

P/17/0290/VC

TITCHFIELD

MISS LUCY EVANS

AGENT: MR DANIEL NWODO

VARY CONDITION 2 OF PLANNING PERMISSION REFERENCE P/15/1231/CU TO ALLOW USE OF THE PROPERTY FOR SWIMMING LESSONS BY MISS LUCY EVANS WITH NO LIMITED PERIOD OF CONSENT

29 CATISFIELD ROAD FAREHAM PO15 5LT

Report By

Richard Wright - direct dial 01329 824758

Site Description

This application relates to a residential property located on the corner of Catisfield Road and Cherrygarth Road, Fareham.

The property is a large detached dwelling within which is an indoor swimming pool located in the rear part of the house. The swimming pool, and associated changing facilities, can be accessed independently from the rest of the house via a separate door in the front elevation.

To the front of the dwelling is a hardsurfaced driveway. A high brick boundary wall encloses the frontage of the property with vehicular access provided onto Catisfield Road.

Description of Proposal

Planning permission was granted in 2016 for the mixed use of the property as a dwellinghouse and the continued use of the indoor swimming pool and associated areas for swimming lessons (a so called 'sui generis' use) - our reference P/15/1231/CU.

Condition 2 of the permission reads:

"The swimming lesson element of the mixed use hereby permitted shall be carried on only by the applicant Miss Lucy Evans and shall be for a limited period of one year from the date of this decision after which the mixed use hereby permitted shall cease and the land reinstated to its previous use as a single dwellinghouse unless a further planning permission has been granted before the expiry of such a period.

REASON: To enable the circumstances leading to the grant of planning permission to be reviewed; in the interests of highway safety."

This current application seeks to vary condition 2 to remove the limitation on the period of consent, in other words to make it a permanent permission.

The application does not seek to alter anything else about the permission and the applicant intends to continue to run swimming lessons as at the present.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Relevant Planning History

The following planning history is relevant:

<u>P/15/1231/CU</u>	CHANGE OF USE FROM SINGLE DWELLINGHOUSE (USE CLASS C3) TO A MIXED USE COMPRISING CONTINUED RESIDENTIAL USE AND CONTINUED USE OF INDOOR SWIMMING POOL & ASSOCIATED AREAS OF THE BUILDING TO PROVIDE SWIMMING LESSONS (SUI GENERIS)
	APPROVE
	12/02/2016

Representations

Two letters have been received in support of the application.

One letter has been received objecting to the application on the basis of increased on street parking.

Five further letters have been received stating no objection to the proposal provided the use continues as previously and in accordance with the previously approved details.

Consultations

INTERNAL

Environmental Health - No objections

Highways - No objections

Planning Considerations - Key Issues

Officers have received no communication from neighbours or the applicant in the period since permission was granted last year which suggests that the use has been carried out during that time with no problems in relation to on street parking.

If permission was now granted to vary condition 2 in accordance with the applicant's wishes and to enable the use to continue it would still be restricted to being run by Miss Lucy Evans. It was previously considered necessary to make the permission personal to Miss Evans due to the specific nature of the potential problems in this location and the particular measures Miss Evans had put in place to address those issues. The fact that Miss Evans would still be the named person capable of carrying out the swimming lesson element of the use means that those measures could reasonably be expected to continue and the likelihood of problems arising is low.

There is also a separate planning condition which, should permission be granted, would be reimposed without amendment since Miss Evans has no plans to change the way the swimming lesson business is operated.

Condition 3 of the permission P/15/1231/CU reads:

"The use hereby permitted shall be carried on in accordance with the approved Parking Plan, Parking Map and customer Terms and Conditions unless otherwise agreed in writing

by the local planning authority.

REASON: In the interests of highway safety."

Officers do not consider there would be any material harm arising from this proposal and that planning permission could be granted for the proposed variation of condition.

Recommendation

PERMISSION:

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

a) Location plan - scale 1:1250

b) Parking Plan - document 1 (approved by planning permission P/15/1231/CU)

c) Terms & Conditions - document 2 (approved by planning permission P/15/1231/CU)

d) Parking Map - document 3 (approved by planning permission P/15/1231/CU)

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

2. The swimming lesson element of the mixed use hereby permitted shall be carried on only by the applicant Miss Lucy Evans.

