

P/16/0094/FP

TITCHFIELD

MASCOT HOMES LTD

AGENT: WYG

CONSTRUCTION OF 1 X 2 BEDROOM SINGLE STOREY DWELLING WITH ACCESS, PARKING, CYCLE AND REFUSE PROVISION.

59 TITCHFIELD PARK ROAD TITCHFIELD FAREHAM PO15 5RN

Report By

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Site Description

The application site is part of the subdivided garden of 59 Titchfield Park Road. The site is beyond the more manicured garden of 59 and has recently been cleared.

The site is to be accessed from the turning head off Branewick Close with the removal of a small area of grassed verge with the hedge primarily consisting of laurel having already been removed. The site is generally flat but there is a slight fall to the west and the south with the properties in Fern Way on slightly lower ground.

Description of Proposal

The proposal seeks full planning permission for the erection of a two bedroom bungalow of a contemporary design solution with access from Branewick Close.

The scheme is amended from the previous application P/15/0942/FP with changes made as follows (according to the submitted supporting statement):

- Reduction in floor area from 100sqm to 72sq.m
- Reduction in ridge height from 6.6m to 5.1m
- Re-siting of the dwelling in the plot with enlarged garden to the west and additional external amenity area to the east of the dwelling
- Omission of the car port structure and parking spaces at the rear of 35 Branewick Close
- Presentation of the dwelling to the Branewick Close entrance point
- Increased separation to neighbours and no first floor windows facing 35 Branewick Close
- Revised noise acoustic report with appropriate mitigation measures
- Revised arboricultural assessment.

Policies

The following policies and guidance apply to this application:

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance (PPG)

Fareham Borough Design Guidance (Excluding Welborne) Supplementary Planning Document

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy
CS9 - Development in Western Wards and Whiteley
CS15 - Sustainable Development and Climate Change
CS16 - Natural Resources and Renewable Energy
CS17 - High Quality Design

Approved SPG/SPD

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

Development Sites and Policies

DPS1 - Sustainable Development
DSP2 - Design
DSP3 - Environmental Impact
DSP4 - Impact on Living Conditions
DSP15 - Recreational Disturbance on the Solent Special Protection Areas

Relevant Planning History

P/14/0726/FP - Erection of one 4 bedroom detached house on land rear of 59 Titchfield Park Road with access from Branewick Close: Withdrawn 04/09/2014

P/14/1033/FP - Erection of one 4-bedroom detached house, garage, access drive & associated parking and landscaping on land to the rear of 59 Titchfield Park Road: Refused 16/12/2014

P/15/0263/FP - Erection of 3 bedroom house with access from Branewick Close: Invalid 08/05/2015

P/15/0942/FP - Erection of 3 bedroom house with access from Branewick Close: withdrawn 26/11/2015

This application is submitted in response to the application withdrawn in November 2015 (P/15/0942/FP). It was withdrawn by the applicant rather than be refused. The intended reasons for refusal were:

- 1) The proposal would result in a form of development that fails to respond positively to or be respectful of the key characteristics of the area. By virtue of its access and siting the proposed dwelling will create a backland development which would fail to respect the frontage established character of the Branewick Close street scene
- 2) It was considered that the proposed dwelling by virtue of its siting and massing would result in an overbearing and dominant effect on the private garden area of number 7 Fern Way.
- 3) The proposal, by virtue of the site layout and siting of the dwelling, would result in noise and disturbance from the parking area upon the amenity of the occupiers of number 35 Branewick Close
- 4) The proposed house would, by virtue of its siting and orientation, threaten the retention of

a tree protected by a Tree Preservation Order as a result of the juxtaposition of the tree with the proposed house and the resultant lack of usable garden area and the resultant future pressure to fell the tree; and

5) In the absence of a financial contribution towards the Solent Disturbance Mitigation Project, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

Representations

The application has been objected to by eleven neighbouring properties raising following points:

