

**P/17/1356/FP**

**TITCHFIELD**

CROFTON HOUSE HOLIDAY  
LETS LTD

AGENT: C & L MANAGEMENT

NINE HOLIDAY LET PROPERTIES (USE CLASS C3) AND ASSOCIATED SERVICES UNIT, OUTDOOR SWIMMING POOL, CAR PARKING, LANDSCAPING AND REPLACEMENT ENTRANCE GATES TO ACCESS WITH TITCHFIELD ROAD

247 TITCHFIELD ROAD FAREHAM HAMPSHIRE PO14 3EP

***Report By***

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***Site Description***

The application site lies to the west of Titchfield Road (B3334) between Stubbington and Titchfield and comprises a vehicular access track approximately 100 metres long leading to a parcel of land which in all is estimated to measure approximately 1.78 hectares.

The site lies outside of the designated urban settlement areas of the borough within the countryside and within the strategic gap.

Crofton House, a grade II listed building, previously stood on the site before being demolished in 1974/75 following a fire which damaged the interior in 1972. The site now consists of the remains of the building's foundations and sub-terranean construction. Areas of concrete and asphalt hardsurfacing in poor state of repair are to be found at various points on the site with the ground otherwise being bare with some areas of rough grassland.

A dilapidated outbuilding stands close to the eastern border of the main part of the site. The main part of the site is bound by tree preservation order (TPO) protected trees on its western, southern and eastern sides as well as peripheral shrubs and plants.

To the immediate west of the site lies the dwelling now referred to as 249 Titchfield Road, but previously understood to form an ancillary part of Crofton House and its surrounding estate. Further to the west lies a walled garden, again understood to have originally been part of the estate of Crofton House, within which lies a recently constructed replacement dwelling known as 251 Titchfield Road. Both of those dwellings currently use the track through the application site from Titchfield Road as their primary means of access.

***Description of Proposal***

Permission is sought for nine holiday let properties. The proposal shows these properties to comprise single storey detached chalets or cottages arranged over the northern half of the site. Each property would be identical and would feature a kitchen/living area, bathroom and two bedrooms as well as a modest sized external terrace. The roofs would be covered with slates and walls boarded with horizontal cladding externally.

Also proposed on the site is a single storey building providing services associated with the holiday lets. A swimming pool is proposed for the south-eastern corner of the site and associated car parking and hardsurfacing is also shown to be provided.

At the eastern end of the access track a new set of gates are proposed to replicate the existing gated entrance albeit in a slightly altered position.

***Policies***

The following policies apply to this application:

## **Approved Fareham Borough Core Strategy**

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS22 - Development in Strategic Gaps

## **Development Sites and Policies**

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP8 - New Leisure and Recreation Development Outside of the Defined Urban Settlement

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

## ***Relevant Planning History***

The following planning history is relevant:

### **P/13/0919/FP      **NEW DWELLING WITH ASSOCIATED CAR PARKING AND DRIVEWAY****

REFUSE	31/01/2014
APPEAL: DISMISSED	26/09/2014

## ***Representations***

Nine letters of objection have been received raising the following concerns:

- Increase in traffic using private lane
- Poor pedestrian and public transport links to site
- Effect on strategic gap
- Effect on landscape character and appearance of area
- Land contamination
- Noise and disturbance to neighbours
- Trespass onto private property from increased use of public rights of way
- Strain on nearby protected areas such as Titchfield Haven
- Protected trees on site
- Tourist accommodation is out of keeping with the character of the area
- Detriment to wildlife and protected species
- Harm to Solent Special Protection Area

## ***Consultations***

INTERNAL

Trees - No objection.

Highways - No objection subject to sufficient space being provided for private refuse collection vehicle, passing places along access track and bound surface between gates and highway.

Contaminated Land - No objection subject to planning condition requiring intrusive site investigation and remedial measures as necessary.

Ecology - No objection subject to conditions.

