

P/16/0142/FP

MERJEN ENGINEERING

PORTCHESTER EAST

AGENT: ROBERT TUTTON
TOWN PLANNING CO

SEVENTEEN AGED-PERSONS APARTMENTS IN A 2.0/2.5 STOREY BUILDING INCLUDING AFFORDABLE HOUSING.

MERJEN ENGINEERING, STATION ROAD AND LAND ADJOINING ON THE CORNER OF STATION ROAD WITH A27 WEST STREET, PORTCHESTER PO16 8BG

Report By

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Site Description

The site lies on the western side of Station Road on its corner with West Street;

The site comprises two distinct differing land uses; the land on the immediate corner is open land managed and owned by the Council. The north eastern corner of the site comprises a flat roofed two/three storey commercial building used for general industrial use (use classes B2) occupied by Merjen Engineering;

The Merjen Engineering building is sited on the boundary with the neighbouring property to the north, known as 'Conifers'. The Merjen Engineering building has a small forecourt fronting Station Road;

The site lies within the urban area of Portchester. Portchester District shopping centre lies to the south on the opposite side of the A27, accessed via an underpass and the railway station is sited just to the north in Station Road;

The immediate area comprises a mixture of property types and sizes; bungalows to the north west in The Leaway, a two storey house to the north in Station Road, bungalows and houses to the east on the other side of Station Road, commercial shop units to the south and two and a half storey development in Garden Court to the east beyond Station Road;

Part of the front of the site lies within Flood Zone 2.

Description of Proposal

Erection of a two and a half storey block of seventeen aged persons apartments (thirteen two bedroom and four one bedroom);

Access would be from Station Road in the north east corner of the site;

Six units would be delivered for affordable housing;

Seventeen parking spaces would be provide to the rear of the apartment building;
A 0.6 metre high flood wall would be constructed around the site frontage screened by a hedgerow.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

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 - Environmental Impact

DSP3 - Impact on living conditions

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP42 - New Housing for Older People

Relevant Planning History

The following planning history is relevant:

P/04/1681/OA **Demolition of 11 The Leaway & Erection of Eighteen One & Two Bed Flats, Car Parking, Access Road and Associated Works (Outline Application)**

REFUSE 13/01/2005

P/04/1562/OA **Redevelopment of Site by the Erection of Sixteen Two Bedroomed Flats (Outline Application)**

REFUSE 13/01/2005

Representations

Thirty seven representations received when the application was first submitted objecting on the following grounds:

The proposed building would be visually over dominant and detrimental to the visual amenities of this prominent site;

Over development of the site;

Inadequate parking resulting in further parking in The Leaway;

There are not continuous pavements in this area;

The underpass has to be used to gain access to the cycleway to travel west on the A27;

Access is difficult to Portchester Station;

Pavement under the bridge in Station Road is narrow;

This is a dangerous corner, especially for cyclists;

The bus is difficult to access for elderly residents;

Loss of much appreciated green space;

Advice should be sought from the water company regarding the water main running through/adjacent to the site;

The access is close to the roundabout causing traffic problems in Station Road;
Building is too high;
Risk to pedestrians crossing the entrance to the site;
Loss of privacy;
If permitted the scheme should be limited to over 65's only;
The water main easement should be greater;
The site is in a flood risk zone;
How is the developer sure the scheme is viable;
Unacceptable living conditions for the new occupiers;
The boundary line is incorrect and should be substantially improved;
The proposal is too close to the public house, risking complaints from new occupiers.
Initially the site was identified for 5 dwellings;
Loss of a wildlife haven.

Objection received from The Portchester Society raising the following concerns:

Access to and from the site is unacceptable;
A major utility link would be threatened;
The open space is particularly valuable to local people;
Welborne was supported so that smaller sites would be safeguarded from development;
Over development of the site.

Objection received from Portchester Civic Society raising the following concerns:

The entrance is too close to the roundabout;
Buses and large lorries travelling north have to swing out into southbound ongoing traffic to negotiate the bend;
The building is out of character due to its height;
Inadequate parking.

One representation received supporting the proposal:

A good laid out design which would benefit the local area and cater for the needs of those it is designed for.

Amended plans were received moving the building back into the site on the south western corner by 2 metres; increase in size of the amenity space; reduction in parking spaces from 19 to 17; introduction of flood wall and the introduction of dormer windows to the second floor facing the roundabout.