- The same ground of objection as raised previously continue to apply as do all the reasons for refusal
- This is garden grabbing
- Branewick Close is a private road
- Trees have been felled and the site cleared which is a blatant attempt to force the planners hand
- This is overdevelopment at its best
- All neighbours will overlook the plot
- Disruption during construction would be unbearable
- The Council didn't adopt the Close so how can they now agree to a new access over it?
- Fiercely object to a bungalow in principle
- The extra traffic would cause concern
- The access is a turning point and overflow parking. It would cause untold problems for residents if this is lost
- Loss of sunlight to neighbouring gardens
- Spoil the peace and quiet of neighbouring back gardens
- This is a monstrosity of a building with no benefit to the community
- This does not respond positively to the character of the area. It gives no frontage to Branewick Close, just a door in the distance
- The siting will continue to threaten the retention of the protected tree
- Noise and disturbance from the parking area
- The Leader of the Council has said that Welborne will preserve our villages and stop building on green spaces
- No need for the dwelling. There are 284 x 2 bedroom properties for sale within one mile of the site
- Local facilities are reducing and there is a greater reliance on the car to get anywhere. The site is not, therefore, in a sustainable location
- Impact on the rear garden and amenity of 35 Branewick Close is worse as a result of the new siting
- Compromised outlook from 7 Fern Way
- This is completely out of character with properties that surround the application site
- The design is ugly and unsympathetic to the location.

Consultations

INTERNAL CONSULTATIONS:

Trees - No objection subject to conditions

Planning Considerations - Key Issues

- The principle of development
- Character of the Area
- Impact upon 7 Fern Way
- Impact upon 35 Branewick Close
- Trees
- Impact upon the Solent SPA

THE PRINCIPLE OF DEVELOPMENT:

The application site is within the defined settlement boundary as defined on the inset map of the Borough Local Plan Part 2. The development plan provides for small scale development within the settlement boundaries providing (among other things) that the setting of the settlement is protected. The National Planning Policy Framework (NPPF) excludes garden land such as this from the definition of Previously Developed Land (PDL). This does not however preclude development on gardens. The NPPF simply reflects the development plan policy in that there is a need for any development to have regard to the character of the area.

The NPPF seeks to promote sustainable development, in fact the presumption is in favour of sustainable development. Comments in third party representations suggest that due to the distance of the site from local amenities that the site is unsustainable and the scheme should fail on this basis.

In this case the Core Strategy and the Development Sites and Policies Plan set out that the focus for development will be within the defined urban settlement boundaries rather than outside. The very fact that the site is within a settlement boundary must lend itself to being acceptable in principle for some form of development such that to refuse the application on the grounds of sustainability would likely be considered unreasonable.

Subject to the other considerations below, the proposal is considered to be acceptable in principle.

CHARACTER OF THE AREA:

In this case, the site is to be accessed from Branewick Close. This southern end of Branewick Close is a relatively new development with two storey residential dwellings set along the access road with on-plot driveway and car port parking. It provides for a relatively open plan character although the openness is a 'hard' landscape primarily made up of driveway vehicle parking. The dwellings do, however, front the road.

Branewick Close displays some elements of contemporary design such as glass porch canopies and metal braces supporting these porch canopies. The fenestration also is of modern proportions and simple design with a mix of facing brick and white painted brick panels.

The proposed dwelling is of contemporary design comprised of two main elements; the first is a flat roof design with douglas fir timber boarding to the elevations. The second module of the building is a cream rendered building with feature brickwork chimney. The roof to the second module of the building is designed with a mono pitch. The front entrance door has a glazed surround, not dissimilar to some of the properties in Branewick Close, and it faces directly north which according to the application documents "...creates a strong visual presence of the new dwelling from the public realm and will provide a cohesive appearance

to the surrounding residential character along Branewick Close".

Policy CS17 requires development to respond positively to the key characteristics of the area including scale, form and spaciousness. Additionally the NPPF advises that decisions should ensure that developments respond to local character while not preventing or discouraging appropriate innovation (para 58).

In this case, the concern previously was that the dwelling appeared to be tucked to the west of the site access with the dwelling almost out of view such that the dwelling didn't address the access way or Branewick Close. This was considered contrary to the frontage character described above. The house was also designed of a traditional form with a cropped gable roof and dormer windows at first floor. The current proposal, as amended, now seeks to site the dwelling so that it addresses the site access. The contemporary design solution will not be seen in its totality from the public realm and what will be seen will provide an acceptable form of development. Whilst the surrounding character of the area is two storey, the proposed bungalow draws on some of the contemporary architectural details in Branewick Close; the NPPF advice on innovative design solutions (see previous paragraph) is also relevant. Additionally it is noted that the recently adopted Borough Design Guidance (Excluding Welborne) advises that backland sites such as this may need a bungalow solution to be acceptable. As such the re-siting of the dwelling to face north up the access to the site and the articulation of the access coupled with the design approach is considered to be an acceptable solution to the previous concerns.

