

P/16/0905/FP

R C PROPERTIES LTD

PORTCHESTER EAST

AGENT: ROBERT TUTTON
TOWN PLANNING
CONSULTANTS LTD

REDEVELOPMENT BY THE ERECTION OF EIGHT HOUSES (FOUR WITH TWO BEDROOMS AND FOUR WITH THREE BEDROOMS) FOLLOWING DEMOLITION OF THE CHURCH AND SITE CLEARANCE.

FORMER CATHOLIC CHURCH OF OUR LADY OF WALSINGHAM WHITE HART LANE
PORTCHESTER FAREHAM PO16 9BS

Report By

Richard Wright - 01329 824758

Site Description

This application relates to the site of the former Catholic Church of Our Lady of Walsingham located on the southern side of White Hart Lane close to its eastern end where it meets Castle Street.

The site is identified within the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies (Policy DSP40) as a Housing Allocation. It measures approximately 0.17 hectares in area. Access into the site is via an existing vehicular entrance in its northern boundary from White Hart Lane itself. The site is bounded on its eastern side by Cobham Hall, on its southern side by the rear gardens of houses in York Gardens and to the west by a public footpath beyond which lies houses in Windsor Road and fronting White Hart Lane. Mature overgrown hedgerows enclose the site around the majority of its perimeter.

The church in the south-western corner of the site has been vacant for a number of years and now stands partially demolished. The surrounding car park and grounds have been used informally over the past 12-18 months and without planning permission for storage purposes in conjunction with a local building business.

The site abuts the Portchester Castle Street Conservation Area along its eastern boundary with Cobham Hall.

Description of Proposal

Permission is sought for eight houses on the site following the demolition of the church building and clearance of the site. Four of the houses would have two bedrooms with the other four being three bedroom dwellings.

Six of the houses would front White Hart Lane with a vehicular and pedestrian access point formed between plots 2 and 3 leading to the rear. At the rear would be two further houses and a communal parking courtyard with thirteen spaces. It is proposed to retain much of the existing mature hedgerow as boundary treatment however this would be trimmed back in places, and new planting would be carried out along some parts of the boundary and along the access road.

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

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

Approved SPG/SPD

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

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document (Adopted Dec 2015)

Development Sites and Policies

DSP3 - Impact on living conditions

DSP5 - Protecting and enhancing the historic environment

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

Relevant Planning History

The following planning history is relevant:

<u>P/12/0205/FP</u>	DEMOLITION OF EXISTING BUILDING AND ERECTION OF 7 NO. 2 & 3-BED DWELLINGS WITH NEW ACCESS FROM HIGHWAY.
APPROVE	22/03/2013

Representations

In response to the application being published, the Portchester Civic Society and residents of eight neighbouring properties have written in with a mixture of positive and negative points being raised.

Positive:

- The hedgerows need tidying up
- The site is derelict and an eyesore at present
- The site is suitable for housing

Negative:

- Removal of trees/hedgerow at rear will expose some properties making them less secure and subjecting them to noise from vehicles in the car park
- Loss of light, outlook and privacy to homes at rear
- Effect on wildlife
- Increased traffic congestion and parking problems
- Danger from cars using access
- Height and terracing of houses is out of keeping with the other houses
- Harmful to Castle Street Conservation Area
- Cramped form of development

- Contamination on site

Consultations

INTERNAL

Environmental Health (Contaminated Land) - No objection subject to conditions.

Trees - No objection provided the recommendations of the tree report are followed and construction methods, as detailed within the arboricultural method statement, are followed when working near retained trees and hedges.

Ecology - No objection subject to biodiversity enhancements being secured.

Highways - No objection.

Conservation - No objection.

Planning Considerations - Key Issues

a) Planning history and principle of development

Planning permission was previously granted for the demolition of the church building and construction of seven dwellings (our reference P/12/0205/FP). The consent lapsed in March of this year. This current application proposes a similar layout but with one additional house facing northwards fronting White Hart Lane to make eight in total.