### ***Planning Considerations - Key Issues***

#### **a) Site history**

The planning history available for the site records the granting of permission for the conversion of Crofton House to a Children's Home in 1948 and the grant of Listed Building Consent for the demolition of the Grade II listed building following fire damage on 5 January 1973. The building was subsequently demolished in 1974 - 75.

In 2013 an application for a single dwelling on the site was received (reference P/13/0919/FP). The application was refused for the following reasons:

"The development would be contrary to Policies CS14 & CS22 of the adopted Fareham Borough Core Strategy and Policy DG4 of the adopted Fareham Borough Local Plan Review and is unacceptable in that:

i) the erection of a dwelling in this location would be contrary to countryside policies which seek to prevent additional dwellings in the countryside for which there is no justification or overriding need;

ii) the proposed dwelling would harm the landscape character and appearance of the countryside;

iii) the proposed dwelling would both physically and visually diminish the separation of settlements to the detriment of the integrity of the strategic gap."

An appeal was subsequently lodged but dismissed. In delivering his decision the Planning Inspector noted that there would be conflict with Policy CS14 of the Core Strategy and the National Planning Policy Framework (NPPF) which seek to restrict certain forms of development in the countryside such as housing where there is no overriding need.

However, he found that "the proposal would not significantly harm the character and appearance of its surroundings, having particular regard to the location of the site within a Strategic Gap". He explained that "given the substantial vegetation that lines the edges of the site including the eastern and southern boundaries, views of the proposed development would be limited even in the winter when the vegetation is not in full leaf". "In terms of the impact that the proposal would have on the Strategic Gap I note that the site has been devoid of any structure during the period of the Strategic Gap policy. Although this contributes to the character of the site given I consider that views of the proposal from public vantage points would be limited and the perception of the undeveloped nature of the site would not be substantially affected to the detriment of the integrity of the Strategic Gap".

This appeal decision which relates to this same site is an important material consideration to take account of when determining the current proposal.

#### **b) Principle of development**

The proposed units are self-contained accommodation with all the facilities required for day to day living. Whilst the proposal is that they are used specifically as holiday lets, for planning purposes they are considered to be dwellings falling within Use Class C3.

Policy CS14 of the adopted Fareham Borough Core Strategy states that:

"Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure".

The supporting text of Policy CS14 (para 5.146) elaborates by saying that:

"The strategy concentrates development into the existing urban areas and strategic sites. To support this approach, development in the countryside, outside the settlement boundaries will be strictly controlled and will focus on meeting agricultural, farm diversification, countryside recreation, leisure and tourism needs i.e. needs that can only be met in this type of location".

An appeal considered by the Planning Inspectorate in 2013 considered this issue in relation to a proposal for 8 twin caravans for holiday rental accommodation and an associated service building at Eastlands Boatyard, Coal Park Lane, Swanwick (our reference P/12/0994/FP). In determining that appeal the Inspector was clear that the use of land for holiday accommodation is supported by Policy CS14 and by paragraph 28 of the NPPF which encourages local plans to "support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside".

Furthermore, support is provided for leisure and recreation development outside of the defined urban settlement boundaries in Policy DSP8 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies. Given the scale and nature of the proposal it is not considered that it would be possible to accommodate development of this sort within Fareham Town Centre as preferred by that policy or for that matter within the urban area in general.

Officers consider that the proposal is for purposes related to sustainable tourism and which requires a countryside location. In that respect therefore it is considered that it would be an acceptable form of development for the purposes of Core Strategy Policy CS14.

#### c) Visual impact and effect on character and appearance

The proposed development comprises single storey buildings set within the confines of the site which is bounded by mature planting and trees around much of its perimeter. This boundary vegetation was noted by the Planning Inspector when dealing with the previous appeal on the site concerning the construction of a new dwellinghouse. In that instance the proposal refused by the Council in 2013 was for a two-storey dwellinghouse with a further third storey of accommodation in the roof space. Despite the Council's concerns the Inspector found that the proposal would not significantly harm the character and appearance of its surroundings, having particular regard to the location of the site within a Strategic Gap. The current proposal is for a group of much smaller chalets and a service building and so consequently would have a much reduced visual impact compared to the house previously proposed. The buildings would be timber clad with slate roofs set within landscaped grounds.