IMPACT UPON 7 FERN WAY:

As referenced above, the recently adopted Fareham Borough Design Guidance (Excluding Welborne)SPD advises that "Dwellings with backland locations must be carefully designed to preserve the outlook and privacy available to existing properties. Properties constructed in these locations may often need to be single storey in design to minimise the impact upon neighbours".

In this case the applicant has reduced the dwelling from a chalet bungalow to a bungalow in accordance with the Design Guide advice with the resultant finished height reducing by 1.5m from the withdrawn scheme to a maximum height of 5.1m. The design of the dwelling further reduces the bulk through its contemporary roofscape with a combination of flat and mono pitched roofscape rather than a more traditional pitched roof form. Third party comments expressing concern about the finished height are noted; however the monopitch roof design, use of a render to lighten the structure and the fact that the proposed dwelling is separated from the rear elevation of 7 Fern Way by 12m results in a proposal that is not considered to have a significant harmful impact upon the residential amenity of number 7 Fern Way. It is also noted that a 12m separation distance is an acceptable distance as per the Design Guide SPD given the single storey nature of the dwelling.

IMPACT UPON 35 BRANEWICK CLOSE:

Revisions to the layout now provide for the parking area relocated away from the rear of 35 Branewick Close to the western side of the site entrance; adjacent to the southeastern corner of the garden to 57 Titchfield Park Road. There remains a small turning area adjacent to the garden with number 35 but the application is supported with an acoustic report which concludes that the level of noise impact will be below the Lowest Observed Adverse Affects Level. This conclusion means that noise from the application site would be noticeable but not intrusive. This level of noise would normally be acceptable in planning

terms as defined in the Planning Practice Guidance, however the applicant also intends to further mitigate the impact of the development upon the rear garden of number 35 Branewick Close through the provision of a 1.8m high acoustic fence along the southern boundary of the garden to number 35.

The recently withdrawn application, P/15/0942/FP, attracted no objection from the Environmental Health Officer with regard to noise impacts. Given the re-siting of the car park area away from number 35 Branewick Close and the provision of an acoustic fence, the proposal is not considered to have a significantly adverse impact upon the amenity of the occupiers of number 35 Branewick Close.

It is noted that as a consequence of the car park relocation, one third party representation raises the issue of noise to the garden of number 57 Titchfield Park Road. Whilst the layout now brings the parking area closer to the boundary with the garden to number 57, this neighbouring garden is of a generous length with the immediate private amenity area and patio at the rear of the dwelling a substantial distance away.

In any event the likely noise generated from the movements associated with one dwelling are not considered to be demonstrably harmful, as detailed above in summarising the applicants noise assessment.

TREES:

Within the garden of number 5 Fern Way is a mature Oak tree protected by a TPO. The tree sits just off the south western corner of the proposed rear garden and the tree will overhang the proposed garden to a considerable degree.

It has previously been held that the proposed house would, by virtue of the juxtaposition of the garden and dwelling to the off site Oak tree, create a lack of usable garden area and result in the future pressure to fell or prune the protected tree.

The scheme now re-sites the dwelling further away from the oak tree to the south west by 1.5m giving an overall garden length of 13m facing west. The revisions to the layout with the re-sited car parking area also provide for an additional external amenity area to the east.

Whilst the lounge area still directs the occupiers of the dwelling to use the western garden, the increased separation from the tree and the more attractive layout of the site with the provision of the eastern garden area - which can be accessed from the bedroom doors - will provide adequate usable garden areas for the dwelling and alternative external spaces should the oak tree over shadow the western garden area.

The reconfiguring of the layout and bespoke design of the new dwelling has reduced the impact of the tree upon the dwelling to an acceptable level, which will allow the Council to defend any unreasonable pressure to significantly prune the oak tree in future. There is no Arboricultural Objection to the proposal.

