

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 30 January 2013

Time: 2:30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors
B Bayford
P J Davies
M J Ford, JP
R H Price, JP
D C S Swanbrow
D M Whittingham
P W Whittle, JP

Deputies:
J M Englefield
K D Evans
J S Forrest
Mrs K K Trott



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 20)

To confirm as a correct record the minutes of the meeting of the Planning Committee held on 19 December 2012 .

3. Chairman's Announcements

4. Declarations of Interest

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct.

5. Deputations

To receive any deputations of which notice has been lodged.

6. Development Control - 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.

ZONE 1 - WESTERN WARDS

Park Gate, Titchfield, Sarisbury, Locks Heath, Warsash and Titchfield Common

(1) N/12/0010 - LAND OFF LADY BETTY'S DRIVE WHITELEY (Pages 21 - 24)

(2) P/12/0778/CU - LAND TO SOUTH WEST - BURRIDGE ROAD (Pages 25 - 40)

(3) P/12/0843/OA - LAND TO REAR FAREHAM, 397-409 HUNTS POND ROAD (Pages 41 - 48)

(4) P/12/0901/FP - 51 POUND GATE DRIVE TITCHFIELD COMMON (Pages 49 - 52)

(5) P/12/0993/TO - LAND SOUTH OF MONTEREY DRIVE, LOCKS HEATH (Pages 53 - 56)

(6) P/12/0996/FP - SPRINGFIELDS BROWNWICH LANE FAREHAM (Pages 57 - 60)

ZONE 2 - FAREHAM

Fareham North-West, Fareham West, Fareham North, Fareham East and Fareham South

(7) P/12/0901/CU -UNIT 18A FAREHAM FORT FAREHAM INDUSTRIAL ESTATE (Pages 61 - 64)

(8) P/12/0927/FP - 82 HIGHLANDS ROAD FAREHAM (Pages 65 - 70)

(9) P/12/0968/FP - 80 ABBEYFIELD DRIVE FAREHAM (Pages 71 - 74)

(10) P/12/1039/TO - 67 THE AVENUE FAREHAM (Pages 75 - 78)

ZONE 3 - EASTERN WARDS

Portchester West, Hill Head, Stubbington, Portchester East

(11) P/12/0964/FP -60 NEWGATE LANE FAREHAM (Pages 79 - 82)

(12) P/12/0984/FP - 64 CASTLE STREET PORTCHESTER (Pages 83 - 86)

(13) **Planning Appeals** (Pages 87 - 94)

7. Urgent Matters

To consider any late development control matters which are deemed to be urgent and cannot await the next scheduled meeting of the Committee.

(Note:- Members will be informed prior to the meeting of any such matters).

8. Tree Preservation Orders

To consider the confirmation of the following three Fareham Tree Preservation Orders which have been made by officers under delegated powers and to which no formal objections have been received.

(1) TPO 650 - Danehurst Place & Monterey Drive, Locks Heath

Order made on 23 November 2012 covering 17 No. individual trees (15 No. Oak & 2 No. Pine), three groups (G1 - 6 No. Oak trees; G2 - 11 No. Oak trees & 1 No. Lime tree; G3 - 7 No. Oak trees) and one woodland (W1 comprising mixed broadleaves).

It is recommended that Fareham Tree Preservation Order No. 650 be confirmed with modification to the description for G2, which should read '*Rear gardens of 7 & 8 Danehurst Place and west boundary of 36 Monterey Drive*'. The description for T16 to be modified to read "Rear garden of 5 Monterey Drive".

Should Tree Preservation Order No. 650 be confirmed, it is requested that TPOs No.35, No.158, No.164 and No. 246 be revoked, as all the trees in the older Orders have, where appropriate, been included in the new Order and in TPOs No.657 and No.674 which were made recently.

(2) TPO 653 - 36 & 38 Burnt House Lane and 11, 12, 15 & 17 Ennerdale Road, Stubbington

Order made on 16 November 2012 covering 9 No. individual oak trees.

It is recommended that Fareham Tree Preservation Order No. 653 be confirmed with modification to the description for T2, which should read '*Rear garden of 38 Burnt House Lane*'.

Should Tree Preservation Order No 653 be confirmed, it is requested that TPO No.36 be revoked as all the trees in the older Order have, where appropriate, been included in the new Order.

(3) TPO 676 - Grosvenor Court, Gosport Road, Stubbington

Order made on 9 November 2012 covering 2 No. individual oak trees.

It is recommended that Fareham Tree Preservation Order No. 676 be confirmed as originally made and served.

Should Tree Preservation Order No 676 be confirmed, it is requested that TPO No.85 be revoked, as all the trees in the older Order have, where appropriate, been included in the new Order.

P GRIMWOOD
Chief Executive Officer

Civic Offices
www.fareham.gov.uk
22 January 2013

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
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FAREHAM BOROUGH
COUNCIL

www.fareham.gov.uk

Minutes of the Planning Committee (to be confirmed at the next meeting)

*Minutes of a meeting held on 19 December 2012
at the Civic Offices, Fareham*

PRESENT:

Councillor N J Walker
(Chairman)

Councillor A Mandry
(Vice-Chairman)

Councillors B Bayford, T M Cartwright (deputising for D C S Swanbrow), P J Davies, M J Ford, JP, Mrs K K Trott (deputising for R H Price, JP), D M Whittingham and P W Whittle, JP.

Also Present: Councillor Mrs C L A Hockley (Executive Member for Leisure and Community (minute 6(1) (2) (3)) and Councillor L Keeble (Executive Member for Streetscene)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R H Price, JP and D C S Swanbrow.

2. MINUTES

RESOLVED that the minutes of the meeting of the Planning Committee held on 21 November 2012 be confirmed and signed as a correct record ([pc-121121-m](#)).

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded members that the meeting of the Planning Committee shown on the meetings schedule for 3 January 2013 had been cancelled.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

DECISIONS UNDER DELEGATED POWERS

5. DEPUTATIONS

The Committee received deputations from the following in respect of the applications indicated and the deputies were thanked accordingly:-

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No
ZONE 1A				
Mr N Collett		Hinton Hotel and The Limes, Catisfield Lane, Fareham - Erection of A 50-Bed residential care home and 32 Dwellings following demolition of the Hinton Hotel and Ancillary buildings and The Limes Public House	Opposing	6 (1) P/12/0644/FP
Mr J McDermott		"ditto"	Opposing	"ditto"
Surgeon Captain Carmichael CBE		"ditto"	Supporting	"ditto"
Mr I Donohue (Agent)		"ditto"	"ditto"	"ditto"
Mr H Groucott (Agent)		"ditto"	"ditto"	"ditto"
Mrs J Ekins Catisfield Village Association		"ditto"	"ditto"	"ditto"

Surgeon Captain Carmichael CBE		Land to rear Hinton Hotel, Catisfield Lane, Fareham - change of use of part of paddock to a woodland walk	Supporting	6(2) P/12/0641/CU
Mr I Donohue (Agent)		"ditto"	"ditto"	"ditto"
Mr H Groucott (Agent)		"ditto"	"ditto"	"ditto"
Mrs J Ekins Catisfield Village Association			"ditto"	
Surgeon Captain Carmichael CBE		Hinton Hotel and The Limes, Catisfield Lane - Demolition of The Limes Public House situated within Catisfield conservation area	Supporting	6(3) P/12/0645/CA
Mr I Donohue (Agent)		"ditto"	"ditto"	"ditto"
Mr H Groucott (Agent)		"ditto"	"ditto"	"ditto"
Mrs J Ekins Catisfield Village Association		"ditto"	"ditto"	"ditto"
ZONE 1				
Mr P Brandl		8 St Cuthberts Close, Locks Heath - Change of use from residential to mixed use (Residential/Beauty salon)	Opposing	6(5) P/12/0825/CU
Mrs H Gregory		"ditto"	Supporting	"ditto"

Mr G Lees (Agent)	Dr & Mrs Khoury Mr & Mrs Watson	95 The Avenue, Fareham - Provision of first floor rear balcony with side screens	Opposing	6(8) P/12/0882/FP
Mr R Redmond		"ditto"	Supporting	"ditto"
Mr C Leroy- Smith (Agent)		"ditto"	"ditto"	"ditto"
ZONE 2				
Mr M Drewery		Boundary adjacent to Jonathan Road, Blackbrook Business Park, Blackbrook Road, Fareham - Reduce Leylandii trees, covered by FTPO 252 to 6 metres in height	Opposing	6 (11) P/12/0653/TO
Mr M Murray	Mr H Jupe Mr M Johnson	67 The Avenue, Fareham - Change of use to mixed use comprising nursery (D1) at ground floor level and three bedroom residential unit (C3) at first floor level, erection of single storey extension to South Eastern corner of building and entrance ramp	Opposing	6(12) P/12/0804/FP
ZONE 3				
Mrs J Butcher		25 Linden Lea, Portchester - erection of two storey extension to rear and provision of dormer window in front roof slope	Opposing	6(17) P/12/0865/FP
Mr R Tutton		"ditto"	Supporting	"ditto"

Mr M Hannah		18 Portobello Grove, Portchester - Erection of front and rear dormers, side gable end and rear single storey extension	Opposing	6(21) P/12/0930/FP
Mr R Tutton		"ditto"	Supporting	"ditto"
Mr E Ganly		58 Hill Head Road, Hill Head - Erection of two and single storey front extensions with balcony, two storey rear extension and new roof with side and rear dormers	Supporting	6(22) P/12/0963/FP

At the request of the Chairman and with consent of the Committee, it was agreed that Agenda Item 6 be considered later in the meeting

6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Environment on development control applications and miscellaneous matters, including the current situation regarding planning appeals (copy of report [pc-121219-r04-lsm](#) circulated with agenda). An Update Report was tabled at the meeting.

NOTE: *The following applications Item numbers (1) (2) and (3) were heard together.*

Item (1) P/12/0644/FP - Hinton Hotel & The Limes, Catisfield Lane, Fareham
The Committee received the deputations referred to in Minute 5 above.

The Committee was referred to the Update Report which provided the following information:- *Further representations received as a result of publishing the amended plans: Eight letters of support.*

Catisfield Memorial Hall - Catisfield Memorial Hall welcome and support the plans but raise the following issues: Land behind the FOG unit should be conditioned to give rights of access to occupiers of the unit; Is the first floor laundry window facing the Memorial Hall required? Can the second floor day room windows facing the Hall be removed? Concerned about traffic -rat-run etc; A proportion of the contributions should be allocated to extend the Memorial Hall.

The Catisfield Village Association - The Catisfield Village Association support the proposed development and amendments, however there are a number of remaining concerns: Details of planting and future maintenance of the

Woodland Walk and land adjacent to Plot 25-31 are needed; There needs to be a proper consultation on any parking restrictions; There is no mention of a pedestrian crossing on Highlands Road; Traffic uses Fisher Hill as a short cut - speeds should be reduced; A substantial part of the community facilities contribution should be made available to improve facilities at the Memorial Hall.

The Fareham Society - The Society has continued to monitor the planning application for the site. The latest plans show changes to meet objections raised including refinement to the design of the care home. Two issues that the Society seek assurances on are that the Council will keep the urban area boundary as presently denoted and that watertight arrangements are put in place for the future long term maintenance of the planting belts and communal areas. On street parking should be dealt with in order not to disadvantage the current owners of properties in the village conservation area.

*One letter of concern relating to: Increase in traffic and highway safety;
No facilities for children to play and not safe for them to cross Highlands Road.*

*Two letters of support but with the following concerns: On street parking;
Do not understand changes to Plot 13 which now overlooks 35 Catisfield Lane.*

One letter of objection raising the following points: Object to the amendments to plots 13, 15 and 16; as a result two properties directly overlook Catisfield Lane; The previous proportions of Plot 13 were much more in keeping with 35 Catisfield Lane; Complete lack of sensitivity in relation to 35 Catisfield Lane. Two letters received objecting to the demolition of the Limes Public House and the loss of the petanque facility.

Additional condition: salvage materials.

At the invitation of the Chairman, Councillor Mrs Hockley addressed the Committee during consideration of this item.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to:-

- (i) the applicant/owner entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:
 - (a) an off site open space contribution;
 - (b) £5,000 to fund a Traffic regulation order for yellow lines in Catisfield Lane;
 - (c) £12,500 to fund residents parking scheme in Catisfield Lane;
 - (d) £10,000 towards improvements to the Highlands Road/Catisfield Lane junction
 - (e) a financial bond of £8,500 in relation to the monitoring of the Travel Plan.
- (ii) the conditions in the report; and

(ii) an additional condition: salvage materials,

was voted on and CARRIED.
(Voting 9 in favour; 0 against).

RESOLVED that subject to:-

(i) the applicant/owner entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:

- (a) an off site open space contribution;
- (b) £5,000 to fund a Traffic regulation order for yellow lines in Catisfield Lane;
- (d) £12,500 to fund residents parking scheme in Catisfield Lane;
- (d) £10,000 towards improvements to the Highlands Road/Catisfield Lane junction
- (e) a financial bond of £8,500 in relation to the monitoring of the Travel Plan.

(ii) the conditions in the report; and

(iii) an additional condition: salvage materials

PLANNING PERMISSION be granted.

Reasons for the Decision - The proposal would preserve and enhance the character and appearance of the Catisfield Conservation Area and Titchfield Abbey Conservation Area. The setting of the nearby listed building would be preserved.

The visual appearance of the site would be greatly enhanced by the proposals to the benefits of the wider amenities of the area and nearby residents. There would not be unacceptable impacts upon the amenities of properties near to the site which outweigh benefits arising.

The proposals enables the delivery of 12 affordable housing units.

Whilst there would be an impact upon protected species mitigation measures are secured through planning conditions. Highway safety would not be materially harmed and measures are secured through planning conditions and section 106 planning obligations to address concerns relating to parking for present and future residents.

In granting this planning permission the local planning authority acknowledges that the creation of residential development within an area designated as countryside is contrary to its adopted planning policy. The local planning authority have however concluded that the significant benefits brought about by the comprehensive development at the site on balance outweigh the harm caused by a limited incursion of residential development into the countryside.

Other material consideration are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied and a planning obligation secured in order to satisfy these matters.

The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing provision, CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS14 - Development Outside Settlements, CS15 - Sustainable Development and Climate Change, CS17 - High Quality Design, CS18 - Provision for Affordable Housing, CS20 - Infrastructure and Development Contributions, CS21 - Protection and Provision of Open Space and CS22 - Development in Strategic Gaps. Fareham Borough Local Plan Review: H1 Housing Allocations; DG4 - Site Characteristics; C18 - Protected Species. Residential Car Parking Standards SPD November 2009; Planning and Design Brief for the Hinton Hotel February 2004; Catisfield Conservation Area Character Assessment; Titchfield Abbey Conservation Area Character Assessment

Item (2) P/12/0641/CU - Land to rear Hinton Hotel, Catisfield Lane, Fareham
The Committee received the deputations referred to in Minute 5 above.

At the invitation of the Chairman, Councillor Mrs Hockley addressed the Committee during consideration of this item.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision – Whilst the development incorporates an area of countryside that is to be used as a woodland walk in connection with the nursing home use the development will result in enhanced planting to the benefit of the environment and will not result in any harmful impacts and therefore the breach of the policy CS14 is considered to be acceptable. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS14 - Development Outside Settlements, CS17 - High Quality Design, CS21 - Protection and Provision of Open Space, CS22 - Development in Strategic Gaps and CS4 - Green Infrastructure, Biodiversity and Geological Conservation. Fareham Borough Local Plan Review: DG4 - Site Characteristics;

Item (3) P/12/0645/CA - Hinton Hotel and The Limes, Catisfield Lane, Fareham

The Committee received the deputations referred to in Minute 5 above.

At the invitation of the Chairman, Councillor Mrs Hockley addressed the Committee during consideration of this item.

Upon being proposed and seconded, the officer recommendation to grant Conservation Area Consent subject to the condition in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the condition in the report, CONSERVATION AREA CONSENT be granted.

Reasons for the Decision - The demolition is acceptable taking into account the above policies and proposals of the Development Plan. The proposal is not considered to result in unacceptable impacts upon the character and appearance of the area or the Catisfield and Titchfield Abbey Conservation Areas, other material considerations being judged not to have sufficient weight or direction to justify a refusal or the application, and, where applicable, conditions having been applied in order to satisfy these matters. Consent should therefore be granted under section 74 Listed Building Act 1990

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Fareham Borough Local Plan Review: DG4 - Site Characteristics;; HE9- Buildings of local, architectural or historic interest.

Item (4) P/12/0648/FP - 64 Botley Road, Park Gate

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to:-

- (i) the applicant entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure developer contributions in respect of public open space and transport infrastructure by 31st January 2013; and
- (ii) the conditions in the report;

was voted on and CARRIED.

(Voting 9 in favour, 0 against).

RESOLVED that subject to :-

- (i) the applicant entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure developer contributions in respect of public open space and transport infrastructure by 31st January 2013; and
- (ii) the conditions in the report;

PLANNING PERMISSION be granted

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is acceptable in respect of its design, layout, impact on the character of the area and is in line with national and local economic aims. It would have no adverse impact upon highway safety, wildlife interests, adjoining amenity or on the amenity of future occupiers of the development. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS1 - Employment Provision, CS2 - Housing Provision, CS3 - Vitality and Viability of Centres, CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS9 - Development in Western Wards and Whiteley, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - High Quality Design, CS20 - Infrastructure and Development Contribution and CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review - DG4 - Site Characteristics; S7 - Non-Retail Uses in the District and local Centres.

Item (5) P/12/0825/CU - 8 St Cuthberts Close, Locks Heath

The Committee received the deputations referred to in Minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report, with an additional condition that beauty salon use is personal to the applicant, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, with an additional condition that beauty salon use is personal to the applicant, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposed change of use would not harm the amenities of residents living nearby nor would it be detrimental to highway safety or parking provision in the locality. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design.

Item (6) P/12/0841/FP - 4 Edenbridge Way, Sarisbury Green

The Committee was referred to the Update Report which provided the following information: - *Further comments have been received from Natural England in relation to the updated bat and mitigation strategy report: Natural England is satisfied with the mitigation proposals outlined in this report, which are acceptable. This is subject to the mitigation proposed being made a condition of any planning permission. We would highlight that, as stated in the report, further summer surveys are likely to be required in support of an EPS licence application. Additional condition: salvage materials.*

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to:-

- (i) the receipt of a bat mitigation strategy to the satisfaction of Natural England;
- (iii) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space facilities and highway infrastructure by 28 February 2013;
- (iv) the conditions in the report; and
- (v) an additional condition: salvage materials

was voted on and CARRIED.
(Voting 9 in favour; 0 against).

