

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 20 November 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
K D Evans
M J Ford, JP
R H Price, JP
D C S Swanbrow
Mrs K K Trott

Deputies:
J S Forrest
P W Whittle, JP



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 18)

To confirm as a correct record the minutes of the meeting of the Planning Committee held on 9 October 2013.

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. Spending Plans 2014/15 (Pages 19 - 26)

To consider a report by the Director of Finance and Resources which sets out the overall level of revenue spending on this Committee's services and seeks approval for the revised budget for 2013/14 and the base budget for 2014/15.

7. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Pages 27 - 28)

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) P/13/0714/FP - 22 DENE CLOSE PARK GATE (Pages 33 - 36)

(2) P/13/0742/OA - 33 LOWER DUNCAN ROAD PARK GATE (Pages 37 - 42)

(3) P/13/0760/FP - 48 SHORE ROAD WARSASH (Pages 43 - 46)

(4) P/13/0769/FP - 69 SWANWICK LANE SWANWICK (Pages 47 - 50)

(5) P/13/0774/FP - 167 HUNTS POND ROAD PARK GATE (Pages 51 - 54)

(6) P/13/0805/FP - 56 SHORE ROAD WARSASH (Pages 55 - 58)

(7) P/13/0818/TO - 5 THE FARTHINGS TITCHFIELD COMMON (Pages 59 - 62)

(8) P/13/0843/TO - 11 SOUTHAMPTON ROAD PARK GATE (Pages 63 - 66)

(9) P/09/1024/FP - 69 BOTLEY ROAD PARK GATE (Pages 67 - 68)

- (10) **P/12/0974/FP - LAND AT PETERS ROAD LOCKS HEATH** (Pages 69 - 72)

ZONE 2 - FAREHAM

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

- (11) **P/13/0754/FP - BATH LANE RECREATION GROUND FAREHAM** (Pages 75 - 80)
- (12) **P/13/0785/CU - 239 WEST STREET FAREHAM** (Pages 81 - 84)
- (13) **P/13/0790/VC - 1-3 PEAK LANE FAREHAM** (Pages 85 - 88)
- (14) **P/13/0839/FP - 42 HILL PARK ROAD FAREHAM** (Pages 89 - 92)
- (15) **P/13/0858/FP - 28 LANGSTONE WALK FAREHAM** (Pages 93 - 96)

ZONE 3 - EASTERN WARDS

Portchester West, Hill Head, Stubbington and Portchester East

- (16) **P/13/0759/FP - 25 LONSDALE AVENUE PORTCHESTER** (Pages 99 - 102)
- (17) **P/13/0779/FP - 166 OLD STREET FAREHAM** (Pages 103 - 106)
- (18) **P/13/0789/CU - 2-3 NEW PARADE 38 WEST STREET PORTCHESTER**
(Pages 107 - 110)
- (19) **P/13/0807/FP - 20-26 TITCHFIELD ROAD FAREHAM** (Pages 111 - 116)
- (20) **P/13/0922/FP - 5 FARM HOUSE CLOSE FAREHAM** (Pages 117 - 118)
- (21) **Planning Appeals** (Pages 119 - 128)

8. Tree Preservation Orders

To consider the following reports regarding confirmation of Fareham Tree Preservation Orders to which objections have been received.

- (1) **Fareham Tree Preservation Order 645 - Land at Sarisbury Court: Sarisbury Court Gardens & woodland to the east, The Birches, The Dell, Alban House, Timbers and Fynone 91 Holly Hill Lane.** (Pages 129 - 134)

To consider a report by the Director of Planning and Environment regarding confirmation (subject to minor amendment) of Fareham Tree Preservation Order No 645 to which an objection (in respect of a provisional order made in July 2013) has been received.

- (2) **Fareham Tree Preservation Order 652 - The Glade, The Copse & Kingston Gardens, Fareham.** (Pages 135 - 140)

To consider a report by the Director of Planning and Environment regarding confirmation (subject to a minor modification) of Fareham Tree Preservation Order No 652 to which an objection (in respect of a provisional order made in July 2013) has been received.

Should Fareham Tree Preservation Order No 652 be confirmed, the Committee is requested to revoke the existing Fareham Tree Preservation Order No 33 as, where appropriate, those trees currently worthy of protection have been included in the new Order.

(3) Fareham Tree Preservation Order No 684 - 6 and 8 Abshot Close, Titchfield Common (Pages 141 - 148)

To consider a report by the Director of Planning and Environment regarding confirmation of Fareham Tree Preservation Order No 684 to which an objection (in respect of a provisional order made in July 2013) has been received.

(4) Fareham Tree Preservation Order No 685 - Priestfields, Ascot Close & Locks Heath Free Church, Titchfield Common (Pages 149 - 154)

To consider a report by the Director of Planning and Environment regarding confirmation of Fareham Tree Preservation Order No 685 to which an objection (in respect of a provisional order made in July 2013) has been received.

Should Fareham Tree Preservation Order No 685 be confirmed, the Committee is requested to revoke the existing Fareham Tree Preservation Orders No 154 and 315 as, where appropriate, those trees currently worthy of protection have been included in the new Order.

P GRIMWOOD
Chief Executive Officer

Civic Offices
www.fareham.gov.uk

12 November 2013

**For further information please contact:
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Tel:01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 9 October 2013

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

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



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M J Ford, JP and Mrs K K K Trott.

2. MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the meeting held on 24 September 2013 be confirmed and signed as a correct record.

(1) Minutes of Meeting on 11 September 2013

RESOLVED that the minutes of the Planning Committee meeting held on 11 September 2013 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements made at this meeting.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct the following declarations of interest were made:-

Application P/13/0691/FP - Swanwick Marina, Bridge Road Swanwick - Councillor Evans and Councillor Cartwright both declared a non-pecuniary interest (minute 6(3) refers)

Application P/13/0730/OA - 2, Crofton Lane, Fareham - Councillor Forrest declared a non-pecuniary interest (minute 6(17) refers).

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	MinuteNo/ Application No /Page No
ZONE 1				
Mr P Greenhalgh		6 Coleridge Close Warsash– garage conversion and erection of single storey front extension	Opposing	Minute 6(5) P/13/0728/FP
Mr Simon Gray		-ditto-	Supporting	-ditto-

ZONE 2				
Ms M Beasley		Good Manors Day Nursery, Manor Lodge, Church Path, Fareham - (A) Variation of Condition 7 P/12/1017/VC to allow increase in number of children present in rear garden at any one time to 18. (B) Variations of conditions 4 & 7 of P/12/1017/VC to allow nursery events to be held up to 5 times per year	Supporting	Minute 6(9) P/13/0651/VC
ZONE 3				
Ms L Hurst		Cams Hall Estate, Portchester Road, Fareham – Details in pursuant to condition 6 (external lighting) of P/09/0892/FP	Opposing	Minute 6 (12) P/09/0892/DP/F
Ms L Hurst		Cams Mill Public House, Cams Hill Fareham– Erection of various items of illuminated and non-illuminated signage	Opposing	Minute 6(13) P/13/0655/AD
Mrs P Cope		-ditto-	-ditto-	-ditto-
Mr D Marlow		2 Crofton Lane, Hill Head - Outline application for demolition of existing dwelling closure of existing vehicular access and	Supporting	Minute 6(17) P/13/0730/OA

		redevelopment of the site by the erection of two detached dwellings with revised access off Crofton Lane.		
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DECISIONS UNDER DELEGATED POWERS

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 (copy of report circulated with the agenda). An Update Report was tabled at the meeting.

(1) P/13/0531/CU - PARK GATE BUTCHERS 4B MIDDLE ROAD - PARK GATE

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.

(2) P/13/0610/FP - 44 OSBORNE ROAD WARSASH

The Committee was referred to the Update Report which provided the following information:- *A plan has been submitted showing one parking space on site. Suggested condition: Parking space to be laid out before the extensions hereby approved are first brought into use.*

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

- (i) the conditions in the report, and
- (ii) a condition requiring the on-site parking space to be laid out before the proposed extensions are first brought into use

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

RESOLVED that, subject to:-

- (i) the conditions in the report, and
- (ii) a condition requiring the on-site parking space to be laid out before the proposed extensions are first brought into use

PLANNING PERMISSION be granted.

(3) P/13/0691/FP - SWANWICK MARINA BRIDGE ROAD SWANWICK

The Committee was referred to the update report which provided the following information:- *The River Hamble Board granted Harbour works consent for the proposed development on 27 September 2013.*

Councillor Evans declared a non-pecuniary interest in this application on the grounds that he is Chairman of the River Hamble Harbour Board. Councillor Cartwright also declared a non-pecuniary interest on the grounds that he is a member of the River Hamble Harbour Management Committee.

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.

(4) P/13/0720/TO - BLUEBELL 9A MONTEREY DRIVE LOCKS HEATH

Upon being proposed and seconded, the officer recommendation to grant consent to crown raise oak to 6 metres above ground level by removing small diameter branches <75mm, tip reduce remaining upper branch work to north of crown by 2 metres to suitable growth points – maximum diameter of live pruning wounds <75mm to tree protected by Tree Preservation Order 607, 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, CONSENT be granted.

(5) P/13/0728/FP - 6 COLERIDGE CLOSE WARSASH

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

It was reported that the plan attached to the report was incorrect and did not show the correct boundary of the application site which extended into Coleridge Close

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

- (i) all glass front door panels including proposed glass panels on either side of the front door to be of frosted glass; and
- (ii) the conditions in the report

was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:-

- (i) all glass front door panels including proposed glass panels on either side of the front door to be of frosted glass; and
- (ii) the conditions in the report

PLANNING PERMISSION be granted.

(6) P/13/0750/FP - 178A LOCKS ROAD LOCKS HEATH

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.

(7) P/13/0751/FP - 90 PETERS ROAD LOCKS HEATH

The Committee was referred to the Update Report which provided the following information:- *An amended plan has been received showing three car parking spaces on the frontage and correcting the errors relating to boundary and neighbouring property positioning.*

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.

(8) P/13/0636/FP - 95 KILN 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: 9 in favour; 0 against)

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

(9) P/13/0651/VC - GOOD MANORS DAY NURSERY MANOR LODGE CHURCH PATH FAREHAM

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

The Committee was referred to the Update Report which provided the following information:- *Informative to applicant: It is advised that a minimum of one week's notice should be given in writing to the occupants of adjacent properties of the upcoming occurrence of an event at the nursery including the date and timing.*

A motion was proposed and seconded, as follows:-

Proposal (A) – to grant temporary permission for a period of 12 months for the variation of condition 7 of P/12/1017/VC, to allow an increase in the number of children permitted in the rear garden at any one time in association with the day nursery from 12 to 18; and

Proposal (B) - subject to the conditions in the report, including the informative to the applicant referred to in the Update Report, permission be granted for the variation of planning conditions 4 (Opening Hours) and 7 (Limited use of Garden) of P/12/1017/VC to allow social events to be held at the nursery for up to 5 times per year with unrestricted access to the garden.

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

RESOLVED that the application be determined as follows:-

Proposal (A) – TEMPORARY PLANNING PERMISSION be granted for a period of 12 months for a variation of condition 7 of P/12/1017/VC, to allow an increase in the number of children permitted in the rear garden at any one time in association with the day nursery from 12 to 18;

Proposal (B) - PLANNING PERMISSION be granted, subject to the conditions in the report, for the variation of planning conditions 4 (Opening Hours) and 7 (Limited use of Garden) of P/12/1017/VC to allow social events to be held at the nursery for up to 5 times per year with unrestricted access to the garden.

(10) P/13/0712/VC - 260 WEST STREET FAREHAM

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, for the removal of condition 4 of planning reference P/13/0187/VC, to allow cooking at the premises after 30 September 2013, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted for the removal of condition 4 of planning reference P/13/0187/VC, to allow cooking at the premises after 30 September 2013.

(11) P/13/0724/FP - 9 NICHOLAS CRESCENT 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.

(12) P/09/0892/DP/F - CAMS HALL ESTATE PORTCHESTER ROAD FAREHAM

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

The Committee was referred to the Update Report which provided the following information:- *For point of clarification this details pursuant application relates to bollard lighting only. The additional lighting mentioned in the second paragraph on page 83 of the officers report refers to the advertisement lighting.*

A correction to the wording in the second paragraph on page 83 of the report was noted at the meeting. The Committee was advised that **all** under eaves lighting has now been removed apart from that which would light the advertisements

Upon being proposed and seconded, the officer recommendation to approve details of the external lighting scheme submitted in pursuant to condition 6 (External Lighting – Bollard lighting) of P/09/0892/FP, reduced as amended by plans and details received on 23 September 2013, was CARRIED.
(Voting: 9 for; 0 against).

RESOLVED that the details of the external lighting scheme submitted in pursuant to condition 6 (External Lighting – Bollard lighting) of P/09/0892/FP, as amended by plans and details received on 23 September 2013, be APPROVED.

(13) P/13/0655/AD - CAMS MILL PUBLIC HOUSE CAMS HILL 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: *Members are advised that the amended plans received on the 25th September 2013 were readvertised and the expiry date for any further comments is the 9th October 2013. An update will be provided if any additional material planning considerations are received. The comments of the Director of Planning & Environment (Conservation) - Further to my previous comments I have the following additional comments concerning the amended proposals submitted. I remain of the view that the pole sign (J) that is proposed to the east end of the car park, close to the entrance to Cams Hall Estate and the gate lodges, is inappropriate. In this location it is isolated from the pub building, prominent in important views, and harmful to the character and appearance of the conservation area and the setting of the Cams Hall and its estate buildings. Its impact is significantly increased owing to its proposed location on top of the earth bund, this will add over 2.5 m to its 3.5m height in relation to the pavement; at over 6m this is taller than the ridge of the gate lodges. Portchester Road also gradually rises from the roundabout to the estate entrance which increases the height of the sign in relation to the new pub building. In my view this sign is not acceptable in this location and should be relocated to the west to relate closely to the new pub building it is intended to advertise. Further comments received from The Fareham Society: The Society is pleased that most of its concerns and objections to the scale and amount of advertising signage and illumination proposed have been addressed; However, the Society considers that the height and positioning of the pole mounted sign is unacceptable. It would be the same height as the adjacent lodges and be positioned away from the group of pub buildings; The advertising associated with the pub should be adequate and low key and not impinge on the setting of the parkland and the long views of Cams Hall and*

The Creek. One further comment has been received advising that the Cams Mill is in a light sensitive area and every effort should be made to respect the site and planning restrictions as detailed by the Council

A motion was proposed and seconded, that the application be determined as follows:-

- (a) With regard to the proposed freestanding pole sign (J), currently shown as facing the A27, close to the entrance to Cams Hall Estate and the gate lodges, the Head of Development Management and Trees be delegated authority to:-
1. negotiate with the applicant for submission of an amended plan to show the proposed freestanding pole sign (J) relocated to an agreed area in the north eastern corner of the service yard within the development site; and
 2. in the event the applicant is not willing to submit an amended plan to show relocation of this freestanding sign to the agreed location within the development site, to refuse this element of the application.
- (b) The remaining proposed six signs on the building illuminated by floodlights attached to the building and the proposed amended freestanding car park entrance sign be granted consent.

The motion was voted on and CARRIED. (Voting: 7 in favour; 1 against; 1 abstention).

RESOLVED that:-

- (a) the Head of Development Management and Trees be delegated authority to:-
1. negotiate with the applicant for submission of an amended plan to show the proposed freestanding sign relocated to an agreed area in the north eastern corner of the service yard within the development site; and
 2. in the event the applicant is not willing to submit an amended plan to show relocation of the freestanding sign to the agreed location within the development site, this element of the application be REFUSED ADVERTISEMENT CONSENT.
- (b) The remaining proposed six signs on the building illuminated by floodlights attached to the building and the proposed amended freestanding car park entrance sign be GRANTED ADVERTISEMENT CONSENT

Reasons for the decision The proposed location of the free standing sign (J) at the entrance to the Cams Hall Estate is considered inappropriate and harmful to the character and appearance of the conservation area and the setting of the Cams Hall and its estate.

Policies Fareham Borough Local Plan Review; DG7 – Signs and Advertisements.

(14) P/12/0984/MA/A - 64 CASTLE STREET PORTCHESTER

The Committee was referred to the Update Report which provided the following information:- *Recommendation: APPROVE*

It was proposed and seconded to grant planning permission for the minor amendment to P/12/0984/FP regarding the removal of the 45 degree return on the north flank wall to a 90 degree return squaring off the extension. The proposal was voted on and CARRIED.

(Voting: 7 in favour; 2 against)

RESOLVED that PLANNING PERMISSION be granted for the minor amendment to P/12/0984/FP.

(15) P/13/0697/FP - 73 LEITH AVENUE PORTCHESTER

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.

(16) P/13/0703/FP - 17 MONKS WAY 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.

(17) P/13/0730/OA - 2 CROFTON LANE FAREHAM

Councillor Forrest declared a non-pecuniary interest in this application on the grounds that he has already publicly expressed his views on the matter. He further declared that he would leave the room during consideration of the application taking no part in the discussion or voting thereon. Councillor Forrest then left the meeting room.

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

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

- (i) receipt of comments from Natural England; and
- (ii) the conditions in the report

was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

RESOLVED that, subject to:-

- (i) receipt of comments from Natural England; and
- (ii) the conditions in the report

OUTLINE PLANNING PERMISSION be granted.

(18) P/13/0734/FP - 6 SWORDFISH CLOSE LEE ON THE SOLENT

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the comments of the Director of Regulatory and Democratic Services (Environmental Health), was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the comments of the Director of Regulatory and Democratic Services (Environmental Health), PLANNING PERMISSION be granted.

(19) P/13/0784/PH - 28 MULBERRY AVENUE STUBBINGTON

Upon being proposed and seconded, the officer recommendation to grant prior approval was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PRIOR APPROVAL be granted.

(20) N/13/0011 - TRAFALGAR WHARF HAMILTON ROAD PORTSMOUTH

The Committee was referred to the update report which provided the following information: *The following additional consultee comments have been received:*

Director of Planning & Environment (Highways): There are concerns over the detail contained in the Transport Assessment (TA) relating to the use of the Paulsgrove Ward as the basis for the estimated trip distribution given that the socioeconomic profile of residents living on the site and the attraction to Portchester, rather than Portsmouth, may differ from that of existing residents in the Ward. Ward data is often used to predict travel mode and distribution although, in the case of this site, it would be more appropriate to combine this with Portchester East ward data, given the position of the site almost on the boundary between the two wards. This would better predict the likely impacts to ensure that the supporting information is precise and accurate enough to inform the Local Planning Authority's decision. There is also an absence of accident data provided in the TA for the section of A27 East Street, west of Portsdown and thus no indication of an intrinsic highway safety problem along this section, including the Castle Trading Estate signalised junction. In essence, therefore, the assessment has largely concentrated on the impact

upon Portsmouth with no real account being taken of the attractions of Portchester or Fareham etc. to the west.

With regard to the effect on the immediate surrounding highway network to the west of the site, the TA predicts a 16% increase in inbound vehicles into the Trading Estate in the morning peak and an 11% increase in outbound vehicles in the afternoon peak. Having taken these increases into account, it is considered that the existing signalised junction layout with the Trading Estate Road and East Street will still be capable of dealing with the increased flows. The Trading Estate Road provides the most direct route for not only motorists but also pedestrians and cyclists travelling between the southern half of the site and Portchester, including the nearest railway station and, further westwards, Fareham. Given the anticipated increase in vehicle movements, an associated increase in cycle journeys and pedestrians is also likely to occur and given the poor condition of the pavements along the Trading Estate Road and the lack of cycle lane provision to link up with that on the A27, it is considered that highway improvements should be sought in this regard to improve sustainable transport links.

It is recommended that a holding highway objection should be raised to the application until a more comprehensive transport assessment is completed and measures have been secured to improve accessibility to the west of the site.

Eastern Solent Coastal Partnership:

We have had the opportunity to review the revised Flood Risk Assessment for the above site following our holding objection response of 24 October 2012 to the previously submitted outline application 12/00998/OUT. We can confirm that we are now in a position to support the proposal subject to a number of conditions that we propose to the PCC planning team around scheme delivery. We consider that the proposal and associated onsite flood defences in combination with the financial contribution towards a wider scheme offer a real opportunity to improve the flood and coastal erosion risk management assets and standard of protection that they offer to people and property within the locality. We can also confirm that the coastal defence proposals are in line with the recommendation of Hold The Line - Improve, from the Portchester Castle to Emsworth Draft Coastal Flood and Erosion Risk Management Strategy. This Coastal Strategy has also now been approved and adopted by both Portsmouth City Council and Fareham Borough Council. Through securing of contributions from this development it will also be possible to deliver a standard of protection over and above that proposed in the Coastal Strategy.

The flood defence work identified as being needed by the Portchester to Emsworth Flood & Coastal Erosion Risk Management Strategy to reduce the risk of flooding to the existing community between Paulsgrove and Portchester Castle would not currently score highly enough for it to become a national priority and secure Flood Defence Grant in Aid funding in whole. A significant external financial contribution is therefore considered necessary to increase the score to a level which would secure FDGiA. Without this contribution the coastal defence scheme is unlikely to go ahead.

