

P/17/0013/FP

MS A. BARNES

FAREHAM EAST

AGENT: ROBERT TUTTON
TOWN PLANNING CO

DEMOLITION OF EXISTING STORAGE BUILDING; ERECTION OF A SINGLE-STOREY OFFICE BUILDING; PROVISION OF NEW SECURITY LIGHTS AND ENTRANCE DOORS TO THE UNDERCROFT ENTRANCE.

147 WEST STREET FAREHAM PO16 0DZ

Report By

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Introduction

The application has been submitted following the refusal of a previous application (reference P/15/1059/FP), which sought Permission for a residential dwelling. The application was refused for the following reason:

The proposed development is contrary to Policy CS17 of the Fareham Borough Local Plan, and Policy DSP3 of the adopted Local Plan Part 2: Development Sites and Policies and would represent an over-intensive form of development, demonstrated by the following aspects of poor quality design:

(i) The narrow, un-welcoming access which does not benefit from natural surveillance and has a poor relationship with servicing areas for the commercial units would create a poor residential environment;

(ii) The dwelling would, by virtue of the poor internal layout, arrangement of fenestration and use of one way privacy glass create a poor outlook from habitable room windows of the proposed building to the detriment of the amenity to be enjoyed by the future occupants;

(iii) The relationship of the proposed communal garden to refuse areas, the proximity of the surrounding built environment which would be overbearing and oppressive and also the presence of windows in neighbouring properties resulting in overlooking would result in the quality and usability of the private amenity space being inadequate to the detriment of residential amenity.

Site Description

The site is a small infill plot located within the urban area. The site currently contains a dilapidated single storey building previously used as a store with an area to the rear providing shared access to the retail units to the south and used for refuse storage. The site also provides access to the flat above number 147 West Street.

To the north and west of the site lies a private car park. To the immediate west of the site there is a refuse store serving Connaught House (to the south west of the site). To the east of the site lies a single storey retail unit (Razmattazz). To the south of the site lies a row of 2 and 3 storey buildings. No. 147 which lies directly south of the site contains a cafe at ground floor level with a flat above.

Access to the site is limited to pedestrian access only, via an alleyway between the rear of no's 145, 145a and 145b (the applicant does not have right of access over the car park to

the north of the site).

Description of Proposal

The application is for a single storey office building with pedestrian access via the undercroft entrance from Osborne Road South. The application also proposes a 2.25m high, timber perimeter fence, security lighting together with bin and cycle storage.

Policies

The following guidance and policies apply to this application:

National Planning Policy Framework 2012

Residential Car and Cycle Parking Standards Supplementary Planning Document

Draft Fareham Town Centre Development Vision document

Approved Fareham Borough Core Strategy

CS1 - Employment Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS7 - Development in Fareham

CS8 - Fareham Town Centre Development Location

CS17 - High Quality Design

Design Guidance Supplementary Planning Document (Dec 2015)

EXD - Fareham Borough Design Guidance Supplementary Planning Document

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

Relevant Planning History

The following planning history is relevant:

<u>P/15/1059/FP</u>	Proposed erection of a one-bedroomed dwelling to the rear of no. 147 West Street(Resubmission).	
	REFUSE	16/12/2015
<u>P/14/0616/FP</u>	DEMOLISH EXISTING STORE CONSTRUCT NEW TWO STOREY TOWN HOUSE	
	REFUSE	25/09/2014
<u>P/14/0254/FP</u>	DEMOLITION OF EXISTING STORE AND ERECTION OF A TWO STOREY TOWN HOUSE	
	WITHDRAWN	23/06/2014

Representations

13 representations have been received of which 11 are in support of the proposal and 2 object.

The 11 representations in support of the application are on the grounds that:

- The proposed development is preferable to the existing dilapidated building;
- It will improve the appearance of the site; and
- There is a need for small units such as this for start up businesses in West Street

The 2 objections received raise the following concerns:

- Delivery of construction materials through the undercroft entrance will block the pavement;
- The condition of the site is due to lack of maintenance by the owner;
- The proposed office accommodation is of a size and layout which is unlikely to have any beneficial use within the market;
- Future occupiers will not have any right to use the adjacent car park which is owned by the Connaught Trust;
- The applicant has no right to install doors or security lights or to run services within/through the undercroft access;
- The Connaught Trust intend to erect a fence along the northern boundary which would impact the amenity of any future occupiers;
- The Connaught Trust intend to erect a fence around the perimeter which would impact any windows in the north elevation;
- The permitted development rights could result in a change of use to residential, which would be inappropriate.