RESOLVED that subject to:-

- (i) the receipt of a bat mitigation strategy to the satisfaction of Natural England;
- (ii) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space facilities and highway infrastructure by 28 February 2013;
- (iii) the conditions in the report; and
- (iv) an additional condition: salvage materials

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, highway safety or ecology. There are no

other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS9 - Development in Western Wards and Whiteley, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - High Quality Design, CS20 - Infrastructure and Development Contributions and CS21 - Protection and Provision of Open Space. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document. Fareham Borough Local Plan Review - C18 - Protected Species

Item (7) P/12/0852/FP - 83 Peters Road, Locks Heath

The Committee was referred to the Update Report which provided the following information:- *This application has been withdrawn.*

Item (8) P/12/0882/FP - 95 The Avenue, Fareham

The Committee received the deputations referred to in Minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the condition in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that subject to the condition in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design.

Item (9) P/12/0894/FP - 345 Hunts Pond Road, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission was voted on and CARRIED.
(Voting 9 in favour; 0 against).

RESOLVED that PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out in this report. The proposal is not considered likely to result in an impact on highway safety. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design.

Item (10) P/12/0932/FP - 196 Swanwick Lane, Swanwick

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report was voted on and CARRIED.
(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is not considered to result in unacceptable impacts upon the streetscene or character of the area, or upon the amenities of neighbouring properties, or on the local highway network, other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

Item (11) P/12/0653/TO - Boundary Adjacent Jonathan Road, Blackbrook Business Park, Blackbrook Road, Fareham

The Committee received the deputation referred to in Minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant consent, subject to the conditions in the report, was voted on and CARRIED.
(Voting 9 in favour; 0 against).

RESOLVED that, subject to the condition in the report, CONSENT be granted.

Reasons for the Decision - The proposed tree works will not be detrimental to the health and condition of the leylandii and will have no adverse impact on local public amenity.

Policies - Fareham Borough Local Plan Review - DG4 - Site Characteristics

Item (12) P/12/0804/FP - 67 The Avenue, Fareham

The Committee received the deputation referred to in Minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to:-

- (i) the conditions in the report; and
- (ii) an additional condition requiring details of the precise location of a 1.8 metre high close boarded fence to be erected along the western boundary of the site, to be agreed in writing. The 1.8 metre high close boarded fence to be erected in the approved location before the extension hereby approved is first brought into use.

was voted on and CARRIED.
(Voting 6 in favour; 2 against; 1 abstention).

RESOLVED that subject to:-

- (i) the conditions in the report; and
- (ii) an additional condition requiring details of the precise location of a 1.8 metre high close boarded fence to be erected along the western boundary of the site, to be agreed in writing. The 1.8 metre high close boarded fence to be erected in the approved location before the extension hereby approved is first brought into use.

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the above policies and proposals of the Development Plan. The proposal is not considered to result in unacceptable impacts upon the streetscene or character of the area, or upon the amenities of neighbouring properties, other material considerations being judged not to have sufficient weight to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS15 - Sustainable Development and Climate Change, CS17 - High Quality Design, CS2 - Housing

Provision, CS5 - Transport Strategy and Infrastructure and CS7 - Development in Fareham. Fareham borough Local Plan Review: DG4 - Site Characteristics.

Item (13) P/12/0875/VC - St Christophers Hospital - Plots 10, 21 and 22 Wickham Road, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report was voted on and CARRIED.

(Voting: 7 in favour; 1 against; 1 abstention).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is not considered to result in unacceptable impacts upon parking provision within a wider development site or highway safety. Other material considerations are judged not to have sufficient weight or direction to justify a refusal of the application, and, where, applicable, conditions having been applied in order to safety these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD -RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document.

Item (14) P/12/0892/FP - 2 Harlequin Grove, Fareham

The Committee was referred to the Update Report which provided the following information:- *The letter of objection has been withdrawn following discussions between the parties concerned.*

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the condition in the report was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design.

Item (15) P/12/0911/FP - Plot 35 The Nightingales, Wickham Road, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers or the visual amenity of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

Item (16) P/12/0771/FP - 130 Newgate Lane, Hambrook Lodge, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The development would not detract from the site's rural character and setting within the countryside and strategic gap, is considered to be acceptable in terms of its scale, design and appearance and would have no material implications for highway safety. Other material considerations including the potential for land contamination or protected species on the site are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing Provision, CS4 - Green Infrastructure, Biodiversity and Geological Conservation, CS5 -

Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS14 - Development Outside Settlements, CS17 - High Quality Design, CS20 - Infrastructure and Development Contributions and CS22 - Development in Strategic Gaps. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document. Fareham Borough Local Plan Review - DG4 - Site Characteristics; C18 - Protected Species.

Item (17) P/12/0865/FP - 25 Linden Lea, Portchester

The Committee received the deputations referred to in Minute 5 above.

The Committee was referred to the Update Report which provided the following information:- *A further letter has been received from the same neighbour raising additional issues in light of amended drawings submitted by the applicant to clarify the proposal. The issues raised in the letter are: The layout of my conservatory is different to that shown on the drawings. The view facing west from my patio would be totally obstructed and this is unacceptable. The patio at no. 25 should be at almost ground level which would maintain privacy, prevent overlooking and remove the need for a high level of inclusive fencing.*

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposed development would not harm the amenities of neighbours, the appearance of the dwelling or character of the streetscene and there would be sufficient space to provide the required level of off-street parking on the site. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993); RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document.

Item (18) P/12/0866/FP - 25 Seamead, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, or the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993); RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document.

Item (19) P/12/0893/FP - 15, Eric Road, Stubbington, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

Item (20) P/12/0913/FP - 6 Glyn Drive, Stubbington

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is not considered to result in unacceptable impacts upon the streetscene or character of the area, or upon the amenities of neighbouring properties, or on the local highway network, other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXTDG - Extension Design Guide (1993); RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document.

Item (21) P/12/0930/FP - 18 Portobello Grove, Portchester

The Committee received the deputations referred to in Minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting 8 in favour; 1 against).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above, the proposal being considered/assessed by Officers for example as not likely to result in unacceptable impacts upon key planning issues (such as on the streetscene or character of the area, or upon the amenities of neighbouring properties, or on the local highway network), other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. Further to Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXTDG - Extension Design Guide (1993); RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document.

Item (22) P/12/0963/FP - 58 Hill Head Road, Hill Head

The Committee received the deputation referred to in Minute 5 above.

The Committee was referred to the Update Report which provided the following information:- *One letter has been received objecting on the following grounds:-*

The roof design has been amended however all other design concerns and considerations have be ignored. Over-bearing influence on the neighbouring property including loss of light to the garden especially in the morning. The front façade is not in keeping with other surrounding properties creating an overbearing feature to the streetscene and overlooking neighbouring properties. Overlooking from proposed rear dormer. Planning permission was refused for a front balcony to the neighbouring property. The lack of a D&A statement and detailed site plans showing neighbouring properties and streetscenes show a lack of respect and does not help determine the exact proposals. Apart from the roof design the amendment is more intruding to the surrounding area. Amended plan received 12 December 2012 showing revised sections.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the condition in the report, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers or the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

7. EXTENDING PERMITTED DEVELOPMENT RIGHTS TO HOUSEHOLDERS AND BUSINESSES

The Committee considered a report by the Director of Planning and Environment on the Council's response to a technical consultation regarding extending permitted development rights for residential dwellings and some business premises (copy of report [pc-121219-r01-ase](#) circulated with agenda).

RESOLVED that the response set out in the form attached as Appendix B to the report be agreed and submitted to the Department of Communities and Local Government as the views of Fareham Borough Council.

(The meeting started at 2:30pm
and ended at 6.12pm).

N/12/0010

WINCHESTER

HAMPSHIRE COUNTY COUNCIL

AGENT: MR LORENZO MECCOLI

CONSTRUCTION OF TEMPORARY PRIMARY SCHOOL TO PROVIDE PLACES FOR UP TO 210 PUPILS AT A PLOT OF LAND OFF LADY BETTY'S DRIVE, WHITELEY

LAND OFF LADY BETTY'S DRIVE WHITELEY

Report By

Susannah Emery Ext 2412

Introduction

This authority has been consulted on a proposal to provide a temporary primary school to be erected on land off Lady Betty's Drive, Whiteley. The site lies outside the Borough of Fareham within the administrative area of Winchester City Council. Hampshire County Council will be the determining authority.

Site Description

The site is located to the north of the M27 and south of Lady Betty's Drive and is surrounded by residential properties to the north, east and west. The site comprises gently sloping rough grassland currently used for grazing with mature trees on the northern, eastern and western boundaries.

Whilst the primary access into Whiteley is from junction 9 of the M27 there is a secondary route linking the development with the Titchfield Park/Segensworth area. This vehicular route leads from the Whiteley Business Park along the residential roads of Leafy Lane, Bader Way and Bleriot Crescent past the eastern site boundary before joining Whiteley Lane which crosses over the M27.

Description of Proposal

The proposed temporary school is to provide much needed additional primary school places to serve Whiteley. It is intended to initially provide 120 places with the potential to expand this to a maximum of 210 places for a period of up to 7 years. It is intended that the school will relocate in the future to a permanent site that will form part of the North of Whiteley development.

It is proposed to locate the temporary primary school to the north of the site with the southern area segregated off with a post and wire fence and retained for grazing. The school building would consist of temporary modular buildings. The first phase of the development consisting of four classrooms and a hall with ancillary accommodation would be of linear, single storey form with a low pitched roof. This would be positioned lying east-west across the site in close proximity to the eastern boundary. The second phase consisting of an additional three classrooms would be positioned at a 45 degree angle to the first phase extending to the north and creating an 'L' shape. A hard surfaced play area would be provided immediately to the north with playing fields extending up to the northern boundary.

Pedestrian and vehicular access to the site would be from the point at which Bleriot Crescent and Bader Way join. A total of 17 staff car parking spaces would be provided and 26 car parking spaces would be provided for parents and visitors. These parking spaces would be to the south of the building with the parents drop off spaces arranged centrally

within a circulatory one way system.

Relevant Planning History

11/0228/OUT Erection of 75 dwellings (outline application)
Outline Planning Permission August 2012

Representations

Publicity carried out by Hampshire County Council

Consultations

Director of Planning and Environment (Planning Policy) -

The Borough Council has commented on the draft Hampshire School Organisation Plans and on the School Places Plan since 2001. Each year, comments have been made about the uneven distribution of secondary school places in the Borough and, since 2002, the Council's comments have also referred to the under provision of primary school places in Whiteley and the need to progress the provision of additional places within Whiteley as a matter of urgency. For several years therefore the Borough Council has raised concerns with Hampshire County Council as Education Authority regarding the need to redress the shortfall in school places to serve the existing Whiteley area.

Whilst a number of sites have been considered in the past for a primary school, none have been deemed suitable for various reasons. This has led to the only solution being to wait until plans for the expansion of Whiteley to the north within Winchester District are progressed through the Winchester Core Strategy to allocate further land for development including school sites. Following the most recent report to the Executive on the Hampshire School Places Plan, the Executive resolved on 5th March 2012, "That the County Council be requested to continue working jointly with Fareham Borough Council and Winchester City Council to identify and appraise potential sites for new primary schools for Whiteley, within the area of the proposed urban extension to the north of Whiteley, ensuring that at least one is provided at an early stage of the development."

At the Winchester Core Strategy Examination Hearing in November 2012, planning agents for the developers of the North Whiteley expansion stated the intention to submit an outline planning application for the development as soon as the Core Strategy is adopted. The viability report submitted to the Examination indicates that a S106 contribution for the primary school would be made in 2015. Even if this is the case there will be some years before the school can be built and opened. The current proposal is thus for a temporary school for up to 7 years to accommodate initially 120 pupils with the potential to expand up to 210 places in total.

The Whiteley Primary School is at or near capacity such that pupils who cannot be accommodated there have to travel out of Whiteley to schools within the Western Wards, e.g. at Sarisbury and Locks Heath, resulting in unsustainable travel patterns and adding to congestion on the road network from Whiteley into the Western Wards. The Hampshire School Places Plan says that schools should be within reasonable walking distance of the homes of all pupils within the area to be served by the school, with safe (preferably segregated) routes for journeys on foot or bicycle and related to public transport. Whilst the proposed location is not ideal to meet these criteria, to have a school in Whiteley, to the north of the motorway, will reduce the need for pupils to travel out of Whiteley and into the Western Wards so potentially having a positive impact on travel patterns and congestion within the Borough.

This proposal should therefore be supported.

Director of Planning and Environment (Highways) - As the proposal will provide much needed primary school places for the Whiteley area and thus reduce the reliance by this area on schools within Locks Heath, no highway objection is raised to the application.

Director of Regulatory and Democratic Services (Environmental Health) - Comments awaited

Planning Considerations - Key Issues

Members will be aware that it has been a long held aspiration of this Authority to see an additional primary school provided at Whiteley.

A transport assessment has been submitted with the application which assesses the number of pupils within the catchment area and their likely mode of transport to the school. A total of 865 potential pupils were found to live within a 1600m catchment area of the site north of the M27. Of these 11.7% live within a 5 minute walk, 5.9% live within a 10 minute walk and 31.9% live within a 15 minute walk. It is therefore expected that approx 40% of pupils will walk to school, 48% will arrive by car as a single passenger, 10% as part of a car share and 1% by bus or by cycling.

Any highways concerns relating to the location of the proposed site access, provision of car parking and impact on the immediate environment around Leafy Lane/Bader Way and Bleriot Crescent should be considered by the district council and the determining authority.

It is considered that the proposal is likely to reduce a number of current vehicle movements from Whiteley to other local schools in the Western Wards area, including Park Gate, Locks Heath and Sarisbury Green which would be beneficial. Whilst the location of the school on the periphery of Whiteley is likely to generate a number of transport movements it is considered this is outweighed by the benefits of reducing vehicle movements out of Whiteley.

In light of the benefits brought forward as a result of this proposal officers recommend that Hampshire County Council is advised that this Authority strongly supports the application.

Recommendation

NO OBJECTION

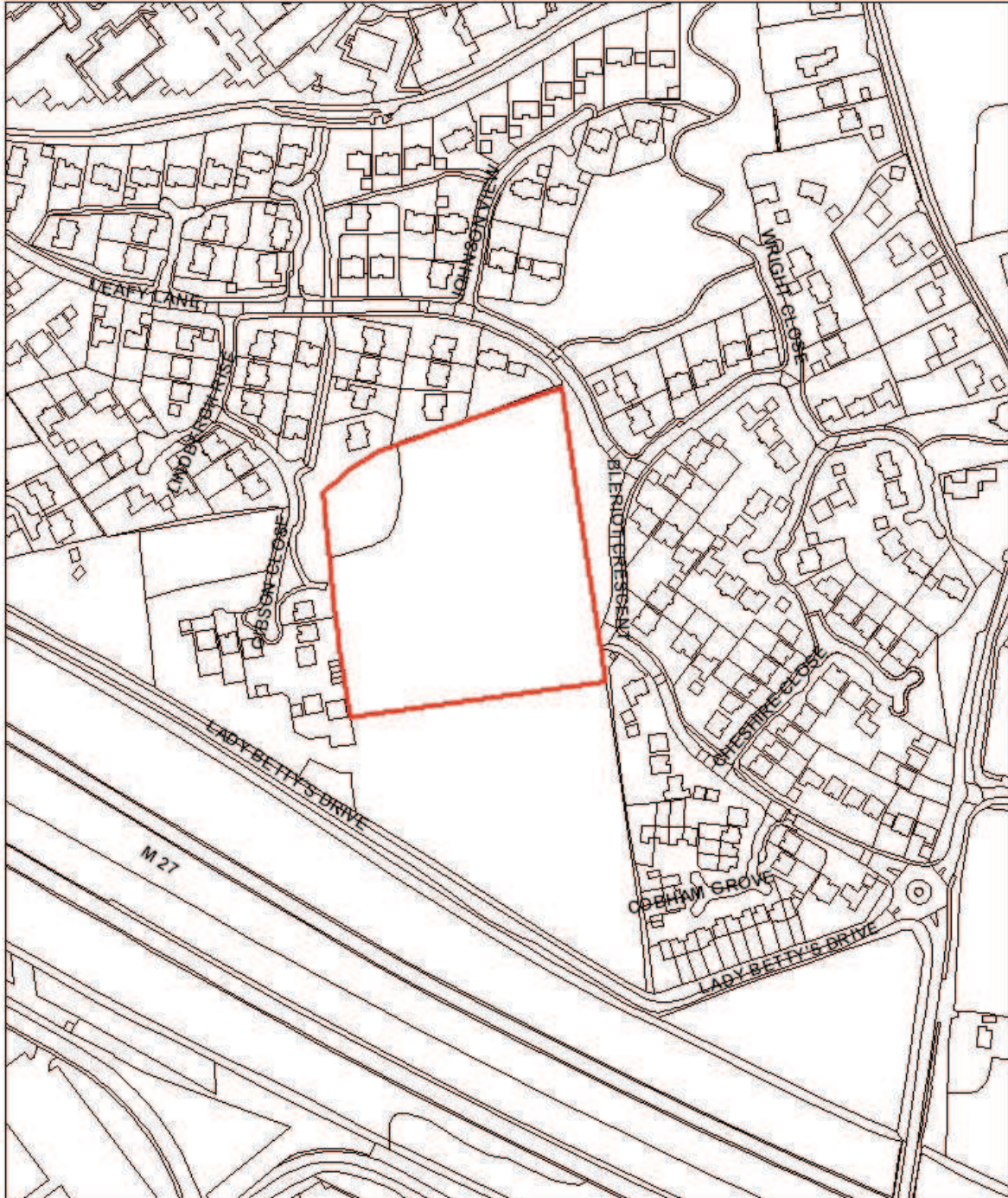
Subject to the comments of The Director of Regulatory and Democratic Services (Environmental Health)

Background Papers

N/12/0010

FAREHAM

BOROUGH COUNCIL



LAND AT LADY BETTY'S DRIVE
1:2500

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P/12/0778/CU

SARISBURY

MRS ANITA BARNEY

AGENT: MR MATTHEW GREEN

THE USE OF LAND FOR THE STATIONING OF CARAVANS FOR RESIDENTIAL PURPOSES FOR 1 NO GYPSY PITCH TOGETHER WITH THE FORMATION OF ADDITIONAL HARD STANDING AND UTILITY/DAYROOM ANCILLARY TO THAT USE
BURRIDGE ROAD - LAND TO SOUTH WEST - BURRIDGE SO31 1BY

Report By

Richard Wright x2356

Introduction

This application was due to be determined by members of the committee at this meeting. A non-determination appeal was lodged by the applicant on 21st January meaning that the Council is now unable to determine the proposal. Members are invited to resolve how the application would have been determined had they been able to do so. The committee resolution will be included in the Council's forthcoming appeal statement.