IMPACT UPON THE SOLENT SPA:

Policy CS4 of the Core Strategy and policy DSP15 of the Development Sites and Policies Plan sets out that the habitats of importance to the Borough, including SPA's will be protected. The policy also proposes that Fareham Borough Council will work with other authorities in the PUSH area to develop and implement a strategy to protect European Sites

from recreational pressure. The development plan sets out that developments likely to have an individual or cumulative adverse impact will not be permitted unless the necessary mitigation measures have been secured. Additionally, under the Habitat Regulations 2010, the Local Planning Authority has a legal requirement not to adversely affect the integrity of the SPA.

Recently gathered evidence by Natural England demonstrates that new development can reduce the quality of the habitat in the Solent SPA's. Any development that would result in an increase in the local population may have an impact either alone or in combination with other development on the coastal habitat. Development can increase the population at the coast and thus increase the level of disturbance and the resultant effect on the SPA's conservation objectives.

The applicant has provided the required financial contribution being secured towards the Solent Disturbance Mitigation Project. The proposed development therefore mitigates its impact and would not, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

CONCLUSION:

In summary the proposed layout and house design revisions address the previous concerns that led to the withdrawal of the application P/15/0942/FP. The design proposed is contemporary and is now sited at the entrance to the site to better relate to Branewick Close. The re-design of the site layout provides for an improved relationship between 7 Fern Way and 35 Branewick Close. The amended siting and design of the dwelling and site layout will result in an acceptable relationship between the dwelling and protected off site oak tree. Finally the proposal mitigates its impact upon the sensitive coastal habitats that form the Special Protection Areas for protected bird species.

The proposal therefore accords with Policies CS2, CS4, CS5, CS6, CS9 and CS17 of the adopted Fareham Borough Core Strategy and Policies DSP2, DSP3 and DSP15 of the Fareham Local Plan Part 2: Development Sites and Policies plus the guidance in the National Planning Policy Framework and is recommended for permission accordingly.

Recommendation

PERMISSION subject to conditions:

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

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

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

- 10259-PL-02 Revision B "Proposed Site Layout"
- 10259-PL-03 Revision B "Proposed Floor Plans. Proposed Elevations"
- ECO3 "Tree Protection for Land Rear of 59 Titchfield Park Road, Fareham"

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

03. No development shall take place, including site clearance and preparatory work, until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. This Method Statement shall detail tree protection measures in accordance with BS5837 and include specific construction techniques to be employed in

areas of the Root Protection Areas relating to the two trees identified in the submitted drawing ECO3 "Tree Protection for Land Rear of 59 Titchfield Park Road, Fareham".

REASON: To ensure that the construction period does not have a detrimental impact upon the environment and protected trees in accordance with Policies CS9, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

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

REASON: To ensure that the construction period does not have a detrimental impact upon the environment in accordance with Policies CS9, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

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

REASON: To ensure that the construction period does not have a detrimental impact upon the environment in accordance with Policies CS92, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

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

- Details of the parking arrangement for site vehicles and contractors
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.
- areas for loading and unloading;
- areas for the storage of plant and materials;
- security hoarding position and any public viewing platforms (if necessary);
- site office location;
- construction lighting details;
- wheel washing facilities;
- dust and dirt control measures;
- a scheme for the recycling of construction waste;

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

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

07. No development shall take place above damp proof course (dpc) level until samples of all materials to be used in the construction of the dwelling hereby permitted, 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

08. No development shall take place above damp proof course (dpc) level until drawings detailing the bin and cycle storage areas have been submitted to and approved in writing by the Local Planning Authority. The bin and cycle store(s) shall be constructed in accordance with the approved details and shall be available for use prior to the first occupation of the dwelling hereby permitted.

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

09. The dwelling hereby approved shall not be occupied until the approved acoustic fence to the rear of number 35 Branewick Close has been installed. The Beech Hedge to be planted on the inside of the acoustic fence (as shown on drawing 10259-PL-02 Revision B) shall be planted during the first planting season following the installation of the acoustic fence. Unless otherwise first agreed in writing with the Local Planning Authority, any part of the Beech Hedge 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 secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy

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

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

11. The dwelling hereby approved shall only have any external meter box(es) located on a side (east or west) elevation.

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

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

REASON: In the interest of the development integrating with the character of the area, ensuring the preservation of the important off site protected tree and in the interests of the amenity of neighbouring properties in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