The site is previously developed land within the urban area and as such its redevelopment for residential purposes is supported by Policies CS2 & CS6 of the adopted Fareham Borough Core Strategy and through its allocation for housing in Policy DSP40 of the adopted Fareham Borough Local Plan Part 2.

b) Access

The previous permission granted proposed access from White Hart Lane into the rear of the site in a central position within the frontage. This would have entailed the removal and relocation of the two existing 'build-outs' immediately outside of the site on White Hart Lane which currently act as a pinch point to control the speed of traffic travelling through. The current proposal does away with the need to remove these build-outs by shifting the position of the access slightly to the east.

The access onto the highway is considered safe in that adequate visibility for drivers exiting onto White Hart Lane can be achieved in both directions. The width of the first part of the access drive is sufficiently wide enough to allow vehicles to pull in off the highway whilst another car leaves the site.

c) Layout and design

The access lane leads through to the rear of the site where thirteen parking spaces are provided. Spaces 12 & 13 as identified on the submitted site plan should be retained for use by the occupiers of Plot 8 due to their proximity to that house. The remaining eleven spaces would provide sufficient space to meet the needs of the other seven houses (4 x 2-bed homes, 3 x 3-bed) in accordance with the Council's adopted Residential Car & Cycle Parking Standards SPD provided they are made available on an un-allocated basis.

Appropriate arrangements are to be put in place for cycle storage, bin storage and refuse collection points.

The revised layout demonstrates that the site can accommodate eight dwellings without harming the character or appearance of the surrounding area. The development is proposed at a density of 47 dwellings per hectare (dph) compared to the recent construction of 1a & 1b White Hart Lane opposite the application site (approximately 35 dph), the six houses to the rear of the site 6 - 11 York Gardens (50 dph), Barbican Mews located off Castle Street to the east (36 dph) and the row of terraced houses nearby at 120 - 138 Castle Street (66 dph). The dwellings fronting White Hart Lane would be set back from the roadside a sufficient distance so as not to appear out of keeping with the character of the street. The proposed elevations show traditional style dwellings sympathetic in design and which respond well to the mixed but predominantly traditional architecture in the surrounding area. Subject to the use of high quality facing materials the houses would make a positive contribution to the appearance of the streetscene. Having regard to the special attention required through section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the development would preserve and enhance the character and appearance of the adjacent Castle Street Conservation Area.

d) Living conditions

Each of the eight houses proposed would have gardens at least 11 metres in length. Plots 1 - 4 would have 11 metre long gardens, Plots 5 & 6 at 11.8 & 12.6 metres respectively and Plots 7 & 8 would have 11 - 12 metre long gardens. Given the southerly aspect of the gardens for Plots 1 - 6 and westerly orientation of Plots 7 & 8, these garden sizes are considered to be adequate provided the existing boundary hedgerows are reduced in height and span so that they do not dominate or overshadow those gardens whilst still providing security and privacy for both future and existing neighbouring residents.

The distances between first floor windows which are to be clear glazed and opening and party boundaries are considered sufficient to avoid any material harm to the privacy of neighbours. Similarly, the distances between first floor windows in the rear of Plots 7 & 8 and houses in Windsor Road to the west are in excess of the 22 metres ordinarily considered acceptable in this regard. For the same reasons concerning privacy, first floor windows in the sides of certain plots, including the upstairs bathroom window set in the south elevation of Plot 8, should be controlled by a planning condition to ensure they are obscure glazed and fixed shut up to a height of 1.7 metres above floor level at all times.

Concern has been raised that the south side elevation of Plot 8 will harm the light to and outlook from properties to the south in York Gardens. At present high and overgrown planting lines this southern boundary which would be trimmed but retained when the development took place. The flank elevation of Plot 8 would stand 3.2 - 3.7 metres from the southern site boundary and approximately 14 metres from the rear elevation of the house at 7 York Gardens. Since the application site is due north of the property at 7 York Gardens there would be no loss of direct sunlight as a result of the development. It is not considered that there would be any material harm to the outlook from this property either taking account of the fact that there already exists high and substantial planting along the boundary and that the Council's adopted Design Guidance SPD suggests that in such circumstances a distance of 12.5 metres should be sufficient to acceptably minimise any loss of outlook.