Subject to a planning condition securing the proposed planting to be carried out, Officers are satisfied that the development would not harm the character or appearance of the area or the integrity of the Strategic Gap. There would therefore be no conflict with Policies CS14, CS17 or CS22 of the adopted Fareham Borough Core Strategy.

#### d) Effect on living conditions of neighbours

The site lies in close proximity to several residential properties.

To the immediate west lies the house at 249 Titchfield Road, the eastern flank of which physically abuts the application site and which contains a single first floor landing window. Numerous windows are located in the north and south facing front and rear elevations and in addition a first floor roof terrace to the master bedroom is located at the rear of the house adjacent to the party boundary with the application site.

The neighbours living at 249 Titchfield Road have expressed concerns including the potential for noise and disruption from holiday-makers and the detrimental impact this would have on their own living conditions. The proposed site layout shows the nine holiday let units and service unit to be evenly distributed across the northern part of the site. A series of revisions to the proposed plans have been submitted by the applicant to move the chalets further away from neighbouring properties and to enhance the proposed planting and boundary treatment. The nearest chalet to the adjacent house at no. 249 is around 7.5 metres away. Chalets are typically arranged with their principal elevations, where the external terrace and entrance door would be, facing away from neighbouring properties. The proposed landscaping plan shows that the intervening areas between the holiday units and the boundary would be planted to discourage the use of the site's periphery by holiday-makers. A new 1.8m close boarded fence would be erected along almost the entire western boundary of the site with no. 249.

Officers acknowledge that people on holiday may lead a different lifestyle to other residents and that there would be the potential for noise to arise which disturbs the adjacent neighbours at no. 249. However, the proximity and relationship between that house and the holiday units would be little different to that typically found between many houses, albeit perhaps in a more built up location. The arrangement of the chalets and proposed planting would also focus activity away from the western edge in favour of the more open centre of the site.

The proposed swimming pool, an acknowledged potential source of noise to neighbours, would be located approximately 57 metres away from the party boundary with no. 249 in the south-eastern corner of the site. The applicant has suggested that the pool would be for the exclusive use of guests staying in the holiday accommodation on site and open from 0800 - 1800 daily.

The vehicular entrance to the site is proposed in the north-eastern corner of the site. Whilst the neighbouring houses at no. 249 and no. 251 use the existing vehicular track, which would be upgraded as part of the proposal, as their primary route of access, the location of the access into the proposed holiday complex would be a significant distance from either property. Along the entire northern boundary of the holiday accommodation adjacent to the access track would be a 2.0m high brick wall with piers and closeboarded infill panels except for where the gated entrance would be. On the other side of the access track a 1.0m timber post and wire fence would be erected to discourage access onto the land to the northern side between the track and the private rear garden of no. 253a Titchfield Road. According to the proposed landscaping scheme, that strip of land would be planted to provide a buffer of approximately 13 - 17 metres of vegetation to help screen the neighbouring property from any activity at the site.

In summary, Officers have considered carefully the concerns raised by neighbours and are satisfied that, whilst there remains the potential for noise from holiday-makers to impact on the living conditions of neighbours, principally the occupants of 249 Titchfield Road, subject to conditions requiring planting, boundary treatment and use of the proposed swimming

pool, the severity and likelihood of any impact is not considered to constitute a reason for refusing this planning application.

#### e) Access and highway safety

Currently a set of electric metal gates with brick walls and piers either side is in place close to the eastern end of the access track where it joins Titchfield Road. The proposal involves removing these gates and replacing them with a very similar set slightly further back into the site from the back edge of the highway. In all the proposal would result in an area 10m long by 5m wide in front of the gates for vehicles. This would be sufficient space for an entering vehicle to pull in off Titchfield Road whilst another vehicle was leaving through the gates.

The applicant has confirmed that the existing driveway has passing places allowing two vehicles to pass. Sufficient space is provided within the site itself for a private refuse vehicle to turn and leave the site in a forward gear.