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

REASON: To ensure that the construction period does not have a detrimental impact upon

the environment and amenities in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy

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

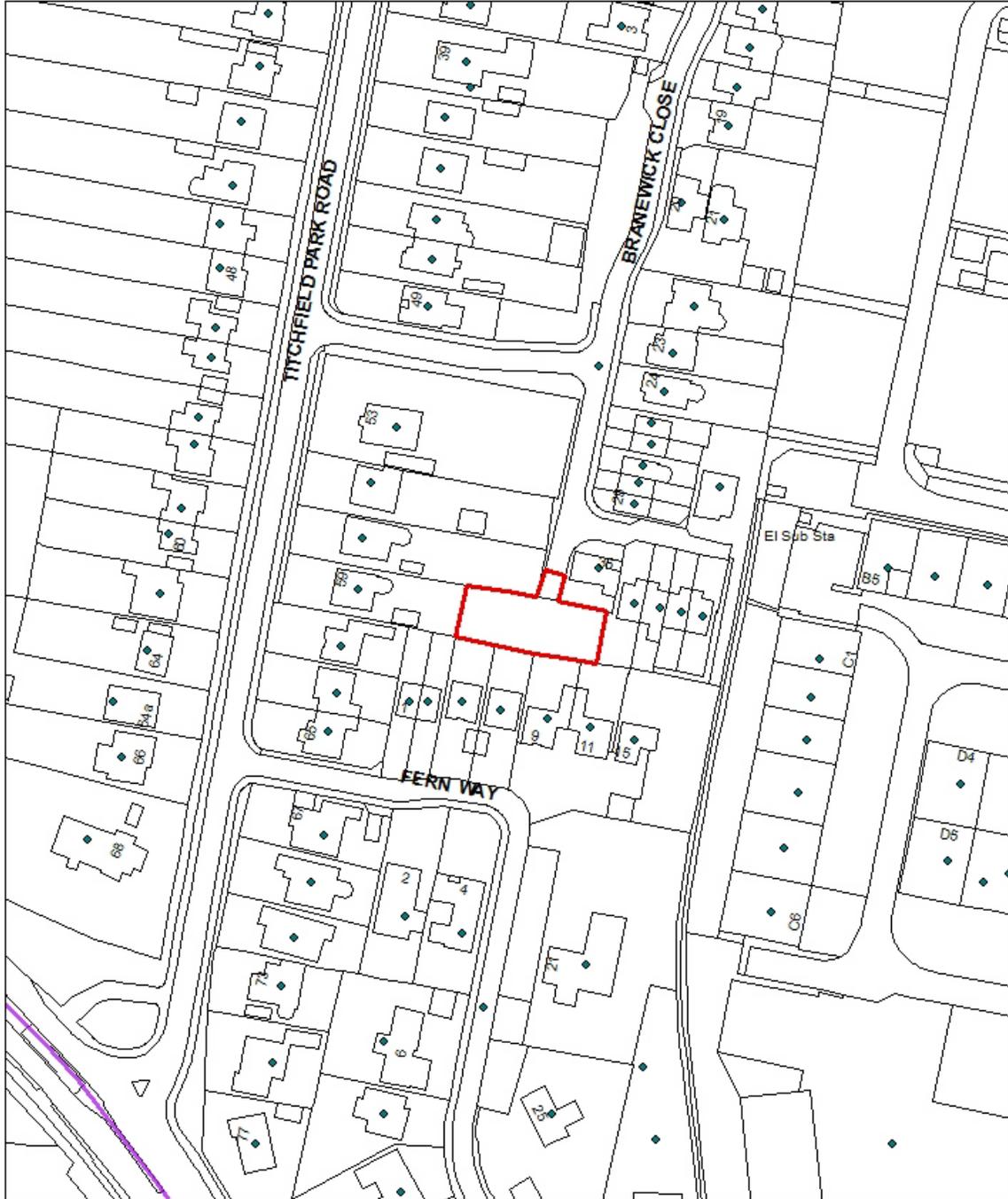
REASON: To ensure that the construction period does not have a detrimental impact upon the environment and amenities of neighbouring properties in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

Background Papers

See "relevant Planning History" section above

FAREHAM

BOROUGH COUNCIL



59 Titchfield Park Road
SCALE: 1:1,250

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