

**SUPPLEMENTARY AGENDA  
PLANNING COMMITTEE**

**Date:** Wednesday, 29 January 2014

**Time:** 2:30 pm

**Venue:** Collingwood Room - Civic Offices

**6. Planning applications and Miscellaneous Matters including an update on Planning Appeals**

To consider a report by the Director of Planning and Environment on development control matters, including information regarding new planning appeals and decisions.

**(15) UPDATE REPORT (Pages 1 - 7)**

P GRIMWOOD  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
21 January 2014

**For further information please contact:**  
**Democratic Services, Civic Offices, Fareham, PO16 7AZ**  
**Tel:01329 236100**  
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for Committee Meeting to be held on 29 January 2014

### ZONE 1 - WESTERN WARDS

- (2) **P/12/0778/DP/A** **SARISBURY**  
**BURRIDGE ROAD - LAND TO SOUTH WEST - BURRIDGE SO31 1BY**

The applicant has submitted details of an alternative lighting bollard design with a timber finish appearance. The bollard design is shown to be under a metre in height.

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- (4) **P/13/0919/FP** **TITCHFIELD**  
**247 TITCHFIELD ROAD TITCHFIELD PO14 3EP**

A revised Ecological Mitigation & Management Strategy was received 27th January 2014 in order to address the issues raised in the preliminary comments by the Director of Planning & Environment (Ecology).

The revised ecology information submitted satisfactorily deals with those outstanding matters. The Director of Planning & Environment (Ecology) advises that there are no further concerns regarding the on-site ecological impacts of the proposals as long as the existing outbuilding is retained and all measures including long-term management of the site are secured through planning conditions. The advice also suggests that a condition concerning the need to address the management of on-site contamination in relation to drainage of surface water into nearby water bodies should also be imposed in the event permission was to be granted.

The proposal is not considered to be contrary to Saved Policy C18 of the Fareham Borough Local Plan Review. Through the revised submission the applicant has satisfactorily addressed the issues around the likely impact of the development on protected species and habitat.

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### ZONE 2 - FAREHAM

- (9) **P/13/0891/FP** **FAREHAM SOUTH**  
**23 THE AVENUE - LAND TO REAR OF - FAREHAM HAMPSHIRE PO14 1NT**

For Members information, the comments of English Heritage are attached to this update.

Comments of the Director of Planning and Environment (Arborist) - no objection subject to conditions

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### ZONE 3 - EASTERN WARDS

- (13) **P/13/1049/FP** **PORTCHESTER WEST**  
**34 PORTCHESTER ROAD FAREHAM HAMPSHIRE PO16 8PT**

Further comments of the Director of Planning and Environment: No objection subject to an informative and a condition securing the recommendations of the report with regards to compensation for loss of hedgerow and provision of biodiversity enhancements.

Additional Condition: Works shall be carried out in accordance with the ecological measures set out within sections 5.2 and 5.3 of the Ecological Appraisal (Lindsay Carrington Ecological Services Ltd, January 2014), unless otherwise approved in writing by the LPA.

Reason: in order to secure adequate ecological mitigation and enhancements.

Note for information: Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential 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, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in 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 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

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SOUTH EAST OFFICE

Ms Susannah Emery  
FAREHAM BOROUGH COUNCIL  
CIVIC OFFICES  
CIVIC WAY  
FAREHAM  
PO16 7AZ

Direct Dial: 01483 252017  
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Our ref: P00300329

Dear Ms Emery

**Notifications under Circular 01/2001, Circular 08/2009 &  
T&CP (Development Management Procedure) Order 2010**

**LAND TO REAR OF BLACKBROOK GROVE, 23 THE AVENUE, FAREHAM,  
HAMPSHIRE  
Application No P/13/0891/FP**

Thank you for your letter of 5 November 2013 notifying English Heritage of the above application. I visited the site on 5 September 2013, along with Mike Franklin and yourself, to assess any potential impact on the setting of Blackbrook Grove, a grade II\* listed house, as a result of development within the orchard area. I then submitted some pre application comments. It is disappointing that this proposal does not address the concerns raised at the pre application stage.

### Summary

Blackbrook Grove is a substantial house, built within extensive grounds. Both the house and gardens were designed in a romantic style in the early 19th century and being designed together the setting of the grade II\* listed house makes a positive contribution to its significance. The proposal is to build four houses within the grounds of the listed house. As a result of the extent, scale, design, and location of the housing this development would have an adverse impact on the setting of the listed building. Such harm must be weighed against public benefits to satisfy the requirements of the National Planning Policy Framework. I am not aware of any public benefits resulting from the development and therefore I recommend that this application application should be refused.

### English Heritage Advice

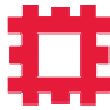
Blackbrook Grove (listed as Bishopwood) was built in the early part of the 19<sup>th</sup> century in the romantic cottage ornee style, which was popular at that time. It is an attractive example of the style with many of the key features such as the thatched roof, Gothick



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windows and rustic veranda still intact. It is now a large house, having been much extended over time, and sits within extensive grounds which are on the local Parks and Gardens Register.