At the junction, visibility splays of 120 metres in both directions for exiting drivers are shown to be provided with intervening shrubs being cleared to the south of the access. The Council's Transport Planner has raised no objection to the proposed splays provided a utility cabinet which currently lies in the way of sight is relocated.

#### f) Effect on Solent Special Protection Areas (SPAs)

Notwithstanding the proposed units being holiday lets, the proposal comprises dwellinghouses which are deemed to fall within Use Class C3. As such Officers consider that the proposal is still subject to the requirements set out in Policy DSP15 of the adopted Fareham Borough Local Plan Part 2, namely the need to mitigate the 'in combination' effects of recreation on the Solent Special Protection Areas. Typically applicants opt to provide this mitigation through the payment of a financial contribution towards the Solent Recreation Mitigation Strategy (SRMS) which at this present time is set at £181 per residential unit.

Planning permission is recommended to be granted subject to the applicant making this payment through an agreement made under Section 111 of the Local Government Act 1972.

#### g) Conclusion

The proposed development has been found by Officers to be acceptable in principle as well as other material planning considerations such as the visual impact of the proposal and the potential impact on the living conditions of neighbours. The proposal complies with the relevant adopted policies of the local plan.

Members will be aware that at present this Council cannot demonstrate a five year housing land supply following the appeal decision issued last August in relation to the site in Cranleigh Road, Portchester (Ref: APP/A1720/W/16/3156344). As such Paragraph 14 of the National Planning Policy Framework (NPPF) is engaged.

The Officer recommendation is to grant planning permission and that the proposal accords with the policies of the adopted local plan. If Members were to take a contrary view such that they felt that planning permission should be refused it would be essential for the committee to consider the application in line with Paragraph 14 of the NPPF and to apply the 'tilted balance'. The key judgement for Members would therefore be whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

## **Recommendation**

Subject to the applicant making the necessary financial contribution towards the Solent Recreation Mitigation Project (SRMP) through an agreement made under Section 111 of the Local Government Act 1972;

PERMISSION, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration 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 hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- a) Chalet plans and elevations - drawing no. 2017-10(14) A3
- b) Services Unit - drawing no. 2017-10(14) A4
- c) Gate elevations - drawing no. 768-106 A
- d) Boundary treatment - drawing no. 768-900 B (revised 22nd December 2017)
- e) Swimming pool plan and section - drawing no. 768-205 Rev A (received 11th Jan 2018)
- f) Proposed gate plan - drawing no. 768-103 A
- g) Visibility splays - drawing no. 768-104 A
- h) Proposed site plan - drawing no. 768-102 Rev D (received 23rd Feb 2018)
- i) Landscape proposals - drawing no. CU-01-17 Rev C (received 11th Jan 2018)
- j) Boundary treatment plan - drawing no. 768-105 Rev C (received 12th Jan 2018)
- k) Location plan - drawing no. 768-100
- l) Arboricultural Impact Assessment - 4839-2-18 - 20th February 2018
- m) Tree Protection Plan - 4839-2-18 - 20th February 2018
- n) Tree Protection Plan - holiday lets - 4839-2-18 - 20th February 2018
- o) Ecological Mitigation and Management Strategy - October 2017
- p) Emails from applicants ecologist Matthew Clarke dated 7 & 14 February 2018

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

3. The holiday lets hereby permitted shall be occupied for holiday purposes only and shall not be occupied by any individual or group of residents for a continuous period of more than 30 days or for more than 60 days in any calendar year. The owners/operators of the application site shall maintain an up to date register of the names of all owners/occupiers of the holiday lets on the site, and of their permanent places of residence and shall make this information available within 14 days of being requested to do so in writing by the local planning authority.

REASON: In order to prevent the establishment of a permanent residential dwelling on this site within the countryside; in order to prevent the change of character of these buildings as holiday units.

4. None of the development hereby permitted shall commence until details of all proposed external facing and hardsurfacing materials (including a bound surface between the entrance gates hereby approved and the highway) 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.