Site Description

The site is situated on the southern side of BurrIDGE Road and comprises the north-east quadrant of a field, which extends to a boundary to the south west, shared with 93 BurrIDGE Road. The curtilage of no. 75 BurrIDGE Road (formerly a commercial kennel) adjoins the site to the south east and no. 91 BurrIDGE Road is some 30m away to the north west, across an open field.

Access to the site is provided by a five-bar metal vehicle gate set within the boundary hedgerow along the site's north-eastern boundary with BurrIDGE Road. The interior of the site, and the remainder of the wider field, is mature grassland.

The site lies within an area of countryside, defined by the Local Plan Adopted Proposals Map, some 600m beyond the defined urban area to the east.

Description of Proposal

The application is for the change of use of the land for the stationing of caravans for residential purposes as a single gypsy pitch. The application also seeks consent for the formation of a hardstanding and the erection of a utility/dayroom.

The submitted site plan shows a proposed mobile home and touring caravan to be stationed on the hardstanding along with the utility/day room which would be positioned towards the southern corner of the site and is shown to have a footprint of 8 x 5 metres and a dual pitched roof with a ridge height of 4.5 metres. The hardstanding itself would measure approximately 22.5 x 17 metres with a separate area of tarmac surfacing providing an entrance driveway directly off BurrIDGE Road.

The submitted plan shows the rear portion of the field, to the south west, fenced off for use as a paddock. The paddock is shown to be accessed via a vehicular gate however this area falls outside of the red edge of the application site.

The application is accompanied by details of the personal circumstances of the applicant and her family which explains that, with the exception of the eldest child, they currently live

in a touring caravan which is parked on the applicant's mother's private dwelling at Winter's Hill, Durley.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS19 - Gypsies, Travellers and Travelling Show People

CS20 - Infrastructure and Development Contributions

Fareham Borough Local Plan Review

DG4 - Site Characteristics

H14 - Frontage Infill in the Countryside

C18 - Protected Species

Relevant Planning History

The following planning history is relevant:

P/11/1063/CU **CHANGE OF USE OF AGRICULTURAL LAND TO PRIVATE GYPSY SITE FOR ONE FAMILY, SITING OF ONE MOBILE HOME AND A TOURING CARAVAN**

REFUSE 03/05/2012

P/00/0229/OA **Erection of Two Dwellings (Outline Application)**

REFUSE 07/12/2000

Representations

Adjoining occupiers have been notified by letter and a site notice posted for the requisite period. Twenty five letters, predominantly from residents of Burrige Road, have been received objecting to the proposal on the following grounds:

- The proposal will be detrimental to / out of character with the existing settled community of Burrige Road
- It would detract from the rural character of the locality and the openness of the countryside and local landscape
- The site's planning history, rejecting residential development on grounds of impact on countryside sets precedent to resist this proposal
- Loss of adjoining amenity
- The surface water drainage capacity of the site is queried
- The foul water sewage capacity of the site is queried
- Detriment to matters of ecological interest
- Access to the site is restricted via the lane which is already overused
- The road to the property is single track and inadequate for taking increased traffic
- Safe access to the site and from Burrige Road onto Botley Road is difficult for large

vehicles

- Granting the proposal would give rise to an unauthorised gypsy encampment and set a precedent for similar proposals and expansion
- The application is vague as to the future use of the site and the number of caravans that will be stationed
- The status of the applicant as a travelling gypsy is queried / should not be taken into account
- The addition of a fixed day room would appear more invasive than the previous proposal
- The proposed day room is in fact a brick built bungalow
- The land has not been assessed by the local authority under the GTAA as being suitable for a gypsy site
- The site is poorly related to existing services
- The Council has already met its obligation regarding provision of gypsy sites
- There is no proven need for more gypsy sites in this location
- The Supporting Information does not provide sufficient reasons to justify an exception to adopted policies
- The application is not materially different from the previous refused application (ref P/11/1063/CU) and there has been no change in planning policy
- The applicant is currently domiciled in Durley not within Fareham Borough and should seek accommodation within Winchester City's area of responsibility
- There is an underused gypsy site in Whiteley
- Development on agricultural land not appropriate
- There is a perceived fear of crime associated with the proposal

Other reasons for objection have been received, but are not specified as they are not material planning considerations.

A letter has been received from the Burridge and Swanwick Residents Association raising an objection to the application on the following grounds:

- This new proposal provides little further information than the previously refused application (ref P/11/1063/CU)
- Insufficient new ecological information
- The Supporting Information does not provide sufficient reasons to justify an exception to adopted policies
- The land is defined as agricultural and should remain so
- Concern over who will occupy the mobile home and why
- Concern over how this site would be integrated within the local community

Five letters, from a wide range of addresses, have been received supporting the proposal on grounds of:

- The good character of the applicants
- The genuine status of the applicants as being of gypsy origin
- The site is close to a bus route on Botley Road and Swanwick Railway Station is nearby
- The site is close to good local services and is in a sustainable location
- This is clearly not a transit site
- The proposed development would protect wildlife on the site unlike an agricultural use which would not
- The application meets the need for a gypsy pitch in a sustainable location

One further letter has been received neither raising an objection to or registering support for

the application.

Consultations

Director of Planning & Environment (Strategic Planning) -

Policy Context

The Partial Review of the South East Plan on Gypsy and Traveller Accommodation and Policy CS19 of the adopted Core Strategy are relevant to this application. Policy CS19 of the adopted Core Strategy supports provision for Gypsies, Travellers and Travelling Showpeople in accordance with an up to date accommodation assessment and site location criteria. The policy identifies the Site Allocations Plan as the document that will allocate specific sites required for Gypsies, Travellers and Travelling Showpeople

Government's policy is set out in Planning Policy for Traveller Sites (PPTS) March 2012. This advice should be read in conjunction with the National Planning Policy Framework, April 2012.

Partial Review of the South East Plan on Gypsy and Traveller Accommodation

The South East Plan (Partial Review) work on establishing targets for the provision of traveller sites was not completed as the Panel Report following the Examination in Public during February 2010 was not published due to the Government's intention to abolish the South East Plan.

A new joint assessment has been commissioned by the following authorities: Fareham, Gosport, Havant, East Hampshire, Eastleigh, Winchester, Test Valley, New Forest and the New Forest National Park Authority. It is to be carried out by Forest Bus, a charity with considerable experience with working with Travellers.

The Hampshire Traveller Database records all unauthorised encampments in Hampshire. The majority of unauthorised encampments in the borough were Gypsies passing through the area whose needs potentially could be met by transit sites/temporary stopping places. The data therefore does not demonstrate a need for permanent sites in the borough although it does demonstrate a need for a transit site or temporary stopping place. The Fareham data now records the two sites with temporary permissions and one unauthorised site within the borough. The unfinished draft Panel Report recommendations support the provision of 3 residential pitches by 2016.

Compliance with Core Policy CS19

Policy CS19 Gypsies, Travellers and Travelling Showpeople population supports the provision of pitches in accordance with government policy as contained within the planning policy for travellers guidance and supported by an up-to date Accommodation Assessment.

Sites may be identified through the development control process and considered against the criteria in Policy CS19 as follows:

- The unfinished draft Panel Report recommends 3 residential pitches by 2016. In the period since the GTAA was prepared two sites, both for 2 residential pitches, have been granted temporary permission until 2016. Fareham Borough Council has therefore provided for the requirement until 2016 identified in the GTAA and the unfinished draft Panel Report.

- The site is not in close proximity to primary or secondary schools, shops and other facilities and it is not on a bus route with frequent services.
- The site could potentially be suitable for this type of accommodation if alternative more suitable locations cannot be identified and the mobile home is already on the site.
- The site is capable of being provided with adequate on-site services.

Conclusions

The GTAA and the unfinished draft Panel Report do not support the provision of any further additional pitches in the borough; the identified need up to 2016 in those documents has been provided for. Data from the Gypsy and Traveller Caravan Counts and the Traveller Database demonstrates that there are many unauthorised encampments in Hampshire, but does not show a specific need for additional permanent sites in the borough.

The site is not readily accessible to shops, schools and other services by public transport, on foot or by cycle and therefore does not meet the policy provisions of CS19.

Director of Planning & Environment (Highways) -

This is a proposal to clear shrubs and vegetation and create a hardstanding area for the stationing of a single gypsy caravan, a parking and turning area for vehicles and a utility/dayroom, all to be served from a new access off Burrridge Road. This is contrary to the information on the planning application form which states no new access is proposed.

There is a disused access to the site from Burrridge Road although the proposal is to create a new access some 45m along the narrow section of the road where the 4m width of the carriageway has diminished to some 3m through a lack of maintenance.

It is noted that the application refers to 'caravans' in the plural, whilst only showing details of a single caravan and dayroom. On the understanding that the proposal is for a single dwelling, the access arrangements can be made acceptable by conditions relating to construction of the access, provision of 2m by 35m visibility splays and securing of parking and turning space.

It would be necessary to restrict development, through condition, to a single dwelling unit, as there would be additional access issues should multiple units be forthcoming.

It is suggested that a TCP contribution would not be relevant to this proposal.

Suggested conditions - vehicular access construction, car parking within curtilage, visibility splays.

Director of Planning & Environment (Ecology) -

The botanical survey, which has been verified and augmented by data provided by Hampshire Biodiversity Information Centre show that the field supports significant biodiversity interests, meeting SINC (Site of Importance for Nature Conservation) criteria (grassland with relics of unimproved pasture). Where such habitats exist, but are not designated, it is normally an issue of under-recording rather than that the site not being suitable for designation, and therefore where habitat demonstrates meeting SINC criteria

should be considered of the same biodiversity value as these designations.

Information provided

The ecological reports provided refer to the proposal as including the horse grazing land to the south east corner of the site and occupying half of the surveyed plot (wider site). The Proposed Site plan shows a proposed post and rail fence enclosing a 'proposed paddock' within this area. Horse grazing is not considered suitable management of these types of habitat and would result in further habitat loss. However it is understood that the paddock falls outside of the red-edged area and it is therefore slightly unclear as to whether the impacts of the creation of a paddock should be taken into account.

The reports do not address:

- the creation of a new access (the Phase 1 report states that no vegetation removal is proposed)
- the treatment of the boundary hedgerow habitat (and required buffer) along the eastern site boundary
- the operational management of retained habitat
- impacts such as lighting

Reptiles

Very low populations of Slow worm and Common lizard have been found to be present on the wider site. The proposal will result in habitat loss and potential impacts to individual animals during site works. The reptile report provides some details as to methodology to avoid impacts during clearance. It also recommends retention of a minimum buffer zone of 3 m width along the south, west and eastern boundaries of the site to ensure connectivity of habitat for reptiles. I understand this to mean the south, west and eastern boundaries of the wider site (i.e. at the grassland/scrub interfaces), to which all the surveys relate. However the Proposed Site plan appears to show a further buffer within the redline developed area to the outside of the hardstanding, increasing the area of the proposal site. It is not quite clear what the purpose of this buffer is.

Botanical value

The botanical report summarises the impacts of the scheme as being a minor loss of common orchid abundance and reduction in the area of MG4 grassland, and states that neither are species or habitats of principal concern. The conclusion of the report that the site supports MG4 grassland is incorrect. (Furthermore, if the site did support MG4 grassland this would be very significant considering this is Priority habitat and rare in Hampshire). HBIC (Hampshire Biodiversity Information Centre) have verified and augmented the survey of the site through their previous visit to the site (with permission of the agent). The HBIC data shows that the site supports habitat possessing a diverse sward with an underlying frequency of species typical of semi-improved marshy grasslands. Four grassland indicator species were found. HBIC have recommended the site is of sufficient quality to meet SINC (Site of Importance for Nature Conservation) criteria.

As such the loss of the habitat on site appears to be contrary to Plan policies CS4 and C17.

Should the application be refused, the following reason should be applied:

The proposal will result in loss of botanically diverse semi-improved marshy grassland, of SINC quality, contrary to Plan policies CS4 and C17. Insufficient information is provided to fully determine other potential ecological impacts of the scheme.

Environment Agency - No comments

Director of Regulatory & Democratic Services (Contaminated Land) - No objection

Director of Regulatory & Democratic Services (Environmental Health) - No adverse comments. Advice provided regarding requirement for caravan site licence.

Hampshire County Council (Gypsy Liaison Officer) -

It is understood that the family [of Mrs Barney] are the same as in a previous application. I refer to my report of the 14th March 2012. I categorically concluded that both Mr and Mrs Barney can be classed as of Gypsy ethnic origin. The passage of time will not change this conclusion and the same facts remain. Mrs Barney has had a cultural and traditional lifestyle living in a caravan she would have an aversion to living in bricks and mortar. Mrs Barney would like to maintain her identity as an ethnic Gypsy and to lead her private and family life in accordance with her cultural traditions.

Planning Considerations - Key Issues

Legal Position

The general position in the determination of all planning applications is that regard is to be had to the provisions of the development plan and to any other material considerations. Members must have regard to all relevant planning legislation, regulations, guidance and circulars and Council policies.

The development plan, planning policy and guidance issues in this application are identified in the body of the report in the usual manner, together with the applicants' submissions on them and Officer guidance and comments.

One fundamental question which affects the correct approach to be adopted in the determination of the application is whether the applicant and his family are Gypsies and persons of a nomadic habit of life (as legally defined).

Personal details about the applicant and her family were submitted in support of this application on 21st December 2012 following an invitation from Officers to do so, however the submission makes no specific declaration of the gypsy and traveller ethnicity and status of the applicant. It is understood that the applicant and her family are the same as the applicants for the previous refused application at this site (ref P/11/1063/CU). Having previously interviewed the applicant in conjunction with that application, the Hampshire County Council Gypsy Liaison Officer was able to confirm that, due to the degree of travelling in the applicant's lives and other submitted evidence, Mr and Mrs Barney are considered Gypsies for the purposes of the race Relations Act 1976 and therefore fit the criteria for the definition of a Traveller for planning purposes, which also applies to members of their direct family.

Case law has established that because the applicant and his family are Gypsies and persons of a nomadic habit of life (as legally defined) this application raises special considerations that the Committee must take into account in making its decision.

The applicant has made submissions in support of the application that includes information concerning her and her family's personal circumstances. The full submission is available on the Council's online planning service relating to this application.

Additional matters that Members must take into account in making their decision are:-

1. Articles 8 and 14 of the Human Rights Act 1998 ("the HRA")

Article 8- Right to respect for private and family life,

8.1. Everyone has the right to respect for his private and family life, his home and his correspondence.

8.2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.

Article 14- Prohibition of Discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 8 is engaged by the decision to be made, and Article 14 applies.

Case law has found that "home" in Article 8(1) includes a mobile home, and that what potentially could be disrespected by the Committee's decision is the applicant's right to live in that home on land which they own.

Having established that Article 8(1) is engaged, the question that the committee must consider is that raised in 8(2) above.

The proper regulation of planning control in accordance with the law is recognised as a legitimate aim in the public interest. However any planning decision that amounts to the interference with an individual's Article 8 rights must be necessary and proportionate in the particular circumstances of the case. Thus the Committee must carry out a balancing exercise in making its decision: it must weight up the requirements of national and local planning policies against the rights and needs of the applicant and his family as gypsies.

The decision must be proportionate, that is, a fair balance must be struck between the interference with the applicant's rights and the legitimate aim of the Council in the public interest pursuant to the legislation.

Article 14 applies so that in carrying out the above exercise under Article 8, Members must ensure they do not discriminate against the applicant i.e. give them less favourable treatment than they would do to another applicant because of their identity as gypsies or for any other of the reasons set out in Article 14.

Details of the rights and needs of the applicant and his family as gypsies are in the submission.

Members are reminded that here is a general statutory duty under Section 71 of the Race Relations Act 1976 for local authorities to make appropriate arrangements with a view to

securing that their various functions are carried out with due regard to the need:

- (a) to eliminate unlawful racial discrimination; to promote equality of opportunity;
- (b) to promote equality of opportunity and good relations between persons of different racial groups.

Planning Considerations

Notwithstanding the legal position outlined above, the proper regulation of planning control in accordance with the law is recognised as a legitimate aim in the public interest. In arriving at its decision the Council must carry out a balancing exercise, weighing the requirements of national and local planning policies and other material considerations against the rights and needs of the applicant and her family as gypsies.

Members will recall that a planning application submitted last year under reference P/11/1063/CU proposed similar development on the site for the "change of use of agricultural land to private gypsy site for one family, siting of one mobile home and a touring caravan". Planning permission was refused on 3rd May 2012 for the following reasons:

The proposed development is contrary to Policies CS4, CS14, CS17 and CS19 of the Adopted Fareham Borough Core Strategy (2011), Policy C18 of the Fareham Borough Local Plan Review (2000) and Planning Policy for Traveller Sites (DCLG 2012) and is unacceptable in that:

- i) There is no demonstrable requirement for additional gypsy pitches within Fareham Borough and the applicant's personal circumstances do not justify an exception to the Council's adopted policies and national policy in this respect;
- ii) The proposal site is not previously developed and is set in a rural and unsustainable location, with poor access to shops, schools and other facilities by modes of transport other than the private motor car;
- iii) The proposed development would detract from the rural character of the locality and diminish the openness of the countryside and local landscape;
- iv) In the absence of full information to assess the impact of the development on protected species and sites of ecological importance, the applicant has failed to demonstrate that the proposal would not have an adverse impact on habitats and species important to the biodiversity of the Borough.

This current application proposes a similar development to that previously refused albeit with the area of hardstanding increased, the site layout altered and the addition of a brick built utility/day room.

The main issues to be considered in the determination of this application are:

- a) Assessment of the proposal in regards to local and national planning policy on gypsy and traveller accommodation, specifically in relation to:
 - the existing level of local provision and need for sites
 - the availability (or lack) of alternative accommodation for the applicants
 - other personal circumstances
 - locally specific criteria for applications on unallocated sites (Policy CS19 of the Fareham Borough Core Strategy)
- b) Effect on character of the area

- c) Impact on neighbouring properties
- d) Highway safety
- e) Ecology

a) Assessment of the Proposal in Regards to Local and National Planning Policy on Gypsy and Traveller Accommodation

The application site is not one that has been allocated as part of a The Draft Development Sites and Policies DPD published October 2012. The proposal must therefore be considered as an independent site under the criteria set out in Policy CS19 of the Core Strategy. The Policy is believed to be in broad conformity with national guidance set out in Planning Policy for Traveller Sites (PPTS) although the guidance provides a wider range of issues to be considered in determining planning applications. The relationship of this proposal to the PPTS criteria is considered below:

The Existing Level of Local Provision and Need for Sites

Principally, local need for gypsy/traveller sites is to be identified through and Travellers and Travelling Showpeople Accommodation Assessments (GTAA's). Significant work towards this was undertaken as part of the 'Partial Review of the South East Plan on Gypsy and Traveller Accommodation'. The Chief Planning Officer to Local Authorities in England advised (6 July 2010) that evidence which informed the preparation of regional strategies may be a material consideration in the overall evidence base in determining such matters as establishing local targets.