The Flood Risk Assessment (FRA) proposes a package of measures to manage risk to an acceptable level. The most significant of these is the construction of an on-site tidal flood defence wall, and a financial contribution towards the off-site tidal flood defences that are required to address flood flow routes originating from outside the site boundary. Further measures are proposed to manage the residual risk of tidal flooding, and to manage the risk of flooding from other sources.

The off-site flood defences are likely to be delivered either by the Eastern Solent Coastal Partnership or the Environment Agency as a 'lead' authority. We have worked in partnership with the Environment Agency and used the best available information to determine the amount of central government Flood Defence Grant in Aid for which this scheme is likely to be eligible. The contribution offered by the developer equates to the best estimate of the sum of money that would be needed to supplement and secure the proportion of FDGiA available, and meet the full cost of the off-site flood defence scheme across 100 years.

It should be noted, however that competition for the limited amount of available FDGiA varies from year to year and there cannot therefore be certain over funding for the off-site scheme in any given year. We are, however, confident that the proposed contribution would offer a good likelihood of enabling the off-site scheme to be delivered. It should be noted that the off-site flood defence scheme is to be delivered in 2 phases. The level of necessary contribution has been calculated based on the assumption that a proportion of the contribution will be held to accrue at a standard rate, to be sufficient in value to unlock the required FDGiA when the second phase of work is required. This will therefore need to be administered by the relevant Authority. If a contribution and funding can be secured, the scheme will reduce the risk of flooding to 410 existing homes and bring nearly £84million of benefits. As approximately 80% of the homes that will benefit from an improved standard of protection lie within Fareham Borough, the community in Fareham will enjoy nearly £67million of the total £84million benefits. The remaining benefits are found in Portsmouth.

Benefits are counted against a number of 'outcome measures', included within this are properties protected and the costs of them not flooding. In this instance it is purely coincidence that there is an £8.4m cost and £84m in benefits.

Director of Planning & Environment (Ecology):

The application is supported by various ecological information contained within the ES. I would recommend that Portsmouth City's attention is drawn to the previous comments of their ecologist, and any comments which are made in respect of this new submission. It would appear that various concerns raised previously are still not addressed by this application and therefore remain outstanding. For example, the ecological assessment does not appear to fully address impacts to the Solent European designated sites, and assess the full extent of the proposals including the flood defence works. There also appear to be outstanding protected species issues. The ES states (12.86) that the scheme will contribute to upgrades to the flood defences around Portsmouth Harbour which will be implemented by the Environment Agency, and that the full details of the flood defences will be presented in an Environmental Management Plan. As far as I am aware this EMP has not yet been provided but would appear to contain information required for the determination of this

application. The proposal still appears potentially to rely partially on the EA's Medmerry habitat creation project in West Sussex as mitigation, which Portsmouth's ecologist raised concerns about in the previous application.

Fareham's interests:

We previously highlighted that it had been identified there would be a permanent minor adverse effect on nearby SINC's through the increase in recreational use. Castle Shore SINC and Urchins Copse SINC both lie outside of the development boundary and within the borough of Fareham. Our previous concern related to the fact that whilst the application suggested that footpath improvements would encourage visitors to walk around the edge of the Castle Shore park, there was no evidence to support this and detailed information (including relating to flood defences) was not provided. My concern is that there is still a lack of details about the proposed works and the impacts of those, inconsistency regarding what is actually proposed as part of this scheme, and finally lack of demonstration of how the works and associated funding will be secured through this application.

The current application (ES Non-technical summary, paragraph 97) mentions the upgrade of the footpath which leads from the site to the [Castle Shore] SINC. I have been unable to locate any details of this. Similarly it mentions a path associated with the new flood defences which will encourage visitors to walk around the edge of the park, away from more sensitive areas. I have not been able to locate details of this, and would highlight to Portsmouth City that the impact of this proposed path will need to be assessed with regards to impacts upon the European designated sites. My understanding is that the previously proposed footpath upgrades within the Castle Shore Park and surrounding areas are no longer planned, presumably due to the applicant having no control over the relevant land. The timing of provision of a new footpath alongside the SINC, relative to progression of development, appears not to have been set out.

However, the ES (section 12.129) states that although only minor adverse impacts are predicted on Castle Shore Park and Urchins Copse SINC's, a contribution will be made to Hampshire County Council to undertake measures to manage the additional visitors and associated impacts. Prior to the first inhabitant moving into the site, an information board will be installed at the northern entrance to Castle Shore Park (which will describe the interest features of the parts and of Portsmouth Harbour and to encourage people to keep to the footpaths, avoid disturbing waterbirds and keep their dogs on a leash). It is stated that annual funding would be provided for fifteen years for vegetation management. The funding would cover the costs of reseeding areas of the park that become degraded with grasses more tolerant of trampling. Similarly funding would be provided to control the encroachment of scrub into the more diverse grassland habitats. To combat the problems created by an increase in domestic dogs, two new dog waste bins will be provided along the main paths and funding would be provided for these to be emptied on a regular basis for 15 years.

These measures sound reasonable, and Hampshire County Council Countryside team, as owners and managers of the site, are best placed to comment on the proposed measures and their likely success in mitigating anticipated impacts. However, it is noted that at Appendix E6 of the ES it is

stated that it has been agreed that upgrading the permissive path, path 114, providing dog bins and interpretation boards in the park should be sufficient to offset the impacts of the scheme on the [Castle Shore] SINC and that the paths, bins and boards would need to be maintained for 15 years. This differs from what is set out in the main body of the ES and as such it remains unclear as to what works are actually proposed. This is surprising considering we provided detailed feedback previously on what information would be required. Further to this, the email correspondence from HCC Countryside contained within Appendix E6 suggests various other measures, including relating to other Countryside sites within Fareham Borough, should be provided. It is unclear whether these form part of the proposals.

Ultimately, measures will be required associated with at least the Castle Shore Park SINC, in order to mitigate for the anticipated impacts. Prior to determination of any application it will be necessary for the applicant to make clear what these proposals include, how the works will be carried out (taking into account any mitigation required for those works themselves, e.g. timing, methodology), and that the amount of funding secured through a S106 is sufficient to deliver those measures. My understanding is that a S106 will need to be prepared prior to determination of this application.

Officer comments:

In light of the above response from the Council's Ecologist, Officers consider that the previous objection has not been satisfactorily addressed in relation to the matter raised concerning the impact of the development on nearby protected habitats and species. An additional point of objection should therefore be included and the revised Officer recommendation is set out in full below for members consideration.

Recommendation:

Fareham Borough Council objects to the proposed development on the grounds that:

a) it would, by virtue of the inclusion of a ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;

b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network;

c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options;

d) the development would fail to protect and enhance nearby designated protected habitats and species.

Fareham Borough Council requests that Portsmouth City Council formally reconsult this authority if any further information is received in respect of points a) to d) above.

The agent has submitted a letter on behalf of his client making some key observations relating to the committee report: The last two grounds for rejection have been put forward to Members without the advice of the Director of Planning and Environment (Highways). Discussions have taken place between the applicant, Hampshire County Council and Portsmouth City Highways and it is agreed there will be no adverse impact on the strategic highway network. Furthermore, there are no safety issues as there is no impediment for anyone wishing to walk or cycle along the length of the A27. The scheme is the submission of an amended scheme following discussions in several cases with officers of Fareham and in all cases with officers of Portsmouth City Council; It is unnecessary to repeat parts of the report which are factually correct but suffice to say the first reason for objecting is no doubt a typing error as the body of the report recognises that the previously designed twelve storey building has been reduced to just ten. It is a matter of judgement but having discussed the matter with officers at Portsmouth and accepting that English Heritage raised no objections to the twelve storey structure, it is considered that a ten storey building makes a positive contribution to the regeneration of the area and, in combination with the mixed form of commercial, industrial and residential development the scheme raises the quality of this entire area, creating the type of employment opportunities that the City requires and perhaps most important of all provides flood defences to a much wider area around Portchester and the harbour area which currently does not exist and for which otherwise there is no funding;

In summary, the applicant has taken on board the comments from both Fareham BC's planning Committee and officers at the City Council in respect of the now withdrawn application. The result of this new proposal will attract enormous economic and social benefits to the local community including new housing, major flood defence works and a range of employment opportunities

A motion was proposed and seconded to approve the officer recommendation, as detailed in the Update Report, to object to the proposed development on the following grounds:-

(a) it would, by virtue of the inclusion of a ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;

(b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network; and

(c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options; and

d) the development would fail to protect and enhance nearby designated protected habitats and species

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

RESOLVED that:-

- (i) The Council's response to the consultation by Portsmouth City Council on outline planning application N/13/0011, be as follows:-
 - (a) it would, by virtue of the inclusion of ten storey tall building on the site, detract from the townscape character of Portchester and would be harmful to both the setting of Portchester Castle and the character and appearance of the Castle Street conservation area;
 - (b) insufficient detail has been provided to demonstrate that the increase in vehicular movements to and from the site as a result of the development would not have unacceptable adverse implications on the wider strategic highway network;
 - (c) in the absence of improvements to pedestrian and cycle links between the site and Portchester centre the development would have an unacceptable impact on the safety and convenience of users of the highway network and would fail to contribute towards the provision of sustainable transport options; and
 - d) the development would fail to protect and enhance nearby designated protected habitats and species.
- (ii) Portsmouth City Council be requested to formally re-consult this authority if any further information is received in respect of points (a) to (d) above.

(21) Planning Appeals

The Committee noted the information in the report.

(22) Update Report

The Update Report was tabled at the meeting and considered with the relevant agenda items.

(The meeting started at 2.30 pm
and ended at 5.10 pm)

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FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **20 November 2013**

Report of: **Director of Finance and Resources**

Subject: **SPENDING PLANS 2014/15**

SUMMARY

This report sets out the overall level of revenue spending on this Committee's services and seeks approval for the revised budget for 2013/14 and the base budget for 2014/15.

RECOMMENDATION

It is recommended that:-

- (a) the revised budget for 2013/14 be approved
- (b) the 5% increase for pre-application advice for 2014/15 be approved; and
- (c) the base budget for 2014/15 be approved.

INTRODUCTION

1. The Council has a co-ordinated strategic service and financial planning process and this report brings together the revenue and capital spending and fees and charges for 2014/15 and allows the Committee to consider in detail these plans for the provision of services, as set out in Local Services Agreements, within the Planning Committee services during the next financial year.
2. This report and the revenue budgets have been prepared in accordance with the Medium Term Finance Strategy that was approved by the Executive on 7 October 2013 and will cover the capital programme, fees and charges and the revenue budget.

CAPITAL PROGRAMME

3. For this Committee there are no capital projects planned.

FEES AND CHARGES

4. The Planning Committee charges that are shown in the budget figures are mainly statutory and therefore not under the control of the Committee. The Government has yet to indicate if Local Authorities will be allowed to increase these charges for 2014/15. As the fees were increased last year by 15% (the first increase in 3 years), the budget has been prepared with the assumption that there will be no increase in the statutory fees. The Medium Term Finance Strategy highlights the need to explore all avenues of possible charging to keep down Council Tax increases.
5. Currently the cost for the pre-application advice is calculated on a case-by-case basis, allowing for the different nature and scale of applications to be taken into account when estimating officer time and finalising the charge. The charge does not recover the full cost of the work involved and it is proposed to increase the charge by 5% in line with other fees and charges. This will increase the income potential without adversely affecting the pre-application dialogue on applications.

REVENUE BUDGET

6. Appendix A analyses the overall budget total for the individual Planning Committee services and by the different types of expenditure and income.

Base Budget 2013/14

7. The base budgets for 2013/14 were considered by this Committee in November 2012 and were confirmed by the Full Council on 21st February 2013. The base budget for 2013/14 amounted to £669,000.

Revised Budget 2013/14

8. The overall revised budget for 2013/14 is £707,400, an increase £38,400 or 5.7% from the base budget.

9. The Base Budget 2014/15 is £793,400 an increase of £124,400 or 18.6% increase from the base budget for 2013/14.

Revenue Budget Comparisons

10. The following table analyses the total variations between expenditure and income:

	Revised Budget 2013/14	Base Budget 2014/15
	£	£
Base Budget 2013/14	669,000	669,000
Expenditure Variations	38,400	124,400
Income Variations	0	0
TOTAL	707,400	793,400

11. The major variations in the individual service budgets are summarised in the following table:

	Revised Budget 2013/14	Base Budget 2014/15
	£	£
Base Budget 2013/14	669,000	669,000
Planning Advice	46,900	77,900
Enforcement of Planning Control	-10,300	-5,300
Appeals	-5,600	-6,600
Processing Applications	7,400	58,400
TOTAL	707,400	793,400

12. Appendix A of this report shows the analysis of expenditure and income for individual services and the following paragraphs of this report set out issues affecting individual services that have arisen in the current year in order to explain the variations between base and revised budgets 2013/14 and the base budget for 2014/15.

SERVICE ISSUES

Employee, Internal Support and Transport Costs

13. The employee cost budgets are calculated by estimating the time that will be spent by employees in each service area.
14. In order to streamline and simplify the process of allocating employee costs to services, internal processes have been revised which may also have resulted in a small degree of fluctuation between current and future year's budgets.

15. Additional Planning Officer posts (2 FTEs) have been created to cover work for new developments at a cost of £99,000 per annum and will be funded from the Community Infrastructure Fund (CIL).
16. Internal support service cost provided to this committee, including ICT, Personnel, Finance, Customer Services and accommodation recharges, will have also been affected by the changes outlined above.
17. Specific car allowances have been identified and moved from the employee budget to the transport budget for the relative service. In addition the redistribution of other transport budgets has been made to match current usage.

PLANNING ADVICE

18. There has been an overall increase in the 2014/15 base budget for this service of £77,900. The main reason is the cost of the new posts which will be funded by CIL. In addition other minor variations include an increase in internal support for this service area (£4,000).
19. The 2013/14 revised budget £47,500 is due to the increased employee (£41,000) related expenditure, as outlined above.

ENFORCEMENT OF PLANNING CONTROL

20. There has been an overall decrease in the 2014/15 budget for this service of £5,300, which is mainly as a result of a decrease in the cost of employment (£4,500).

APPEALS

21. There has been a marginal decrease in both the revised budget 2013/14 and the base budget 2014/15 for this service. This is mainly due to the decrease in cost of employment from the reallocation of the anticipate employee allocations.

PROCESSING APPLICATIONS

22. There has been an overall increase in the 2014/15 base budget of £58,400, mainly due to increased cost of employment (£45,900). This is due to the additional posts that will be funded by CIL. Supplies and Services budget has increased to cover the costs for advertising public notices (£8,500), this was previously paid corporately but the budgets have now been devolved to individual service areas. There has been a small reduction in support services.

RISK ASSESSMENT

23. There are no significant risk considerations in relation to this report.

CONCLUSION

24. A number of Planning Committee services are partly funded from fees and charges and other types of income. After taking service income into account, the following sources of income reduce the overall cost of services to be met by council tax payers:

- Investment income;
 - General government grant; and
 - The Council's share of business rate income
25. These sources of income are generally outside the Council's control and do not reflect the changes in the overall level of spending on local services. With these sources of income effectively "fixed", Members need to be aware that, unless it can be matched by increased service income, additional spending on services has to be fully funded by council tax payers.
26. It follows that Members must give full weight to the Council's overall position and future council tax levels when the revenue budgets for 2014/15 are considered.
27. The Committee is asked to review the revised budgets for 2013/14 and the base budgets and fees and charges for 2014/15 and consider whether it wishes to submit comments for consideration by Full Council.

APPENDIX A – Revenue Budget 2013/14 Revised & 2014/15 Base

Background Papers: None

Reference Papers:

Report of the Director of Finance and Resources to the Executive on 7 October 2013 'Annual Review of the Council's Finance Strategy'

Report of the Director of Corporate Policy & Performance to the Planning Development Control Committee on 26 November 2008 'Local Service Agreements (LSA's)

Report of the Chief Executive Officer to the Executive on 2 April 2012 'Efficiency Proposals'

Enquiries:

For further information on this report please contact Sonia Dent, Senior Management Accountant (Ext 4313)

PLANNING COMMITTEE

ESTIMATE OF EXPENDITURE AND INCOME FOR THE COUNCIL TAX 2014/15

<u>PLANNING ADVICE</u>	Actuals	Base Estimate	Revised Estimate	Base Estimate
	2012/13	2013/14	2013/14	2014/15
	£	£	£	£
PLANNING ADVICE	245,078	240,600	287,500	318,500
ENFORCEMENT OF PLANNING CONTROL	142,219	140,400	130,100	135,100
APPEALS	57,567	78,700	73,100	72,100
PROCESSING APPLICATIONS	277,982	209,300	216,700	267,700
NET EXPENDITURE	722,846	669,000	707,400	793,400

SUBJECTIVE ANALYSIS

	Actuals	Base Estimate	Revised Estimate	Base Estimate
	2012/13	2013/14	2013/14	2014/15
	£	£	£	£
EMPLOYEE RELATED EXPENDITURE	713,229	696,600	726,700	806,200
TRANSPORT	4,641	2,200	11,000	12,600
SUPPLIES AND SERVICES	113,621	44,700	42,800	50,900
CONTRACT PAYMENTS	66,525	62,600	65,300	61,000
INTERNAL SUPPORT	220,003	227,200	225,900	227,000
GROSS EXPENDITURE	1,118,019	1,033,300	1,071,700	1,157,700
OTHER GRANTS & REIMBURSEMENTS	-10,594	0	0	0
SALES	-5,005	-2,600	-2,600	-2,600
FEEES AND CHARGES	-379,574	-361,700	-361,700	-361,700
GROSS INCOME	-395,173	-364,300	-364,300	-364,300
NET EXPENDITURE	722,846	669,000	707,400	793,400

PLANNING ADVICE

	Actuals	Base	Revised	Base
	2012/13	Estimate	Estimate	Estimate
	2012/13	2013/14	2013/14	2014/15
	£	£	£	£
EMPLOYEE RELATED EXPENDITURE	150,203	157,500	198,500	230,000
TRANSPORT	277	0	2,000	2,600
SUPPLIES AND SERVICES	604	400	0	0
CONTRACT PAYMENTS	50,676	42,700	41,900	41,900
INTERNAL SUPPORT	53,313	54,700	59,800	58,700
GROSS EXPENDITURE	255,073	255,300	302,200	333,200
FEES AND CHARGES	-9,995	-14,700	-14,700	-14,700
GROSS INCOME	-9,995	-14,700	-14,700	-14,700
NET EXPENDITURE	245,078	240,600	287,500	318,500

ENFORCEMENT OF PLANNING CONTROL

	Actuals	Base	Revised	Base
	2012/13	Estimate	Estimate	Estimate
	2012/13	2013/14	2013/14	2014/15
	£	£	£	£
EMPLOYEE RELATED EXPENDITURE	96,762	100,900	92,000	96,400
TRANSPORT	1,586	1,000	2,200	2,500
SUPPLIES AND SERVICES	394	2,400	2,100	1,900
CONTRACT PAYMENTS	14,724	6,700	6,700	6,700
INTERNAL SUPPORT	29,153	29,400	27,100	27,600
GROSS EXPENDITURE	142,619	140,400	130,100	135,100
FEES AND CHARGES	-400	0	0	0
GROSS INCOME	-400	0	0	0
NET EXPENDITURE	142,219	140,400	130,100	135,100

APPEALS

	Actuals	Base	Revised	Base
	2012/13	Estimate	Estimate	Estimate
	2012/13	2013/14	2013/14	2014/15
	£	£	£	£
EMPLOYEE RELATED EXPENDITURE	36,255	39,100	35,900	34,800
TRANSPORT	13	0	100	100
SUPPLIES AND SERVICES	7,000	21,700	21,700	21,700
CONTRACT PAYMENTS	0	3,500	2,700	2,700
INTERNAL SUPPORT	14,299	14,400	12,700	12,800
GROSS EXPENDITURE	57,567	78,700	73,100	72,100
NET EXPENDITURE	57,567	78,700	73,100	72,100

PROCESSING APPLICATIONS

	Actuals	Base	Revised	Base
	2012/13	Estimate	Estimate	Estimate
	2012/13	2013/14	2013/14	2014/15
	£	£	£	£
EMPLOYEE RELATED EXPENDITURE	430,009	399,100	400,300	445,000
TRANSPORT	2,765	1,200	6,700	7,400
SUPPLIES AND SERVICES	105,623	20,200	19,000	27,300
CONTRACT PAYMENTS	1,125	9,700	14,000	9,700
INTERNAL SUPPORT	123,238	128,700	126,300	127,900
GROSS EXPENDITURE	662,760	558,900	566,300	617,300
OTHER GRANTS & REIMBURSEMENTS	-10,594	0	0	0
SALES	-5,005	-2,600	-2,600	-2,600
FEEES AND CHARGES	-369,179	-347,000	-347,000	-347,000
GROSS INCOME	-384,778	-349,600	-349,600	-349,600
NET EXPENDITURE	277,982	209,300	216,700	267,700
PLANNING COMMITTEE				
NET EXPENDITURE	722,846	669,000	707,400	793,400

Report to Planning Committee

Date: 20 November 2013

Report of: Director of Planning and Environment

Subject: PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

SUMMARY

This report recommends action on various planning applications and miscellaneous items

RECOMMENDATION

The recommendations are detailed individually at the end of the report on each planning application.