Some neighbours whose properties abut the site have raised concerns that the development will expose the rear of their properties allowing intruders to gain access

and leading to noise and disruption from vehicles in the car park. The exact details of how the site would be landscaped using both existing vegetation and new planting would, if planning permission was granted, be provided at a later date as required by a planning condition. However, the site plan indicates that the developer intends to retain as much of the existing boundary hedgerows and planting as possible to use as screening and to visually soften the edges of the site. Whilst therefore there would be some reduction in the extent of boundary vegetation, it is not considered that this would materially increase the risk of crime or anti-social behaviour. There is also no reason to suggest that the comings and goings of vehicles in the car park would give rise to an unacceptable noise nuisance to neighbours.

e) Affordable housing

Policy CS18 of the adopted Fareham Borough Core Strategy expects that development on sites that can accommodate a net increase in residential units of five or more should be subject to the requirement for a contribution towards off-site affordable housing provision. However, the government's recently reissued guidance published on the Planning Practice Guidance website advises that affordable housing obligations should not be sought from small scale development of 10-units or less and which have a maximum gross floorspace of no more than 1000m².

Whilst the local plan policy requirement is for an affordable housing contribution, the PPG advice is an important material consideration which suggests otherwise. In this instance therefore it is considered that there should be no obligation for the developer to make some of these houses available as affordable units or to make an equivalent financial contribution towards off-site affordable housing provision.

f) Ecology

The applicant has proposed ecological enhancement measures in line with the advice provided by the Council's ecologist.

Policy DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies explains that proposals for residential development must satisfactorily mitigate the 'in combination' effects of recreation on the Special Protection Areas of the Solent coastline.

Subject therefore to the applicant providing a financial contribution to offset the impact of this development through the Solent Recreation Mitigation Strategy (SRMS), the proposal would comply with this policy requirement.

Conclusion

This application proposes the redevelopment of previously developed land within the urban area to provide eight houses and accords with the guidance contained within the adopted local plan. There would be no harm to highway safety, the living conditions of neighbours or the character and appearance of the area. The proposal would preserve the character and appearance of the adjoining Castle Street Conservation Area. Adequate parking space, bin and cycle storage is proposed as well as biodiversity enhancements and mitigation for the 'in combination' effects on the Solent SPAs. In this instance government policy suggests that the developer should not be obliged to contribute towards affordable housing provision.

The proposal accords with Policies CS2, CS5, CS6, CS15 & CS17 of the adopted Fareham Borough Core Strategy and Policies DSP3, DSP5 & DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies.

Recommendation

Subject to:

- a) the applicant making a financial contribution of £176 per dwelling towards the Solent Recreation Mitigation Strategy (SRMS) to be secured under section 111 of the Local Government Act 1972;
- b) the receipt of an updated tree survey plan, arboricultural method statement and proposed site plan showing the correct positions of two trees in the south-western corner of the application site;

PERMISSION:

1. The development shall begin before the expiry 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) Location plan - drawing no. 01
- b) Proposed site plan - drawing no. 02B
- c) Proposed floor plans - drawing no. 03B
- d) Proposed elevations - Plots 7 & 8 - drawing no. 04A
- e) Proposed elevations - Plots 3 - 6 - drawing no. 05A
- f) Proposed elevations - Plots 1 & 2 - drawing no. 06
- g) Phase I Report by ecosupport limited July 2016
- h) Addendum to Ecological Report of July 2016
- i) Tree-Hedge Survey, Arboricultural Impact Assessment and Tree-Hedge Method Statement - N J Trowell July 2016

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

3. No development shall take place until details of the materials to be used in the external construction of the development and areas of hard surfacing on 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.

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

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any of the dwellings hereby permitted are first occupied.

REASON: In the interests of the living conditions of future residents and the appearance of the development.

5. No development shall take place until 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: To ensure the development is of a high quality design and appearance.