The Council's Director of Planning & Environment (Policy) has advised that the GTAA and the unfinished draft Panel Report into the Partial Review of the South East Plan do not support the provision of any further additional pitches in the Borough; the identified need up to 2016 having been provided for. The recommended allocations for Fareham and Havant were reduced from 4 to 3. The GTAA demonstrates that there is a need for one residential pitch for Gypsies and Travellers in Fareham Borough by 2011 with the unfinished draft Panel Report recommending 3 pitches by 2016. Since the preparation of the GTAA two sites (Newgate Lane, Fareham and Southampton Hill, Titchfield), for two residential pitches each, have been granted temporary permission to 2016 thus fulfilling the identified need to 2016.

The Planning Authority is therefore satisfied that there is no demonstrable need to grant planning permission for the use of the application site as a contribution towards meeting the identified needs of Gypsies and Travellers in general within the Borough. Whilst this does not prevent the Authority from considering the proposal as an independent site, greater emphasis should be placed upon how the site meets the other criteria of Policy CS19 and whether there are other Policy reasons which should determine the outcome of the planning application, particularly in the light the advice contained in 'Planning Policy for Traveller Sites' (March 2012).

A Draft of the Development Sites and Policies Plan was recently issued for public consultation which expired on 26th November 2012. This draft does not currently contain any new site allocations for gypsy and traveller provision pending completion of the Gypsy and Traveller and Travelling Show People's Accommodation Needs Assessment 2012. Further consultation may be required following the receipt of the assessment and comments on the draft Plan. The revised timetable for further plan preparation stages, as agreed by

the Council's Executive on 1st October 2012 is for the consultation on the Pre-Submission Draft Plan during May to June 2013 with Submission by the end of July 2013.

The Availability (or Lack) of Alternative Accommodation for the Applicants

In essence this is a form of 'sequential test'. As has been set out above, it is the Planning Authority's view that Fareham has met the identified need for sites within the Borough. The applicants have provided no evidence of a site search with their planning application. Furthermore, no evidence was submitted with the application to demonstrate that no more appropriate alternative sites are available within the scope of the applicant's past range of travels.

Other Personal Circumstances of the Applicant

The planning application, as submitted, is for full planning permission. Personal details about the applicant and her family were submitted in support of this application on 21st December 2012 following an invitation from Officers to do so, however the submission makes no reference to any specific justification based on the personal circumstances of the applicant that they wish to be taken into account.

The planning submission also makes no specific declaration of the gypsy and traveller ethnicity and status of the applicant, however it is understood that the applicant and her family are the same as the applicants for the previous refused application (ref P/11/1063/CU). Having previously interviewed the applicant in conjunction with that application, the Hampshire County Council Gypsy Liaison Officer was able to confirm the status of the applicant. The planning agent has responded to Officer's requests for a further meeting with the Gypsy Liaison Officer in conjunction with this current application to say that they do not consider there to be any need to do so. The Gypsy Liaison Officer has provided general comments reiterating the advice previously given in connection with the earlier application.

Locally Specific Criteria For Applications on Unallocated Sites (Policy CS19 of the Fareham Borough Core Strategy)

Notwithstanding that the application site is located in the countryside where new residential development is not normally permitted. Policy CS19 sets out two criteria to be met for the consideration of unallocated gypsy/traveller sites:

- accessible to shops, schools and health centres by public transport, on foot or by cycle, and
- capable of being provided with adequate on site services for water supply, power, drainage, sewage disposal and waste disposal

Officers have no issue with the second of these criteria as the application site is adequately serviced. However, the site does not fulfil the requirements of the first (sustainability) criterion.

The site is not readily accessible to primary, secondary schools, shops or other facilities and is not on a bus route with frequent services. Bus stops are located 600m from the site at the junction with Burrige Road with Botley Road. Route No. 26 is limited to 12 buses every 1.45 hours, in both directions between 06:55 and 17:45, Monday to Friday, a reduced service on Saturdays with no Sunday or evening service. The nearest shops are located 1.5

miles away in Park Gate, with Swanwick Station about 1.3 miles from the site. The site is not previously developed and is outside of the defined urban area, some 600m away to the south east. Instead the site is within a predominantly rural location with limited access to services by sustainable means meaning residents living at the site would be heavily reliant on the private motor car as the primary mode of transport.

b) Effect on Character of the Area

Policy CS14 (Development Outside Settlements) of the Fareham Borough Core Strategy explains that "built development outside the defined settlements will be strictly controlled to protect the countryside from development which would adversely affect its landscape character, appearance and function".

Policy CS17 (High Quality Design) requires development to "respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials".

National policy guidance through the PPTS requires that "criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community".

The location is not one where existing residents would reasonably expect further development to take place and where they can also reasonably expect that their own interests (as the immediately affected 'settled community') would hold equal weight to the applicant's under the guidance of the PPTS. In response to the planning application twenty-five letters of objection were received, together with five letters of support. Many local residents have pointed to the existing undeveloped nature of the site and the loss of the open space, alleging the development to be harmful to the enjoyment of the countryside surroundings.

The PPTS also states that "local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan".

Although Burrige Road comprises ribbon development of dwellings (which are predominantly detached properties in large grounds) the overwhelming character of the site and surrounding area is rural. The application site forms the end of the ribbon development with the surrounding countryside and provides a large undeveloped gap between the residential development to the east and more sporadic residential development to the north, all of which lies within designated countryside. Development of the site would extend this ribbon development into the gap and would erode the rural character of the area. As a result of the development a large section of boundary hedgerow, a key characteristic of the rural appearance of the road, would be removed and replaced with a large tarmac driveway. A very large expanse of hardsurfacing is proposed for the interior of the site which would be visually intrusive within such a location. The combined effect of the hardstanding, together with all of the paraphernalia associated with the domestic use of this site (the mobile home, touring caravan, other vehicles, etc), and the added visual intrusion of the proposed brick built utility/day room, would be incongruous in this location, reduce the undeveloped space between buildings in the countryside and diminish the openness of the landscape, contrary to Policies CS14 and CS17 of the Core Strategy.

The site has been subject to a planning application for two dwellings (refused in December 2000 and subsequently dismissed on appeal in June 2001). In that instance the Inspector considered the site to be a large gap between dwellings within the countryside and that the proposal would result in an urban intrusion. Although the siting of a mobile home, day room and touring caravan is smaller in nature than two dwellings, the principle of the matter remains the same inasmuch as the development would close the gap between buildings within the countryside and would diminish the openness and be harmful to the existing undeveloped nature of the site.

c) Impact on Neighbouring Properties

The closest dwelling to the proposed mobile home (no. 75 Burrige Road) is some 14m away to the south east. Given the separation distance and the design and scale of the proposed mobile home (2.5m to eaves and 3.8m to ridge), it is not considered there would be any detrimental impact on the amenities of the occupants of no. 75 Burrige Road, or any other property, in terms of loss of privacy, overbearing impact or loss of light.

d) Highway Safety

Officers consider that additional vehicular movements from the proposal site would be minimal, with no discernible consequences on the operation of the highway network. The site is situated in a predominantly rural location with limited access to services by sustainable means. The site layout accommodates a hardstanding sufficient for parking and turning of numerous vehicles. The HCC Transport Contributions Policy is applicable in principle, given that this proposal will result in additional multi modal movements and demands on the highway network. However, the proposal can be viewed as a temporary use whereby the mobile home and touring caravan could be removed at anytime and the use cease. Furthermore, as a gypsy site, it would be expected not to be occupied all year round in the same way as a permanent dwelling would be, so a contribution under TCP is not considered appropriate in this instance.

e) Ecology

The Director of Planning and Environment (Ecology) has provided advice with regards the impact of the development on protected species and their habitat. The area of hardsurfacing proposed would lead to a permanent loss of a large section of grassland habitat on the site. The submitted botanical report explains the proposal will result in a minor loss of species and habitats and that neither are of principal concern. Hampshire Biodiversity Information Centre (HBIC) have identified that the site supports semi-improved grassland habitat consistent with the quality to meet SINC (Site of Importance for Nature Conservation) criteria. Whilst the site is not designated as a SINC, where habitat demonstrates meeting SINC criteria it should be considered of the same biodiversity value as those designations.

As such, and notwithstanding the provision of a 3 metre buffer zone around the perimeter of the hardstanding, the loss of habitat on site would be contrary to Policy CS4 of the Fareham Borough Core Strategy and Saved Policy C18 of the Fareham Borough Local Plan Review.

The Council's ecologist has also raised concerns over inaccurate, unclear and incomplete

information contained within the submitted reports.

Conclusion

The development is unacceptable taking into account the policies and proposals of the Development Plan as set out above, in particular Policies CS4, CS14, CS17 and CS19 of the Fareham Borough Core Strategy (2011) and Saved Policy C18 of the Fareham Borough Local Plan Review (2000), and national planning guidance set down in Planning Policy for Traveller Sites (DCLG 2012).

The policies of the Core Strategy and the recent DCLG document Planning Policy for Traveller Sites are supportive of proposals for Gypsy and Travellers site provision, where the need has been identified through the accepted process. However, the Council's evidence base does not support provision of any further additional pitches in the borough; the identified need up to 2016 having been provided for by temporary permissions for four pitches at The Retreat in Newgate Lane and at 302A Southampton Road Titchfield. Data from the Gypsy and Traveller Caravan Counts and the Traveller Database do not show a specific need for additional permanent sites in the borough. The site is in a countryside location, is not previously developed and is in an unsustainable location with poor access to shops, schools and other facilities by modes of transport other than the motor car. The applicant's personal circumstances do not justify an exception to the Council's adopted policies and national policy in this respect.

The development would be incongruous in this location, reduce the undeveloped space between buildings in the countryside and diminish the openness of the landscape to the detriment of the rural character of the area.

The development would result in the loss of botanically diverse semi-improved marshy grassland of SINC quality. Insufficient information has been provided to fully determine other potential ecological impacts of the scheme and that the proposal would not have an adverse impacts on habitats and species important to the biodiversity of the Borough.

There are no other material considerations judged to have sufficient weight to outweigh this harmful impact. In accordance therefore with Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused.

Recommendation

REFUSE:

The proposed development is contrary to Policies CS4, CS14, CS17 and CS19 of the Adopted Fareham Borough Core Strategy (2011), Policy C18 of the Fareham Borough Local Plan Review (2000) and Planning Policy for Traveller Sites (DCLG 2012) and is unacceptable in that:

- i) There is no demonstrable requirement for additional gypsy pitches within Fareham Borough and the applicant's personal circumstances do not justify an exception to the Council's adopted policies and national policy in this respect;
- ii) The proposal site is not previously developed and is set in a rural and unsustainable location, with poor access to shops, schools and other facilities by modes of transport other than the private motor car;
- iii) The proposed development would detract from the rural character of the locality and

diminish the openness of the countryside and local landscape;

iv) The development would result in the loss of botanically diverse semi-improved marshy grassland of SINC quality;

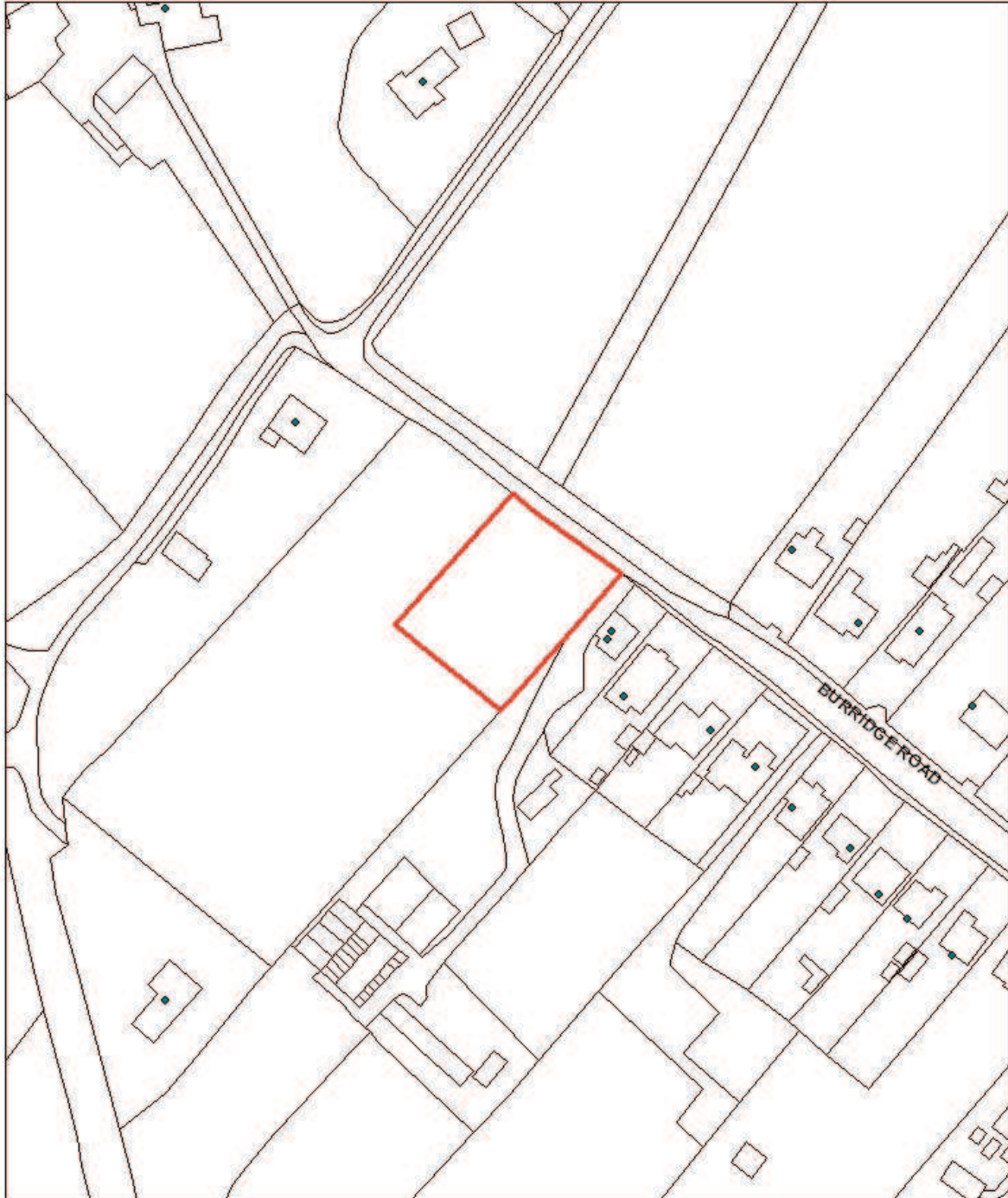
v) In the absence of full information to assess the impact of the development on protected species and sites of ecological importance, the applicant has failed to demonstrate that the proposal would not have an adverse impact on habitats and species important to the biodiversity of the Borough.

Background Papers

P/12/0778/CU

FAREHAM

BOROUGH COUNCIL



BURRIDGE ROAD - LAND TO SOUTH WEST
SCALE 1:1250

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P/12/0843/OA

TITCHFIELD COMMON

HIGHWOOD RESIDENTIAL LTD

AGENT: LUKEN BECK MDP

ERECTION OF 29 DWELLINGS, ACCESS AND PARKING (OUTLINE APPLICATION)

397-409 HUNTS POND ROAD - LAND TO REAR FAREHAM PO14 4PA

Report By

Kim Hayler - Ext 2367

Amendments

As amended by plan and Design and Access Statement received on 18 January 2013

Site Description

The site is located on the eastern side of Hunts Pond Road, to the rear of 397 - 409. To the north of the site is a large housing development which is currently still under construction.

The eastern boundary is formed by woodland and the Brownwich Stream. Overhead power lines run across the eastern corner of the site.

The site forms part of an allocated housing site, details of which were included within the adopted Hunts Pond Road Development Brief. The land to the south/south east which is outside the planning application site forms the remaining part of the housing allocation.

The site is currently used for equestrian purposes including an outdoor school, stables and paddocks and gardens.

Levels fall across the site in a north easterly direction.

The total area of the development site is approximately 1.2 hectares, although some of this area towards the eastern boundary comprises of woodland or other high ecological value close to the Brownwich Stream and is not available for development. The net developable area is 0.89 hectares.

The site contains a number of trees and groups of trees covered by tree preservation orders.

Description of Proposal

Outline planning permission is sought with means of access and layout to be considered for the erection of 29 dwellings consisting of:

Eight 2 bedroom flats;
Twenty 3 bedroom houses;
One 4 bedroom house.

The site would be accessed from the north by utilising a new access secured through the recently constructed housing development (Tanners Gate).

An area of public open space is proposed in the south eastern corner of the site, in line with the development brief. Land to the east with high ecological value would be transferred to Hampshire County Council.

An indicative access, shown as a private drive would link to the remaining land to the south.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

CS20 - Infrastructure and Development Contributions

CS21 - Protection and Provision of Open Space

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Fareham Borough Local Plan Review

DG4 - Site Characteristics

C18 - Protected Species

H1 - Housing Allocations

Relevant Planning History

The following planning history is relevant:

Phase 1 - P/07/1445/FP - Residential development comprising 143 flats and 107 houses, new access and open space - Permission April 2008

Phase 2 - P/09/0702/FP - Erect 73 dwellings with access and open space - Permission - May 2010

The applicant has entered into pre-application discussions with Officers. Officers gave advice which has been incorporated into the submitted proposal.

Representations

Four letters of objection have been received raising the following points:

- Impact of plots 11/12 rear of 405 Hunts Pond Road - there would be a line of sight straight into the rear of the existing property;
- Enough houses on the development; impact on traffic levels;
- Hunts Pond Road is beginning to lose its character; one would assume the buildings would be high rise.

Consultations

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

Director of Planning and Environment (Highways) - no objection subject to conditions and a

contribution under the Transport Contributions Policy towards highway signalisation/capacity improvements at the A27/St Margaret's roundabout, capacity improvements on the remainder of the A27 corridor within Fareham and improved pedestrian and cycle linkages to the wider network.