AGENDA

(1) Items relating to development in the Western Wards; Sarisbury, Warsash, Park Gate, Titchfield, Titchfield Common and Locks Heath will be heard from 2.30pm

2) Items relating to development in the Fareham Town, Fareham South, Fareham North, Fareham North-West, Fareham East, Fareham West, Stubbington, Hill Head and Portchester will be heard no earlier than 3.00pm

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ZONE 1 - WESTERN WARDS

Park Gate
 Titchfield
 Sarisbury
 Locks Heath
 Warsash
 Titchfield Common

Reference		Item No
P/13/0714/FP PARK GATE	22 DENE CLOSE SOUTHAMPTON HAMPSHIRE SO31 7TT ERECTION OF FIRST FLOOR FRONT EXTENSION, DETACHED SINGLE GARAGE AND CONVERT INTEGRAL GARAGE TO HABITABLE ROOM	1 PERMISSION
P/13/0742/OA PARK GATE	33 LOWER DUNCAN ROAD PARK GATE SOUTHAMPTON SO31 1BE ERECTION OF DETACHED DWELLING (OUTLINE APPLICATION)	2 OUTLINE PERMISSION
P/13/0760/FP WARSASH	48 SHORE ROAD WARSASH SOUTHAMPTON SO31 9FU PROPOSED SINGLE STOREY FRONT AND TWO STOREY REAR EXTENSIONS AND ELEVATIONAL ALTERATIONS	3 PERMISSION
P/13/0769/FP SARISBURY	69 SWANWICK LANE SWANWICK SOUTHAMPTON SO31 7DX FORMATION OF MANEGE AND EXTENSION TO STABLE BLOCK	4 PERMISSION
P/13/0774/FP TITCHFIELD COMMON	167 HUNTS POND ROAD PARK GATE SOUTHAMPTON SO31 6RD ERECTION OF SINGLE STOREY REAR EXTENSION AND CONSERVATORY PROVISION OF FRONT AND REAR DORMERS WITH FIRST FLOOR SIDE ROOF LIGHT TO SERVE LOFT CONVERSION	5 PERMISSION
P/13/0805/FP WARSASH	56 SHORE ROAD WARSASH SO31 9FU ERECTION OF TWO STOREY REAR EXTENSION, SINGLE STOREY FRONT EXTENSION WITH BALCONY ABOVE AND AN EXTERNAL STAIRCASE	6 PERMISSION
P/13/0818/TO TITCHFIELD COMMON	5 THE FARTHINGS TITCHFIELD COMMON FAREHAM HAMPSHIRE PO14 4FF FELL ONE OAK PROTECTED BY TPO 501	7 CONSENT
P/13/0843/TO TITCHFIELD COMMON	11 SOUTHAMPTON ROAD PARK GATE SO31 8BX REMOVE ONE LOWER LEFT LATERAL LIMB, REMOVE THREE LOWEST LIMBS BACK TO SOURCE, REMOVE DEADWOOD & THREE OLD STUBS ON ONE OAK PROTECTED BY TPO 334	8 CONSENT

P/09/1024/FP	69 BOTLEY ROAD PARK GATE SO31 1AZ PROPOSED DEED OF VARIATION OF PLANNING OBLIGATION (LA1451) P/09/1024/FP	9 Miscellaneous
P/12/0974/FP	LAND AT PETERS ROAD LOCKS HEATH RESIDENTIAL DEVELOPMENT COMPRISING ERECTION OF 49 DWELLINGS WITH NEW ACCESS, ASSOCIATED CAR PARKING AND OPEN SPACE	10 Miscellaneous

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Agenda Item 7(1)

P/13/0714/FP

MR GORDON MCCORD

PARK GATE

AGENT: REYNOLDS
ASSOCIATES

ERECTION OF FIRST FLOOR FRONT EXTENSION, DETACHED SINGLE GARAGE AND
CONVERT INTEGRAL GARAGE TO HABITABLE ROOM

22 DENE CLOSE SOUTHAMPTON HAMPSHIRE SO31 7TT

Report By

Brendan Flynn (ext.4665)

Site Description

The site is located at the southeastern end of Dene Close and comprises a detached two storey dwelling off of a private drive serving two other properties. There are three properties adjoining the site. No. 24 is served off the same private drive and is to the northeast of the site. No.26 presents a flank elevation to the site and is located on the opposite side of the private drive. No.213 Brook lane is on the southwest side of the site.

Description of Proposal

The proposed development comprises several elements being:

- the construction of a first floor front extension to bedroom
- construction of detached garage to the front of the dwelling, and
- the conversion of the existing integral garage to residential accommodation

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)

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Representations

One letter raising the following concerns -

- There appears to be insufficient manoeuvring space in front of the proposed garage without encroaching over the boundary with No.26
- Lack of visibility when exiting the garage.

One letter raising no objection provided that there is no disruption to the use of No.24.

Consultations

Director of Planning and Environment (Highways) - No Objection

Planning Considerations - Key Issues

The key issues in this case are:

1. Impact upon the character and appearance of the area;
2. Access and Car Parking;
3. Impact on adjacent residential properties.

1. Impact upon the character and appearance of the area - The proposed first floor extension is designed with a gable end and a roof pitch to match the existing dwelling. The elevations would be tile hung to add visual interest. The design is considered to be in keeping with the building and therefore the character of the area notwithstanding that the dwelling is not easily viewed from the public perspective. The proposed detached garage would also follow the general design of the house with side gables and front and rear hips.

2. The main access to the site is not altered. Although the proposals include the conversion of the existing garage, with the addition of the proposed garage there will be no change in the car parking available to the property. Since there will be no change in the number of bedrooms there is no objection on the grounds of car parking. The occupants of No.26 (opposite) have made representations to the effect that there appears to be insufficient manoeuvring space in front of the proposed new garage, however the available distance ranges from 6.5 metres to 8 metres which is considered to be sufficient. No objection is raised by the Director of Planning and Environment(Highways).

3. Impact on adjacent residential properties - the proposed development is set away from the boundary with No.24 so that there will be no adverse impact in this direction. No.26 opposite presents a flank wall to the proposals so that there will be no direct harm to the occupiers of that property (the issue of access has been considered above). No. 213 Brook Lane is located fronting Brook Lane so that its rear garden adjoins the application site; the proposed first floor extension is some 18 metres to the rear and has no side windows to result in harm; the proposed garage is approximately 22 metres away.

Conclusion

The proposed extension is both modest in scale and sympathetic in design; officers consider there will be no impact on adjoining residents; the garage is similarly sympathetic in design; there will be no harm to the character of the area and adequate access and parking are provided.

PERMISSION

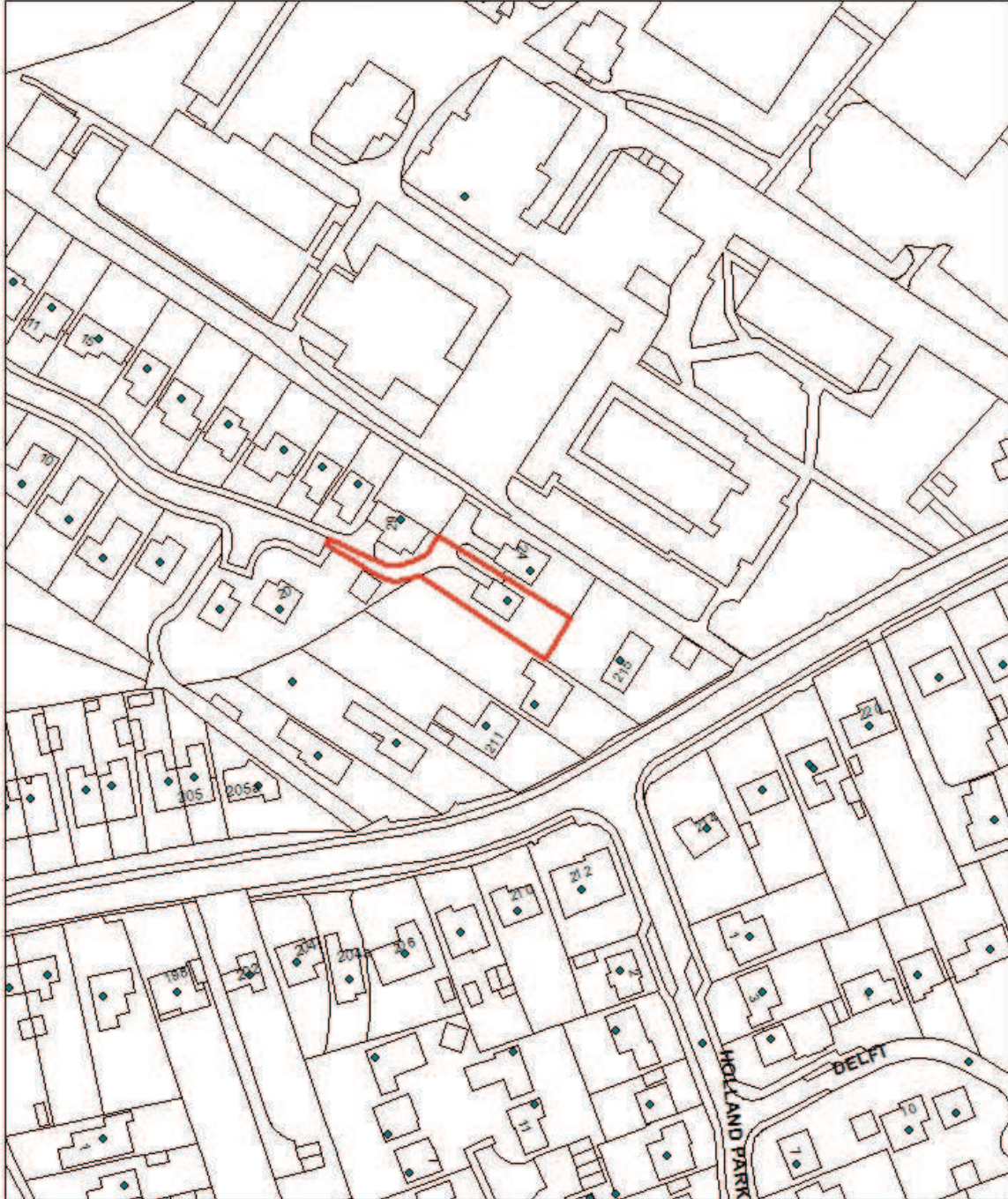
Materials to match; no windows at first floor level on the southwest elevation of the proposed first floor extension.

Background Papers

P/13/0714/FP

FAREHAM

BOROUGH COUNCIL



22 DENE CLOSE
SCALE: 1:1,250

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Agenda Item 7(2)

P/13/0742/OA

MR & MRS BARRY & LINDA
BIDWELL

ERECTION OF DETACHED DWELLING (OUTLINE APPLICATION)

33 LOWER DUNCAN ROAD PARK GATE SOUTHAMPTON SO31 1BE

PARK GATE

AGENT: MR & MRS BARRY &
LINDA BIDWELL

Report By

Richard Wright x2356

Site Description

The application site comprises a piece of land within the urban area forming the side garden of 33 Lower Duncan Road. The land is located to the north eastern side of the existing two storey detached dwelling and on it currently is a large double garage outbuilding and a further shed. Vehicular access to the site from the road is currently afforded by a pair of gates in the north eastern boundary.

The garages and parking areas for 8 & 10 Collingworth Rise abut the north western site boundary whilst Lower Duncan Road runs adjacent to the north eastern and south eastern boundaries. The application site is mainly level however it is approximately 1.5 metres higher than the adjacent road side at the south eastern boundary. Within the application site close to that south eastern boundary lie two protected mature oak trees.

Description of Proposal

Outline planning permission is sought for the erection of a detached dwelling with all matters reserved.

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

CS9 - Development in Western Wards and Whiteley

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

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

Relevant Planning History

The following planning history is relevant:

<u>P/11/1082/OA</u>	ERECTION OF DETACHED DWELLING
	REFUSE 14/09/2012
<u>P/07/0930/RM</u>	ERECTION OF DETACHED DWELLING (DETAILS PURSUANT TO OUTLINE PLANNING PERMISSION P/04/1107/OA)
	APPROVE 07/09/2007
<u>P/04/1107/OA</u>	Erection of Detached Dwelling (Outline Application)
	OUTLINE PERM 13/09/2004

Representations

Three comments have been received objecting to the application on the following grounds:

- In the absence of financial contributions there would be greater pressure on open space provision and existing highway infrastructure
- Loss of privacy to neighbouring properties to north-east
- Loss of sunlight/daylight
- Adverse effect on character of the area
- Lack of plans/details of access
- Increase in size/scale of development proposed
- Contractors parking/working hours
- Concern over protected trees on site

Consultations

Director of Planning & Environment (Highways) - There is no 'in principle' highway objection to the application subject to a suitably graded access being obtained from the northern stub of Lower Duncan Road and to parking being provided in accordance with the Residential Parking SPD.

Director of Planning & Environment (Arborist) - In broad terms the proposed layout appears to be viable for one dwelling in relation to the existing TPO oaks - further detailed information will be required with any full submission.

Director of Regulatory & Democratic Services (Environmental Health) - No adverse comments.

Director of Regulatory & Democratic Services (Contaminated Land) - Recommend approval subject to condition regarding the cessation of works should any unexpected ground conditions or materials suggesting contamination be encountered.

Planning Considerations - Key Issues

a) Planning history

Outline planning permission was previously granted for an almost identical proposal in September 2004 (reference P/04/1107/OA), the only difference being that application proposed a means of access to serve the new dwelling. A further submission of the reserved matters was approved in September 2007 (P/07/0930/RM). The approved dwelling was a three storey building with the lower storey providing an undercroft garage. The permission for this development has since lapsed.

Outline planning permission was sought once more in 2011 (reference P/11/1082/OA). Members may recall that it was resolved at the planning committee meeting held on 28th March 2012 to grant outline permission subject to the completion of the necessary section

106 legal agreements in relation to financial contributions towards off-site public open space and highway improvements.

In the event the legal agreement was not entered into within the agreed timescale planning permission was to be refused. The section 106 failed to be completed by the agreed date and subsequently the application was refused.

This current proposal before members is identical to the previous submission in 2011. Since the submission is in outline form the information submitted comprises only a location plan, a block plan, a completed application form and a Design & Access Statement.

Members will be aware that the Council adopted the Community Infrastructure Levy (CIL) on 1st May this year. The effect of the introduction of the levy is to replace the previous requirement for applicants to enter into legal agreements in order to secure financial contributions. The previous reasons for refusal have therefore been addressed by virtue of the introduction of CIL and the applicant's liability under the adopted charging schedule to pay a charge once the development has commenced.

b) Principle of development and effect on character of surrounding area

Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place a priority on reusing previously developed land within the defined urban settlement boundaries to achieve the Borough's housing target of 3,729 dwellings by the year 2026. The National Planning Policy Framework (NPPF) excludes private residential gardens from being defined as previously developed land but sets out that there should be a presumption in favour of sustainable development.

This application therefore falls to be considered on its individual merits taking into account the relevant policies of the development plan and any other material considerations. Policy CS17 (High Quality Design) of the Core Strategy is particularly relevant in that it expects 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".

Lower Duncan Road and the immediate surrounding area is characterised as a predominantly residential area with mainly detached housing in a variety of architectural styles. The application site is understood to form part of the residential curtilage of 33 Lower Duncan Road. The subdivision of this curtilage to form a new residential unit on the application site would result in two plots which would compare favourably with the surrounding area, in keeping with the prevailing pattern of development in the neighbourhood. In principle therefore, Officers are satisfied that the formation of a new detached dwelling on this plot would relate well to the character of the surrounding streetscene.

This is an outline application with 'all matters reserved' and therefore details of the scale, layout and appearance of the new dwelling would need to be submitted to the Council for approval at a later date. Details of the means of access and landscaping of the site would also need to be submitted at that stage.

c) Effect on living conditions of neighbours

The scale, layout and appearance of the dwelling are all reserved matters to be considered at a later date. The proposed height and massing of the dwelling is therefore still to be

proposed. Notwithstanding, Officers are comfortable with the principle of granting outline permission for this development. There is no reason to suggest that the site's proximity to and relationship with neighbouring properties would mean that it would not be possible to achieve an acceptable design respectful of the privacy of neighbours and the light and outlook they enjoy in their homes. A scheme of reserved matters submitted in 2007 was found to be acceptable in this respect, and all others, and permission was granted.

d) Impact on two protected oak trees

The two oak trees on the south eastern edge of the site are covered by a tree preservation order (FTPO 532). Officers are satisfied that a dwelling could be constructed on the site without harming either of the trees subject to the submission of arboricultural assessment details as part of any subsequent reserved matters application.

Recommendation

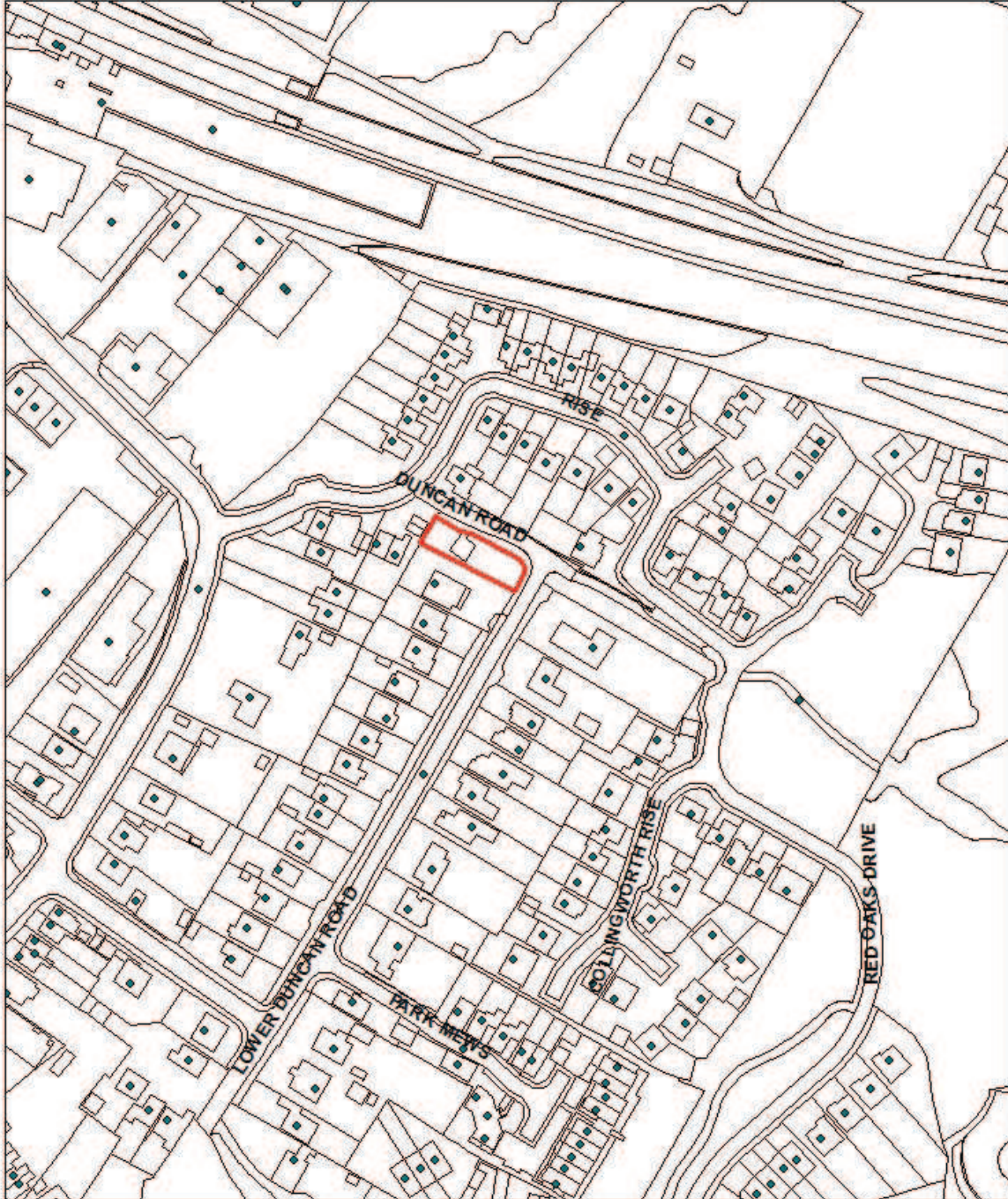
PERMISSION: submission of reserved matters (access, siting, design, external appearance of building, landscaping); withdraw PD rights for windows in NE & SW elevations; external material samples; hardsurfaced areas; boundary treatment; internal finished levels of dwelling; tree survey and arboricultural method statement; parking and turning areas; cycle parking; landscaping; landscaping implementation; Code for Sustainable Homes Level 4; land contamination; mud on highway; hours of construction; no burning on site; operatives parking/materials storage.

Background Papers

P/13/0742/OA

FAREHAM

BOROUGH COUNCIL



33 LOWER DUNCAN ROAD
SCALE: 1:1,250

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Agenda Item 7(3)

P/13/0760/FP

MR & MRS MARTIN HUTCHINGS

WARSASH

AGENT: DAVID NEWELL
CONSULTANCY LTD

PROPOSED SINGLE STOREY FRONT AND TWO STOREY REAR EXTENSIONS AND
ELEVATIONAL ALTERATIONS

48 SHORE ROAD WARSASH SOUTHAMPTON SO31 9FU

Report By

Emma Marks Extn.2677

Site Description

This application relates to a detached dwelling on the north side of Shore Road within the urban area.