The amended plans were advertised and the following representations received:

Twenty seven representations received objecting for the following reasons:

The access and additional junction in Station Road will add to traffic problems;
Entrance is too close to the roundabout; with existing traffic speeds it will be dangerous;
The development will increase the need for visitor parking - The Leaway and The Crossway is already congested;
Noise nuisance to neighbours from access and parking areas;
Loss of privacy;
Height is out of context with the area;
Loss of more green space;

The site is unsuitable for elderly persons housing;
Stressful location for anyone to live;
Elderly persons travelling on mobility scooter down Station Road do not need another road to cross;
The scheme will result in vehicles parking in The Leaway;
Boundary lines between the development site and adjacent properties is not correct;
Turning facilities for the refuse truck and emergency vehicles is tight;
Not enough parking - there has been a reduction;
Reversing of the refuse vehicle is dangerous for residents;
The age restriction should be 65, not 55;
The development is cramped and over developed;
Over looking and loss of privacy;
The location of the bin store will cause noise and smells;
There is no need in the area for this type of housing;
Residential properties on this site could put the future of the Red Lion PH at risk;
Local residents are being forced out of their homes as a result of the planning application;
Extra pressure on local doctors.

Objection from The Portchester Society raising the following concerns:

The site is not suitable for this type of housing proposed;
Access to and from the site would be dangerous;
Loss of one of the last open spaces in Portchester;
Welborne was supported so that smaller sites were not developed.

Consultations

INTERNAL CONSULTEES

Highways - No objection subject to conditions.

Ecology - No objection subject to an informative.

Trees - A high quality tree planting and landscaping scheme should accompany this application seeking to mitigate the loss of existing trees and enhance the proposed scheme through a robust planting scheme.

Refuse collection - No objection.

Environmental Health (noise) - no objection.

Environmental Health (contamination) - no objection subject to conditions.

EXTERNAL CONSULTEES

Hampshire County Council (Lead Flood Authority) - No objection subject to conditions.

Portsmouth Water Company - There is a 20 inch (0.51 metre) diameter strategic water main running along the southern side of the site. The Water Company are satisfied with the minimum clearance of 3 metres from the water main to the proposed building.

Southern Water Services - no objection subject to a condition and informative.

Environment Agency - No objection.

Planning Considerations - Key Issues

- Principle of development
- Design and character of the area
- Highways
- Affordable housing
- Living conditions of neighbouring residential properties
- Other matters

Principle of development

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

The site is also allocated for around 15 older persons units (site H20) under Policy DSP42 (New Housing for Older Persons) within the Local Plan Part 2.

Design and character of the area

Housing site H20 states any development on the site should be, at most, three storeys in height and should reflect the built form of surrounding development as far as possible. The proposed building has been designed with the highest part at the junction of West Street and Station Road, stepping down to two storeys with reduced eaves on the northern and western ends.

Amenity space is provided within the site for the residents of the units. This amenity area would be sited towards the western end of the site extending across its entire depth. The Council's Design Guidance normally seeks 25 m² of amenity space for each apartment. In this case 17 apartments would require 425 m². The proposed amenity space would meet this requirement.

Officers consider that in terms of residential development design expectations the proposal complies with Policy CS17 of the adopted Fareham borough Core Strategy and the Fareham Borough Design Guidance (excluding Welborne) Supplementary Planning Document.

Affordable housing

The scheme is required to provide 40% of the units under the requirements of Policy CS18 for affordable housing, which equates to 6.8 units. There is a need for one bedroom accommodation in Portchester therefore four one bedroom and two, two bedroom units are offered for affordable housing. An offsite contribution is being offered through a Section 106 planning obligation for the remaining 0.8 of a unit.

The proposals are considered satisfactory and comply with Policy CS18 of the adopted Fareham Borough Core Strategy.

Highways

The proposed development would be accessed by a new drive sited in the north eastern

corner of the site onto Station Road.

A material consideration in this case is that currently there is an unrestricted B2 (General Industrial) Use on the site. Merjen Engineering was formed in 1978 and established at Station Road in 1987. The Company is an engineering sub-contractor. The building has a small forecourt fronting Station Road, however all deliveries to and from the business are carried out from the adjacent highway. The proposal would generate a much reduced amount of commercial activity on the adjacent highway which is seen as a benefit in highway safety terms.

