

**UPDATES**

for Committee Meeting to be held on 21 November 2012

**NONE**

- (22) **N/12/0006** **PORTSMOUTH**  
**TRAFALGAR WHARF HAMILTON ROAD PORTSMOUTH HANTS PO6 4PX**

Comments have been received from the Director of Regulatory & Democratic Services (Contaminated Land):

Looking at the application it seems likely that Portsmouth City Council will require a condition relating to contaminated land however it may be useful for Portsmouth Council to know that records show a former landfill and artificial ground adjacent to the application site within the Fareham Borough Council area.

In light of the above comments Officers recommend that a suitable informative note be attached to the consultation response.

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**ZONE 1 - WESTERN WARDS**

- (9) **P/12/0828/FP** **SARISBURY**  
**180 SWANWICK LANE SWANWICK SO31 7GF**

Planning Considerations - Key Issues

The paragraph under this section beginning "Officers consider it reasonable..." should end after "boundary opposite them".

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- (10) **P/12/0841/FP** **PARK GATE**  
**4 EDENBRIDGE WAY SARISBURY GREEN SOUTHAMPTON HANTS SO31 7LS**

This application has been withdrawn from the agenda.

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**ZONE 2 - FAREHAM**

- (11) **P/12/0801/FP** **FAREHAM NORTH**  
**53 SOMERVELL DRIVE FAREHAM PO16 7QN**

An amended plan has been received reducing the width of the extension at first floor level as set out within the report.

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- (13) **P/12/0815/FP** **FAREHAM WEST**

## **67 THE AVENUE - LITTLE MUNCHKINS FAREHAM PO14 1PE**

The comments of the Director of Regulatory and Democratic Services (Environmental Health)-

There are concerns that noise from the children at play, both internally and externally, may be the subject of noise complaints from the occupiers of the proposed dwelling, similar to those received in the past in respect of other children's nurseries in the Borough particularly during periods of warm weather when windows are open. However, in this case, the residential accommodation is to be occupied by staff and therefore such complaints are unlikely to be made to this department.

If the house was owned by a third party with no relationship to the nursery, the owners may complain about the noise from the children eg shouting, screaming, crying, playing with toys etc. However, whether the Council is able to establish statutory nuisance in this location is not a certainty. There are no similar cases that have resulted in formal action in this Borough. The background noise levels dominated by traffic noise will be taken into account as will relevant case law eg existing planning consent for the use of the adjacent premises as a childrens' nursery.

In light of the above comments it is not considered appropriate to impose a further reason for refusal in relation to potential noise nuisance from the nursery use.

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### **ZONE 3 - EASTERN WARDS**

(18) **P/12/0772/FP** **PORTCHESTER EAST**  
**1 LEITH AVENUE - THE PORTSDOWN INN - FAREHAM PO16 8HS**

Updated comments have been received from the Director of Regulatory & Democratic Services (Environmental Health):

Further to the above revised application, Officers advise that there would be no adverse comments in respect of this application. However if air conditioning / chiller units are proposed in future, we would ask that Environmental Health be consulted on any such applications.

Updated comments have been received from Hampshire County Council (Rights of Way):

It is noted that the revised plans now include a 450mm high barrier along the eastern boundary between the security gates and the road. As you quite rightly suggest, this would prevent vehicles from manoeuvring over the adjacent public footpath, Fareham FP 510, which we welcome. The Council's Highway Officer has suggested that the first 5 metres of this barrier should be omitted, which would "enable the lorry body to overhang the boundary....." .

Officers have serious concerns if any large reversing vehicle were able to overhang this boundary and hence still represent a serious danger to walkers, which could include parents with push-chairs, using the footpath.

Officers comments:

Notwithstanding the concerns of HCC expressed above, officers do not consider that the access arrangements for delivery vehicles to the site would pose a hazard to users of the adjacent public footpath. Any overhanging of the right of way would be brief and only whilst delivery vehicles are

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turning into the site. Without the ability for vehicles to swing into the delivery access there would be a detriment to highway safety caused by vehicles having to manoeuvre in the road instead.