Description of Proposal

Planning permission is sought for:-

- i)the erection of a single storey front extension which measures 1.9 metres in depth, 9.8 metres in width with an eaves height of 2.1 metres and a ridge height of 3.2 metres;
- ii)two storey rear extension which measures 6.5 metres in depth, 5 metres in width with an eaves height of 4.7 metres and a ridge height of 6.5 metres.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Representations

One letter of representation has been received objecting on the following grounds:-

- The neighbouring property is 0.5m higher and will block the morning light into the neighbours rear ground floor and rear garden
- The proposed building will project back significantly beyond the neighbouring property build line
- The proposed building will directly affect outlook
- The overall depth, mass and density of the proposed build will make a significant impact upon the neighbours space light and environment.

Planning Considerations - Key Issues

Planning permission is sought for the erection of a single storey front extension and a two storey rear extension.

The letter of representation is submitted by the occupiers of the neighbouring property to the west, 50 Shore Road. This property is slightly lower than the application site, however there is a physical gap of 6.5 metres at its narrowest point between the two properties. If a 45 degree angle is drawn from the neighbours nearest window to the proposed two storey rear extension there would be a distance of 9 metres. The neighbour's closest windows to

the boundary serve a bathroom at ground floor with an open plan layout at first floor which has the benefit of four windows on three elevations serving a kitchen, lounge and dining area.

Officers are of the opinion that due to the distances involved, the nature of the neighbouring windows and the specific layout of the neighbouring property the amenities of the neighbouring property would not be materially harmed.

The privacy of the occupiers of the neighbouring property can be secured through the imposition of appropriate conditions.

The proposed front extension is modest in size, with the design sympathetic to the character of the dwelling and street scene.

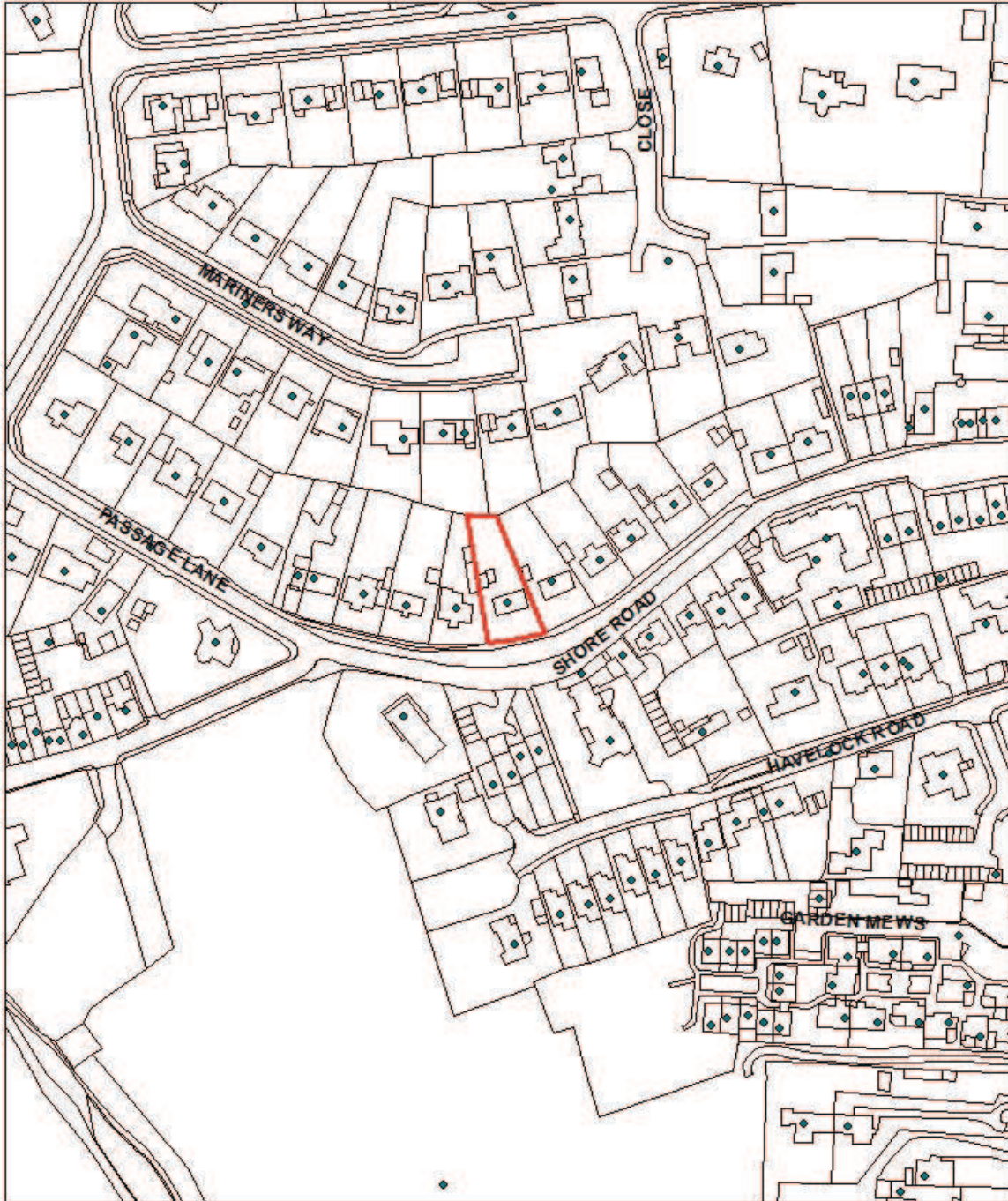
Officers are of the view that the application is acceptable and complies with the Adopted Fareham Borough Core Strategy.

Recommendation

Permission - Materials to match and first floor window within the west elevation shall be fixed shut and obscure glazed upto 1.7 metres from the internal floor level.

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48 SHORE ROAD
SCALE: 1:1,250

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Agenda Item 7(4)

P/13/0769/FP

SARISBURY

MS SARA GREEN

AGENT: MS SARA GREEN

FORMATION OF MANEGE AND EXTENSION TO STABLE BLOCK

69 SWANWICK LANE SWANWICK SOUTHAMPTON SO31 7DX

Report By

Brendan Flynn - Ext. 4665

Amendments

As amended by plans received 4 November 2013

Site Description

The site is located on the south side of Swanwick Lane and comprises a detached dwelling set in the existing frontage of development, with a larger plot extending to the rear of the adjacent properties to the west. There is a stable block in the southwest corner of the site adjacent to a further paddock to the south. To the north of the stables is a pond. An additional access located to the west of the adjacent properties, serves the rear parcel of land and provides direct access to the stables and the paddock.

Description of Proposal

The development consists of two proposals:

1. An extension to the stable
2. A riding manege

Both elements extend into the paddock area and are therefore considered in part to be outside of the residential curtilage and requiring planning permission.

The extension to the stables will add a further stable and a hay store and will continue the same design as the existing building.

The manege will require an element of 'cut & fill' due to the modest land level changes. The manege will be drained into the adjacent stream.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS14 - Development Outside Settlements

CS17 - High Quality Design

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

P/13/0516/FP

DEMOLITION OF EXISTING CONSERVATORY AND ERECTION OF SINGLE STOREY REAR EXTENSION WITH ROOF TERRACE ABOVE

AND CONSTRUCTION OF RAISED PATIO AREA WITHIN REAR GARDEN.

APPROVE 14/08/2013

P/07/0529/FP ERECTION OF SINGLE/TWO STOREY FRONT, REAR, SIDE EXTENSIONS AND ELEVATIONAL ALTERATIONS

REFUSE 06/06/2007

P/01/1290/LU Use of Land as Garden (Certificate of Lawfulness for Existing Use)

CERT GRANTED 15/07/2002

Representations

One representation raising no Objection

One representation raising the following concerns:

- Concern that the manege will not be properly drained and may cause flooding issues beyond the site;
- Concern that the manege may be used as a riding school.

Consultations

Director of Planning and Environment (Highways) - No objection subject to a planning condition restricting the use to being ancillary to the residential use.

Director of Regulatory Services (Environmental Health) - No objection.

Director of Regulatory Services (Pollution) - No objection.

Director of Planning and Environment (Coastal Project Engineer) - Commenting upon drainage - no objection.

Director of Planning and Environment (Ecology) - No Objection.

Hampshire County Council (Lead Local Flood Authority) - The position from Hampshire County Council is quite simple. A person is allowed to improve drainage or construct new drainage on their land, some structures do require consent from the Lead Local Flood Authority (Hampshire County Council). When required these consents are to be applied for independently of planning permission. In the instance of the application P/13/0769/FP there appears to be new drainage being constructed in the form of a french drain. This does not require consent from the LLFA. Nor does there seem to be any change to existing drainage which would require consent.

Planning Considerations - Key Issues

The following key issues are raised -

- Policy Principle
- Impact upon the character of the area
- Impact upon neighbouring properties
- Drainage
- Ecology

Principle of development

The majority of the development is located within the countryside area. Policy CS14 concerns development outside of settlements and seeks to strictly control this to prevent development that does not have an essential need for a countryside location. The proposed development is appropriate to a countryside location and is considered to be acceptable in principle.

Impact on character of the area

The site is to the rear of existing residential properties. It is not overlooked from publicly accessible areas. The use is appropriate to a countryside location. The development will not therefore have any adverse impact upon the character and appearance of the countryside.

Impact on neighbouring properties

The proposed extension to the stable building is on the south side of the building and is therefore set away from the adjacent dwellings to the north. The manege is located part within the existing residential curtilage and is located on average about 30 metres from the rear boundaries of the adjoining properties which have, on average, 35 metre deep rear gardens. It is not considered that there is any adverse impact on residential amenity.

Ecology

Some concern has been raised by the County Ecologist with regard to the impact of the proposed development upon the potential of the existing pond and surroundings as habitat for great crested newts. However, the development proposals do not include work to the pond and indeed, the amended plans identify that the manege will drain to the stream so that there will be no direct impact on the pond.

Drainage -

One of the representations received raises concern that the water table in the area is high and that the levels may not be appropriate for drainage of the manege into the existing pond. Plans have been received clarifying that the manege will drain into the adjacent stream (into which the pond ultimately drains); the plans also provide detailed levels which clearly show that the stream lies at a lower level to the manege. No objection is raised by the Hampshire County Council (as Lead Local Flood Authority).

Other Matters -

A further concern raised is that the manege could be used for commercial purposes as a riding school. This concern has also been raised through the Director of Planning and Environment (Highways). The application is for private use only but it would not be unreasonable to explicitly control the use by condition.

Conclusion

In conclusion, the site is set away from public viewpoints and is a significant distance from adjacent residential properties. The land is appropriate for horse related uses. The proposed extension to the existing stable will match the existing. Drainage details are acceptable and it is not considered that the development, in particular the manege, will result in any draingage issue beyond the site.

PERMISSION

Not to be used as a commercial riding school; no flood lights; drainage to be carried out in accordance with approved plans.

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69 SWANWICK LANE
SCALE: 1:1,250

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Agenda Item 7(5)

P/13/0774/FP

MR LES FAULKNER

TITCHFIELD COMMON

AGENT: REYNOLDS
ASSOCIATES

ERECTION OF SINGLE STOREY REAR EXTENSION AND CONSERVATORY
PROVISION OF FRONT AND REAR DORMERS WITH FIRST FLOOR SIDE ROOF LIGHT
TO SERVE LOFT CONVERSION

167 HUNTS POND ROAD PARK GATE SOUTHAMPTON SO31 6RD

Report By

Emma Marks Extn.2677

Site Description

This application relates to a semi-detached dwelling situated on the eastern side of Hunts Pond Road within the urban area.

Description of Proposal

Planning permission is sought for three elements consisting of:-

- i)Erection of a single storey rear extension with an overall depth of 3.5 metres, 7.3 metres in width with an eaves height of 2.8 metres and a ridge height of 4 metres;
- ii)Erection of a rear conservatory which measures 2.6 metres in depth, 4.3 metres in width with an eaves height of 2.2 metres and a ridge height of 3.1 metres.
- iii)Loft conversion including a front pitched roof dormer and a rear flat roof dormer.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Representations

One letter of objection has been received raising the following issues:-

- i)Loss of light to neighbours bedroom, dining room and conservatory;
- ii)Visually oppressive to have such a high wall on the boundary;
- iii)The proposal is under thirty centimetres from the boundary.

One letter has been received raising no objection.

Consultations

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

Planning Considerations - Key Issues

The adjoining neighbouring property to the south, has extended to its rear, however this extension is sited off the party boundary. The nearest habitable window serving a bedroom is sited close to the party boundary with the application site.

The representation received has raised concerns by the neighbour that the single storey rear extension would result in loss of light and be visually oppressive due to its height and proximity to the boundary. The rear extension originally measured 3.5 metres deep on the party boundary, however in light of the concerns raised by the neighbour, this has been reduced to 3.0 metres and then splays away at a 45 degree angle into the application site. The proposed conservatory to be constructed beyond the extension would be sited a further one metre off the party boundary.

Officers have considered the proposed extension and its relationship with the neighbouring property. Extensions of 3 metres in depth are normally considered acceptable in relation to light and outlook and in this case, the extension is also to the north of the neighbour. Notwithstanding the representation received officers consider the proposal would not materially harm the amenities of the occupiers of the neighbouring property.

The proposed rear conservatory will be attached to the end of the proposed extension set one metre in from the boundary. The conservatory is very modest in height with a maximum ridge height of 3.1 metres and in light of this no adverse impact will be created on the neighbour's amenity.

Lastly, the application includes a loft conversion which includes the construction of a front and rear dormer window. The front dormer has been designed with a pitch roof set central within the roof space of the main dwelling lined up with the ground floor fenestration. The rear dormer is flat roof but not visible from the public highway and sits well within the rear roof plane.

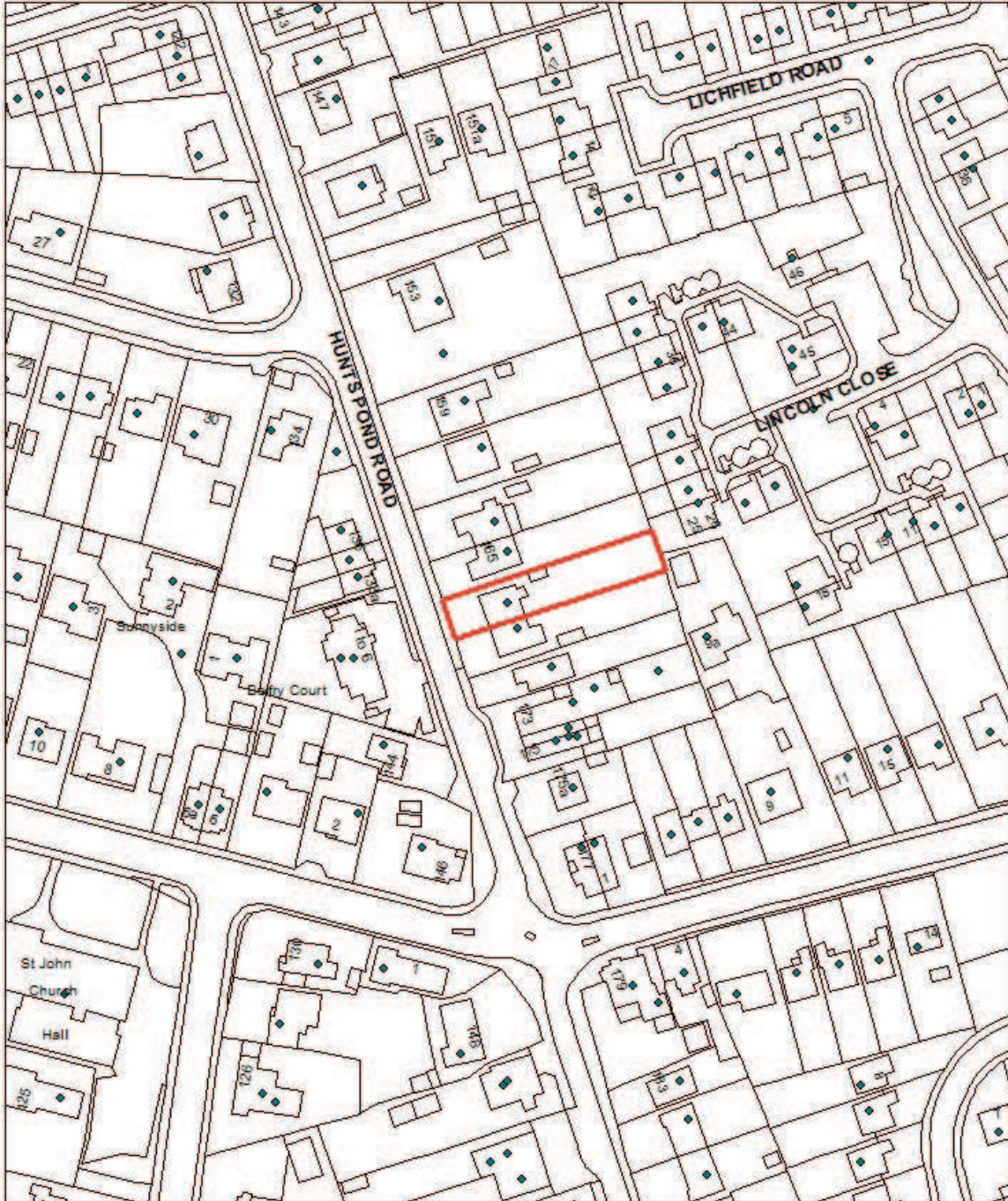
Officers are of the view that the all the element included within this application are acceptable and would not have an adverse impact on the neighbouring properties, street scene or character of the area.

Recommendation

Permission - Materials to match

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167 HUNTSPOND ROAD
SCALE: 1:1,250

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Agenda Item 7(6)

P/13/0805/FP

MR MATTHEW MORGAN

WARSASH

AGENT: DAVID NEWELL
CONSULTANCY LTD

ERECTION OF TWO STOREY REAR EXTENSION, SINGLE STOREY FRONT
EXTENSION WITH BALCONY ABOVE AND AN EXTERNAL STAIRCASE

56 SHORE ROAD WARSASH SO31 9FU

Report By

Emma Marks Extn.2677

Site Description

This application relates to a semi-detached dwelling situated on the north side of Shore Road opposite its junction with Passage Lane.

Description of Proposal

Planning permission is sought for two elements:-

Erection of two storey rear extension measuring 5.1 metres in depth, 10.3 metres in width with a flat roof 5.1 metres high.

Erection of single storey front extension which measures 2.9 metres in depth, 6.7 metres in width at a height of 2.9 metres with a balcony above and an external staircase.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Relevant Planning History

The following planning history is relevant:

P/13/0544/FP

**ERECTION OF TWO STOREY REAR EXTENSION, SINGLE STOREY
FRONT EXTENSION WITH BALCONY ABOVE AND AN EXTERNAL
STAIRCASE**

WITHDRAWN 29/08/2013

Representations

One letter of representation has been received objecting on the following grounds:-

- i) Loss of light to the kitchen and bedroom
- ii) Loss of privacy to upper and lower windows

Planning Considerations - Key Issues

The application site is unusual in that it is attached to a two bedroom maisonette (56a Shore Road). At ground floor to the rear this property has a covered car parking area and at first floor a main kitchen window and two bedroom windows. The kitchen window is closest to the party boundary with a secondary bedroom window facing onto the side wall of the proposed extension with a gap of 1.5 metres in between. There is also a main bedroom

window which looks down the garden and would be totally unaffected by the extension. The proposed extension would be 1.3 metres deeper than the neighbouring property at first floor level which is well below the 3 metre depth recommended to be acceptable within the Extension Design Guide.

Due to the proposed depth of the rear extension and the nature and location of the neighbour's windows officers are of the opinion that the proposal would not materially harm the amenities of the neighbouring property in relation to light or outlook.

The front of the neighbouring dwelling has a ground floor bedroom window and at first floor a lounge window/door and a front balcony with a screen on the eastern side. The proposed front extension would measure 2.9 metres in depth and be set 3.5 metres in from the western boundary. Due to these separation distances officers do not consider the front extension would harm the amenities currently enjoyed by the neighbouring property.

The design of the proposed front extension and its balcony above is sympathetic to the existing dwelling. Officers consider it is respectful of the characteristics of the area and street scene.