The scheme has been designed to enable a refuse vehicle to reverse into the site entrance, collect the refuse and leave the site in a forward gear. Furthermore the internal layout has been designed to accommodate delivery vehicles and a fire engine.

Pedestrian access to the site has been designed in a safe manner, including an entrance directly from the highway at the south eastern corner into the site.

Seventeen car parking spaces would be provided. The Council's Residential Car Parking SPD states that a development of this size for unrestricted occupancy would generate a need for 19 spaces. The Residential Car Parking SPD states that a lower level of parking would be acceptable in areas of high accessibility or for a specific type of residential development that creates a lower demand for parking. In this case there are highway restrictions in the locality, the site is within a sustainable location and the occupancy restricted to older persons only. Officers are satisfied that seventeen spaces are sufficient to serve the apartments.

The ground floor of the proposed building would include a cycle and electric buggy storage facilities.

The development proposals are therefore considered to comply with Policy CS5 of the Fareham Borough Core Strategy and the Council's Residential Car and Cycle Parking Standards SPD.

Living conditions of neighbouring residential properties

Three bungalows in The Leaway back onto the site. The distance between the proposed first floor windows and the windows in the nearest property, 11 The Leaway is approximately 23 metres at an oblique angle. The proposed building would be sited 20 metres from the northern boundary and 11 metres from the western boundary. The scale of the building on its western end is reduced to two storey with reduced eaves in order to respect the outlook currently enjoyed by the neighbours in The Leaway.

The parking and turning area is proposed away from the western boundary by some 8.5 metres and from the northern boundary by 3.5 metres. Officers consider in light of these distances the neighbouring properties would not be disturbed by vehicles parking and turning within the site.

The proposed bin storage enclosure would be sited adjacent to the northern boundary; however a two metre high wall would be retained along this boundary with the neighbouring property, 'Conifers' as a result of demolishing the former Merjen building. Furthermore the southern aspect from the rear windows and garden of this property would be much improved once the Merjen Engineering building is demolished as currently it sits directly on

the boundary with the neighbouring property towering over its rear garden. The proposed building would be sited 14 metres from the rear garden boundary of 'Conifers'.

Officers are satisfied that the proposal would not materially harm the amenities of existing local residents in relation to light, outlook and privacy in accordance with Policy DSP3 of the Local Plan Part 2: Development Sites and policies Plan.

Other Matters

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

The applicant has agreed to enter into a planning obligation to secure a financial contribution to offset the 'in combination' effects of residential development on recreational visits to the designated coastline of the Solent (addressing the requirements of Policy DSP15).

It is inevitable that a number of trees would be felled in order to accommodate the proposed building, however their loss would be mitigated through a robust landscaping scheme secured through a planning condition.

Conclusion

The site is presently allocated for older persons housing and will deliver six much needed affordable dwellings.

The proposal is considered acceptable in parking and highway safety terms.

Officers acknowledge the concerns raised by interested parties however the report sets out above how the development of the site would be undertaken to ensure the living conditions of local residents are safeguarded.

Recommendation

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

(a) A financial contribution towards the off-site provision of 0.8 of a unit of affordable housing;

(b) A financial contribution towards the Solent Recreation Mitigation Project (SRMP).

PERMISSION: subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

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

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

L01 rev B - Location plan
1778-15-02-01 Site survey
01 rev H - Site plan
02 rev C - Ground floor layout
03 rev C - First floor layout
04 rev C - Second floor layout
05 rev C - Roof layout
06 rev C - Elevations
07 rev C - Elevations
08 rev C - Street scenes/sections
09 rev E - Bin store

Reason: To secure the satisfactory appearance of the development.

3. No development shall take place until details of the measures to be taken to prevent spoil and mud being deposited on the public highway by vehicles leaving the site during the construction works have been submitted to and approved by the local planning authority in writing. The approved measures shall be fully implemented upon the commencement of development and shall be retained for the duration of construction of the development.

REASON: In the interests of highway safety and the amenity of the area.

4. No development shall take place until the Local Planning Authority have approved details of how provision is to be made on site for the parking and turning of operatives vehicles and the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the permitted development. The details shall also include the routing of construction vehicles visiting the site. The areas and facilities approved in pursuance to this condition shall be made available before construction works commence on site (other than construction of the site access) and shall thereafter be kept available at all times during the construction period, unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of highway safety; in order to secure the health and wellbeing of the trees and vegetation which are to be retained at the site; and to ensure that the residential amenities of the occupiers of nearby residential properties is maintained during the construction period.