Hampshire Constabulary (Crime Prevention Design Advisor) - A number of recommendations/suggestions relating to providing security by the design of the scheme have either been dealt within the scheme or can be addressed by planning conditions.

Director of Regulatory and Democratic Services (Environmental Health - Pollution) - no objection

Director of Planning and Environment (Ecology) - Additional information has been submitted including a Dormouse Mitigation Strategy, Ecological Phase I Scoping Report, Management Strategy and Reptile Mitigation Strategy.

The additional ecological reports submitted provide much of the required information in response to previous comments. However further information/clarification should be provided on a number of points prior to further consideration of the application. It would be helpful if (where relevant) this could be provided through further amendments to the submitted reports.

Natural England - The protected species survey has identified that bats and dormice may be affected by the proposal. The authority should request additional information from the applicant including enhancements.

Director of Planning and Environment (Urban Design) -

A number of comments are raised relating to the density of the development and the design layout.

The adopted development brief identified this part of the site for lower density development and of two storey form. The planning application for the wider site showed an illustrative layout for this site of approximately 17 dwellings, which gave a density in the region of 20 dph. The layout shows a large amount of frontage parking to the detriment of a quality streetscene and sense of place. The layout does not show sufficient space for street planting. The open space and surrounding buildings are poorly related, lacking sufficient natural surveillance. The layout does not allow for a pedestrian link from the open space to the north. The potential future access severs the open space and its size is unclear.

Director of Community (Housing Strategy) - Comments awaited.

Southern Water Services - no objection

Environment Agency - no objection subject to conditions

Director of Regulatory and Democratic Services (Environmental Health - Contamination) - no objection subject to conditions.

Planning Considerations - Key Issues

Principle of development

The application site forms part of the larger Hunts Pond Road development site. This land is allocated for housing in the Fareham Borough Local Plan Review, adopted in March 2000. The site is also subject of the Hunts Pond Road Development Brief, adopted in January 2007 as a Supplementary Planning Document. Both the Local Plan allocation and the Development Brief envisage the residential development of the land whilst referring to the need to protect the ecological importance of the Brownwich Stream.

In view of the above, the proposed residential development of the site accords with the Local Plan Review and the adopted Development Brief and is acceptable in principle.

Character of the area

The Development Brief specifies a range of densities for the development of the Hunts Pond Road site of 40 to 45 dwellings per hectare. Phases 1 and 2 currently under construction give an overall density of development of 45 dwellings per hectare. This part of the site is identified for lower density development and of two storey heights.

The net developable is just over 0.9 ha. At 29 dwellings this makes the density of the development approximately 32 dwellings per hectare, lower than phases 1 and 2 and in line with the development Brief.

Officers consider the proposed development site lies towards the edge of the development brief area and builds on the development form of the remainder of the development brief area to the north. It meets the principles of the Brief in terms of lower density and building height.

The Council's Urban Design Officer has raised a number of design comments and amended plans have been submitted in relation to the comments raised.

The proposed layout is a natural continuation from the recently completed housing development to the north of the development site. Although an outline application, it is intended the house designs would be similar in appearance and scale to those that have recently been built on the adjacent site. The layout respects the boundaries to existing rear gardens. Hedgerows would be retained along the northern and southern boundaries of the development site.

The proposed layout takes into account the protected trees and no dwellings are shown within the 30 metres power cable buffer zone.

Impact on neighbouring residential properties

Building heights of the proposed dwellings to be erected adjacent to existing residential properties in Hunts Pond Road would be no more than two storey. The distances between the proposed dwellings and the garden boundaries of existing properties meet and in some cases exceed the normal requirements as set out in Appendix 6 of the Local Plan.

An objection has been received from the occupier of 405 Hunts Pond Road regarding loss of privacy and overlooking as a result of the two dwellings (units 11 and 12) proposed immediately to the rear. This property has been extended at the rear and there is an evergreen conifer hedgerow approximately 2.5 metres high along its rear boundary. The distance from the property as extended to the rear boundary measures approximately 17 metres. The dwellings proposed on plots 11 and 12 to the rear would be sited 12 metres

from the garden boundary of 405 Hunts Pond Road. This cumulative distance of 29 metres exceeds the 22 metres normally sought between habitable windows in a rear to rear relationship.

It is considered that the proposal will not result in a detrimental impact on the amenities currently enjoyed by the occupiers of the neighbouring properties.

Affordable housing

The Hunts Pond Road Development Brief refers to the requirement for 40% of the development to be affordable housing.

The applicant submitted a Viability Assessment with the application which assessed the schemes viability on the basis that 13% (4 units) of the scheme would be provided as affordable housing, and concluded that at this level of provision the scheme is marginally unviable. The Council instructed viability consultants whose initial review of the cost and value assumptions applied in the appraisal, concluded that the viability benchmark figure was overstated and the development costs (in respect of combined internal overheads and profit) possibly to be too high. This led to a conclusion that the scheme should be capable of providing more than the four affordable units initially being offered.

The applicant has since made an increased offer of 27% affordable housing, comprising eight affordable rented units. The Council's consultants are satisfied that this offer represents the maximum reasonable level of affordable housing that the scheme can provide if it is to remain economically viable.

The Council's Strategic Housing Officers are considering this offer and an update will be provided at the meeting.

Nature Conservation

The eastern part of the Hunts Pond Road site, including land within this application site, provides important wildlife habitat. Nearby Lamberts Coppice and The Wilderness are designated as a Site of Importance for Nature Conservation (SINC). Additional information has been submitted in relation to biodiversity on the site, including a Dormouse Mitigation Strategy, Ecological Phase I Scoping Report, Management Strategy and Reptile Mitigation Strategy which have been considered by the Council's Ecologist. Further clarification/information has been requested by the Council's Ecologist in relation to a number of points within these documents. Officers will continue to liaise with the Council's Ecologist when this information is received.

The works are likely to impact on Dormice. Where developments affect European protected species (EPS), permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England.

An EPS licence can only be granted if the development proposal is able to meet three tests:

1. the consented operation must be for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;

2. there must be no satisfactory alternative; and
3. the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The site forms part of an allocated housing site with an opportunity to deliver a number of affordable housing units. The net developable area respects nature conservation in the area by safeguarding an ecological buffer zone. It would not be possible to develop alternative areas of the site. In light of this officers consider the proposal satisfies the first two derogation tests.

In relation to maintaining conservation status, a dormice mitigation report has been submitted which is being considered by the Council's Ecologist. Subject to the mitigation proposal being agreed and implemented, officers are satisfied that the impact on protected species is known and appropriate measures secured.

The land along the eastern side of the site would be transferred to Hampshire County Council which would form a continuation of the land they currently manage to the north east.

Highways

An adoptable road to serve the development site would be provided as an extension to Noble Road. The existing footways would also extend into the site. The proposals allow for the possible extension of the access road, in the form of a private drive into adjoining land to the south.

The development is liable for contributions under the Transport Contributions Policy. This funding will be towards highway signalisation/capacity improvements at the A27/St Margaret's roundabout, capacity improvements on the remainder of the A27 corridor within Fareham and improved pedestrian and cycle linkages to the wider network.

Conclusion

The application site forms part of the larger Hunts Pond Road development site allocated for housing in the Fareham Borough Local Plan Review. The proposed residential development of the site would provide a number of affordable dwellings and nature conservation enhancements in the area. It is the opinion of officers that the proposal is an acceptable form of development.

RECOMMEND:

Subject to:

(i) The comments of the Director of Planning and Environment (Ecology) and the Director of Community (Strategic Housing) and any conditions they may recommend;

(ii) The applicant/owner first entering into a planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space and/ or facilities, retention of open space, transfer of open space together with suitable maintenance figure, secure access to land to the south and a highway contribution by 31 March 2013.

(iii) The applicant/owner first entering into a planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 with Hampshire County Council to secure the transfer of the ecological exclusion zone and associated maintenance figure by 31 March 2013.

OUTLINE PERMISSION: reserved matters: landscaping, scale and appearance; landscaping implementation; landscape maintenance/management plan; tree protection; specification for any tree works; services location in relation to trees; contamination; materials and hard surfacing, levels, no windows specified elevations, remove pd rights outbuildings, extensions, hard surfacing specified plots, boundary treatment, drainage strategy, parking, alignment of roads, no burning, construction hours, construction traffic, bin storage, affordable housing; details of rainwater goods to be agreed, two storey heights; code level 4.

OR

In the event that the applicant fails to complete the necessary Agreements by 31 March 2013

REFUSE: Contrary to policy, open space provision; impact on the local highway network; impact on nature conservation.

Reasons For Granting Permission

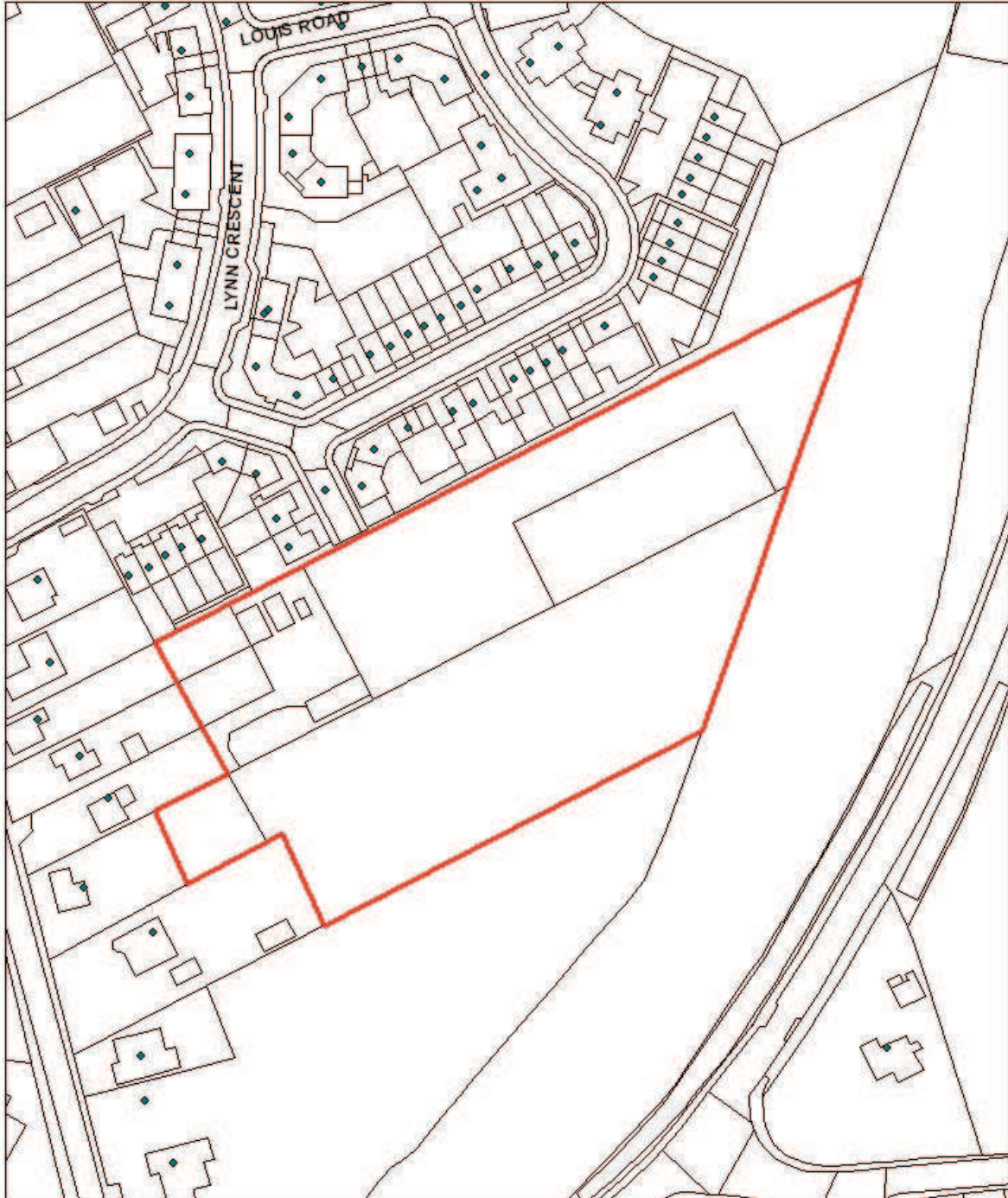
The development is acceptable taking into account the above policies and proposals of the Development Plan. The proposal is not considered to result in unacceptable impacts upon the street scene or character of the area, the amenities of neighbouring properties, highway safety or have ecological implications. Other material considerations being judged not to have sufficient weight to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Background Papers

P/07/1445/FP, P/09/0702/FP

FAREHAM

BOROUGH COUNCIL



397-409 HUNTS POND ROAD
SCALE 1:1250

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P/12/0901/FP

TITCHFIELD COMMON

MR WILLIAM DWYER

AGENT: MR WILLIAM DWYER

REBUILD CAR PORT WITH ADDITION OF PITCHED ROOF

51 POUND GATE DRIVE TITCHFIELD COMMON PO14 4AT

Report By

Simon Thompson - Ext. 4815

Site Description

This planning application relates to the above property (No.51) within the southern edge of the urban area of Titchfield Common. Tree Preservation Order protected trees run along this property's southeast boundary with The Farthings, running beside the site of this proposed re-built car port.

Description of Proposal

See the summary description at the top of this report and the submitted plans/details.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Representations

One email of objection has been received from the neighbouring property to the east, 5 The Farthings, on the following grounds:

- Assume the building work will be to the roof and not a replacement of the whole car port;
- Main concern is height of pitched roof and resultant loss of outlook, the car port stretching across our garden;
- Loss of light, our property already being dark due to the protected trees;
- Over bearing, the high pitched roof would tower above our garden; and
- Prefer if car port roof pitch remained the same.

Consultations

Director of Planning and Environment (Highways) - No objection

Director of Planning and Environment (Arboriculture) - No objection

Planning Considerations - Key Issues

In street scene terms, subject to matching materials, Officers regard this proposal as acceptable. The proposed rebuilt car port being adjacent to existing garages, with a proposed similar pitched roof design and some subservience of design. Compared to

those garages, this proposed development would be sited in a set back location at the end of a residential road/cul-de-sac.

No objection is raised either on highway grounds - traffic movements, turning and access arrangement not being expected to change, the Council's highways specialist making no objection either - or on impact grounds on the adjacent protected trees, further to the Council's Principal Tree Officer's advice.

In terms of the objection received from the neighbour:

- Officers have visited that property to examine this proposal's potential impact upon it and made those neighbours aware the proposal is to rebuild the car port;
- The height of the proposed roof would be about 4.6m high, this roof raking away from the neighbour from eaves height of about 2.3m, the proposed roof's ridge being 0.35m lower than that of the existing adjacent garages, the proposed car port's footprint being indented within that of those existing garages;
- The car port/garages are/would be sited off the mutual boundary by about a metre and about 11m from the nearest (kitchen) ground floor window of the neighbour, which compares to the minimum 12.5m distance expected in the Council's Extension Design Guide for a two storey wall of a new extension from neighbours' habitable room facing windows; and
- There is some screening vegetation, not just the protected trees, but also deciduous vegetation on the applicant's property between the proposed car port and the mutual boundary with the neighbour.

Officers conclude that despite the neighbour's objection, this proposed car port's potential impact on neighbours' living conditions would be acceptable.

Reasons For Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out above, the proposal being considered/assessed by Officers for example as not likely to result in unacceptable impacts upon key planning issues (such as on the street scene or character of the area, or upon the amenities of neighbouring properties, or on the local highway network, or on notable and protected trees), other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. Further to Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

Recommendation

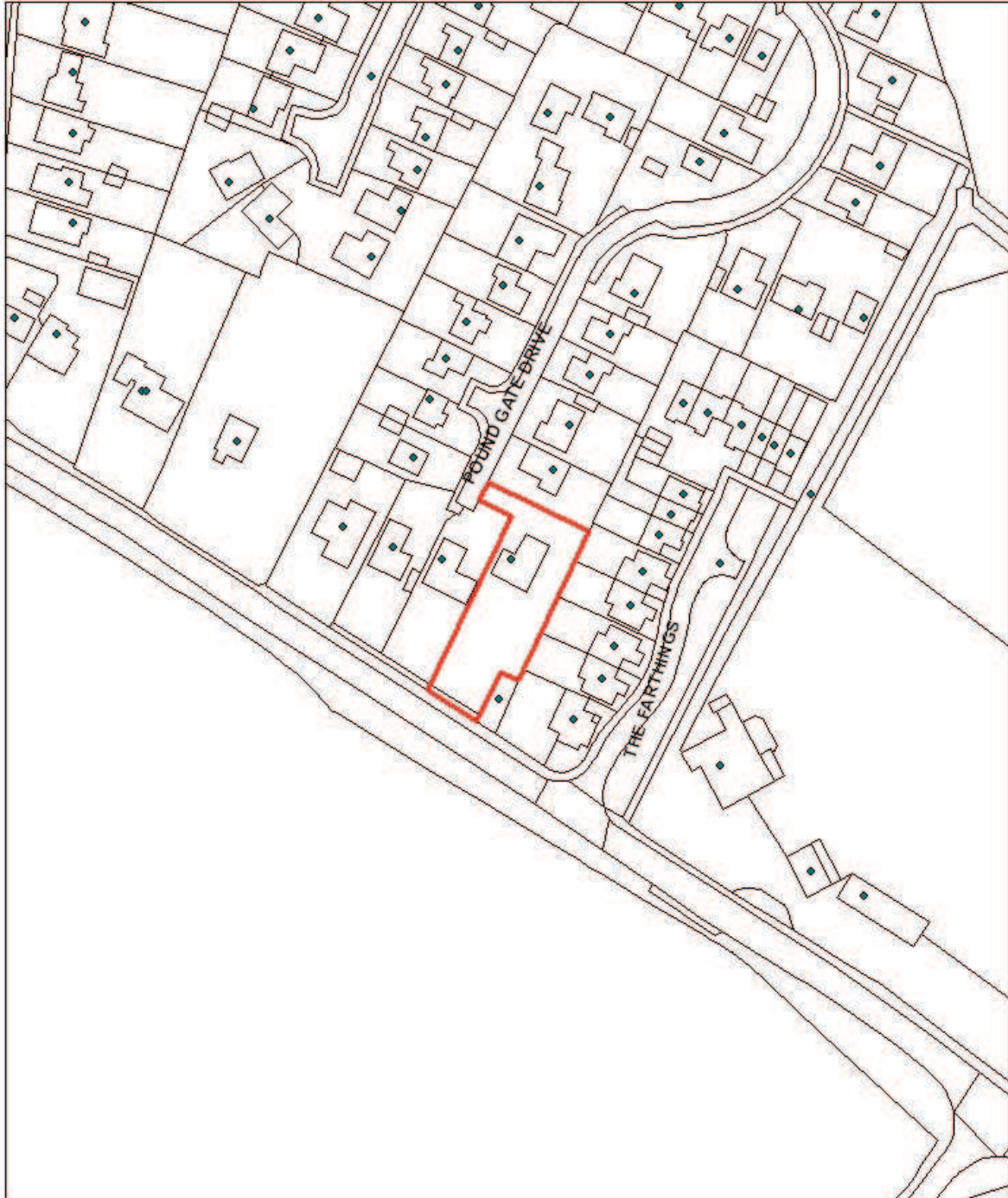
PERMISSION: Materials to match

Background Papers

File P/12/0901/FP

FAREHAM

BOROUGH COUNCIL



51 POUND ROAD
SCALE 1:1250

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P/12/0993/TO

LOCKS HEATH

FOREMAN HOMES LTD

AGENT: FOREMAN HOMES LTD

REMOVE ONE BRANCH OF OAK TREE OVERHANGING PLOT 10 COVERED BY FTPO
607

MONTEREY DRIVE - LAND SOUTH OF - LOCKS HEATH FAREHAM HAMPSHIRE
SO31 6NW

Report By

Simon Thompson - Ext 4815

Site Description

This application relates to a branch of one Oak tree, that tree itself standing in a block of Tree Preservation Order protected trees on a site adjacent to the north to a small housing development that is currently being built at the southern end of Monterey Drive, Locks Heath.