5. None of the development hereby approved shall be occupied until the approved boundary treatment has been fully implemented. The boundary treatment shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and in the interests of the visual amenities of the area.

6. The approved landscaping scheme shown on the approved drawing "Landscape proposals - drawing no. CU-01-17 Rev C (received 11th Jan 2018)" shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority. 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.

7. The swimming pool hereby permitted shall be used only by guests staying in the holiday accommodation hereby permitted.

REASON: To protect the living conditions of neighbours; in the interests of highway safety.

8. The swimming pool hereby permitted shall not be used outside of the hours of 0800 - 1800 each day.

REASON: To protect the living conditions of neighbours.

9. The development hereby permitted shall not be brought into use until the existing entrance gates adjacent to Titchfield Road have been removed as identified on the approved drawing "Proposed gate plan - drawing no. 768-103 A".

REASON: In the interests of highway safety.

10. No development shall take place until the visibility splays at the junction of the site with Titchfield Road have been provided in accordance with the details shown on the approved plan "Visibility splays - drawing no. 768-104 A". The visibility splays shall thereafter be kept clear of obstruction (nothing over 0.6m in height) at all times.

REASON: In the interests of highway safety

11. No development hereby permitted shall commence until a desk top study of the former uses of the site and adjacent land and their potential for contamination has been submitted to and approved in writing by the Local Planning Authority (LPA).

Should the submitted study reveal a potential for contamination, intrusive site investigation and risk assessments should be carried out, including the risks posed to human health, the building fabric and the wider environment such as water resources, and where the site investigation and risk assessment reveal 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 LPA in writing.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the LPA. This shall be



investigated to assess the risks to human health and the wider environment and a remediation scheme implemented following written approval by the Local Planning Authority. The approved scheme for remediation works shall be fully implemented before the permitted development is first occupied or brought into use.

On completion of the remediation works and prior to the occupation of any properties on the development, the developers and/or their approved agent shall confirm in writing that the works have been completed in full and in accordance with the approved scheme.

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

12. Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, no additions or alterations to the roof, porches, out buildings or additional hard surfaced areas shall be constructed within the curtilage of any of the holiday let properties hereby approved unless first agreed in writing with the Local Planning Authority following the submission of a planning application.

REASON: Further development would be likely to increase the number of bedrooms at the site resulting in inadequate on site car parking; to protect the character and appearance of the locality; to ensure that there is an opportunity to properly resolve land contamination issues; to protect the living conditions of neighbours.

13. No caravans shall be brought onto the site for any purposes whatsoever.

REASON: To protect the living conditions of neighbours.

14. The services unit hereby permitted shall be used only for purposes incidental to the holiday let properties hereby permitted and shall at no time be used as a unit of accommodation.

REASON: To protect the living conditions of neighbours; In the interests of highway safety.

15. The development hereby permitted shall be carried out in accordance with the measures set out in the approved document "Emails from applicants ecologist Matthew Clarke dated 7 & 14 February 2018" in relation to the retention of the tree with bat potential and installation of two 2F bat boxes with double front panels, one 1FW hibernation bat box and one 1FS large colony bat box in suitable retained trees. Those replacement bat roost features and enhancements shall thereafter be retained at all times.

REASON: To avoid impacts to roosting bats.

16. The development hereby permitted shall be carried out in accordance with the measures set out in Sections 5.5 "Management Prescriptions" and 6 "Management Review" of the approved "Ecological Mitigation and Management Strategy - October 2017".

REASON: To conserve and enhance biodiversity.