Following receipt of the above comments (in particular the comments submitted on behalf of the Connaught Trust) amended plans were submitted which removed the proposed security lighting and door from within the undercroft and repositioned them within the site itself. The neighbours and people who submitted representations were re-consulted however no further comments have been received.

Consultations

INTERNAL CONSULTEES:

Environmental Health (Contamination) - No objection subject to the incorporation of a precautionary condition that requires development to cease if during any stage of the works materials which would suggest potential contamination are encountered. Work would not recommence before an investigation had been carried out any necessary mitigation measures approved by the LPA.

Planning Considerations - Key Issues

PRINCIPLE OF DEVELOPMENT:

The site is located within Fareham Town Centre as defined by the Local Plan, therefore

policies CS1, CS6, CS7 and CS8 are applicable.

Policy CS1 states that additional employment development will be permitted to meet a minimum floorspace target of 41 000 sq.m and to contribute to GVA growth through requiring the inclusion of 10 000 sq. m of new B1 development as part of mixed use schemes within Fareham Town Centre.

Policy CS6 sets out the Development Strategy for the Borough and details that development will be focused in certain areas (such as the town centre) and that the priority will be to re-use previously developed land within the defined urban settlement boundaries.

Policy CS8 also states that Development will be permitted where it is in accordance with the Fareham Town Centre Area Action Plan and makes provision for (amongst other development) approximately 10 000 sq.m office floorspace.

The Fareham Town Centre Area Action Plan has been superseded by the Development Sites and Policies Plan. The Development Sites and Policies Plan contains policies relating to the primary and secondary shopping areas and to making the most effective use of the upper floors, but does not contain any policies specifically relating to the development of land to the rear of shopping frontages.

The draft Fareham Town Centre Development Vision document (which is currently out for consultation) is also of relevance and aims to ensure that any development along West Street and the surrounding roads is well designed and makes efficient use of land.

The proposed development would be positioned to the rear of the shopping frontage and would make efficient use of space that is currently underused, by providing office accommodation. The proposed development would therefore comply with the relevant policies of the development plan and is acceptable in principle. The proposed development would also be consistent with the aims of the draft Fareham Town Centre Development Vision document.

DESIGN AND IMPACT ON THE CHARACTER OF THE AREA

Letters of support have been received which point out that the site is currently underused and not well maintained and that the proposed development would provide an opportunity to improve the appearance of the site.

The site is located to the rear of the retail, commercial and flatted units that front onto West Street. West Street, in the vicinity of the site, is a mixture of 2, 3 and sometimes 4 storey buildings of different ages, forms, architectural styles and materials. The areas to the rear are a mixture of open parking, private outdoor space, storage buildings and extensions largely associated with the commercial premises fronting West Street. The buildings are generally simple in form and subservient in scale to the West Street frontage. The proposed building would have a rectangular plan form and would be single storey with a shallow pitched roof.

The proposed building would be positioned behind no's 147 West Street and no. 145a Osborne Road South and as a result would only be visible from one vantage point within the public realm (from the north east of the site within Osborne Road South). The building would be positioned behind an existing wall along the west of the site therefore only the top of the building would be visible from the west of the site.

The proposed building has been designed to reflect the low key scale and form of no. 145a Osborne Road South and as a result it is considered that it would respond positively to and be respectful of key characteristics of the area. The proposed development would therefore comply with the design requirements of Policy CS17.

Policy CS17 also requires new housing to secure adequate internal and external space, privacy, sunlight and daylight to meet the requirements of future occupiers, however it does not specify that the same level of amenity is required for office development. The previous application was refused for three reasons as set out at the start of this report. These reasons can be summarized as:

- (i) the unwelcoming access creating a poor residential environment;
- (ii) a poor internal layout and poor outlook from the dwelling; and
- (iii) the juxtaposition of the garden to bin stores and the surrounding built environment would result in a poor amenity space.

The current application proposes a building which would provide office accommodation rather than use as a dwelling. Policy CS17 does not require office accommodation to achieve the same levels of amenity as required for a dwelling, therefore the proposed office use is acceptable in terms of policy requirements and the previous points (ii) and (iii) of the reason for refusal are considered to have been addressed.