Description of Proposal

Removal of this branch which is overhanging one of this housing development site's almost completed houses.

Policies

The following policies apply to this application:

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

P/10/0390/FP - Erection of ten dwellings with vehicular access from Monterey Drive - Refused 13/09/10 - Allowed on appeal 17/02/11.

Representations

An email has been received from 37 Monterey Drive objecting on the following grounds:

- This objection will be ignored or rejected but my opinion must be known;
- The housing development should have been altered to accommodate this tree;
- Rather, Foreman Homes put up the house with a plan to get the branch removed to suit their desire to build the biggest house that they could get away with.
- The Monterey community were assured that the mature trees in the area would be unaffected. This is now not the case.
- Purchasers of houses have to accept that if they want to live in an environment with trees then they accept the way things are and the branch is a part of the natural environment. Encouraging people to believe in a green environment who then want to change it because a branch overhangs or the leaves fall on my garden is inexcusable.
- It is realised that the removal of the branch may not cause any long term impact to the tree, but continual abeyance to developers at the expense of the environment and to the community has to stop.

Consultations

Director of Planning and Environment (Arboriculture) - Subject to conditions and information items, no objection. The proposed tree works will have no adverse impact on the health of the oak or its contribution to local public amenity.

Planning Considerations - Key Issues

These works are proposed to one branch of an Oak tree, that branch overhanging the approved housing development. Its removal has been assessed by the Council's Principal Tree Officer as not having an adverse impact on the health of this oak or this tree's contribution to local public amenity. Officers consider this branch's removal to be acceptable.

Recommendation

CONSENT: Works undertaken within 2 years; Works in accordance with BS3998 : 2010; The works hereby permitted are as detailed.

Notes for Information

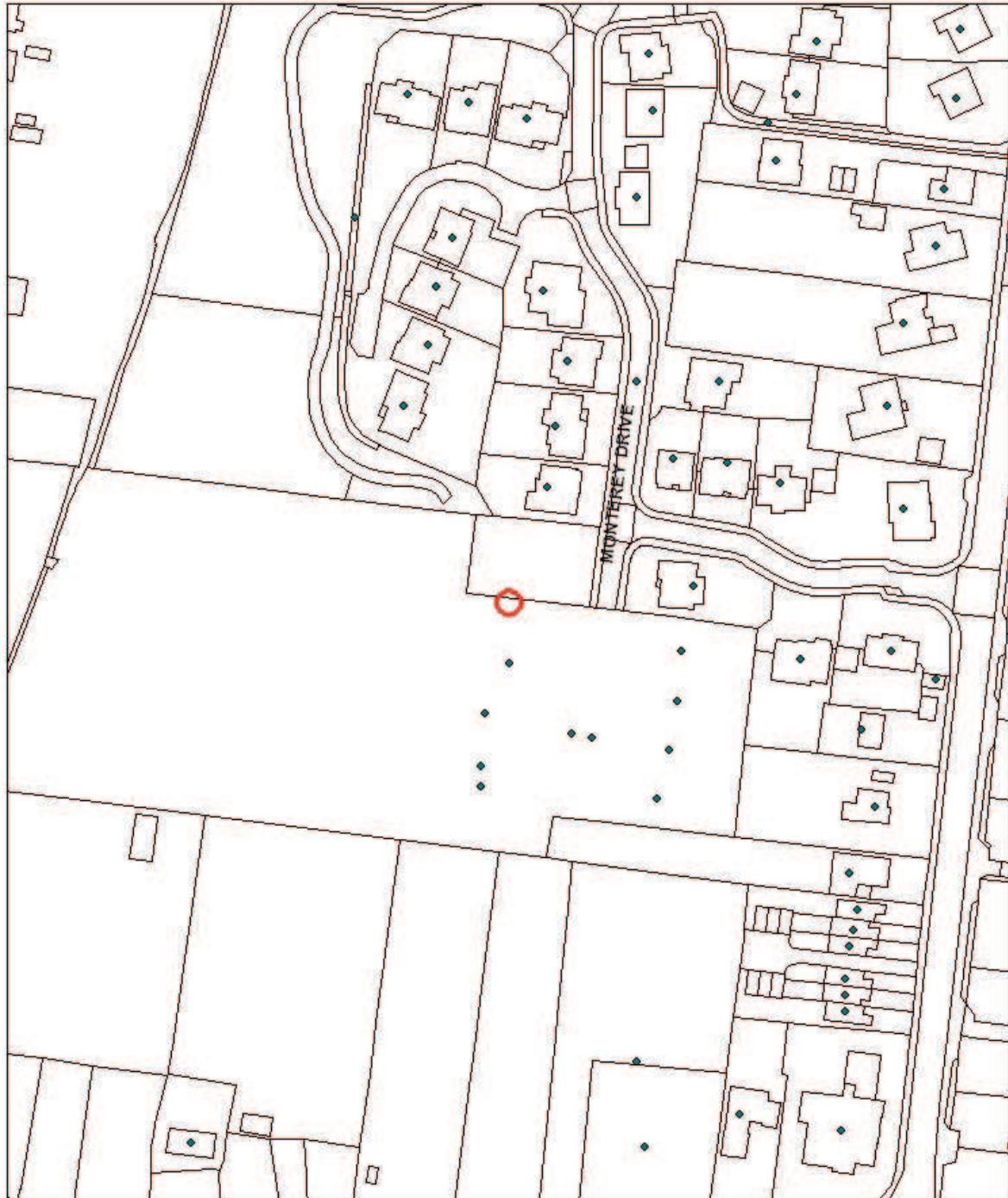
Notice of tree work; Trees - consent to those entitled under ownership; Wildlife and Trees.

Background Papers

File P/10/0390/FP and P/12/0993/TO

FAREHAM

BOROUGH COUNCIL



MONTEREY DRIVE -
LAND TO SOUTH OF
SCALE 1:1250

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P/12/0996/FP

TITCHFIELD

MR & MRS SNAITH

AGENT: MR DEREK LINDSAY

ERECTION OF FRONT DOOR ENTRANCE FEATURE, REAR EXTENSIONS INCLUDING LIVING ACCOMMODATION IN ROOF SPACE, ORANGERY, SIDE CHIMNEY, AND DETACHED REAR TRIPLE GARAGE

SPRINGFIELDS BROWNWICH LANE FAREHAM PO14 4NX

Report By

Emma Marks - Ext. 2677

Site Description

- This application relates to a detached single storey three bedroom bungalow situated on the west side of Brownwich Lane, Titchfield;
- The area of land immediately to the north is occupied by greenhouses;
- Open green fields and agricultural land stretch to the south of the site;
- The site has dense hedgerows on both north and south boundaries;
- The site is located within the countryside and strategic gap.

Description of Proposal

Planning permission is sought for the erection of the following forms of development at Springfields, Brownwich Lane:-

- Front entrance which measures 3.5 metres in width, 2.8 metres in depth with an eaves height of 3.6 metres and a ridge height of 5.8 metres.
- Two rear extensions with reduced eaves height, with accommodation within the roof space measuring 5.2 metres in width, 6 metres in depth with an eaves height of 3.1 metres and a ridge height of 6.1 metres.
- Single storey rear extension (orangery) measuring 5.6 metres in width, 8.5 metres in depth with a flat roof height of 3.4 metres.
- Detached triple garage to the rear of the property which measures 6.7 metres in depth, 9.6 metres in width with an eaves height of 2.4 metres and a ridge height of 5 metres.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS22 - Development in Strategic Gaps

Approved SPG/SPD

EXTDG - Extension Design Guide (1993)

H13 - Extensions to Dwellings and Ancillary Buildings in the countryside

Fareham Borough Local Plan Review

DG4 - Site Characteristics

H13 - Extensions to Dwellings and Ancillary Buildings in the countryside

Relevant Planning History

The following planning history is relevant:

P/07/0795/FP **ERECTION OF DETACHED DWELLING TO REPLACE MOBILE HOME (ALTERNATIVE TO P/06/0991/FP)**

PERMISSION 03/08/2007

P/06/0991/FP **Erection of Detached Dwelling to Replace Existing Mobile Home**

PERMISSION 11/09/2006

Representations

Four letters of representation have been received objecting on the following grounds:-

- Impact on light affecting strawberry crop on neighbouring site
- The chimney location is within 10 metres of the adjacent glasshouse vent causing concern about pollution
- There is ample scope for a garage at the front of the site
- The garage encroaches into agricultural land
- The Planning Committee should visit the site.

Consultations

Director of Planning & Environment(Highways):- No objection

Planning Considerations - Key Issues

This application relates to a detached dwelling on the west side of Brownwich Lane which is to the south of Common Lane. The dwelling was originally granted planning permission in 2006 to replace an existing mobile home. A subsequent application was later granted for an alternative proposal in 2007; it was this planning permission that was implemented.

Planning permission is sought for the erection of a number of extensions to the property consisting of rear extensions with accommodation above, a rear orangery, front entrance extension and a detached triple garage at the rear of the property. The proposed extensions would extend the ground floor living accommodation and create three first floor bedrooms, however this accommodation is limited due to the skilling within the roof.

The representations received have raised concern that the rear extensions would have an adverse impact on light available to strawberry crops growing in the adjacent glass houses on the neighbouring site. There would be a physical gap of 9.5 metres, including an access track between the extended property and the glasshouse on the neighbouring site. There is also an evergreen hedge approximately two metres high on one side of the track and a hedgerow approximately 3 metres high along the southern boundary of the adjacent land. This is an unusual situation, in that the neighbouring land is in commercial use. The Council has policies in place to secure the amenities of neighbouring occupiers, however this does not apply in this case. A judgement has to therefore be made and officers have concluded that in light of the separation distances and the intervening screening the

proposal is an acceptable form of development.

Concern has been raised that the smoke from the chimney could pollute the crop in the neighbouring glasshouse. Unfortunately this concern is a non-planning matter and therefore cannot be considered whilst determining this application.

Policy CS14 of the adopted Fareham Borough Local Plan states that built development on land outside the defined settlements will be strictly controlled to protect the countryside which would adversely affect its landscape character, appearance and function. Saved Policy H13 of the Fareham Borough Local Plan Review states that a residential extension would be permitted in the countryside provided it is of an appropriate size and design and does not adversely affect the landscape.

The existing dwelling is contained within dense mature hedgerows and as a result is not visually prominent when viewed from the wider landscape. Although the proposed extensions do increase the footprint of the building, its height remains the same. Officers are satisfied that the proposed design and size of the extensions would not materially harm the character of the area or the appearance of the wider landscape.

The proposed triple garage would be sited at the rear of the site some 22 metres from the rear wall of the dwelling, accessed via the adjacent track. The concern has been raised that the garage is being built on land which is defined as agricultural. Officers have compared the last application submitted for the erection of the dwelling (P/07/0795/FP) with the current application and are satisfied that the garage is positioned within the identified curtilage of the site.

Having considered the matter carefully, Officers are of the opinion that the proposal is acceptable and complies with the relevant policies of the adopted Core Strategy and the Fareham Borough Local Plan Review.

Reasons For Granting Permission

The development is acceptable taking into account the policies of the Local Plan as set out in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

Permission - Materials to match, use of detached garage incidental to dwellinghouse and visibility splays at junction.

Background Papers

P/06/0991/FP and P/07/0795/FP

FAREHAM

BOROUGH COUNCIL



SPRINGFIELDS, BROWNWICH LANE
1:1250

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P/12/0910/CU

FAREHAM SOUTH

MR ANDREW CUMMINGS

AGENT: MR ANDREW
CUMMINGS

CHANGE OF USE OF UNIT TO B2 (GENERAL INDUSTRY) USE

FORT FAREHAM INDUSTRIAL ESTATE -UNIT 18A FAREHAM PO14 1AH

Report By

Simon Thompson - Ext. 4815

Amendments

This application has been amplified by email dated 14th January 2013, explaining the proposed activities at this site, and by internal and external layout plans of the proposed parking and service bay arrangements, received with that email.

Site Description

This application relates to premises on the Fort Fareham Industrial Estate, seemingly last in a mixed B1 (business)/B8 (storage and distribution) use.

These premises are a two storey building with parking areas to its front and side located at the junction of two of the estate's internal roads, adjacent to the north of the Dartmouth Buildings within the Estate.

The site lies within a Category A employment area.

Description of Proposal

Change of use of this property to B2 (general industrial) use, more specifically the intended use being for car servicing.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

CS5 - Transport Strategy and Infrastructure

Fareham Borough Local Plan Review

E1 - Existing Employment Areas in the Urban Area

Relevant Planning History

The following planning history is relevant:

P/10/0549/CU - Installation of new front window - Permission 19/08/10

Representations

One email has been received from Unit 4, Axis Park, within the Fort Fareham Industrial Estate, objecting on the grounds of insufficient parking in the area, the parking of cars under repair being said to have been found in that Unit's private car park, signs being displayed but ignored.

Consultations

Director of Planning and Environment (Highways) - It is important to recognise that, whilst the applicant has a policy of bringing cars into the building overnight, thus restricting the number of vehicles he will keep on site, a subsequent occupier may not wish to be so restricted. However on the basis that there would be four ramps, and thus four mechanics, plus possibly a receptionist/admin person, the maximum staff parking on site would only be five vehicles. Added to this would be the requirement for 12 spaces; three for each ramp, for customers, making a maximum total requirement for 17 parking spaces. This number of vehicles can be accommodated within the site; some 13 outside and four within the building.

Consequently, no highway objection is raised to the provision of four ramps within the building.

Planning Considerations - Key Issues

Policy E1 of the Fareham Borough Local Plan Review supports B2 (general industrial) uses within the Fort Fareham Industrial Estate, subject to certain caveats.

This car servicing proposal represents a proposed B2 use.

Officers are of the view that this application sufficiently complies with Policy E1.

Specifically on the issue of traffic/parking implications, the applicant has provided amplifying information explaining his operational intentions and his assessed, likely parking capacity.

The Council's highways specialist has considered this updated proposal and commented as above.

No highway objection is raised to this particular car servicing proposal, subject to there being four car service ramps.

Officers recommended that a condition be applied to limit the development to no more than four car service ramps.

Reasons For Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is not considered to result in unacceptable impacts upon the street scene or character of the area, or upon the living conditions of neighbouring properties, or on the local highway network, other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

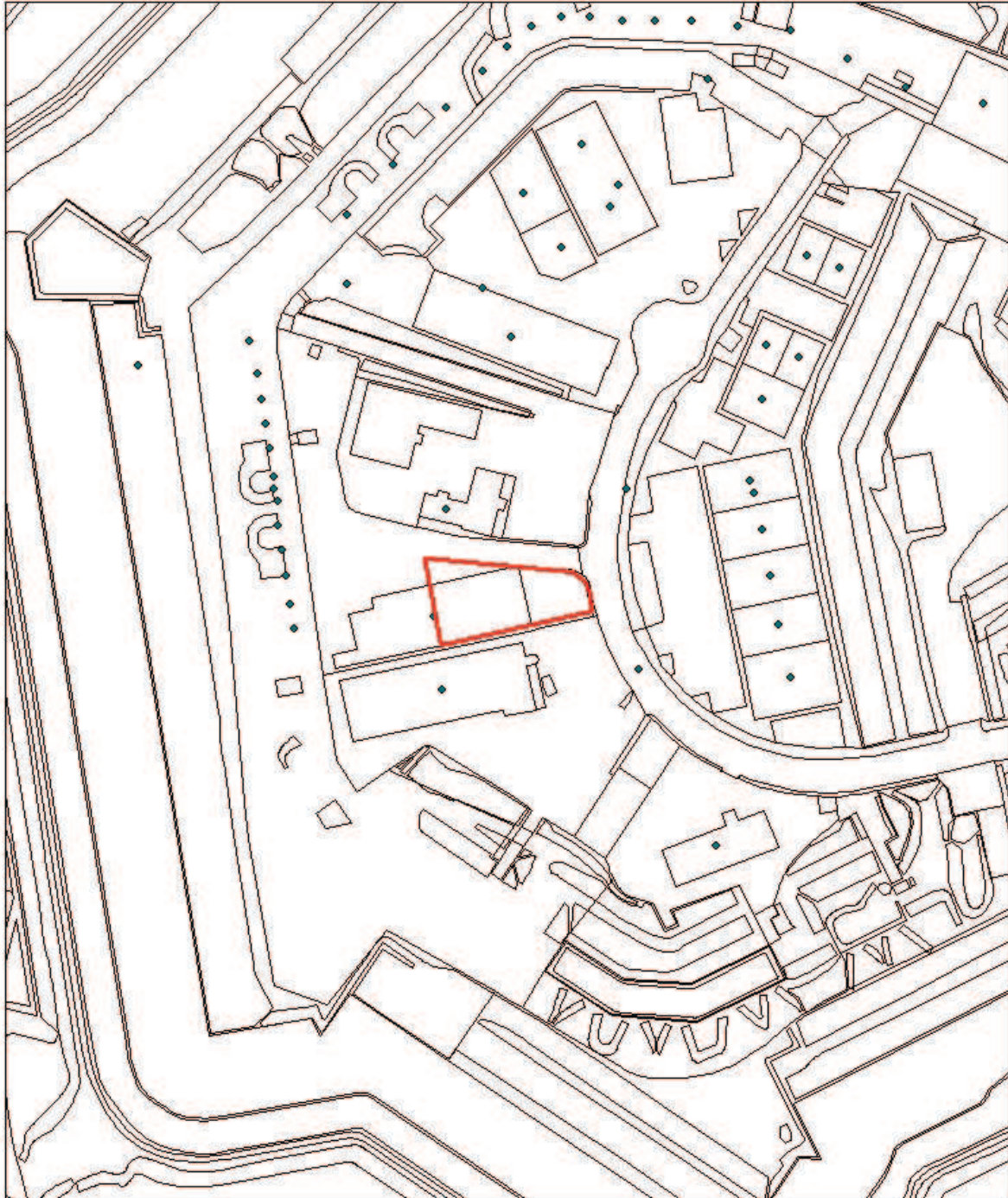
PERMISSION: No more than four vehicle service bays shall exist within the application site.