### ***Notes for Information***

Suitable reptile habitat on the site such as compost heaps, tall grass and scrub shall be carefully cleared under the supervision of an ecologist. Any reptiles revealed shall be moved to adjacent retained rougher/boundary habitat. During demolition works the existing dilapidated building on site shall be soft stripped under the supervision of a licensed bat

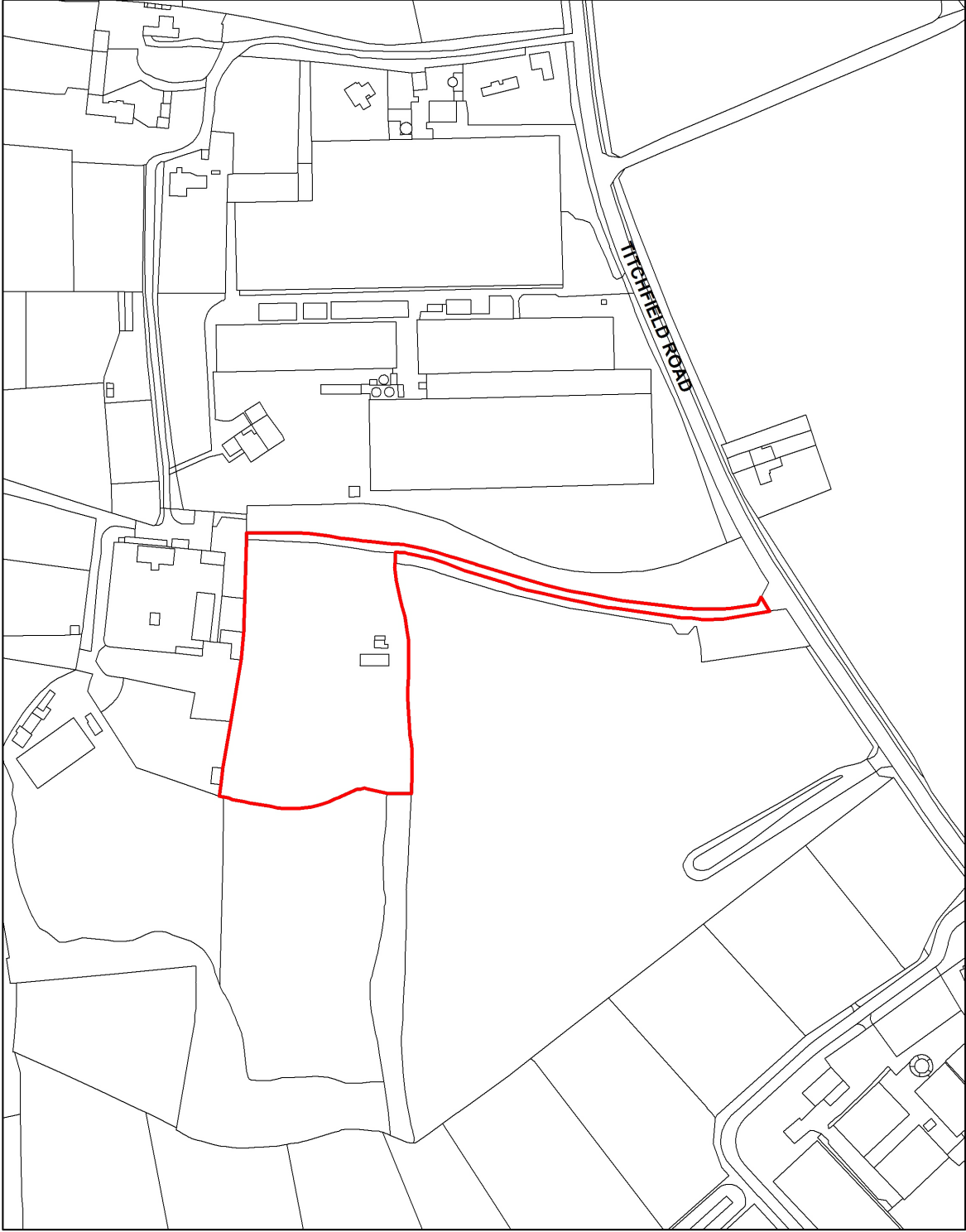
ecologist. All work should stop immediately if bats, or evidence of bat presence, are encountered at any point during the works and should not resume unless agreed by the local planning authority in writing.

***Background Papers***

P/17/1356/FP

# FAREHAM

BOROUGH COUNCIL



247 Titchfield Road  
Scale 1:2500



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