The access through the undercroft from Osborne Road South was previously considered to be unwelcoming for a residential use. The application now seeks to improve this entrance through the use of appropriate lighting and re-positioned doors to the site. The security lighting and entrance to the site would improve the access and given that the proposal is for an office use rather than a dwelling, the access into a predominantly hard surfaced entrance courtyard is considered to be acceptable in addressing the first part of the previous reason for refusal.

IMPACT ON NEIGHBOURING PROPERTIES

The proposed building would be single storey and while it would be visible from neighbouring properties it would have a minimal impact on their amenities in terms of outlook, privacy or amount of available sunlight. The proposed building would not impact the size or quality of the external amenity space to the south of the site which serves the first floor flat above no. 147. No objections have been received regarding the impact the proposed building would have on the amenities of neighbouring properties.

PARKING PROVISION

The Trust responsible for the adjacent car park has pointed out that future occupiers of the proposed building would not have any right to use the adjacent car park. The objections received have also raised concerns about the lack of parking provision in general.

The application does not rely on the use of adjacent, privately owned car park. It is considered that the site is in a highly accessible town centre location within walking distance of the train and bus stations. Significantly reduced parking provision for offices in such sustainable locations is considered to be acceptable and therefore in this case the provision of a car-free scheme is acceptable. It is noted that the previously refused residential scheme was also car free in its design and there was no reason for refusal relating to the lack of any parking provision.

OTHER ISSUES

The letter originally received on behalf of the Trust that owns land adjacent to the site (including the undercroft access to the site) has stated that the applicant has no right to install security lights or to route services over any land owned by The Trust. The amended plans demonstrate that lighting and services can be provided within the site therefore these concerns are considered to have been addressed.

Concerns have been raised regarding the potential change of use from the proposed office use to residential use. The ability to change the use of the building from an office to residential would require an express Planning Permission as the right to change the use to residential as Permitted Development under Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 only applies to buildings that were used as offices prior to 29th May 2013. Notwithstanding this, a condition is included in the recommendation to restrict potential changes of use under permitted development rights in the event that the legislation changes in the future.

CONCLUSION

The proposed building would contribute towards the provision of 10 000 sq. m of B1 development in accordance with Policy CS1. It would have a minimal impact on the amenity of neighbouring properties and would respect the character of the area.

Recommendation

PERMISSION subject to conditions:

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

REASON: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

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

Location plan Drawing no. P01

Site plan Drawing no. P03 Rev J

Proposed elevations Drawing no. P05 Rev I

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

3. No development shall take place above damp proof course level on the development hereby permitted until details and samples of all materials to be used in the construction of the external surfaces of the development, 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 premises shall be used for purposes within B1a use only and for no other purpose including any other purpose in Class B 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 or re-enacting that Order.

REASON: To protect the amenities of the occupiers of the nearby residential properties.

5. None of the development hereby permitted shall be brought into use until the bin and cycle storage has been provided in accordance with the details on Drawing no. P-034 Rev J. 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 and in order to facilitate an alternative to the motorcar.

6. 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 bank and public holidays.

REASON: To protect the amenities of the occupiers of nearby residential properties.

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

REASON: To protect the amenities of the nearby residents; in accordance with Policy DSP2 of the Local Plan Part 2: Development Sites and Policies 2015.

8. No development shall take place until a Site Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Site Construction Management Plan shall include:

- How provision is to be made on site for the storage of building materials,
- Storage of plant and machinery;
- Storage of and removal of excavated materials;
- Site office and welfare huts associated with the implementation of the development.

The areas and facilities approved in pursuance to this condition shall be made available before construction works commence on site 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 and the amenity of the area.

9. In the event that contamination becomes evident during the construction of the development (including site clearance and ground preparations) hereby approved, all work must stop, the Local Planning Authority must be notified and an investigation into the contamination shall be carried out by a suitably qualified individual to assess the risks to human health and the wider environment. Written details of the investigation together with a remediation scheme shall be submitted to the Local Planning Authority and approved in writing prior to works recommencing. The approved remediation scheme shall subsequently be implemented in full and confirmation in writing that the works have been completed in accordance with the approved scheme shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the building hereby approved.

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

Background Papers

P/17/0013/FP, P/15/1059/FP, P/14/0616/FP, P/14/0254/FP, P/13/0880/FP

FAREHAM

BOROUGH COUNCIL



147 West Street
Scale 1:2,500



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