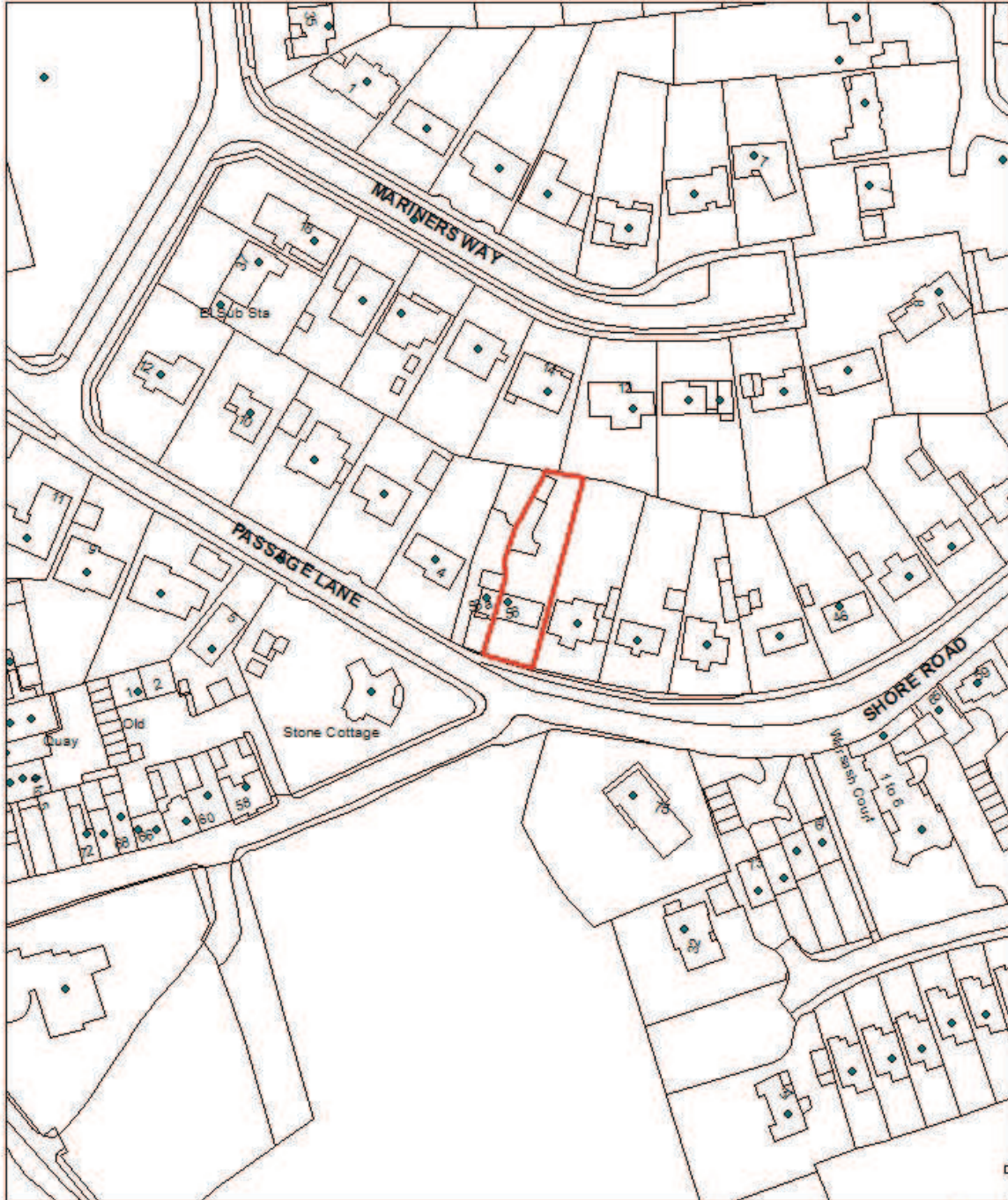
The application is considered to be acceptable and comply with the Adopted Fareham Borough Core Strategy.

Recommendation

Permission - Materials to match

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56 SHORE ROAD
SCALE: 1:1,250

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Agenda Item 7(7)

P/13/0818/TO

MRS YVONNE STRANGE

TITCHFIELD COMMON

AGENT: MRS YVONNE
STRANGE

FELL ONE OAK PROTECTED BY TPO 501

5 THE FARTHINGS TITCHFIELD COMMON FAREHAM HAMPSHIRE PO14 4FF

Report By

Paul Johnston - Ext.4451

Site Description

This application relates to a tree within the curtilage of a semi-detached property situated on the west side of The Farthings and north of Warsash Road.

Description of Proposal

Consent is sought to fell one holm oak protected by TPO 501.

Policies

The following policies apply to this application:

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Representations

One representation was received objecting to the works on the following grounds:

- 1) The tree provides screening for the adjacent property
- 2) The tree is visible from Pound Gate Drive and The Farthings.

Planning Considerations - Key Issues

This application relates to a tree within the curtilage of a semi-detached property situated on the west side of The Farthings and north of Warsash Road. Consent is sought to fell one holm oak protected by TPO 501.

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 subject tree is suppressed by adjacent protected trees of better form and quality; and is not readily visible from nearby public vantage points due to it being screened from the streetscene by the contiguous frontage of the development. It is considered that the removal of the holm oak will have no significant impact on local public amenity value and thereby its removal is justified on those grounds.

The Principal Tree Officer is of the view that the application is acceptable and complies with the Fareham Borough Council Local Plan Review.

Recommendation

CONSENT: Works to be undertaken within 2 years and work to accord with BS3998.

Notes for Information

Notice of work commencement; Right to carry out work over property other than applicant's own; Terms as BS3998 and work in accordance with recent arboricultural research; Care to wildlife and bat protection.

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5 THE FARTHINGS
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Agenda Item 7(8)

P/13/0843/TO

MR & MRS TITCOMBE

TITCHFIELD COMMON

AGENT: TEAM GREENS TREES
LTD

REMOVE ONE LOWER LEFT LATERAL LIMB, REMOVE THREE LOWEST LIMBS BACK TO SOURCE, REMOVE DEADWOOD & THREE OLD STUBS ON ONE OAK PROTECTED BY TPO 334

11 SOUTHAMPTON ROAD PARK GATE SO31 8BX

Report By

Paul Johnston - extn.4451

Site Description

This application relates to a tree within the curtilage of a a semi-detached property on the north east side of Southampton Road and west of Little Fox Drive.

Description of Proposal

Permission is sought to undertake the following works to one oak protected by TPO 334:

One oak:

- Remove one lower lateral branch back to branch collar.
- Remove three lowest upright branches over rear garden back to branch collar.
- Re-cut old pruning stubs back to branch collar.

Policies

The following policies apply to this application:

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Representations

One representation was received objecting to the works on the following grounds:

- 1) The tree may become unbalanced,
- 2) The tree is home to many species of wildlife including bats.

Planning Considerations - Key Issues

This application relates to a tree within the curtilage of a a semi-detached property on the north east side of Southampton Road and west of Little Fox Drive.

Permission is sought to undertake the following works to one oak protected by TPO 334:

One oak:

- Remove one lower lateral branch back to branch collar.
- Remove three lowest upright branches over rear garden back to branch collar.
- Re-cut old pruning stubs back to branch collar.

The proposed tree work will not be detrimental to the health and condition of the oak and will have no adverse impact on its contribution to local public amenity.

The Principal Tree Officer is of the view that the application is acceptable and complies with the Fareham Borough Council Local Plan Review.

Recommendation

CONSENT: Works to be undertaken within 2 years and work to accord with BS3998.

Notes for Information

Notice of work commencement; Right to carry out work over property other than applicant's own; Terms as BS3998 and work in accordance with recent arboricultural research; Care to wildlife and bat protection.

FAREHAM

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11 SOUTHAMPTON ROAD
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Agenda Item 7(9)

P/09/1024/FP

PARK GATE

MR MALCOLM HILL

AGENT: MR MALCOLM HILL

PROPOSED DEED OF VARIATION OF PLANNING OBLIGATION (LA1451) P/09/1024/FP
69 BOTLEY ROAD PARK GATE SO31 1AZ

Report By

Kim Hayler - Ext 2367

Planning Considerations - Key Issues

Planning permission was granted in February 2010 under P/09/1024/FP for the development of five dwellings at this site. The planning permission has been implemented through the laying of drainage pipes. Since those works were carried out development has not progressed further.

The grant of planning permission was subject to a planning obligation requiring the payment of development contributions. The obligation is set out in two parts:

1. A covenant with Fareham Council to pay open space contributions, and
2. A covenant with the County Council to pay transport contributions

The latter is not at issue since the contribution does not become payable until first occupation of any dwelling, however, the covenant with this Council requires that the off-site contribution to be paid upon commencement of the development.

Work has not progressed on the approved development, and since it may be that this development could be set aside in favour of an alternative, should permission be granted, the applicant has requested the Council to reconsider the need for the payment to be made at this time.

Officers are of the view that since the contribution is towards open space provision then it can be argued that there will be no added pressure upon existing open space provision until such time as the approved dwellings are first occupied. With this in mind it is considered that the obligation could be varied to require payment upon first occupation of the first of the permitted dwellings. This would be in line with the covenant with the County Council and would allow the applicant the flexibility of either continuing with the permitted development or seeking approval of an alternative proposal.

Conclusion

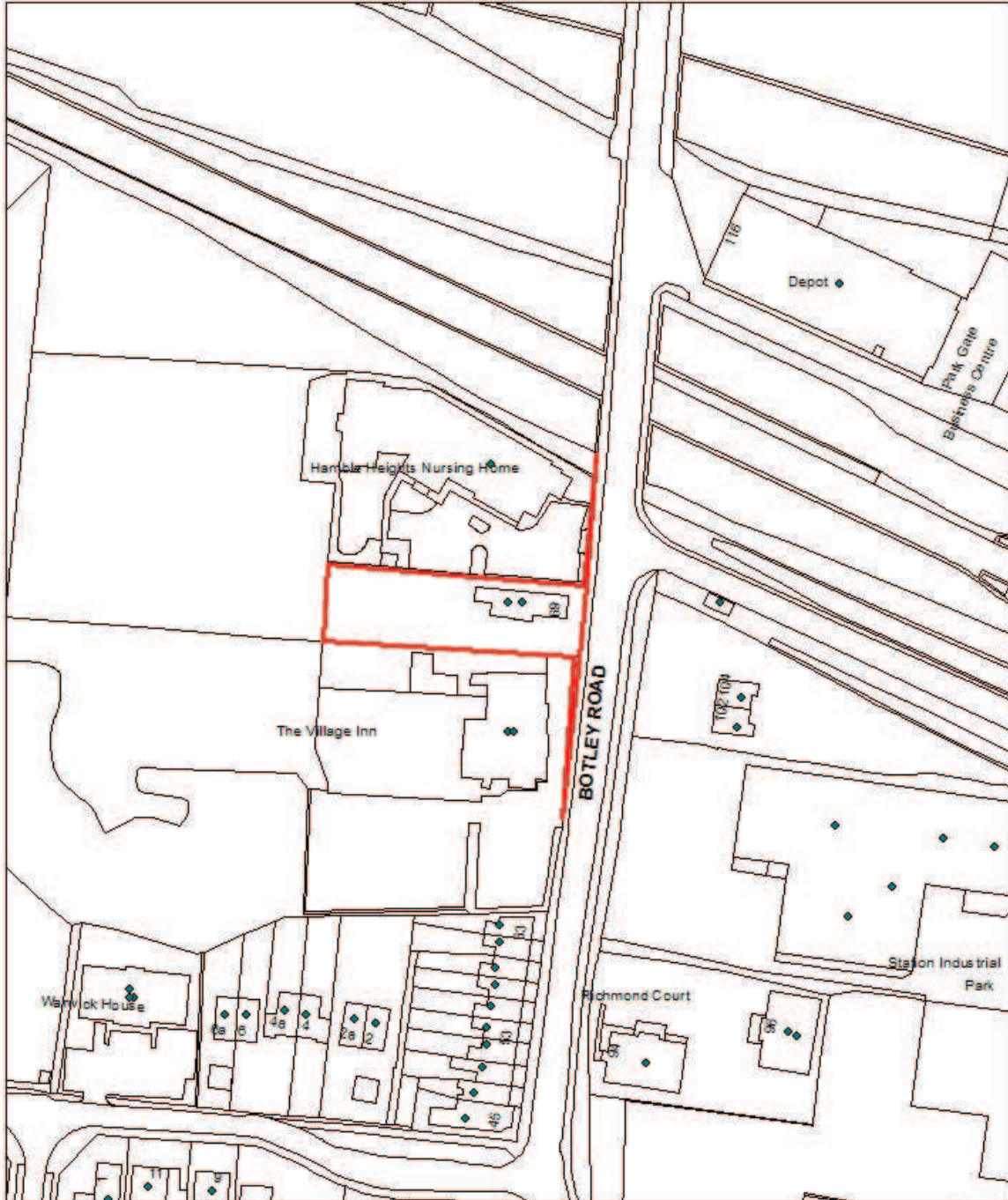
That the planning obligation be varied in respect of open space contribution as set out above.

RECOMMEND:

The applicant/owner enters into a Deed of Variation on terms drafted by the Solicitor to the Council to allow deferment of open space contributions until the first dwelling granted under planning permission P/09/1024/FP is first occupied.

FAREHAM

BOROUGH COUNCIL



69 BOTLEY ROAD
SCALE: 1:1,250

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Agenda Item 7(10)

P/12/0974/FP

LOCKS HEATH

TAYLOR WIMPEY

AGENT: TAYLOR WIMPEY

RESIDENTIAL DEVELOPMENT COMPRISING ERECTION OF 49 DWELLINGS WITH NEW ACCESS, ASSOCIATED CAR PARKING AND OPEN SPACE

LAND AT PETERS ROAD LOCKS HEATH

Report By

Lee Smith - Ext. 4427

Introduction

Planning permission was granted for this development on 5th April 2013 subject to a number of planning conditions. The developer has subsequently submitted a wide range of details to this Council to discharge these conditions.

Following submission of these details and consultation with the Environment Agency, issues have been raised in respect of surface water drainage. The issues raised and the design solutions required will have some impact upon the approved layout which has led to this matter being reported now to the Planning Committee.

Planning Considerations - Key Issues

Work is currently progressing on site in respect of this residential development.

As stated above, the planning permission was granted subject to a number of conditions.

Planning condition 30 of the planning permission states that:

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and demonstrating how it has been designed for the benefit of biodiversity and including an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before the development is completed and thereafter managed and maintained in accordance with the approved details. Those details shall include:

1. information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
2. a timetable for its implementation; and
3. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable urban drainage scheme throughout its lifetime.

The applicants have engaged in negotiations with the Environment Agency about surface drainage proposals in order to submit a scheme that meets their objectives of minimising flooding. The resultant scheme identifies the need for a balancing pond in order to meet their requirements and to prevent the possibility of flooding downstream in extreme storm conditions. The scale of the balancing pond is based upon calculations involving a 1 in 100 year storm event.

It has always been the intention that the site would drain to the existing ditch along the southern boundary of the site and this remains the case.

The planning permission granted anticipated that a 'holding tank' could be provided underneath the approved open space area to control the rate of water discharging to the ditch.

Officers have subsequently been advised that a holding tank is not feasible in order to meet the Environment Agency's requirements. This is due to the relative levels of the development in relation to the outflow from the ditch, and that the outflow from the ditch is limited and cannot accommodate the flows calculated for the extreme conditions. A balancing pond is therefore required.

The creation of the balancing pond will impact upon the size and availability of some of the public open space currently secured through the planning permission. A legal agreement entered into as part of the planning permission, restricts the use of the land to that of public open space only.

The plans now submitted show the balancing pond extending between the stream and the boundary of the approved block of flats and onto land to the west of the block of flats. Officers will display plans at the meeting highlighting the areas of public open space affected.

The northern part of the proposed balancing pond is intended to allow for a 1 in 100 year storm event and so will very rarely be 'under water' although contours must be achieved to make allowance for this.

Officers have calculated that the development as approved requires approximately 730 square metres of open space to be provided on site. The area of open space approved, and excluding the area immediately in front of and to the south of the block of flats, amounts to around 950 square metres. The amount of open space secured through the planning permission exceeds the minimum amount this Council would normally seek based on the number and size of houses proposed. Members are also reminded that additional open space will be provided on the wider Peters Road allocated housing site.

At the time of preparing this report it appears likely that at least a portion of the open space as approved will need to be used for the balancing pond which will necessitate a variation to the legal agreement. Officers are also seeking clarification from the Environment Agency as to what they may be prepared to accept in terms of surface water arrangements to minimise any impact upon on site open space provision. Officers will provide an update on these issues at the meeting.

RECOMMEND:

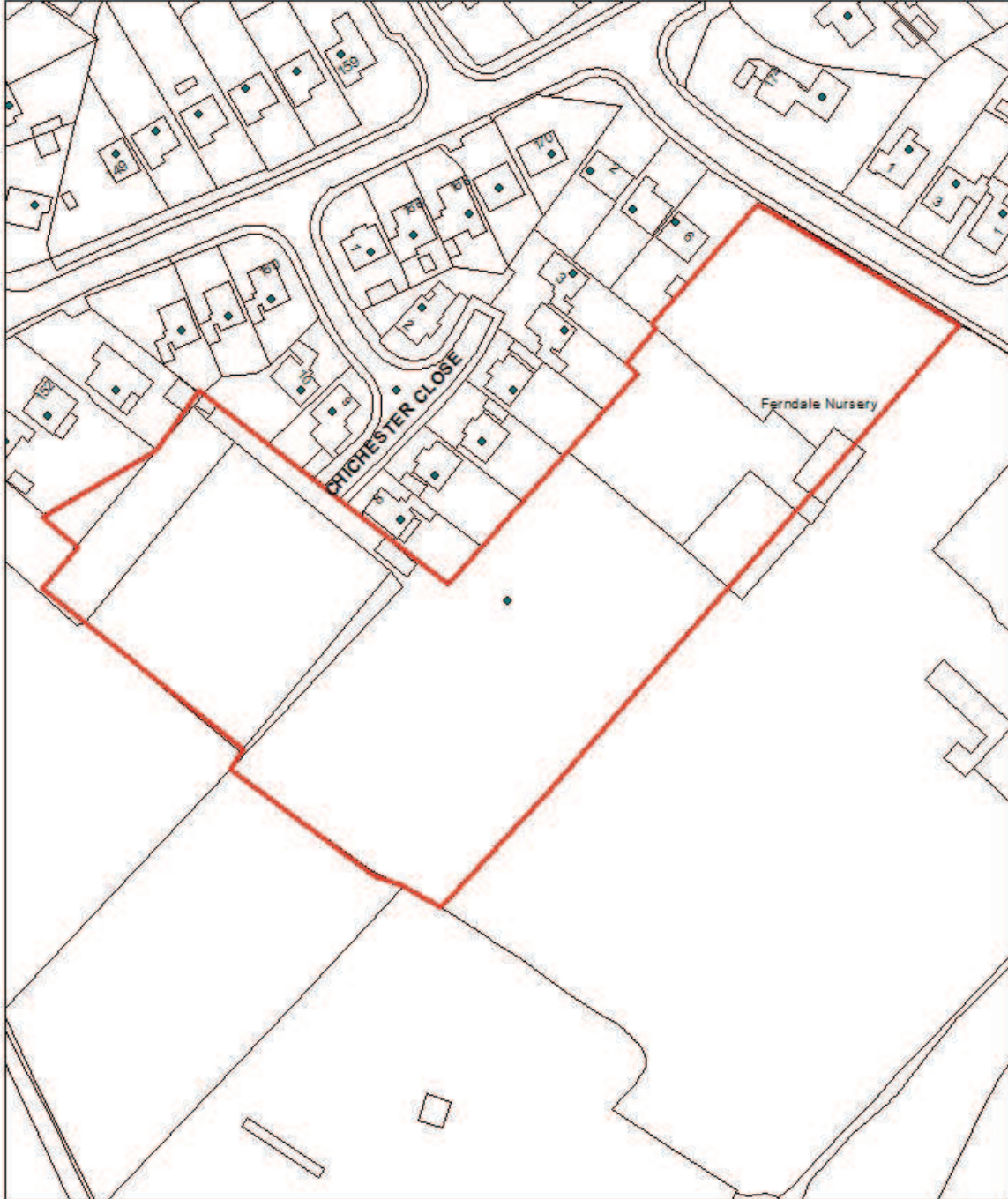
Officers to provide an update at the meeting.