This proposal is for the erection of four dwellings to the south west of the main house in an area which was formerly an orchard. This proposal will not have a direct impact on the listed building and therefore it is the setting of the house which must be considered.

The gardens comprise several character areas. Nearest to the house are formal lawns and mature trees. There is a former walled garden area to the west, a woodland area to the south and the former orchard to the south-west. The current setting of the house has already been affected by modern development and activity. There is a busy road to the north and new development to the west. These new houses are glimpsed in views from the house (largely because the current owners have established a 4 metre high hedge to screen the new development). However, when looking out from the house to east, west and south the setting is largely free from the intrusions of modern development because the garden is well stocked with trees, hedges and shrubs.

The gardens would have been laid out at the time the house was built. They were romantic and picturesque in style (as is the house) with woodland walks and a key vista down to a viewing platform which afforded views of the sea beyond. The key axial walkway still survives within the Blackbrook grounds (although I understand that the viewing mound, which is beyond this property boundary no longer exists). There was and is a strong association in historical design terms between the house and its gardens, they were constructed for use and enjoyment together (as the axial walkway illustrates) and therefore it can be concluded that the setting of the listed building contributes to its significance. In this case the gardens are not the incidental surroundings to the house; they were conceived as a whole.

In the English Heritage guidance *The Setting of Heritage Assets* under key principles for understanding setting there is a definition of setting given:

“Setting is the surroundings in which an asset is experienced. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.”

The Guidance also explains that “Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset.”



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Having visited the site I would conclude that the gardens to Blackbrook Grove make a positive contribution to the significance of the listed building and therefore a development which harms the setting would harm the significance of the listed building.

The orchard area is much diminished in terms of its historic interest and the contribution it makes to the significance of the house or the garden. Nevertheless it does retain some significance by being a surviving part of the former layout and it is still a green, undeveloped and open space. It would also be very easy to restore this area of the garden if so desired.

The proposed development is for four substantial houses (2 storeys and attics). Two are Georgian in style and two are Edwardian. They would be visible from the listed building as glimpsed views through trees. Although one would not have an open view of the new houses (provided the vegetation was retained) one would be conscious of the existence of development in an area currently perceived as an open space (via narrow views across the space to the trees on the far side of the plot). The design of the proposed houses bears no relation to the listed house or the gardens, nor are they true to modern design. While one would not want to dictate a style for new build there appears to be no logic to the styles selected. They are also large, although not as big as the listed house. I would suggest that if any development is to be acceptable in this location then it should be wholly subservient to the main house, collectively and individually.

The area which would be taken up by this new development is a significant portion of the garden area. The development of houses in the former orchard would mean that this section of the garden could no longer be considered to be part of the setting of the listed building. In this regard the setting would be much reduced and (as stated above) the enjoyment of the house and the rest of the gardens would also be impinged upon by this intrusive development.

Taking the extent, scale and design of development into account along with the loss of garden area and the visibility of the houses from the listed building I would conclude that this development would harm the setting of the Blackbrook Grove.

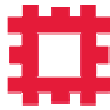
The National Planning Policy Framework (NPPF) requires that 'great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require a clear and convincing justification.' (Para. 132).



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This is a grade II\* listed building and therefore a proposal which would affect its setting must be given especially careful consideration. As set out above I conclude that the proposal would cause harm to the setting and therefore, as required by the NPPF, this harm must be weighed against the public benefits of the proposal.

The benefits of the proposal would be the erection of four houses. Unless there is a need for such houses in the Fareham district and that this is reflected in your housing policies I would suggest that this would be a private benefit, not a public one. This is a matter for the planning authority to consider and weigh up.

My pre application comments suggested that there may be the opportunity to build some houses within the orchard site, but there were several key considerations:

- the number of units be reduced to say one or two
- the development be confined to the southern half of the site, furthest from the house
- the screening between the listed house and any new development be thickened
- the northern part of the orchard could be restored to enhance the setting of the house
- the access road required little change to the existing gravelled drive

I do not feel that this current proposal addresses these points.

#### **Recommendation**

I consider that the current proposal would cause a less than substantial level of harm to the setting of the grade II\* listed building. This degree of harm should be outweighed by some public benefit to meet the requirements of the NPPF, but I see no public benefit in this proposal and therefore I would recommend that this application be refused. I suggest that a reduced development could be accommodated within the orchard, if sensitively designed, which would have a negligible adverse impact on the setting of the listed building.

Please contact me if we can be of further assistance. We would be grateful to receive a copy of the decision notice in due course. This will help us to monitor actions related to changes to historic places.



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Yours sincerely

**Marion Brinton**

Inspector of Historic Buildings and Areas

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cc



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