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

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

7. No development shall take place until:

a) A desk top study and site walkover of the whole site which investigates the former uses of the site and adjacent land and their potential for contamination, with information on the environmental setting including known geology and hydrogeology, has been submitted to and approved in writing by the local planning authority. This report should develop a conceptual model and identify potential contaminant-pathway-receptor linkages.

b) Should the above study reveal a potential for contamination, an intrusive site investigation and assessment of the risks posed to human health, the building fabric and the wider environment including water resources shall be submitted to and approved by the local planning authority.

c) Where the site investigation and risk assessment reveals 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 local planning authority in writing. The scheme shall also include the nomination of a competent person to oversee the implementation of the measures.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

8. Before any of the dwellings hereby permitted are first occupied, confirmation that the remedial works required and approved pursuant to condition 7 above have been carried out in accordance with the agreed remedial strategy shall be provided in a report by an independent competent person which shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that any contamination of the site has been properly remediated as agreed.

9. The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the local planning authority. Any unsuspected contamination shall be investigated to assess the risks to human health and the wider environment and a remediation scheme shall be submitted to and approved by the local planning authority in writing. The approved scheme of remedial works shall be fully implemented before any of the dwellings hereby permitted are first occupied. On completion of the remedial works and prior to the occupation of any properties on the development, confirmation that the works have been completed in full and in accordance with the approved scheme shall be submitted to and approved by the local planning authority in writing.

REASON: To ensure that, if found, any unsuspected contamination of the site is taken into account and properly remediated.

10. The development shall be carried out in accordance with the recommendations and enhancements stated in the approved Phase I Report by ecosupport limited July 2016 and

Addendum to Ecological Report of July 2016 unless otherwise agreed in writing by the local planning authority.

REASON: To provide appropriate biodiversity enhancements.

11. None of the dwellings hereby permitted shall be occupied until the parking spaces shown on the approved site plan have been constructed and made available for use. The parking spaces shall be retained for use on an un-allocated basis at all times thereafter except for spaces 12 & 13 which shall be retained for use by the residents living at Plot 8 at all times thereafter.

REASON: To ensure an adequate level of parking provision.

12. 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 living conditions of neighbours.

13. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Statement. The Statement shall provide details of:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

REASON: To protect the living conditions of neighbours.

14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any subsequent Order revoking and re-enacting that Order with or without modification), no roof alterations (including the addition of roof lights or dormer windows), extensions or outbuildings shall be constructed within the curtilage of any of the dwellings hereby permitted unless otherwise agreed in writing by the local planning authority following the submission of a planning application made for that purpose.

REASON: To protect the living conditions of neighbours; to ensure adequate private garden space is retained; to ensure adequate levels of parking provision.

15. The following windows shall be glazed with obscure glass and be of a non opening design and construction to a height of 1.7 metres above internal finished floor and shall thereafter be retained in that condition at all times:

- a) the first floor window in the western elevation of Plot 2;
- b) the first floor window in the eastern elevation of Plot 3;
- c) the first floor window in the western elevation of Plot 6;
- d) the first floor window in the northern elevation of Plot 7;
- e) the first floor window in the southern elevation of Plot 8.

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

Notes for Information

a. If asbestos is present on site in any form (cement, insulation, lagging, boarding) the applicant's attention is drawn to guidance on the following website <http://www.hse.gov.uk/asbestos/essentials/index.htm> any demolition/removal should be subject to a Health and Safety risk assessment and in a manner so as to not release fibres to the air or soil. The applicants attention is drawn to The Control of Asbestos Regulations 2012 <http://www.hse.gov.uk/asbestos/regulations.htm>.