Background Papers

File: P/07/1515/OA, P/11/0125/FP, P/11/0195/FP and P/12/0974/FP

FAREHAM

BOROUGH COUNCIL



LAND AT PETERS ROAD
SCALE: 1:1,250

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ZONE 2 - FAREHAM

Fareham North-West
 Fareham West
 Fareham North
 Fareham East
 Fareham South

Reference		Item No
P/13/0754/FP FAREHAM EAST	BATH LANE RECREATION GROUND FAREHAM HANTS PO16 0DH PART DEMOLITION, REFURBISHMENT AND EXTENSION TO SPORTS PAVILION - DEMOLITION OF CLUBHOUSE AND GROUNDSMAN'S STORE - CONSTRUCT REPLACEMENT GROUNDSMAN'S STORE	11 PERMISSION
P/13/0785/CU FAREHAM NORTH	239 WEST STREET FAREHAM HAMPSHIRE PO16 0HZ CHANGE OF USE FROM ALARM COMPANY OFFICE (USE CLASS B1) TO A CHILDRENS DAY NURSERY (USE CLASS D1)	12 PERMISSION
P/13/0790/VC FAREHAM WEST	1-3 PEAK LANE FAREHAM HANTS PO14 1RP VARIATION OF CONDITION 13 OF P/12/0246/FP TO GAIN PERMITTED DEVELOPMENT RIGHTS FOR PLOTS JT1 AND JT2	13 PERMISSION
P/13/0839/FP FAREHAM NORTH-WEST	42 HILL PARK ROAD FAREHAM PO15 6HT ERECTION OF REPLACEMENT SIDE ATTACHED GARAGE WITH PITCHED ROOF OVER	14 PERMISSION
P/13/0858/FP FAREHAM WEST	28 LANGSTONE WALK FAREHAM PO14 3AB ERECTION OF SINGLE STOREY SIDE EXTENSION TO CREATE GARAGE, FAMILY ROOM & UTILITY ROOM	15 PERMISSION

Agenda Item 7(11)

P/13/0754/FP

FAREHAM EAST

FAREHAM BOROUGH COUNCIL

AGENT: DANIELLS HARRISON
CHARTERED SURVEYORS

PART DEMOLITION, REFURBISHMENT AND EXTENSION TO SPORTS PAVILION -
DEMOLITION OF CLUBHOUSE AND GROUNDSMAN'S STORE - CONSTRUCT
REPLACEMENT GROUNDSMAN'S STORE

BATH LANE RECREATION GROUND FAREHAM HANTS PO16 0DH

Report By

Susannah Emery Ext 2412

Site Description

This application relates to the Bath Lane Recreation Ground which is located to the west side of Lower Bath Lane on the land between the railway line to the north and the waterside. The site is located within Town Quay Conservation Area. There are currently several buildings at the recreation ground. The main pavilion building is sited adjacent to the northern boundary with the railway embankment to the rear. The clubhouse is currently located within a pre-fabricated temporary building adjacent to the eastern boundary and a pre-fabricated garage and shed located within the south east corner of the recreation ground provide a groundsman's store.

Description of Proposal

The proposal involves part demolition, refurbishment and an extension to the existing pavilion building. The pavilion would contain improved changing room facilities and re-located clubhouse facilities. The proposal includes retaining the main pavilion building as the central focal point with two single storey wings to either side. Timber balustrading would be reintroduced on the front elevation to surround the veranda overlooking the cricket pitches. The existing changing rooms to the west of the pavilion would be redesigned internally and attached to the pavilion with a new roof above. The existing flat roofed toilet block to the eastern side of the building would be demolished and replaced with the new eastern wing.

The existing club house and groundsman's stores would be removed from the site and a brick built low pitched roof building would be constructed in the south-east corner of the site as a replacement.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

CS21 - Protection and Provision of Open Space

Fareham Borough Local Plan Review

DG4 - Site Characteristics

C18 - Protected Species

Representations

Three letters have been received objecting on the following grounds;

- Until the residents parking in Lower Bath Lane is sorted (as Deanes Park Rd) this application should not be permitted
- At weekends and on Tuesday evenings during the cricket season it is impossible to park on Lower Bath Lane
- Residents have to pay for permits to park where as cricketers can park for free and take up available space on the road
- Parking occurs on the double yellow lines
- This is a most unsuitable venue for a cricket club and damage is often caused to residential property
- This should not be funded by tax payers as the cricket club is becoming increasingly out of bounds for local residents

Consultations

Director of Planning & Environment (Highways) - On the understanding that informal arrangements are made for player's parking to be accommodated on the periphery of the sports pitches, no highway objection is raised to this application.

Director of Planning & Environment (Arborist) - No objection subject to conditions

Director of Regulatory & democratic Services (Environmental Health) - No objection

Director of Regulatory & Democratic Services (Contaminated Land Officer) - No objection subject to condition

Director of Planning & Environment (Conservation) - The alterations proposed have been discussed in principle at a pre-application stage. Refurbishment and re-use of the existing building would make a positive contribution to the conservation area that would not harm its character or appearance. No objection subject to conditions securing further details of materials and the detailed design of all proposed windows and doors (including dummy windows).

Director of Community (Leisure Development Manager) - The current facilities at the Bath Lane Recreation Ground are approaching the point where they are no longer fit for purpose. The club house has at best two years life left due to the poor condition of the roof and resultant water ingress and the changing rooms have suffered from vandalism, theft, anti-social behaviour and neglect. As a result this traditional style pavilion has a shabby appearance and is not fitting for a Conservation Area and just about suitable as changing accommodation.

The project would allow the removal of the existing clubhouse and for this land to be returned to open space thus creating an open vista onto the recreation ground for residents on Lower Bath Lane. The refurbishment and extension of the existing pavilion would enable this facility to be modernised with the inclusion of robust features to deter vandalism whilst maintaining its original character and retaining and restoring some of the original features. This approach has been discussed and agreed with the Conservation Officer.

The proposal has been approved by the Executive who have allocated the funding and also has the full support of the Executive Member for Leisure and Community and the ward councillors.

Director of Planning & Environment (Ecologist) - I am satisfied there is sufficient information to be able to conclude that there is no reasonable likelihood of bat roosts being present and impacted by the works. In the main building some features offering very low potential have been identified, though inspections have confirmed that due to their condition and nature, that they are unlikely to have been used by bats. No evidence of bird nesting was identified. No objection subject to informative.

Natural England - No objection subject to consideration of the impact of the proposal on relevant protected species prior to determination.

Planning Considerations - Key Issues

It is the intention to restore the original pavilion building bringing it back into function whilst maintaining its traditional character. The building is considered to be an important visual feature of the recreation ground contributing to the character of the Conservation Area and dating back to 1904. At present the building is used during the cricket season as changing rooms but the accommodation is not of a high standard. The building is in a state of disrepair and has suffered from vandalism and the attached public toilets are obsolete and boarded up. It is therefore considered that the proposal would be beneficial to the visual appearance of the building and surrounding area.

The removal of the existing unsightly temporary clubhouse building adjacent to the eastern boundary with Lower Bath Lane would also be beneficial to the visual appearance of the area and would improve views over the recreation ground for residents opposite. The proposed groundsmans store would be erected in place of an existing garage and timber store and would be screened from view from Lower Bath Lane by trees and vegetation planting.

It is not considered that the proposal would have any detrimental impact on residential amenity. The concerns raised by local residents relate primarily to car parking. Whilst the site has no dedicated car parking there is a large public car parking located to the north of the site accessed via the Eastern Way underpass. In addition there are various other car parks available a short distance away in the town centre. The parking restrictions on Lower Bath Lane include double yellow lines and parking bays restricted to either residents parking or 2 hour parking Mon-Fri 10am-4pm. The parking on Deanes Park Road is limited to residents only Mon-Sat 8am-6pm.

Currently during the cricket season the club has consent from the Council to park on the recreation ground during cricket matches and tournaments. This parking is limited to a controlled area by the gated entrance to the south of the club house and to no more than twenty vehicles. The proposal would not lead to any increased use of the site and therefore there would be no increased demand for parking as a consequence of the development. There is therefore no objection on highway grounds.

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

Recommendation

PERMISSION: Materials, Details of Windows & Doors, Tree Protection Method Statement, Contamination

Notes for Information

Informative: Bats and their roosts are protected under the Conservation of Habitats and

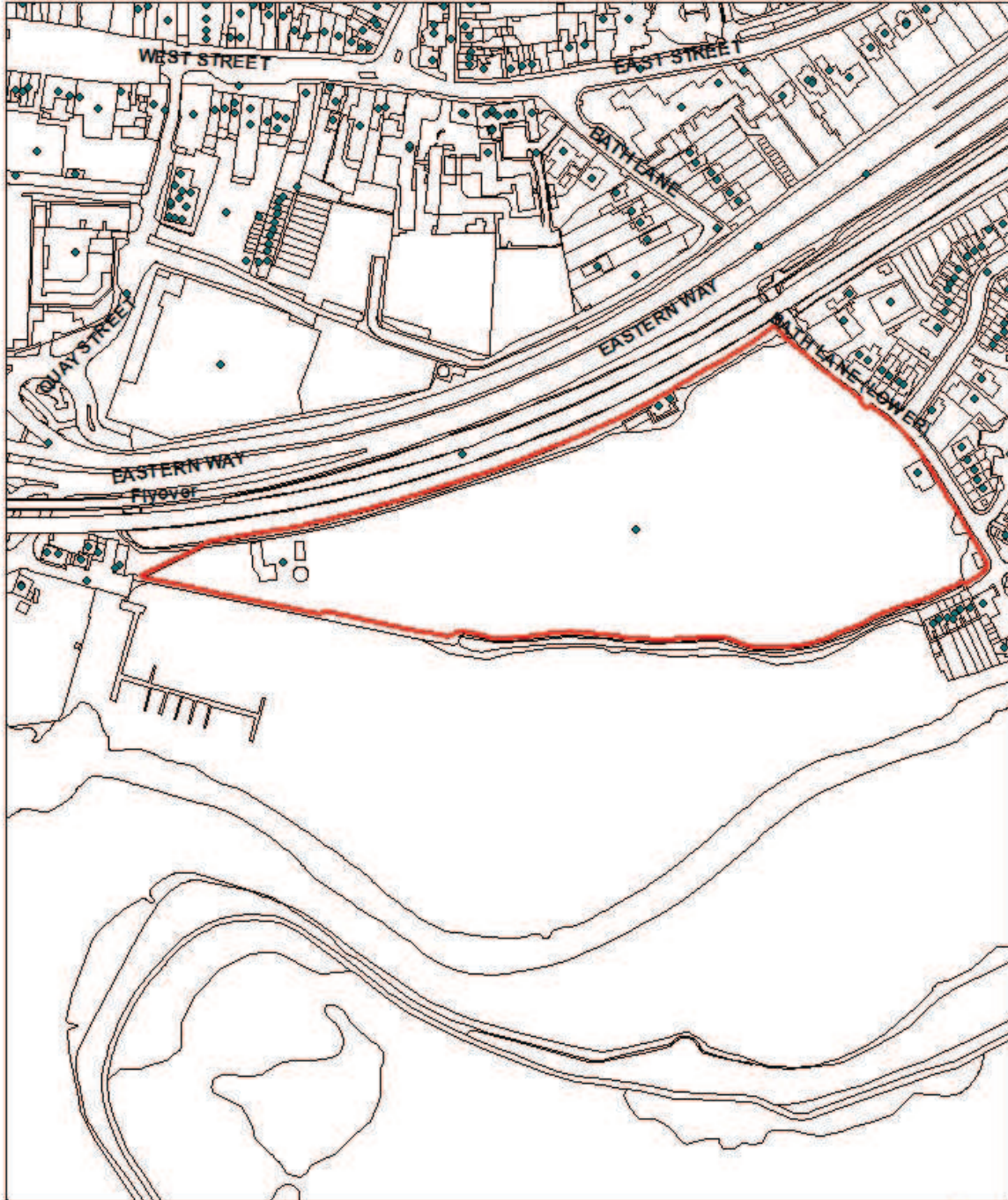
Species Regulations 2010. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during building demolition - should this occur, further advice should be sought from Natural England and/or a professional ecologist.

Background Papers

P/13/0754/FP

FAREHAM

BOROUGH COUNCIL



BATH LANE RECREATION GROUND
SCALE: 1:2,800

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Agenda Item 7(12)

P/13/0785/CU

THE CHILDRENS HOUSE

FAREHAM NORTH

AGENT: THE CHILDRENS HOUSE

CHANGE OF USE FROM ALARM COMPANY OFFICE (USE CLASS B1) TO A CHILDRENS DAY NURSERY (USE CLASS D1)

239 WEST STREET FAREHAM HAMPSHIRE PO16 0HZ

Report By

Susannah Emery Ext 2412

Site Description

This application relates to a semi-detached two storey building within the urban area to the north of West Street. The site lies within the town centre boundary at the western end close to the roundabout at the junction of West Street with the A27 and adjacent to Western Court. The building is currently vacant but was previously used by an alarming company for office purposes. The frontage is hardsurfaced and there is a driveway to the western side of the building which provides access to further car parking to the rear.

Description of Proposal

Planning permission is sought for a change of use of the building from Business Use (Use Class B1) to a Children's Day Nursery (Use Class D1). The nursery is proposed to accommodate up to 30 children within the age range of 0-30 months. The applicant currently operates the Childrens House Day Nursery at No.207 West Street which was granted planning permission (P/08/1274/FP) in 2009 for up to 50 children. The intention is to relocate the younger children to the application site with the older children remaining at the existing premises.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Relevant Planning History

The following planning history is relevant:

No. 207 West Street: -

P/08/1274/FP

ALTERATIONS AND EXTENSIONS [INCLUDING CHANGE OF USE OF GROUND FLOOR FROM CLASS A3 RESTAURANT TO CLASS D1(B) PRE-SCHOOL NURSERY] WITH FOUR SELF CONTAINED FLATS AT FIRST & SECOND FLOOR LEVEL

PERMISSION 29/01/2009

Representations

One letter has been received objecting on the following grounds;

- Aldi is a fair distance for children to be brought and collected

· Western Court may be used as an easy drop off point with a convenient pedestrian access to West Street

Consultations

Director of Planning & Environment (Highways) - No objection subject to provision of car parking in accordance with submitted plan, the relocation of the existing access gates and unrestricted access to the car parking between the stated hours.

Director of Regulatory & Democratic Services (Environmental Health) - There are currently some concerns regarding the noise report that has been submitted which should take into account worst case scenarios. Further clarification should also be sought on the noise monitoring which has taken place at the existing premises if this is to be relied on.

Director of Regulatory & Democratic Services (Contaminated Land) - If a soft landscaped play area is proposed then site investigation will be required due to the former use as a printers bookbinders and a nearby garage.

Planning Considerations - Key Issues

The principle of the change of use is acceptable within a town centre location and therefore the main considerations in the determination of this planning application are highways and the impact of the proposal on residential amenity.

Highways

The applicant has carried out a travel survey on the existing parents of the nursery at 207 West Street which suggests that 85% of children arrive on foot. The parents of the remaining 15% are able to park in the Aldi car park or within the layby outside the nursery to drop off or collect their children. Aldi agreed to this informal arrangement at the time planning permission was previously granted. As the site was in a sustainable location it was considered that staff could easily travel to work by public transport or park in the long stay public car parks available within the town centre.

As the building subject to the current application lies on the outskirts of the town centre it is proposed that one car parking space is provided on the frontage for parents which would be accessible throughout the day. There would be three further parent parking spaces to the rear of the building in addition to two staff parking spaces. There would be restricted access to the parking spaces to the rear of the building at certain times of the day as this area would also be used for outdoor play. The staff parking spaces have been located at the far end of the site to enable this. The access gates to the side of the building would be secured between the hours of 10.15am-11.45am and 1.15pm-3.45pm. Parents would be made aware of this by the nursery when registering their children. Presently most of the children that would be relocated to the application site attend nursery for whole day sessions although the gates would be opened for a period at lunch time to allow any children attending half day sessions to be collected. In addition to the on-site car parking there is also short term car parking available in Maytree Road opposite or parking continues to be available within the Aldi car park.

As the proposal is for a limited number of children and in light of the sustainable town centre location it is considered that the car parking provision is sufficient and there is no highway objection subject to conditions.

Impact on Residential Amenity

The building is semi-detached and the adjoining property is in residential use. There are three nursery rooms proposed at ground floor level with an additional three rooms at first floor level together with staff/office facilities. In order to minimise any potential noise disturbance the four largest nursery rooms would be set away from the party boundary with only the two smaller rooms being adjacent to the party wall.

It is considered that the former use of the building by an alarming company would have generated a significant amount of commercial vehicle movements to the rear of the site. It is therefore not considered that the vehicle movement's associated with the nursery would be detrimental to residential amenity in terms of noise and disturbance. Whilst there are residential properties surrounding the application site it is also recognised that this is a town centre location adjacent to a main road and within close proximity to the railway line and fire station and therefore background noise levels are higher than is typical.

A noise assessment has been submitted to examine the potential for noise disturbance from both within the property and from use of the external play area. The Council's Environmental Health Officers are currently not entirely satisfied with the contents of this report. An updated report has been requested and an update on this matter will be provided at the committee meeting.

Whilst the occupants of the adjoining property have provided written confirmation that they have no objection to the proposed change of use the Local Planning Authority would seek to ensure that this property is not exposed to unreasonable levels of noise disturbance in the interests of any future residents and to reduce the possibility of future noise complaints.

Recommendation

Subject to receipt of updated noise report to the satisfaction of the Council's Environmental Health Officer by 20 November 2013

PERMISSION; Use as a day nursery only; Opening Hours 08:00am-6pm Mon-Fri; Max 30 children; Age range 0-30 months only; Parking; Cycle/Buggy Parking; Relocation of Access Gates; Access Gates to remain open at stated times; Enclosure of Frontage in accordance with approved plan; Details of Surfacing/Enclosure of Outdoor Play Area to be submitted; Max 10 children to Use Outdoor Play Area at any time

Notes for Information

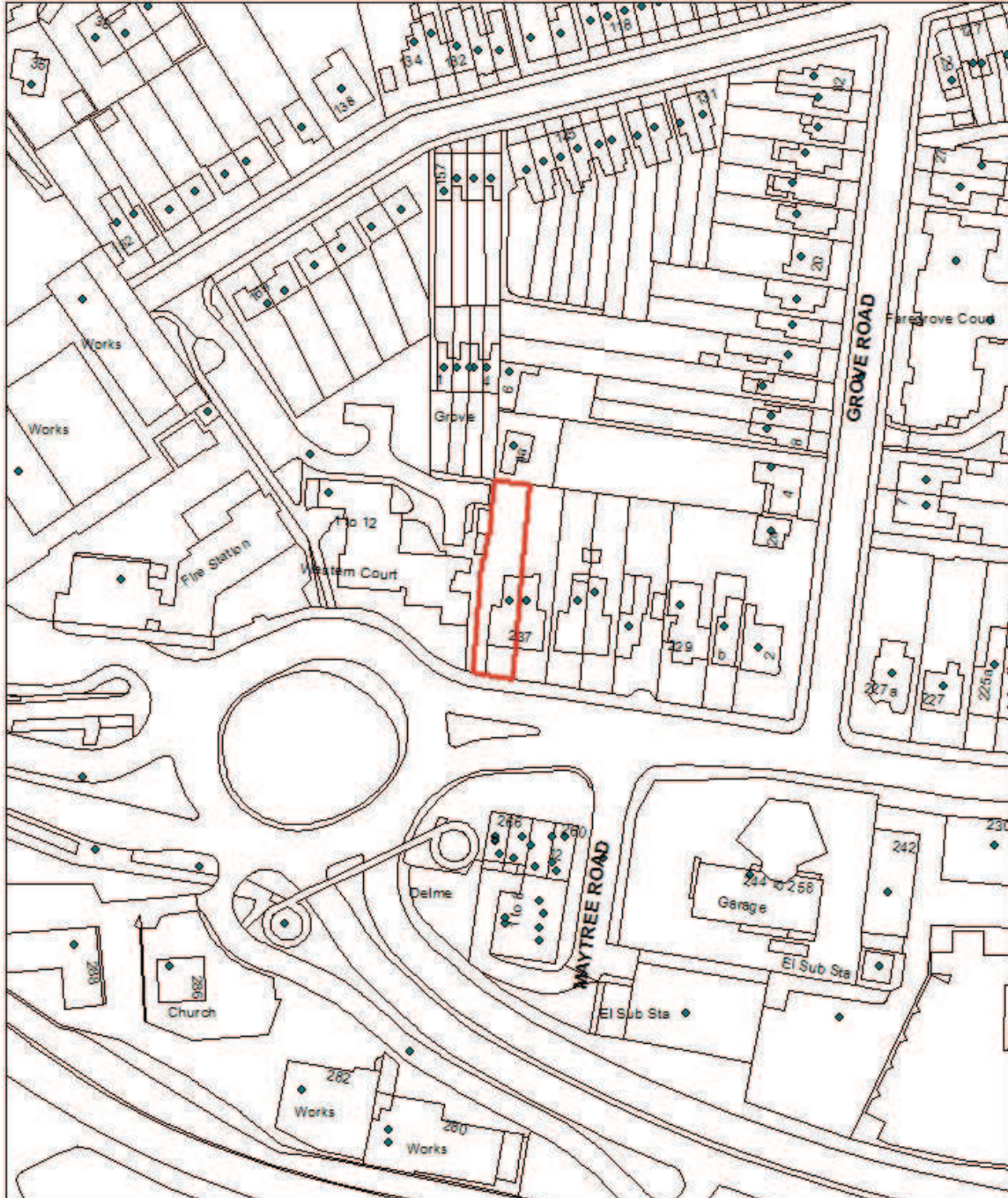
Please note that the childrens nursery at No.207 West Street is subject to planning condition 7 of P/08/1274/FP which limits the number of children present to a maximum of 50.

Background Papers

P/13/0785/CU

FAREHAM

BOROUGH COUNCIL



239 WEST STREET
SCALE: 1:1,250

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Agenda Item 7(13)

P/13/0790/VC

FAREHAM WEST

MR J TILBURY

AGENT: MR J TILBURY

VARIATION OF CONDITION 13 OF P/12/0246/FP TO GAIN PERMITTED DEVELOPMENT RIGHTS FOR PLOTS JT1 AND JT2

1-3 PEAK LANE FAREHAM HANTS PO14 1RP

Report By

Susannah Emery Ext 2412

Site Description

This application relates to a site which is currently being developed to the east side of Peak Lane. One frontage property has been demolished (No.3) and three houses are being constructed on the frontage with four detached properties extending to the rear of Nos.1 & 3 Peak Lane accessed via a private drive. This application relates to the two most northerly plots at the rear of the site referred to as JT1 and JT2.

