FAREHAM

BOROUGH COUNCIL



Turret House, Hospital Lane
Portchester

Scale 1:2,500



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**Report to
Planning Committee**

Date 09/01/2023
Report of Director of Planning and Regeneration
Subject PLANNING APPEALS

SUMMARY

The following report provides details of all current planning appeals, in particular the procedures under which the appeal will be considered and details of any planning appeal decisions received since the previous Planning Committee meeting.

RECOMMENDATION

That the Committee note the content of the report.

CURRENT PLANNING APPEALS

The following details set out all current planning related appeals and the procedures under which they will be dealt with

WRITTEN REPRESENTATIONS & HOUSEHOLDER

Fareham Borough Council Reference: [P/21/0994/FP](#)

Appeal site address: 56 West Street Portchester Fareham PO16 9UN

Ward: Portchester East

The appellant: Mr Bill Seager

Description of proposal: Demolition of existing single storey launderette and replacement with 3 storey 5 apartment block (4x1 bed and 1x2 bed) (revised submission of P/21/0319/FP)

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 03/10/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/21/1919/LU](#)

Appeal site address: Lake Cabin Oslands Lane Lower Swanwick SO31 7EG

Ward: Sarisbury

The appellant: Mr Andrew Goddard

Description of proposal: Lawful Development Certificate for construction of building and occupation as a residential dwellinghouse

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 02/08/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/21/1960/FP](#)

Appeal site address: 21 Fragorum Fields Titchfield Common Fareham PO14 4TG

Ward: Titchfield Common

The appellant: Mr Qasim Niazi

Description of proposal: Convert part of the garage into a habitable room

Council decision: APPROVE

Decision maker: Officer Delegated Powers

Date appeal lodged: 07/07/2022

Reason for Appeal: Appeal against conditions imposed on approval

Fareham Borough Council Reference: [P/22/0615/FP](#)

Appeal site address: 93 The Hillway Portchester Fareham PO16 8BP

Ward: Portchester West

The appellant: Mrs K. Bennett

Description of proposal: Use of annexe as an independent dwelling

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 23/11/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/0852/PA](#)

Appeal site address: Bishopsfield Road Street Works Bishopsfield Road Fareham PO14 1ND

Ward: Fareham South

The appellant: CK Hutchison Networks (UK) Ltd

Description of proposal: Proposed 5G telecoms installation: H3G street pole and additional equipment cabinets.

Council decision: PRIOR APPROVAL REFUSED

Decision maker: Officer Delegated Powers

Date appeal lodged: 23/11/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/1046/FP](#)

Appeal site address: 106 Funtley Road Fareham PO17 5EF

Ward: Fareham North

The appellant: Mr Paul MacDonald

Description of proposal: Timber garage for use as ancillary storage for the existing dwelling

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 06/12/2022

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/22/1771/DA](#)

Appeal site address: 106 Funtley Road Funtley Fareham PO17 5EF

Ward: Fareham North

The appellant: Mr P Macdonald

Description of proposal: Erection of Detached Timber Garage

Date appeal lodged: 06/12/2022

Reason for Appeal: Against serving of planning enforcement notice

Fareham Borough Council Reference: [P/22/1071/DA](#)

Appeal site address: Land adjacent to 83 Swanwick Lane Swanwick Fareham

Ward: Sarisbury

The appellant: Mr N Assar

Description of proposal: Without planning permission, the erection of a wooden building on the Land

Date appeal lodged: 02/08/2022

Reason for Appeal: Against serving of planning enforcement notice

DECIDED PLANNING APPEALS

Fareham Borough Council Reference: [P/21/1534/FP](#)

Appeal site address: 18a Church Road Locks Heath Fareham SO31 6LU

Ward: Locks Heath

The appellant: Mr Steven Hook

Description of proposal: Raise the roof to create rooms in roof space, installation of rooflight, internal alterations & erection of porch

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 22/12/2022

Fareham Borough Council Reference: [P/22/0768/FP](#)

Appeal site address: 14 Mariners Way Warsash Southampton SO31 9FN

Ward: Warsash

The appellant: Mr Ben Jones

Description of proposal: External alterations to include front extension, rear balcony, first floor side extension and second floor extension. Render, cladding and fenestration install. **Council**

decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 22/12/2022

Further information about Planning Appeals

Introduction

Under the English planning system, only the applicant has a right of appeal. There is currently no right of appeal for third parties. Planning decisions can only be challenged by third parties through the Courts. The Courts can examine whether the decision was lawfully made- the Courts' role is not to consider whether they agree with the decision itself.

When are planning appeals lodged?

A very small proportion of all planning decisions made by this Council end up being considered through the planning appeal system. When planning applications are refused, Government advice is that applicants should firstly contact the Council to see if their proposal can be modified to address the Council's concerns.

The most common type of planning appeal is against the refusal of a planning application. Planning appeals can also be made against specific conditions that have been imposed on a planning permission or where a Council has not made a decision within prescribed time periods.

Who decides planning appeals?

Planning appeals are handled and decided by the Planning Inspectorate. The Planning Inspectorate is an executive agency of the Ministry of Housing, Communities and Local Government.

Nearly all appeals are decided by Planning Inspectors from the Planning Inspectorate and in each case the Inspectors are solely responsible for their decisions. A very small percentage are decided by the Secretary of State - these tend to be the very largest or most contentious schemes.

The different types of appeal procedures

There are different types of procedures for different types of planning appeals, often depending on the complexity of the issues. The Planning Inspectorate decide which type of procedure will be used for any given appeal.

There is an 'expedited procedure' for Householder appeals, with most other appeals being determined through the written representations' procedure. Larger scale and/ or more controversial planning appeals may be dealt with by way of an Informal Hearing or by a Public Local Inquiry.

With all planning appeals, the Planning Inspector will visit the site and will notify the outcome of the planning appeal by way of a written decision. A summary of the three main procedures are set out below:

Appeal by Written Representations

Under this procedure, the Planning Inspector will decide the appeal on the basis of the written material provided by all interested parties and following a visit to the appeal site.

The key aspect of this procedure is that submissions made by the Council, the applicant or interested parties, can only be made in writing for the Planning Inspector to consider.

Appeal by Informal Hearing

The hearing is an inquisitorial process led by the Planning Inspector who identifies the issues for discussion based on the evidence received and any representations made. The hearing may include a discussion at the site.

Interested parties including residents, amenity groups and councillors can normally attend and take part in the discussion. Most hearings last a day, but more complex cases may continue over several days.

Appeal by Public Local Inquiry

Public Local inquiries are the most formal procedure and are used for complex cases where legal issues may need to be considered, or evidence needs to be taken under oath.

An Inquiry is open to the public and provides for the investigation into, and formal testing of, evidence, usually through the questioning ("cross examination") of expert witnesses and other witnesses. Parties may be formally represented by advocates.

Interested parties including residents, amenity groups and councillors can normally attend and speak if they would like to do so.

The length of an inquiry depends on the complexity of the case and can range between a day and several weeks.

Further reading

You can find out more details about the planning appeal process on the [Planning Portal](#)

A [detailed procedural guide on planning appeals](#) can be viewed on the Government website.

You can look at planning appeal decisions made by the Planning Inspectorate across England [via their website](#)