5. No development shall commence on site until details of sewage and surface water drainage works to serve the development hereby permitted have been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until the drainage works have been completed in accordance with the approved details.

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

6. Units 4, 6, 7, 9, 10 and 14 shall be provided for affordable housing. No development shall take place until the following details have been submitted to and approved in writing by the local planning authority. Such details shall include:

- (i) The timing of the construction of the affordable housing;
- (ii) The tenure mix of the affordable housing;
- (iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- (iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy

criteria shall be enforced.

The affordable housing should be undertaken in accordance with the approved details unless otherwise first agreed in writing with the local planning authority.

Provided that should any of the following events occur then the arrangements made pursuant to the requirement contained in sub paragraph (iii) to ensure that the housing provided pursuant to this condition is affordable for subsequent occupiers will cease to have effect with respect to that specific plot(s):

(a) if the affordable housing unit is transferred to the tenant thereof under the Right to Buy provisions of the Housing Act 1985 or the Right to Acquire provisions of the Housing Act 1996 (or any subsequent legislation amended or replacing the same);

(b) if in respect of an affordable housing unit held under a shared ownership lease the lessee has staircased to a 100% share in the unit;

(c) if any mortgagee or chargee of the affordable housing unit has exercised a power of sale;

(d) if the affordable housing unit is purchased under a shared equity scheme with an RSL and the unit is then sold by its original purchasers.

REASON: In order to secure the provision of affordable housing within the site

7. No development shall take place above damp proof course dpc/slab level until details of all external materials to be used in the construction of the apartments 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.

8. No hard surfacing shall be laid in relation to the apartments until details of the materials and finished colour of all hard surfaced areas 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.

9. Within six months of the commencement of the apartments a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained together with the species, planting sizes, planting distances, density, numbers and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed, 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.

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

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

landscaping.

11. The occupation of each of the residential apartments hereby permitted shall be limited to a person of 65 years of age or over, or a widow/widower or partner of such a person, or any resident dependants including those under the age of 65, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety.

12. None of the apartments hereby approved shall be occupied unless the bin/cycle storage areas have made available in accordance with the approved plans. The designated areas shall thereafter be kept available and retained at all times for the purpose of bin and cycle storage.

REASON: In the interests of visual amenity; in order to facilitate alternatives to the motorcar.

13. The apartments shall not be brought into use until car parking spaces have been provided in accordance with the approved plans. These parking spaces shall thereafter be retained on an unallocated basis and kept available at all times.

REASON: To ensure adequate parking provision within the site; in the interests of highway safety.

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

REASON: To safeguard the appearance of the area and to protect the amenities of nearby residential properties.

15. A desk study investigation and site walkover of the site shall be carried out investigating the current and former uses of the site and adjoining land and the potential for contamination, with information on the environmental setting including known geology and hydrogeology. The study should develop a conceptual model and identify potential contaminant, pathway and receptor linages.

Should the study reveal a potential for contamination, an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources should be carried out. The site investigation shall be submitted to and approved in writing by the Local Planning Authority.

Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved by the local planning authority. It shall include the nomination of a competent person to oversee the implementation of the measures.

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

16. None of the apartments shall be occupied until the agreed scheme of remedial measures is fully implemented. Remedial measures shall be verified in writing by an independent person. The verification is required to confirm that the remedial works have been implemented in accordance with the agreed remedial strategy and shall include photographic evidence and as built drawings.

Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures; investigation, risk assessment and a detailed remedial method statement shall be submitted to an agreed with the local

planning authority. The remediation shall be fully implemented and verified in writing by an independent competent person.

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

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

REASON: To protect the amenities of nearby residents.

18. No work 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 amenities of the occupiers of nearby residential properties; in accordance Policy DSP3 of the Development Sites and Policies Plan.

Notes for information:

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

(b) In relation to condition 5 (surface water drainage) the following information will be required at the detailed design stage:

- Infiltration tests to BRE 365;
- Detailed calculations for the surface water drainage system including the pervious pavements and drainage network;
- Information on the potential overland flow from the systems if the capacity of the system is exceeded.

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

Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). 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 ecologist.

(c) The desk study should be in accordance with British Standards Institute BS 10175:

2011 Investigation of Potentially Contaminated Sites - Code of Practice and should be carried out by or under the supervision of a suitably qualified competent person. This person should be a chartered member of an appropriate professional body and have experience in investigating contaminated sites.