Description of Proposal

Planning permission is sought for a variation of planning condition 13 of P/12/0246/FP which removed permitted development rights for extensions, roof extensions and outbuildings from Plots 1-3 and JT1 and JT2. Permitted development rights were also removed from Plots 4 and 5 under a separate planning application which are the other two dwellings at the rear of the site. The reason for the condition was stated as being to ensure retention of a suitable amenity area and to protect the amenity of adjacent dwellings; in accordance with Policy CS17 of the adopted Fareham Borough Core Strategy (2011).

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Relevant Planning History

The following planning history is relevant:

<u>P/12/0270/VC</u>	DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF FIVE DWELLINGS -ALTERNATIVE TO PERMISSION GRANTED IN RELATION TO P/10/0276/FP
	APPROVE 21/06/2012
<u>P/12/0246/FP</u>	PROPOSED ERECTION OF THREE FOUR-BEDROOMED DETACHED HOUSES AND A PAIR OF THREE-BEDROOMED SEMI-DETACHED HOUSES (PART ALTERNATIVE TO PERMISSION P/10/0276/FP) FOLLOWING THE DEMOLITION OF NO.3 PEAK LANE.
	APPROVE 08/01/2013
<u>P/10/0276/FP</u>	DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF FIVE DWELLINGS (ALTERNATIVE TO PERMISSION GRANTED ON APPEAL APP/A1720/A/07/2041532)
	PERMISSION 29/06/2010

Representations

One letter has been received objecting on the following grounds:

- the condition was imposed to protect adjoining occupants from inappropriate development
- there seems to be no good reason to vary the condition
- development may impinge on the sewer easement
- since the legislation now allows larger extensions this could result in inappropriate extensions which may be out of keeping with the size and nature of adjoining houses
- retaining the condition will not prevent future works but will enable the council to control development.

Planning Considerations - Key Issues

Planning permission was originally granted for the erection of five houses at No.3 Peak Lane in 2007 on appeal. Earlier this year two further houses were permitted to the rear of No.1 Peak Lane, plots JT1 and JT2 which are subject to this application.

The four dwellings to the rear of the combined site benefit from larger amenity areas than the three dwellings on the frontage. The two dwellings to be constructed on Plots JT1 and JT2 are detached chalet bungalows and would have rear gardens measuring 16 metres in depth. There is a 6 metre wide sewer easement which extends over much of the rear garden area of both properties. It is requested that permitted development rights are reinstated for these two plots to allow modest rear extensions if required and also to allow the erection of outbuildings within the areas of the rear garden outside of the sewer easement giving future occupants greater flexibility.

The rear garden areas of the dwellings on Plots JT1 and JT2 do not appear overly small and exceed the minimum garden depth of 11 metres which is generally sought. Officers consider that the sewer easement would prevent overdevelopment of the plots. The dwellings already have first floor rear facing windows and in light of the length of the rear gardens it is not considered that any alterations to the roof of the dwellings would have a detrimental impact on the privacy of the neighbouring properties to the rear. It would not be permitted development to raise the height of the dwellings or to provide balconies. It is considered a reasonable request that these two plots should benefit from permitted development rights which would set limits and conditions for any future development.

Whilst the 2013 amendments to the General Permitted Development Order do in some cases allow larger extensions to dwellings this is subject to there being no objection from the occupants of neighbouring properties. Where objections are received, the prior approval of the Local Planning Authority is required as to the impact of the proposed development on the amenity of any adjoining property and the issues will be considered in the same manner as a planning application. The Local Planning Authority will therefore not be giving up all control which was a concern of the objector.

The proposal complies with the relevant policy of the Fareham Borough Core Strategy and is considered acceptable.

Recommendation

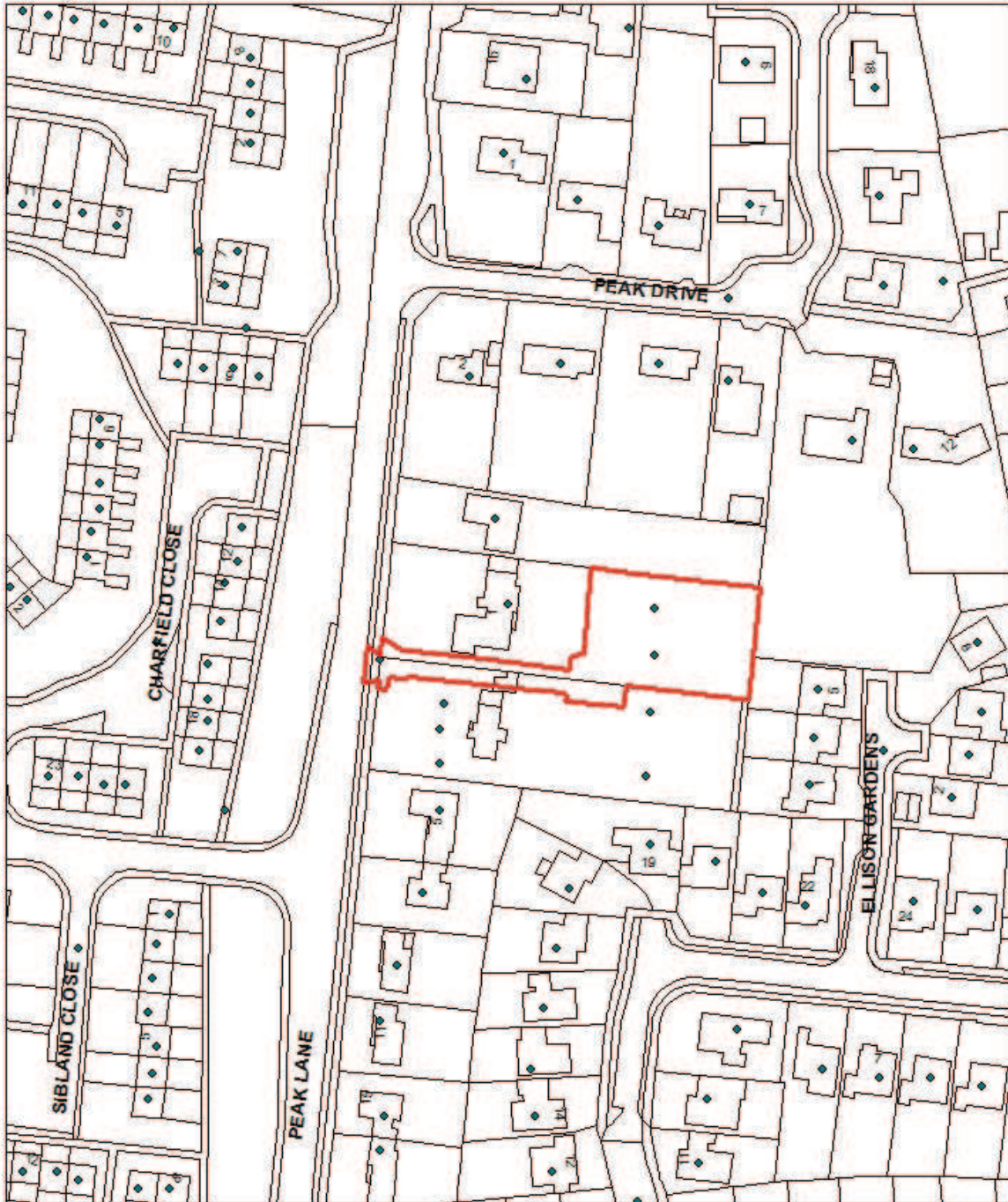
PERMISSION; Materials as agreed, Boundary treatment as agreed, Landscaping Scheme as agreed, Landscaping Implementation, Levels as agreed, Bin Collection Facility as agreed, Tree Protection as agreed, Parking/Turning, Retention of Car Ports, Cycle Parking, Remove PD (plots 1-3), Site Operatives as agreed, Mud on road as agreed, Construction hours, No burning

Background Papers

P/13/0790/VC; P/12/0246/FP

FAREHAM

BOROUGH COUNCIL



1-3 PEAK LANE
SCALE: 1:1,250

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Agenda Item 7(14)

P/13/0839/FP

MR & MRS N SELBY

FAREHAM NORTH-WEST

AGENT: BUILDING CONTROL
CONSULTANCY L

ERECTION OF REPLACEMENT SIDE ATTACHED GARAGE WITH PITCHED ROOF
OVER

42 HILL PARK ROAD FAREHAM PO15 6HT

Report By

Susannah Emery Ext 2412

Site Description

This application relates to a semi-detached dwelling within the urban area to the east of Hill Park Road just to the north of Beaumont Rise.

Description of Proposal

Planning permission is sought for the erection of a single storey side attached garage with a pitched roof to the southern side of the dwelling following the demolition of the existing flat roofed garage.

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

One letter has been received with the following comments;

- demolishing the current garage and rebuilding it seems over the top just because the roof leaks
- the applicant has suggested that the new garage will be built closer to the neighbouring property having the potential to enclose the driveway and make it claustrophobic
- assurances should be given that the proposed structure will be the same size as the original
- the new pitched roof may block out light to the kitchen window of the neighbouring property
- Damage may occur to the boundary wall when foundations are dug
- assurances must be given that any damage will be rectified at no cost
- rainwater from the existing structure currently runs into a drain on the drive of the neighbouring property subjecting it to flooding

One letter of support has also been received

Consultations

Director of Planning & Environment (Highways) - No objection

Planning Considerations - Key Issues

The proposed replacement garage would be built on the same footprint as the existing garage to the same dimensions. The existing garage currently has a flat roof and it is proposed to include a pitched roof above the proposed garage. In officer's opinion this would improve the visual appearance of the dwelling within the streetscene.

The neighbouring property to the south has a driveway serving a garage to the rear which separates the flank wall from the proposed garage. There is a sole kitchen window within the north elevation which would be approx 4.5m from the side wall of the garage. As this window is north facing any direct sunlight is already limited. The garage would not be constructed any closer to the neighbouring property and it is not considered that the proposal would result in any detrimental loss of light or outlook to this room.

The proposed garage would be set 0.75m off the southern boundary with the neighbouring property. If any damage were to occur to the boundary wall during the construction of the garage then this would be a private legal matter between the two parties involved. The garage is shown to have guttering to the front and rear elevations. As part of the building regulations application it will be necessary to demonstrate how run-off from the roof can be adequately disposed of.

The proposal complies with the relevant policy of the Fareham Borough Core Strategy and is considered acceptable.

Recommendation

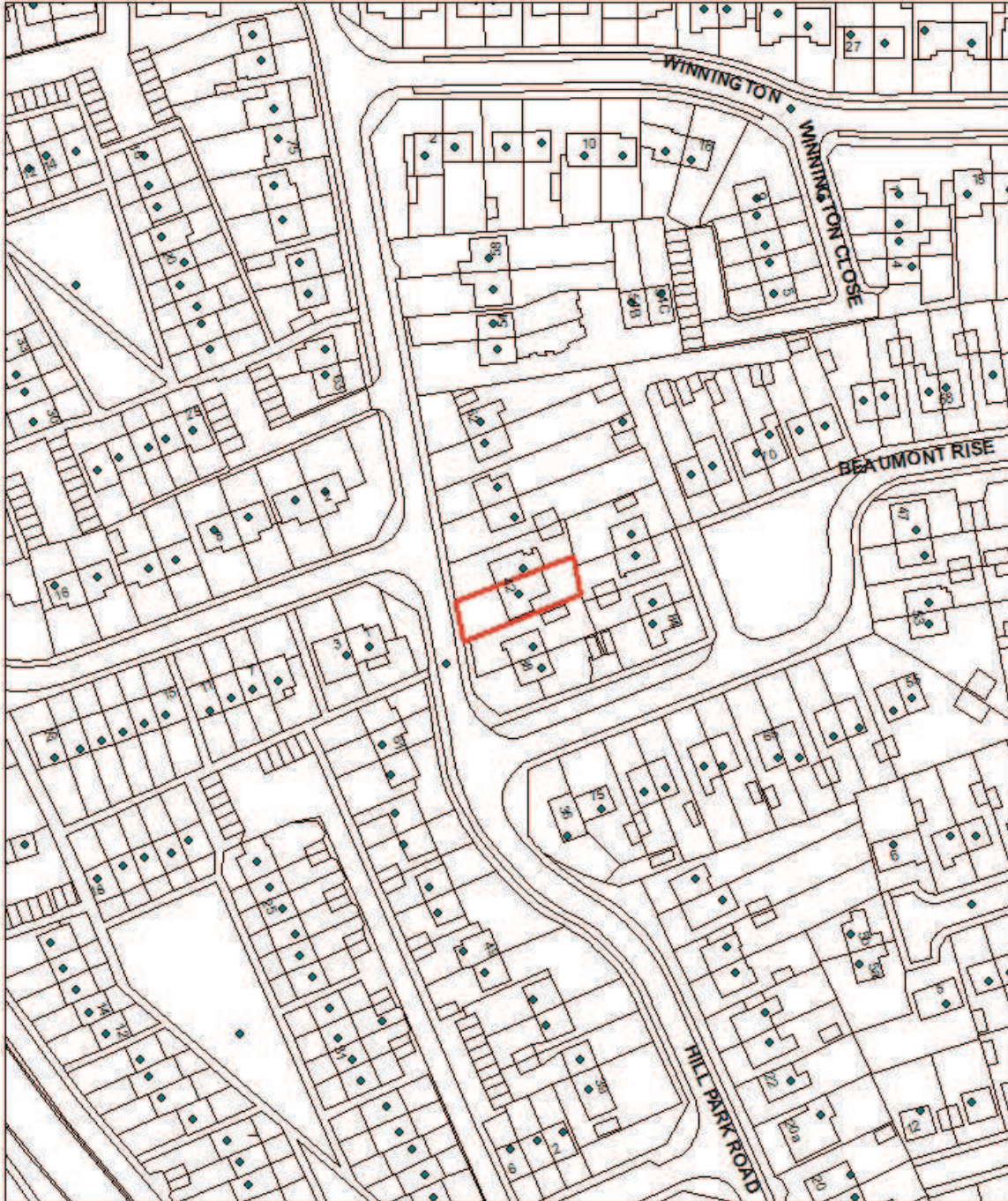
PERMISSION; Materials to match

Background Papers

P/13/0839/FP

FAREHAM

BOROUGH COUNCIL



42 HILL PARK ROAD
SCALE: 1:1,250

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Agenda Item 7(15)

P/13/0858/FP

FAREHAM WEST

MR STEPHEN NIELD

AGENT: MR STEPHEN NIELD

ERECTION OF SINGLE STOREY SIDE EXTENSION TO CREATE GARAGE, FAMILY ROOM & UTILITY ROOM

28 LANGSTONE WALK FAREHAM PO14 3AB

Report By

Emma Marks Extn.2677

Site Description

This application relates to a dwelling on the corner of Langstone Walk which is to the south of Greyshott Avenue.

The site is within the urban area.

Description of Proposal

Planning permission is sought for the erection of a single storey side extension which measures 5.7 metres in width, 8.3 metres in depth with a eaves height of 2.2 metres and a ridge height of 4.1 metres.

The proposed extension would provide a garage, family and utility room.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Relevant Planning History

P/13/0688/FP - Proposed single storey extension to create a one bedroom bungalow and associated parking - Refused 19-09-2013

P/12/0619/FP - Erect three bed dwelling attached to southern gable of No.28 Langstone Walk - Refused 21-09-2012 Dimissed on appeal 07-06-2013

P/12/0197/FP - Proposed two storey extension to building to create 1 No. 2-bed flat and 1 No. 1-bed flat and associated parking - Refused 08-05-2012

Representations

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

- The proposed extension is out of character
- The footprint of the extension is the same as the previous refused application for a one bedroom bungalow
- Need reassurance that if this extension does ahead it cannot at a later date be turned into a separate dwelling
- If later converted into a dwelling the end result would be too much traffic on an already very busy cul-de-sac, more disruption for the infrastructure of the road, drainage etc.
- Forward of building line

- There would be a significant reduction to the amount of open space
- Could create a potential hazard by obstructing visibility on a right angled bend on a busy road
- Out of keeping with the area
- A garage does not need windows
- Not enough parking

Consultations

Director of Planning & Environment(Highways):- no objection subject to conditions

Planning Considerations - Key Issues

Introduction

There have been three previous applications submitted in recent times for this property for residential development. The first application was submitted for a two storey extension to form two separate flats; the second was to erect a three bed house and the most recent application was for a one bed single storey bungalow.

The most recent application (P/13/0688/FP refers) was reported to the Planning Committee in September 2013. Members resolved to refuse the application for the following reason:

- i)the close proximity of the extension to the site boundary and the highway in this prominent corner position and the resultant loss of space about the building would be harmful to the visual appearance of the area;
- ii)the proposed extension is not of a high quality of design and is considered to be out of character with the surrounding area to the detriment of visual amenity.

This current application proposes a single storey side extension to form a garage, family and utility room. The proposal would be an extension to the existing property and used as one complete residential unit.

Impact on the Character of the Area

The development would occupy a large presently undeveloped space at the side of the building projecting towards the site boundary. Since the previous refusal and the submission of this application the size of the extension has been reduced both in width and depth. The extension has been reduced by 700mm in width resulting in a 2 metre gap from the side boundary at its nearest point with the highway. The extension would also have a pitched roof hipping away from the highway. The depth has been reduced by 900mm in line with the existing property at the rear.

Officers are of the opinion that the amendments to the size, design and siting of the extension would overcome the previous reason for refusal.

It is not considered that the proposal would have a detrimental impact on the visual amenities of the streetscene or character of the area.

Highways

The extension would result in an area currently used for parking being lost and replaced by a garage and accommodation. The existing garage will be converted into living space and

three car parking spaces will be provided to the front. This is in accordance with the Council's adopted Residential Car and Cycle Parking Supplementary Planning Document.

The Director of Planning and the Environment (Highways) has considered the proposal and is satisfied that the development would not have an adverse impact on highway safety.

Use of building

The extension would be used as a garage, family and utility room. Concern has been raised that the extension may be converted into a separate unit of accommodation at a later date. This in itself would require planning permission.

Conclusion

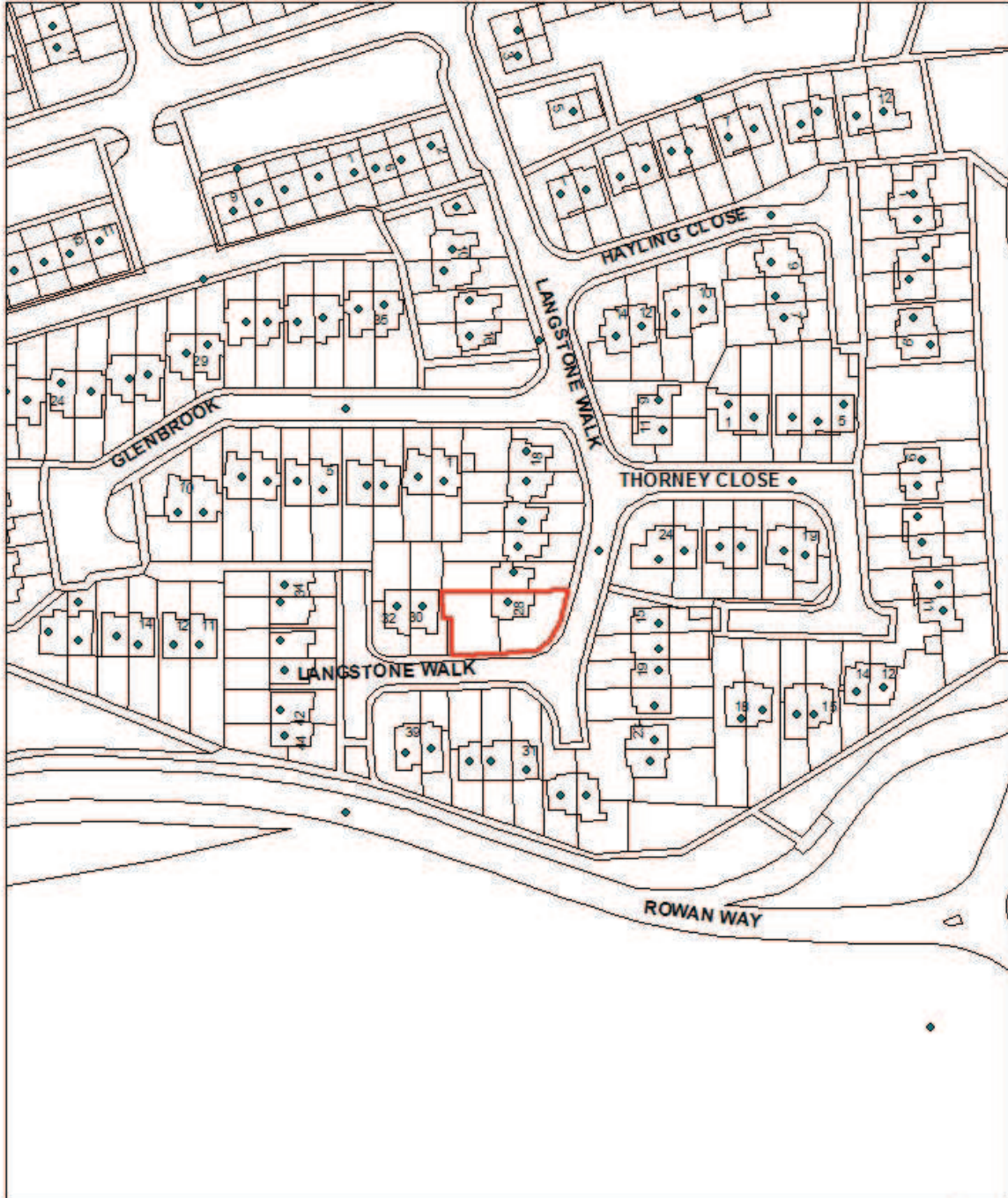
Officers are of the opinion that the development complies with the Fareham Borough Local Plan Review and the Adopted Fareham Borough Core Strategy.