Background Papers

Files P/10/0549/CU and P/12/0910/CU

FAREHAM

BOROUGH COUNCIL



FORT FAREHAM INDUSTRIAL ESTATE -
UNIT 18A
SCALE 1:1250

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P/12/0927/FP

FAREHAM NORTH-WEST

MASTERS HOMES LTD

AGENT: MASTERS HOMES LTD

ERECTION OF TWO SEMI-DETACHED DWELLINGS (PART ALTERNATIVE TO P/10/0367/FP) INVOLVING INTERNAL & EXTERNAL ALTERATIONS TO FORM FOUR BEDROOMS & AMENDMENTS TO FRONT ELEVATION & ROOF DESIGN

82 HIGHLANDS ROAD FAREHAM PO15 6JE

Report By

Susannah Emery Ext 2412

Site Description

The application site lies to the north-west side of Highlands Road just to the north of the junction with Gudge Heath Lane.

The application site is located adjacent to the Hill Park Memorial Working Men's Club to the rear of No.82 Highlands Road and is accessed via a private driveway to the north side of this property.

To the rear of the site are the rear gardens of properties on Iron Mill Close.

Description of Proposal

Planning permission was granted on appeal in July 2011 (P/10/0367/FP) for the erection of one detached dwelling and one pair of semi-detached dwellings to the rear of 82 Highlands Road. This application seeks an amendment to the internal layout of the semi-detached dwellings to provide an additional bedroom increasing each dwelling from three to four bedrooms. This would also result in minor alterations to the fenestration on the front elevation. The siting and size of the dwellings would remain as per the approved scheme. One additional car parking space would be provided on the driveway to each dwelling.

During construction the roof design of the dwellings has been amended reducing the length of the ridge by 2.7m but maintaining the same overall height. This is due to an error on the original drawing and this application seeks to authorise this amendment.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS7 - Development in Fareham

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Fareham Borough Local Plan Review

C18 - Protected Species

Relevant Planning History

The following planning history is relevant:

<u>P/07/1141/FP</u>	ERECTION OF FOUR HOUSES & FOUR APARTMENTS WITH CAR PARKING, BIN & CYCLE STORES REFUSE 29/10/2007
<u>P/09/1105/FP</u>	DEMOLITION OF EXISTING GARAGE AND ERECTION OF TWO SEMI-DETACHED DWELLINGS AND ONE DETACHED DWELLING WITH ASSOCIATED LANDSCAPING AND ALTERATIONS TO EXISTING DRIVEWAY REFUSE 25/03/2010
<u>P/10/0367/FP</u>	DEMOLITION OF EXISTING GARAGE AND ERECTION OF TWO SEMI-DETACHED DWELLINGS & ONE DETACHED DWELLING WITH ASSOCIATED LANDSCAPING AND ALTERATIONS TO EXISTING DRIVEWAY REFUSE 17/09/2010

Representations

Four letters have been received objecting on the following grounds;

- The site is already overdeveloped and has an adverse impact on the character of the area
- The application contains contradictory information on the number of car parking spaces proposed
- The proposal will increase the occupancy of the dwellings causing more noise disturbance and overlooking
- Increased traffic movements on driveway to detriment of highway safety close to busy junction
- Increased pressure on drainage system which fails at frequent intervals causing flooding
- This can only mean that the applicant intends to let the properties as social housing which would result in further loss of property value
- The original application was granted on appeal and this seems like a 'back door' method of obtaining what may not have been granted originally

Consultations

Director of Regulatory Services (Environmental Health) - No objection

Director of Planning and Environment (Highways) - To accommodate the likely parking demand from these larger homes, three car parking spaces for each enlarged house should be provided.

Director of Planning and Environment (Arborist) - No objection

Director of Planning and Environment (Ecologist) - As clearance of the site has already taken place the proposed amendment to the scheme is not significant in terms of ecology.

Planning Considerations - Key Issues

Development of the site has commenced and the dwellings are now substantially complete

with the hard surfacing and landscaping of the site yet to be carried out.

The planning application which was granted planning permission on appeal was refused by the Local Planning Authority on the grounds that it would result in an undesirable form of backland development out of character with the prevailing pattern of development in the area to the detriment of the visual appearance of the area. It was not considered that the proposal would be detrimental to highway safety or that the proposal would result in the unacceptable overlooking of neighbouring properties although these were issues raised by local residents at the time.

Officers do not consider that the current proposal to increase the number of bedrooms contained within two of the dwellings would result in a significant increase in traffic movements to and from the site to the detriment of highway safety. The relationship and separation distances between the proposed dwellings and the neighbouring properties is not being altered and this was previously considered acceptable in terms of overlooking. Officers do not consider that any slight increase in the number of inhabitants within each property resulting from the additional bedroom would have a significant adverse impact on the privacy of the properties to the rear. It is also not considered that this proposal would result in a significant increase in noise levels to the detriment of residential amenity.

Officers consider the main issue in this case to be whether the dwellings would be provided with sufficient on-site parking. An amended plan has been submitted to demonstrate that the additional car parking required for the increase in bedroom numbers can be accommodated on the site with three spaces provided for each dwelling. Car parking provision would therefore accord with the standards set out within the Council's Residential Car and Cycle Parking Supplementary Planning Document.

The proposed amendment to the roof design is not considered significant and has no detrimental impact on the visual appearance of the dwellings.

The impact of the proposal on the drainage system is not a material planning consideration and this would be covered under the building regulations.

A legal agreement has been sought to secure increased contributions towards public open space and highways infrastructure in accordance with the Council's Open Space SPG and Hampshire County Council Transport Policy.

The proposal complies with the relevant policies of the Fareham Borough Local Plan Review and the Fareham Borough Core Strategy and is considered acceptable.

Reasons For Granting Permission

The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, highway safety or ecology. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

Subject to the applicant/owner first entering into a planning obligation under Section 106 of

the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space facilities and highway infrastructure by 28 February 2013.

PERMISSION; Materials as agreed, Boundary treatment as agreed, Parking, Works in accordance with ecological mitigation report, No burning on site, Construction hours

OR: In the event that the applicant/owner fails to complete the required Section 106 Agreement by 28 February 2013.

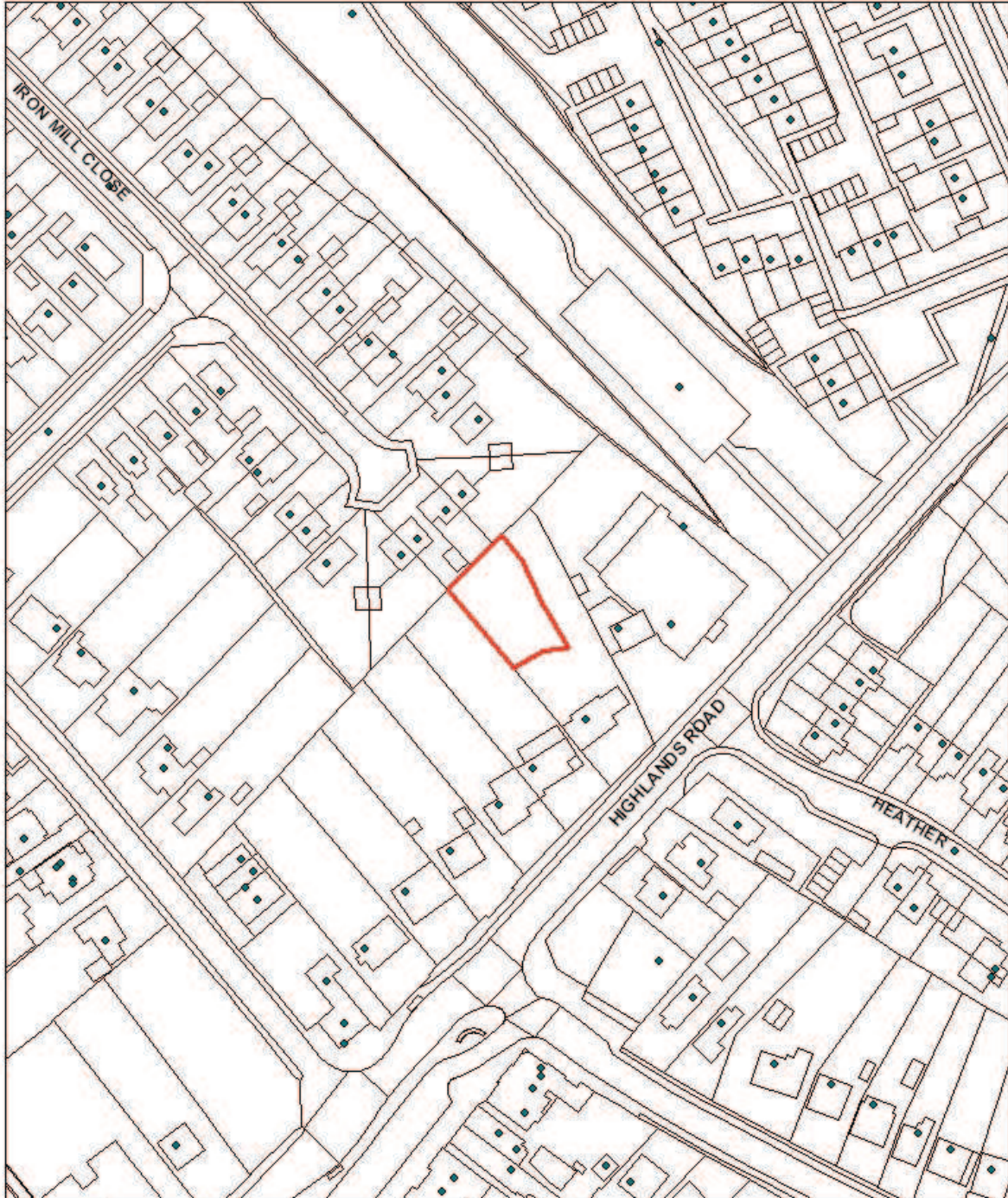
REFUSE: Contrary to Policy; inadequate provision towards public open space and highway infrastructure.

Background Papers

P/12/0927/FP; P/10/0367/FP

FAREHAM

BOROUGH COUNCIL



82 HIGHLANDS ROAD
SCALE 1:1250

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P/12/0968/FP

FAREHAM WEST

MR & MRS S L & D J PRIMMER

AGENT: MARTIN MOYSE MRICS

ERECTION OF SINGLE STOREY FRONT EXTENSION

80 ABBEYFIELD DRIVE FAREHAM HAMPSHIRE PO15 5PF

Report By

Richard Wright x2356

Site Description

The application site comprises the residential curtilage of this two-storey semi-detached dwellinghouse located within the urban area. The house has an entrance porch attached to the front elevation. The frontage of the property is hardsurfaced providing parking space for vehicles and a driveway extends down the eastern side of the property to a single detached garage.

Description of Proposal

Permission is sought for the erection of a single storey front extension to the property. The extension would bring the front elevation of the house out by 1.6 metres at ground level in line with the existing entrance porch. It would feature a lean-to tiled roof.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Approved SPG/SPD

EXTDG - Extension Design Guide (1993)

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Representations

Two letters have been received objecting to the application on the following grounds:

- Harm to outlook and light into living room of 82 Abbeyfield Drive
- Forward of established building line
- Compromise the original design of the dwellings as a matching pair
- Harmful to quality and appearance of area
- Cars will be displaced onto road causing congestion

Consultations

Director of Planning & Environment (Highways) - As there are no implications for transport or highways, no highway objection is raised to the application.

Planning Considerations - Key Issues

Planning permission was granted for a single storey front extension to the adjacent detached property, 78 Abbeyfield Drive in 2003 (planning reference P/03/0842/FP). The extension extends across the whole of the front width of the neighbouring dwelling and projects forward a distance of 1.65 metres with a tiled lean-to roof. The extension proposed at the application site, 80 Abbeyfield Drive, is almost identical in its scale, massing, design

and appearance. Officers do not consider that the proposal would be harmful to the appearance of the house or the character of the surrounding area given the similar development which has taken place previously.

The proposed extension would project 1.6 metres further forward than the original front elevation of the house and that of the adjoining house, 82 Abbeyfield Drive. The Council's approved Extension Design Guide explains that extensions up to a maximum of 3 metres along party boundaries will ordinarily be considered acceptable in terms of the likely impact on the light and outlook enjoyed by neighbours. The extension is in accordance with these guidelines and Officers are of the view that there would be no detriment to the amenities of the occupants of the adjoining house.

A parking layout plan has been submitted with the application to demonstrate that the frontage is currently capable of providing space for two vehicles to park side by side and that the development would not hinder this provision. The proposal would not reduce parking capacity on the site and would not therefore lead to the displacement of vehicles onto the highway where they may add to parking congestion.

Reasons For Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposed extension would not harm the amenities of neighbours, the appearance of the dwelling or the character of the streetscene. There would be no implications for parking provision on the site which would remain at an acceptable level. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

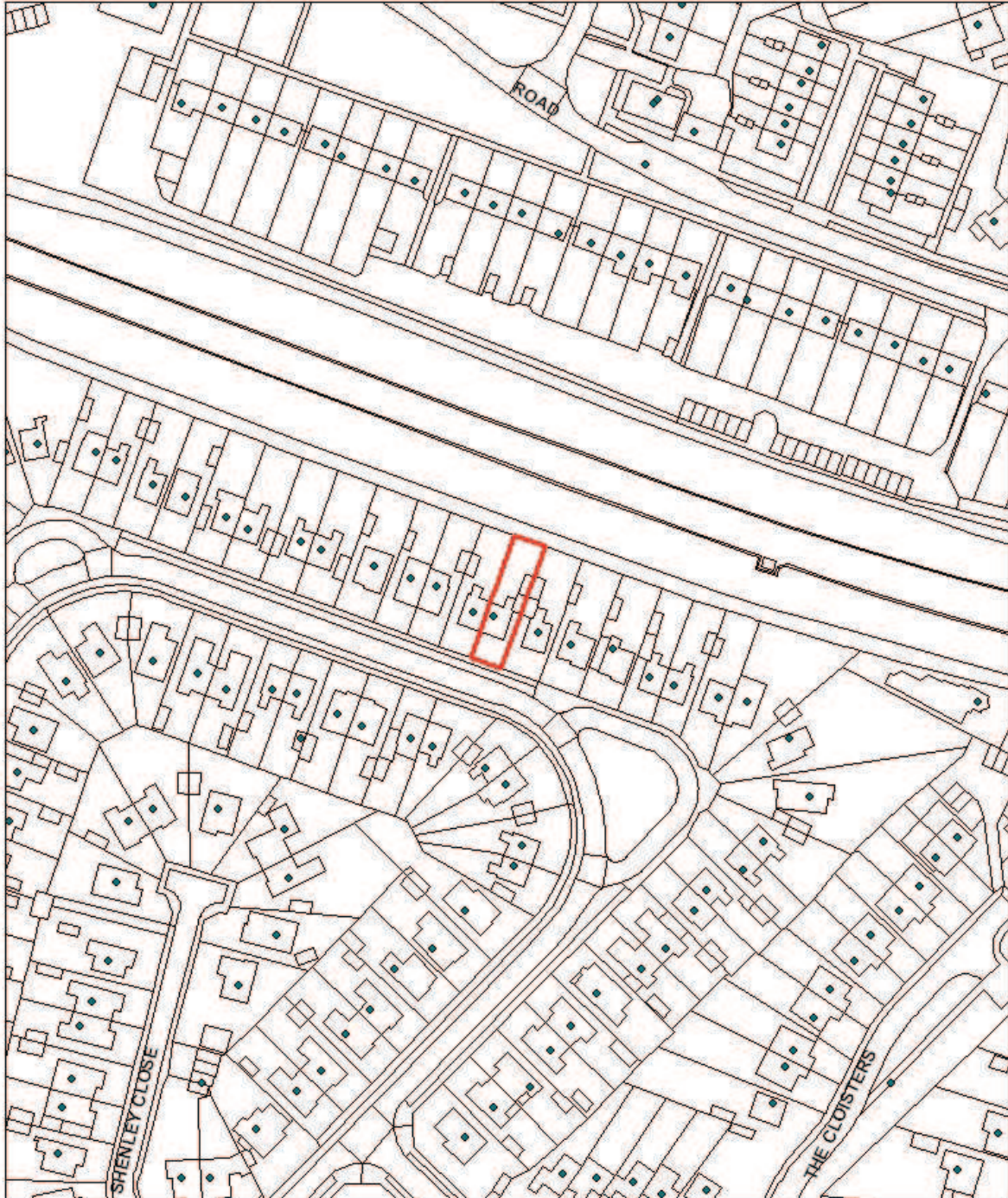
PERMISSION: materials to match

Background Papers

P/12/0968/FP

FAREHAM

BOROUGH COUNCIL



80 ABBEYFIELD DRIVE
SCALE 1:1250

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P/12/1039/TO [O]

FAREHAM WEST

MR N GREGORY

AGENT: MISS S SMITH

FELL OAK TREE COVERED BY FTPO 161

67 THE AVENUE FAREHAM HANTS PO14 1PE

Report By

Richard Wright x2356

Site Description

This application relates to a red oak tree located within the curtilage of 67 The Avenue, Little Munchkins nursery. The tree is located in the rear garden of the property and is covered by a tree preservation order (FTPO 161).

Description of Proposal

Consent is sought to fell the oak tree. The application contends that the tree is suffering from extensive root decay and as a result is unstable.