REASON: In the interests of highway safety.

3. The use hereby permitted shall be carried on in accordance with the approved Parking Plan, Parking Map and customer Terms & Conditions unless otherwise agreed in writing by the local planning authority.

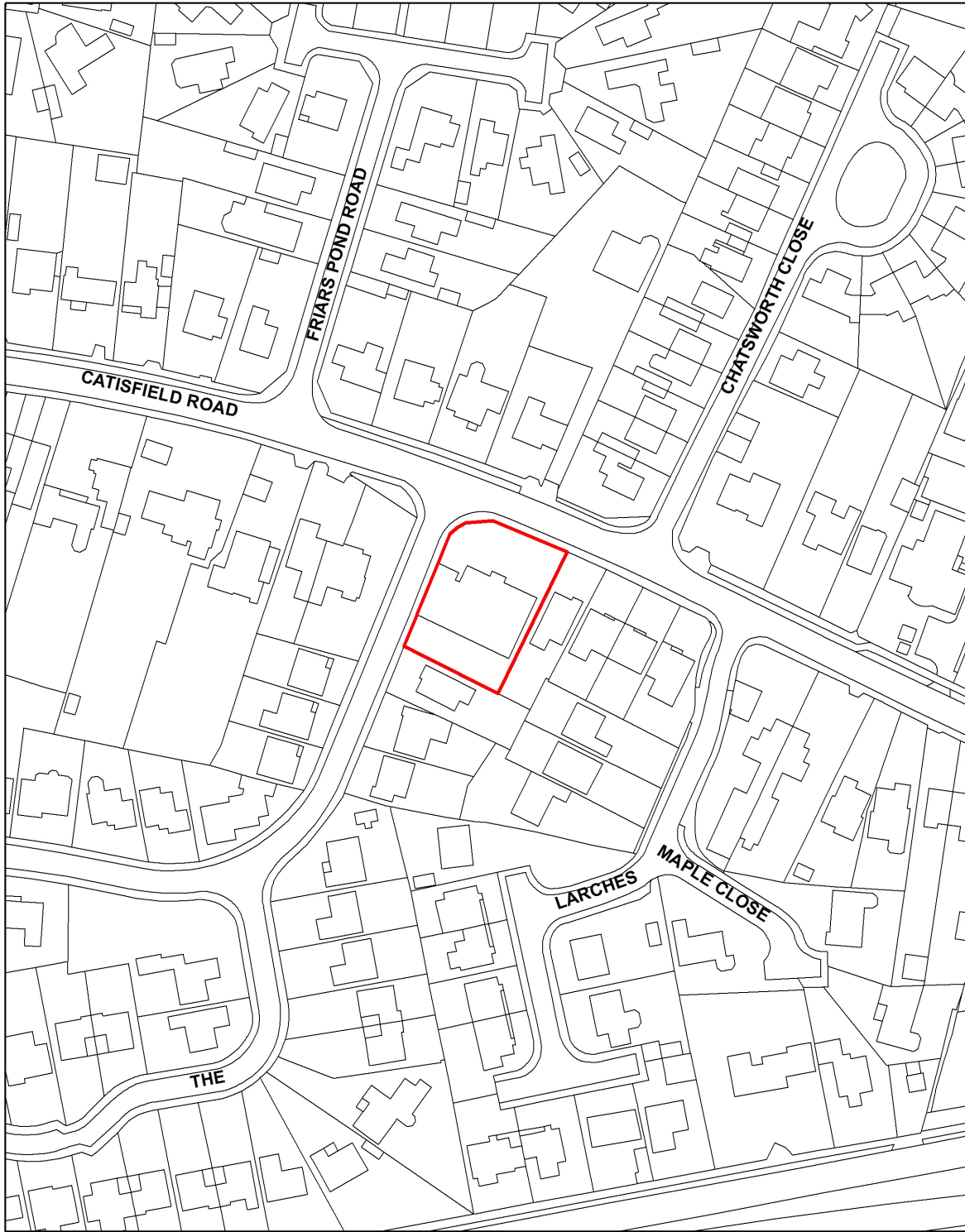
REASON: In the interests of highway safety.

Background Papers

P/17/0290/VC; P/15/1231/CU

FAREHAM

BOROUGH COUNCIL



29 Catisfield Road
Scale 1:1250



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