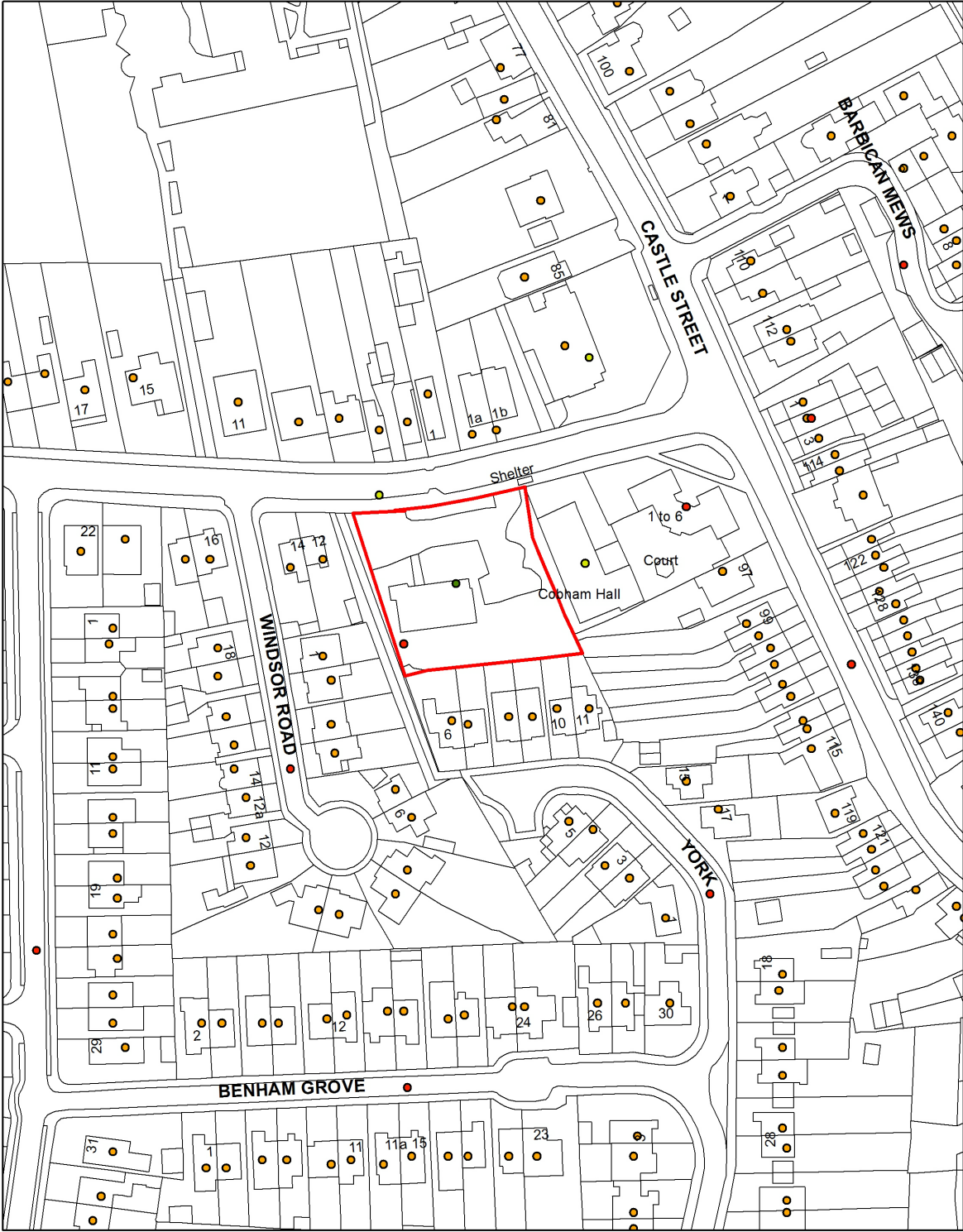
b. Birds nests, when occupied or being built, and the widespread species of reptile receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential birds nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August. If there is absolutely no alternative to removing shrub and tree vegetation (as permitted by consent) 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 5 - 10m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord. Reptile habitat such as grassed banks, tall grassland margins, rotting vegetation heaps should be carefully cleared by hand during warmer months as if hibernating reptiles are disturbed they will die. Any reptiles revealed should be moved to adjacent retained rougher/boundary habitat or allowed to move off of their own accord.

Background Papers

P/12/0205/FP; P/16/0905/FP

FAREHAM

BOROUGH COUNCIL



Former Catholic Church of
Our Lady of Walsingham
Scale 1: 1,250



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