Policies

The following policies apply to this application:

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

P/12/0815/FP

**ERECTION OF 4 BEDROOM THREE STOREY DWELLING
REFUSE 27/11/2012**

P/12/0804/FP

**CHANGE OF USE TO MIXED USE COMPRISING NURSERY (D1) AT
GROUND FLOOR LEVEL AND THREE BEDROOM RESIDENTIAL
UNIT (C3) AT FIRST FLOOR LEVEL, ERECTION OF SINGLE
STOREY EXTENSION TO SOUTH EASTERN CORNER OF BUILDING
AND ENTRANCE RAMP
APPROVE 08/01/2013**

P/11/0312/FP

**(A) CONVERT GARAGE TO OFFICE / RECEPTION, CONSTRUCT
LINK TO NURSERY AND INCREASE MAXIMUM CHILDREN
NUMBERS FROM 48-59
(B) AMEND PARKING LAYOUT & VEHICULAR EXIT
PART 27/06/2011
PERMISSION**

P/10/0602/FP

**REPLACE EXISTING CAR PARKING AREA WITH BLOCK PAVING,
ERECTION OF BUGGY STORE, PERGOLA AND REGULARISATION
OF REAR LANDSCAPING
PERMISSION 17/09/2010**

P/09/0556/VC

**VARIATION OF CONDITIONS 5,8 & 9 OF P/09/0245/CU (REVISED
PARKING LAYOUT & CHANGE FROM 8 TO 16 CHILDREN**

PERMITTED OUTSIDE) & REVISED ACCESS

PERMISSION 08/10/2009

P/09/0245/CU

CHANGE OF USE OF HOTEL TO NURSERY SCHOOL FOR 48 CHILDREN

PERMISSION 17/04/2009

P/08/0544/CU

CHANGE OF USE FROM HOTEL TO NURSERY SCHOOL FOR 40 CHILDREN

REFUSE 27/06/2008

P/08/0091/CU

CHANGE OF USE FROM HOTEL TO NURSERY SCHOOL FOR 40 CHILDREN

REFUSE 12/03/2008

P/98/0200/TO

Prune One Tree and Fell One Tree Covered by F.T.P.O.161

CONSENT 02/07/1998

P/94/0984/TO

TO FELL 1No. FIR AND SYCAMORE TREE AND PRUNE VARIOUS OTHER TREES COVERED BY FTPO161

CONSENT 25/10/1994

P/93/0312/TO

FELLING OF TREE COVERED BY FTPO161

CONSENT 21/04/1993

Representations

Four letters have been received objecting to the application on the following grounds:

- Unless independent inspection shows that the tree in question is untreatable there seems to be no valid reason to remove it
- The tree provides shelter and food for birds and insects
- Visual amenity of tree would be lost
- Detriment to privacy of adjoining properties
- Many other trees, bushes and hedges have been lost already
- The felling of the oak will cause an increase in water moving downhill into the gardens below it

One further letter has been received making the following points:

- A plan to review the progress of the disease in the tree on a regular basis might be an alternative so that action can be taken at the appropriate time to prevent undue risk to children playing in the garden

Consultations

Director of Planning & Environment (Arboriculture) -

Tree preservation orders seek to protect trees in the interest of public amenity, therefore it follows that the removal of a protected tree should only be sanctioned where its public amenity value is outweighed by other considerations.

In this instance the oak has two large areas of dead bark and associated insipient decay of the exposed wood tissues behind, situated on the south and northwest side of the main stem extending 1.5 metres above ground level. Further dead (necrotic) patches of bark were observed higher up the main stem and primary limbs and several poorly occluded wounds with dieback around the branch collar within these areas. The bark killing and

associated decay appear consistent with Honey Fungus, though no fruit bodies were observed at the time of inspection.

It is therefore concluded that due to the tree's deteriorating condition and its situation within a pre-school / nursery garden there is no viable alternative management option available and its removal is justified.

Planning Considerations - Key Issues

Officers consider that consent should be granted to fell the tree. The public amenity value of the tree is outweighed by the need for action to address the health and safety threat posed as a result of the tree's poor condition.

Matters such as the potential detriment to the privacy of neighbours and the effect on site drainage are not material considerations. The effect on nesting birds and bats which have the potential to be present and the applicant's obligations under the Wildlife & Countryside Act 1981 should be outlined in an informative attached to the decision notice.

Recommendation

CONSENT: works in accordance with BS 3998 (2010); replacement tree

Notes for Information

Bird nesting; bats; replacement tree.

Background Papers

See planning history above.

Updates

One further letter has been received within the public consultation period. The letter raises an objection to the application with the following additional points to those summarised in the Officer report:

- The tree has had its crown considerably reduced two years ago and has recovered and is in full leaf each summer
- Healthy mature trees can withstand an attack of honey fungus and continue to grow satisfactorily for many years
- The tree could be fenced off and an alternative area in the existing fenced off portion of the site used by nursery children

FAREHAM

BOROUGH COUNCIL



67 THE AVENUE
SCALE 1:1250

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P/12/0964/FP **[O]**

STUBBINGTON

MRS P WEST

AGENT: MARTIN MOYSE MRICS

PROVISION OF NEW PITCHED TILED ROOF OVER EXISTING CONSERVATORY

60 NEWGATE LANE FAREHAM HAMPSHIRE PO14 1BE

Report By

Brendan Flynn - Ext 4665

Site Description

This application relates to a large detached property set in a substantial garden on the east side of Newgate Lane.

Description of Proposal

Planning permission is sought for the provision of a new pitched tiled roof over an existing rear conservatory.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

CS14 - Development Outside Settlements

CS22 - Development in Strategic Gaps

Relevant Planning History

The following planning history is relevant:

P/02/0736/FP **Erection of Single Storey Rear Extension and Conservatory**

PERMISSION 23/07/2002

Representations

None received

Consultations

None

Planning Considerations - Key Issues

This application relates to a large detached property set in a substantial garden on the east side of Newgate Lane. Planning permission is sought for the provision of a new pitched tiled roof over the existing rear conservatory. The proposed roof relates well to the recipient property and is considered to be a sympathetic addition.

There are no neighbour amenities to consider. Officers are of the opinion that the application would not have an adverse impact on the character of the area and street scene. The application complies with the Adopted Fareham Borough Core Strategy.

Reasons For Granting Permission

The development is acceptable taking into account the policies of the Local Plan as set out

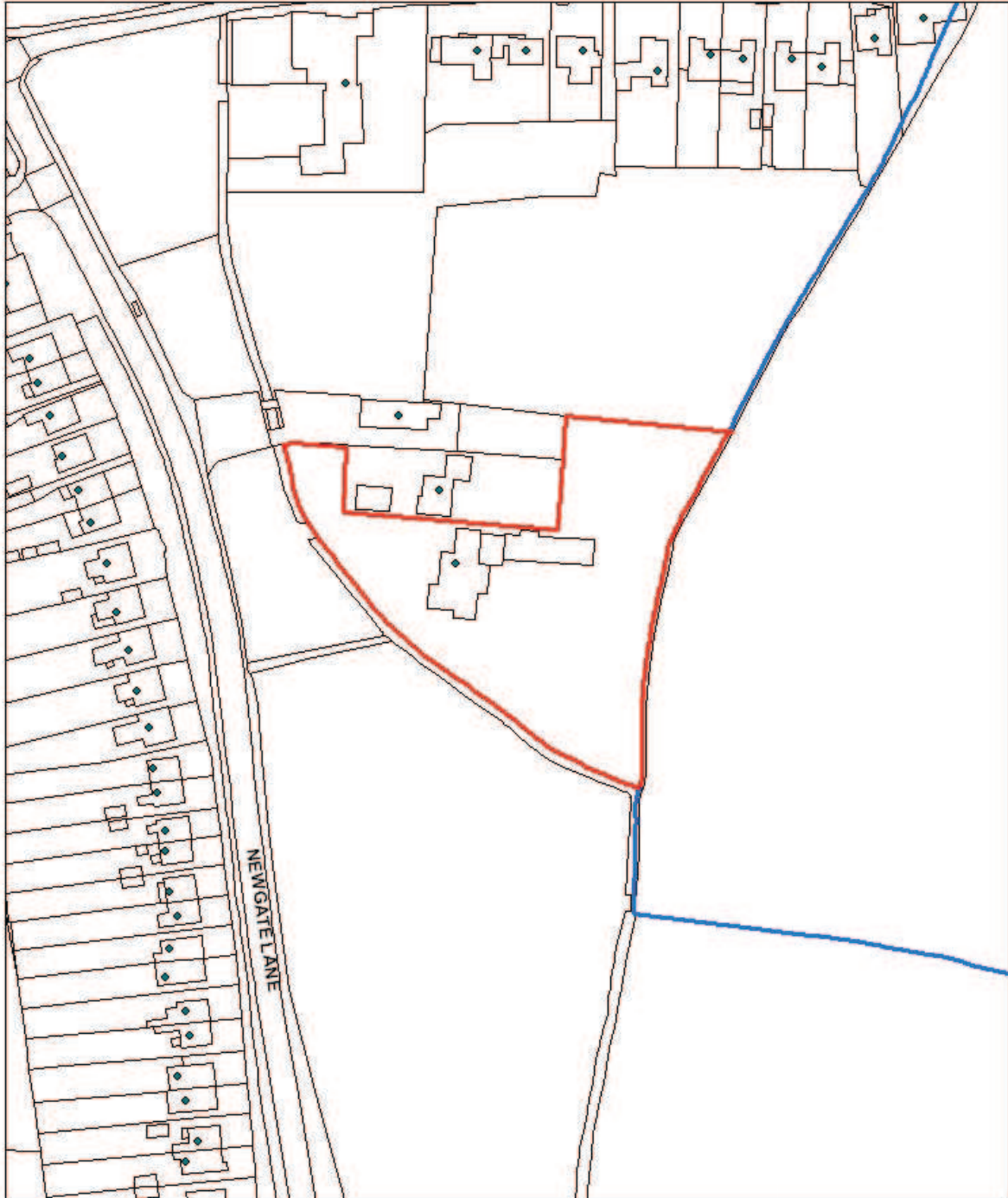
in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

PERMISSION: materials to match

FAREHAM

BOROUGH COUNCIL



60 NEWGATE LANE
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P/12/0984/FP [O]

PORTCHESTER EAST

MR & MRS ANDREW
SCRIBBENS

AGENT: MR KEITH CRESDEE

ERECTION OF SINGLE STOREY REAR EXTENSION

64 CASTLE STREET PORTCHESTER PO16 9PX

Report By

Brendan Flynn - Ext 4665

Site Description

This application relates to a mid terrace house situated on the eastern side of Castle Street.

Description of Proposal

Planning permission is sought for the erection of a single storey rear extension, following the demolition of the existing lean-to conservatory.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Approved SPG/SPD

EXTDG - Extension Design Guide (1993)

Representations

None received

Planning Considerations - Key Issues

This application relates to a mid terrace house situated on the eastern side of Castle Street. Planning permission is sought for the erection of a single storey rear extension, following the demolition of the existing lean-to conservatory. The proposed extension has been designed to be subservient to the main dwelling.

The neighbouring property to the north has an existing lean-to conservatory that projects two metres from the rear elevation. The neighbouring property to the south has an existing single storey rear extension that projects four metres from the rear elevation.

Officers are of the opinion that the proposed extension would not have an adverse impact on the neighbours amenities or the character of the area and street scene. The application complies with the Adopted Fareham Borough Core Strategy.

Reasons For Granting Permission

The development is acceptable taking into account the policies of the Local Plan as set out in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and

Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

Permission - materials to match.

FAREHAM

BOROUGH COUNCIL



64 CASTLE STREET
SCALE 1:1250

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PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

HG/12/0001

Appellant: MR DAVID GRAHAM DUNNE
Site: 17a Chapelside Titchfield Fareham Hants PO14 4AP
Decision Maker:
Recommendation:
Council's Decision:
Date Lodged: 18 October 2012
Reason for Appeal: HIGH HEDGE COMPLAINT TREES AT 17A CHAPELSIDE, TITCHFIELD, FAREHAM, PO14 4AP

P/11/1063/CU

Appellant: MRS ANITA BARNEY
Site: 75 Burrige Road - Land Adjacent - Burrige SO31 1BY
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 14 December 2012
Reason for Appeal: CHANGE OF USE OF AGRICULTURAL LAND TO PRIVATE GYPSY SITE FOR ONE FAMILY, SITING OF ONE MOBILE HOME AND A TOURING CARAVAN

P/12/0050/CU

Appellant: MR KEVIN FRASER
Site: 73 St Margarets Lane Fareham PO14 4BG
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: APPROVE
Date Lodged: 21 November 2012
Reason for Appeal: RETROSPECTIVE APPLICATION FOR CONTINUED USE OF UNIT A FOR D2 AND THEATRE PURPOSES AND UNIT B FOR STORAGE USE - APPEAL AGAINST CONDITION 1 OF PLANNING PERMISSION GRANTED UNDER P/12/0050/CU

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

P/12/0259/FP

Appellant: CHERYL MILLER
Site: Land To West Of 237 Woodlands Farm Segensworth Road Fareham Hampshire PO15 5EW
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 10 January 2013
Reason for Appeal: CONTINUED USE OF THE LAND FOR THE STABLING AND GRAZING OF HORSES TO INCLUDE RETENTION OF MOBILE HOME IN CONNECTION WITH EQUINE BREEDING BUSINESS / EQUINE WORKER IN LIEU OF CARAVAN PERMITTED UNDER APPLICATION P/06/0357/FP.

P/12/0335/CU

Appellant: MR PATRICK MASSEY
Site: 48a Warsash Road Warsash SO31 9JA
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 24 December 2012
Reason for Appeal: CHANGE OF USE FROM BUTCHER (A1) TO HOT FOOD TAKEAWAY (A5) INCLUDING INTERNAL ALTERATIONS AND EXTERNAL EXTRACTOR FLUE

P/12/0365/CU

Appellant: MS CLAIR DEARY
Site: 83 The Greendale Fareham PO15 6ET
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 13 September 2012
Reason for Appeal: CHANGE OF USE OF LAND TO FORM PART OF GARDEN AND RETENTION OF 2M HIGH FENCE FRONTING THE GREENDALE.

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

P/12/0373/OA

Appellant: MR CHRIS COLLINS
Site: Land To Rear Of 274 Botley Road Burridge Hampshire UNKNOWN
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 11 December 2012
Reason for Appeal: PROPOSED ONE CHALET BUNGALOW WITH ASSOCIATED CAR PARKING AND LANDSCAPING (OUTLINE APPLICATION FOR ACCESS, LANDSCAPING AND LAYOUT, RESUBMISSION OF P/11/0549/OA)

P/12/0402/AD

Appellant: MRS KATHERINE FAIRWEATHER
Site: 43 Old Gosport Road Fareham PO16 0XH
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 17 October 2012
Reason for Appeal: RETENTION OF THREE FREE-STANDING SIGNS

P/12/0462/OA

Appellant: MRS V HORRELL
Site: 233 Swanwick Lane Lower Swanwick SO31 7GT
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 22 October 2012
Reason for Appeal: ERECTION OF FOUR DETACHED DWELLINGS AND PROVISION OF ACCESS FROM LOWER SWANWICK ROAD

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

P/12/0567/LU

Appellant: MR PAT GREEN
Site: 117 Fareham Park Road Fareham Hants PO15 6LN
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 10 December 2012
Reason for Appeal: CERTIFICATE OF LAWFULNESS FOR A PROPOSED FIRST FLOOR SIDE EXTENSION

P/12/0619/FP

Appellant: MR STEVE NIELD
Site: 28 Langstone Walk Fareham Hampshire PO14 3AB
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 11 December 2012
Reason for Appeal: ERECT THREE BED DWELLING ATTACHED TO SOUTHERN GABLE OF NO 28 LANGSTONE WALK

P/12/0694/FP

Appellant: MR JOHN HOLLOWAY
Site: 10 Fay Close Stubbington PO14 2RS
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 10 January 2013
Reason for Appeal: PROPOSED SIDE DORMER WINDOW TO FACILITATE LOFT CONVERSION

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

CURRENT

P/12/0699/FP

Appellant: MR MATTHEW SOUTHCOTT
Site: 397 Warsash Road Fareham Hampshire PO14 4JX
Decision Maker: NON
Recommendation:
Council's Decision: REFUSE
Date Lodged: 06 December 2012
Reason for Appeal: RENOVATION AND EXTENSION OF EXISTING DWELLING AND ERECTION OF FOUR NEW DWELLINGS, GARAGES AND PARKING, VEHICULAR AND PEDESTRIAN ACCESS AND LANDSCAPING

HEARINGS

ENF/12/0034

Appellant: MS CHERYL MILLER
Site: Land Adjoining 237 Segensworth Road Fareham Po15 5ew
Date Lodged: 09 January 2013
Reason for Appeal: Without planning permission, change of use of the land from the keeping of horses, retention of 3 mobile stables and a mobile caravan, construction of manege and dog kennel, to the stationing of one static caravan for the purposes of human habitation

P/11/1097/CU

Appellant: MR MILES DORAN
Site: 293 Titchfield Road - Land Adjacent Titchfield PO14 3ER
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 11 October 2012
Reason for Appeal: CHANGE OF USE OF LAND AND PREMISES TO USE AS A RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY WITH TWO CARAVANS, INCLUDING NO MORE THAN ONE STATIC MOBILE HOME AND USE OF EXISTING BUILDING ON SITE AS ANCILLARY ACCOMMODATION FOR FAMILY UNIT

DECISIONS

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

DECISIONS

ENF/12/0034

Appellant: Matthew James
Site: Land Adjoining 237 Segensworth Road Fareham Po15 5ew
Date Lodged: 09 January 2013
Reason for Appeal: Without planning permission, change of use of the land from the keeping of horses, retention of 3 mobile stables and a mobile caravan, construction of manege and dog kennel, to the stationing of one static caravan for the purposes of human habitation
Decision: WITHDRAWN
Decision Date: 21 January 2013

P/12/0148/FP

Appellant: MRS JULIE GILES
Site: 2 The Grounds, Heath Road North Locks Heath Southampton SO31 7PL
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 28 August 2012
Reason for Appeal: PROPOSED NEW VEHICLE ACCESS ONTO LOCKSWOOD ROAD
Decision: DISMISSED
Decision Date: 07 February 2013

P/12/0276/FP

Appellant: MRS PAM GAULTON
Site: 112 Locks Road - Land Rear Of - Locks Heath SO31 6NR
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 20 August 2012
Reason for Appeal: ERECTION OF DETACHED CHALET BUNGALOW WITH ATTACHED GARAGE AND CAR PARKING
Decision: DISMISSED
Decision Date: 25 January 2013

PLANNING APPEALS

The following list details the current situation regarding new and outstanding planning appeals and decisions.

DECISIONS

P/12/0692/FP

Appellant: Mr ROSS TOLLIDAY
Site: 19 Neville Avenue Portchester Fareham Hampshire PO16 9NT
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 03 December 2012
Reason for Appeal: ERECTION OF TWO STOREY SIDE EXTENSION
Decision: DISMISSED
Decision Date: 21 January 2013

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