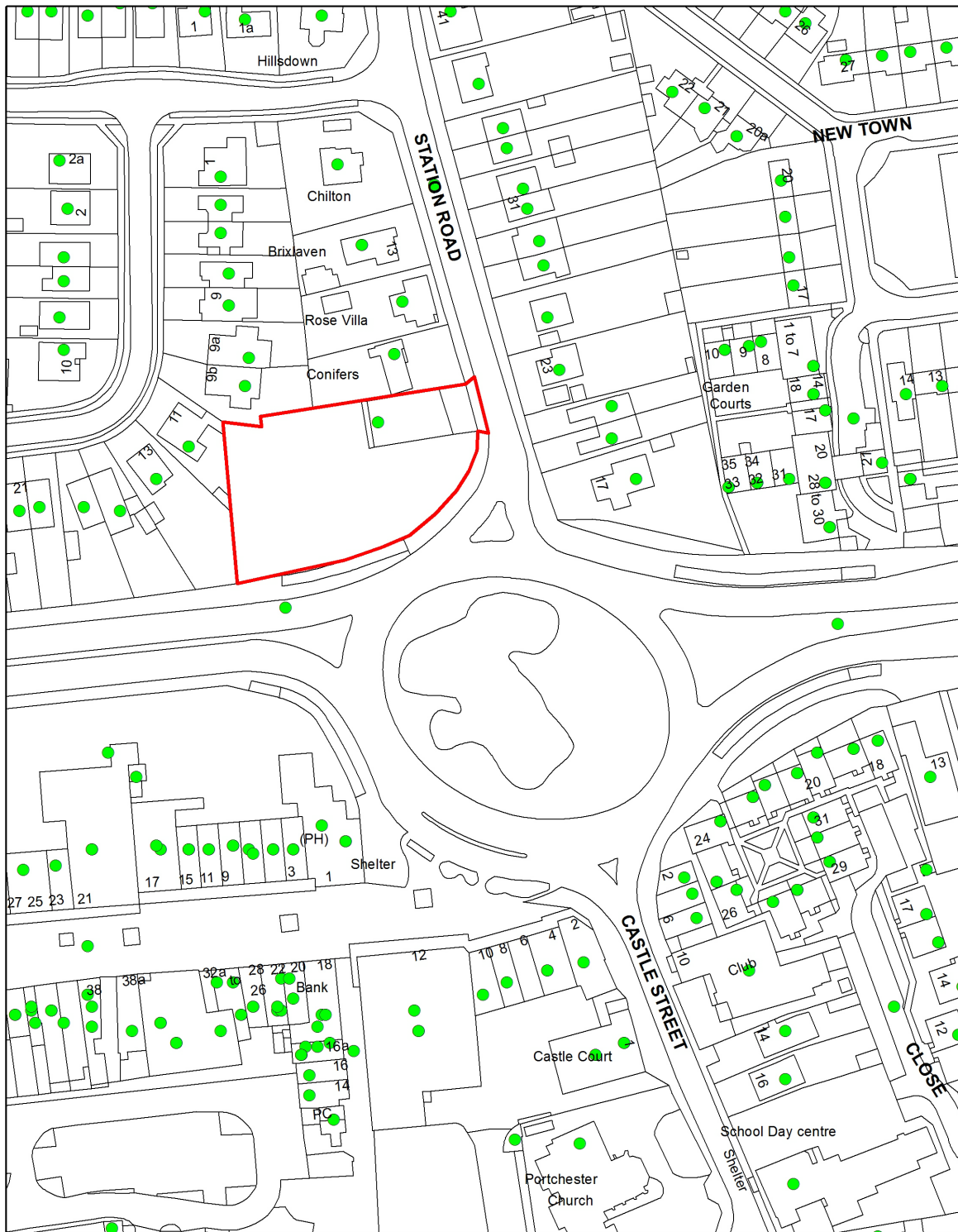
Please note that commercial property searches available over the internet are not considered to be sufficiently detailed enough to constitute a desk study in the context of the above condition. These desk studies do not formulate a conceptual model for the site neither do they qualitatively risk assess the site.

Background Papers

See above.

Site Layout

FAREHAM BOROUGH COUNCIL



Merjen Engineering Station Road
1:1,250



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