Recommendation

Permission: Materials, vehicular access construction and visibility splay.

FAREHAM

BOROUGH COUNCIL



28 LANGSTONE WALK
SCALE: 1:1,250

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ZONE 3 - EASTERN WARDS

Portchester West
 Hill Head
 Stubbington
 Portchester East

Reference		Item No
P/13/0759/FP PORTCHESTER EAST	25 LONSDALE AVENUE PORTCHESTER HAMPSHIRE PO16 9NP ERECTION OF SINGLE STOREY REAR EXTENSION, ROOF EXTENSION TO FORM GABLE END WITH NEW FRONT AND REAR DORMERS.	16 PERMISSION
P/13/0779/FP HILL HEAD	166 OLD STREET FAREHAM HAMPSHIRE PO14 3HQ ERECTION OF FRONT PORCH, SINGLE STOREY REAR AND SIDE EXTENSIONS	17 PERMISSION
P/13/0789/CU PORTCHESTER EAST	2-3 NEW PARADE 38 WEST STREET PORTCHESTER FAREHAM PO16 9UY CHANGE OF USE OF DOUBLE UNIT TO RETAIL, DAY NURSERY, SMALL MEETING/TRAINING ROOM	18 PERMISSION
P/13/0807/FP STUBBINGTON	20-26 TITCHFIELD ROAD FAREHAM PO14 2JH ERECTION OF FOUR TWO BEDROOM DETACHED BUNGALOWS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING	19 PERMISSION
P/13/0922/FP [O] STUBBINGTON	5 FARM HOUSE CLOSE FAREHAM HANTS PO14 3YH EXTENSION TO SIDE ELEVATION	20 PERMISSION

Agenda Item 7(16)

P/13/0759/FP

MRS R STOTESBURY

PORTCHESTER EAST

AGENT: ARCHITECTURAL
DESIGNS

ERECTION OF SINGLE STOREY REAR EXTENSION, ROOF EXTENSION TO FORM GABLE END WITH NEW FRONT AND REAR DORMERS.

25 LONSDALE AVENUE PORTCHESTER HAMPSHIRE PO16 9NP

Report By

Richard Wright x2356

Site Description

The application site comprises the residential curtilage of this semi-detached chalet bungalow. The site is located on the western side of Lonsdale Avenue within the designated urban area. The dwelling has a modest sized conservatory at the rear.

Description of Proposal

Permission is sought for the erection of a single storey rear extension (following demolition of the existing conservatory). The extension would measure 4.0 metres in depth beyond the rear of the original dwelling. It would have a flat roof with parapet walls on either side and two skylights.

Also proposed are alterations to extend the dwelling's hipped roof to form a gable end along with a new pitched roof front dormer and larger flat roof rear dormer.

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,

Relevant Planning History

The following planning history is relevant:

P/13/0761/LP

**CERTIFICATE OF PROPOSED LAWFUL DEVELOPMENT FOR ROOF
EXTENSION AND REAR DORMER**

Representations

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

- Loss of light to no. 23
- Character of the road would be altered
- Concern over damage to tarmac drive during construction
- Upheaval of construction vehicles, dirt and noise
- Traffic problems in narrow road

- Drainage

Planning Considerations - Key Issues

i) Effect on living conditions of neighbours

The adjoining dwelling at no. 27 has a flat roof extension and an additional conservatory added to the rear of the property which projects further than would the 4.0 metre deep extension hereby proposed at no. 25. There would therefore be no loss of light to or outlook from that neighbouring property.

The neighbours living at no. 23 have raised a concern over potential loss of light to a window set in the facing southern elevation, the principal window to the kitchen in that dwelling. Having visited no. 23 Officers note that the degree of light to that window is already severely impeded by the flank of the original bungalow at no. 25. Notwithstanding, it is not considered that the proposed development, namely the roof alterations to form a gable end and rear dormer, would materially alter the existing situation to the extent that it would have a significantly adverse effect on the living conditions of the neighbours. Members will note from the above planning history that another application relating to this property (reference P/13/0761/LP) is currently being considered by Officers which seeks confirmation that altering the roof to form a gable end and provide a rear dormer would, in any case, be permitted development and would not require the Council's permission to be built.

The distance from the proposed rear dormer window to the rear western boundary of the property is in excess of the 11 metres ordinarily sought by this Council as a minimum to prevent any adverse overlooking of neighbouring gardens.

The proposal would not be harmful to the amenities of neighbours and accords with Core Strategy Policy CS17 and the Council's approved Extension Design Guide.

ii) Effect on visual appearance of dwelling and character of streetscene

Officers consider the proposed extensions and roof alterations would be in keeping with the character of the streetscene and would not detract from the visual appearance of the dwelling.

There are several examples of roof alterations having been carried out on other properties in Lonsdale Avenue incorporating barn hip or gable ends. There are also numerous other dormer windows within the front facing roof planes of other dwellings in the road, including the adjacent dwelling at no. 27. The proposed dormer window is shown to be neatly proportioned and sympathetically positioned within the extended eastern roof plane.

Subject therefore to consideration of the materials to be used in the development, the proposal is found to accord with the design related criteria of Core Strategy Policy CS17.

iii) Parking provision

The Council's Residential Car & Cycle Parking Standards SPD expects new development forming a 4-bed dwelling to provide on-site provision for the parking of three vehicles. At present Officers consider there is enough space within the site frontage to achieve three spaces however it would entail enlarging the existing hardstanding area to the boundary with the adjacent dwelling no. 27. This could be made the subject of an appropriately

worded planning condition.

iv) Other matters

Concerns have been raised by an immediate neighbour over the capacity of the main drain into which the dwelling at no. 25 joins. This matter will be addressed by Building Control. In light of the scale of the development issues concerning disruption during construction do not warrant any specific control measures.

Recommendation

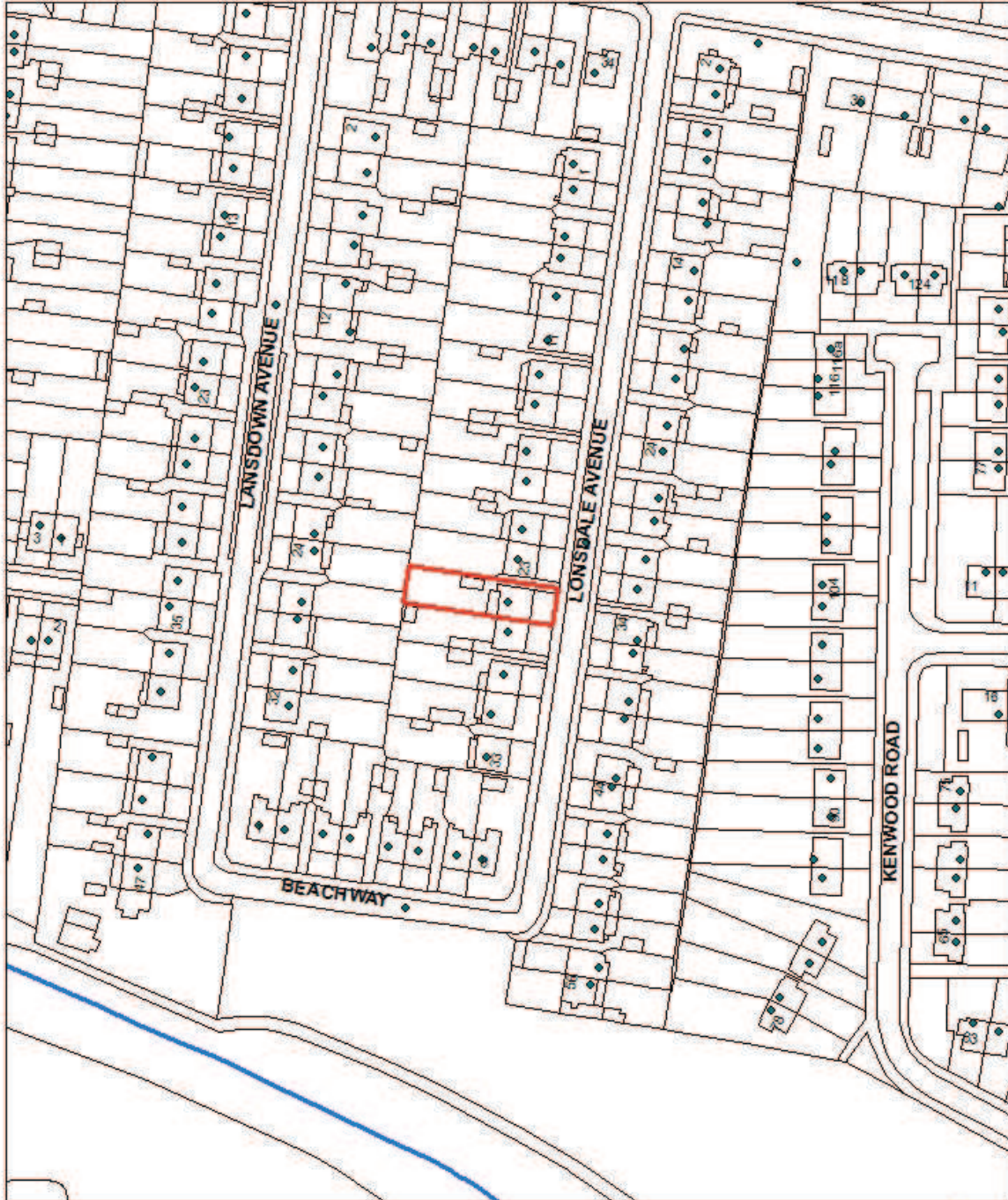
PERMISSION: details of materials; parking plan showing provision of three parking spaces on site.

Background Papers

P/13/0759/FP

FAREHAM

BOROUGH COUNCIL



25 LONSDALE AVENUE
SCALE: 1:1,250

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Agenda Item 7(17)

P/13/0779/FP

MR & MRS ROMER

HILL HEAD

AGENT: ROSENTHAL DESIGN
SERVICES LTD

ERECTION OF FRONT PORCH, SINGLE STOREY REAR AND SIDE EXTENSIONS

166 OLD STREET FAREHAM HAMPSHIRE PO14 3HQ

Report By

Richard Wright x2356

Site Description

This application relates to a two-storey semi-detached dwelling located within the urban area on the eastern side of Old Street, Hill Head.

Description of Proposal

Permission is sought for the erection of a front porch, single storey rear extension and single storey side extension.

The proposed front porch would effectively infill an area currently underneath the overhanging roof over the front door.

The proposed rear extension would span the width of the rear of the house and would project 3.0 metres into the rear garden.

The proposed side extension would provide garage space. It would extend 5.2 metres along the side of the house infilling space between the eastern flank wall and the boundary fence.

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

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

- Loss of view and light
- Reduction in value of adjacent property

Consultations

Director of Planning & Environment (Highways) -

Subject to a minimum of two car parking spaces being provided and maintained and the new access

being satisfactorily constructed, no highway objection is raised. The following conditions are applicable - vehicular access construction; car parking within curtilage of dwelling

Planning Considerations - Key Issues

i) Effect on the living conditions of neighbours

The rear extension would project 3.0 metres beyond the rear wall of the house. The adjoining property, 168 Old Street, has no rear extension or conservatory however the depth of the proposed extension at no. 166 would not be excessive so as to harm the level of light to or outlook from the neighbouring house. The proposal accords in that regard to the maximum depth ordinarily permitted for an extension along a party boundary as set out in the Council's approved Extension Design Guide.

The comments raised in objection to the application originate from nos 160 & 162 Old Street. Members should note that on the submitted location and block plan the numbering of the row of four terraces and one detached dwelling to the immediate east of the application site (incorporating nos 156, 158, 160, 162 & 164) is incorrect, understood to be in reverse order. For the avoidance of doubt 160 Old Street lies in the centre of the row of those five properties with no. 162 to its north. Both properties have adjacent kitchen windows at ground floor level within the front elevation as well as front entrance doors.

The frontages of nos 158 through 162 are mainly given over to lawn with low planting and only a few more substantial shrubs. The frontages could be described as being 'open plan' in that there are no boundary fences between the individual properties. A footpath providing access to these houses runs between the frontages and the close boarded boundary fence along the eastern side of the application site. Officers consider that the frontages of these properties and the footpath and verge provide sufficient separation distance between the dwellings and the proposed side and rear extensions. There would be no adverse effect on light or outlook.

At present the flank wall of no. 166 is approximately 12.0 - 12.5 metres away from the front elevations of nos. 158 & 160. It is not directly opposite nos. 162 & 164. Between the flank wall and the boundary fence are two timber sheds in the same approximate position as the proposed side extension, but with a lesser footprint. The boundary fence measures approximately 1.8 metres high and the sheds no more than 1.95 metres high where they abut that boundary. The proposed site extension would stand 2.4 metres high to its eaves and 3.8 to the apex of the dual pitched roof. It would be located opposite the front elevation of no. 158 and only marginally opposite the frontage of no. 160 at a distance of approximately 9.0 - 9.5 metres. It would not be in front of no. 162, that property instead facing the side elevation of the proposed rear extension at a distance of around 12.0 - 12.5.

As a broad comparison, the Council's Extension Design Guide states that, in the case of a two-storey wall of a new extension, a minimum distance of 12.5 metres should normally be required. In this instance the extensions would be single storey. A further observation is that, towards the end of the day when the sun is orientated in the west, the side extension would have no further impact in terms of direct sunlight to those nearby properties than the shade cast by the two storey bulk of the existing house.

Taking the above into account, the position and height of the existing boundary fence and timber sheds and the separation distance involved, Officers are of the view that the impact on the living conditions of neighbours living immediately to the east of the site would not be adversely affected.

ii) Other matters

The proposed development would not be harmful to the appearance of the dwelling or the character of the streetscene.

At present the site has a hardsurfaced area to the front of the house sufficiently large to park two cars. The proposal will not result in an increase in bedroom numbers therefore there would be no requirement for any additional spaces to be provided nor any control exercised over those existing spaces.

Recommendation

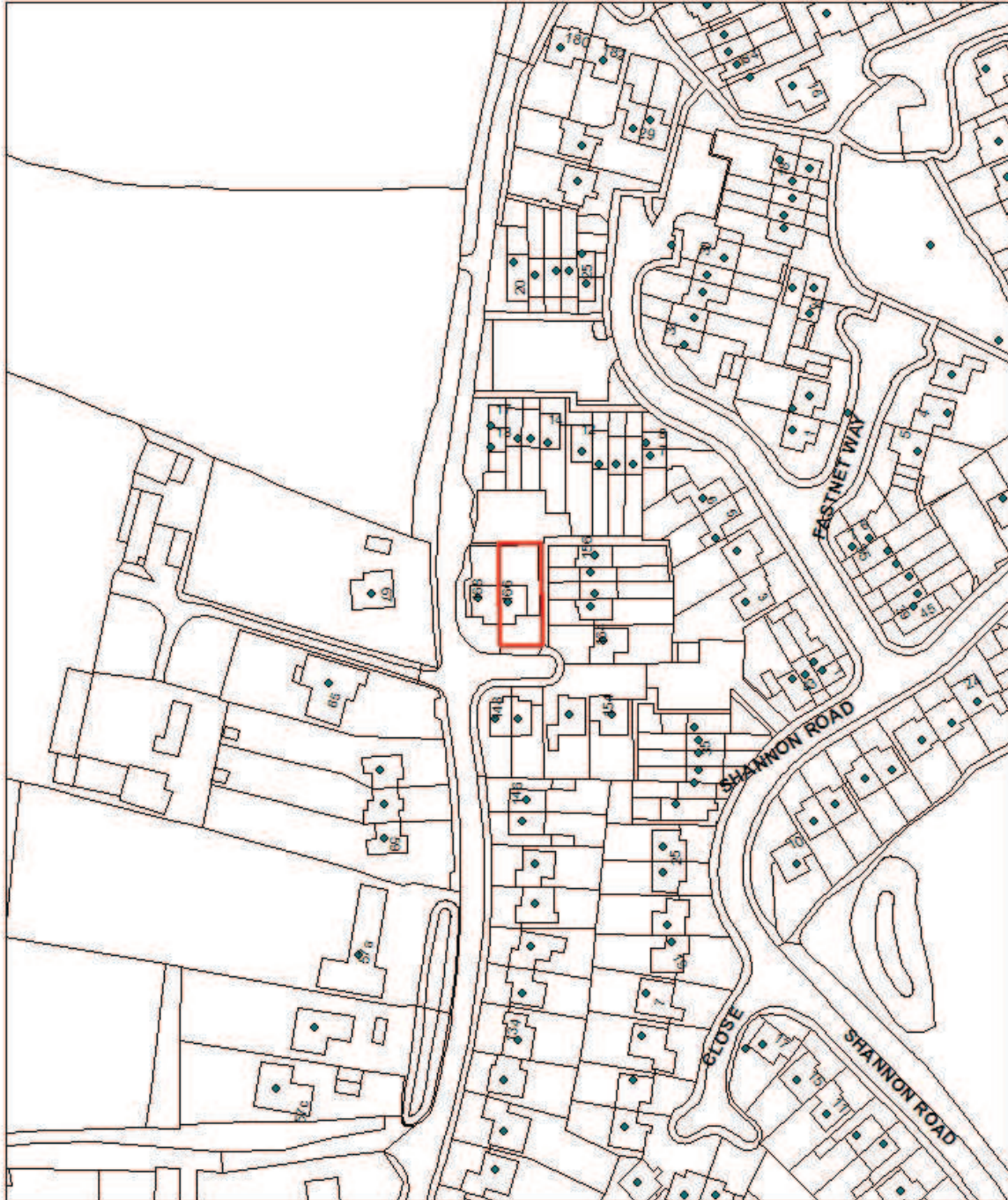
PERMISSION: materials to match

Background Papers

P/13/0779/FP

FAREHAM

BOROUGH COUNCIL



166 OLD STREET
SCALE: 1:1,250

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Agenda Item 7(18)

P/13/0789/CU

PORTCHESTER EAST

MS S MOSS

AGENT: MS S MOSS

CHANGE OF USE OF DOUBLE UNIT TO RETAIL, DAY NURSERY, SMALL MEETING/TRAINING ROOM

2-3 NEW PARADE 38 WEST STREET PORTCHESTER FAREHAM PO16 9UY

Report By

Emma Marks Extn.2677

Introduction

This application has been called on to committee by Councillor Norris.

Site Description

The application relates to two linked ground floor mid-terrace commercial premises situated on the southern side of Portchester West Street District Shopping Centre. The two units share one entrance doorway.

Description of Proposal

Planning permission is sought for the change of use of the two ground floor interconnecting retail units to a mixed use consisting of retail, day nursery and small meeting /training room.

The units have been vacant for approximately two years.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS1 - Employment Provision

CS3 - Vitality and Viability of Centres

CS8 - Fareham Town Centre Development Location

Fareham Borough Local Plan Review

S7 - Non-Retail Uses in the District and Local Centres

Representations

Nine letters have been received supporting the application.

Consultations

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

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

Director of Regulatory and Democratic Services(Environmental Health):- No objection subject to conditions

Planning Considerations - Key Issues

Planning permission is sought for the change of use of the two interconnecting retail units to

a mixed use including retail (sale of second hand books), toy library, internet cafe with six computers with free internet access, day nursery for 20 children aged 2 plus and small meeting /training room. The proposed opening hours would be 09:00-16:30 Monday to Friday.

The unit was last used as a furnishing shop which ceased approximately two years.

The policies and objectives combine to promote the reuse of disused premises and provision of uses ancillary to and in support of local businesses and creation of employment floor space.

There is an under-supply of nursery provision which would mean the business is likely to offer an essential and successful service. The proposal would also make use of empty retail floor space which would add to the vitality, viability and footfall of the area. Furthermore the layout of the units as proposed would seek to retain a retail element to the frontage, maintaining an active retail frontage within the main shopping area.

In order to retain control over the day nursery element of the proposal, officers consider it would be appropriate to impose a planning condition removing permitted development rights. This would prevent the nursery use changing at any time in the future to other community related uses within D1 use class. A planning application would be required for any use other than day nursery.

The proposal complies with the principles of sustainable development set out in the National Planning Policy Framework (NPPF) by proposing the provision of a number of community functions and facilitation of contact between different community groups that would not otherwise come into contact.

Whilst the units have no car parking provision, they are very well located in Portchester Centre which has the benefit of large public parking areas. Consequently, there is no highway objection to the application.

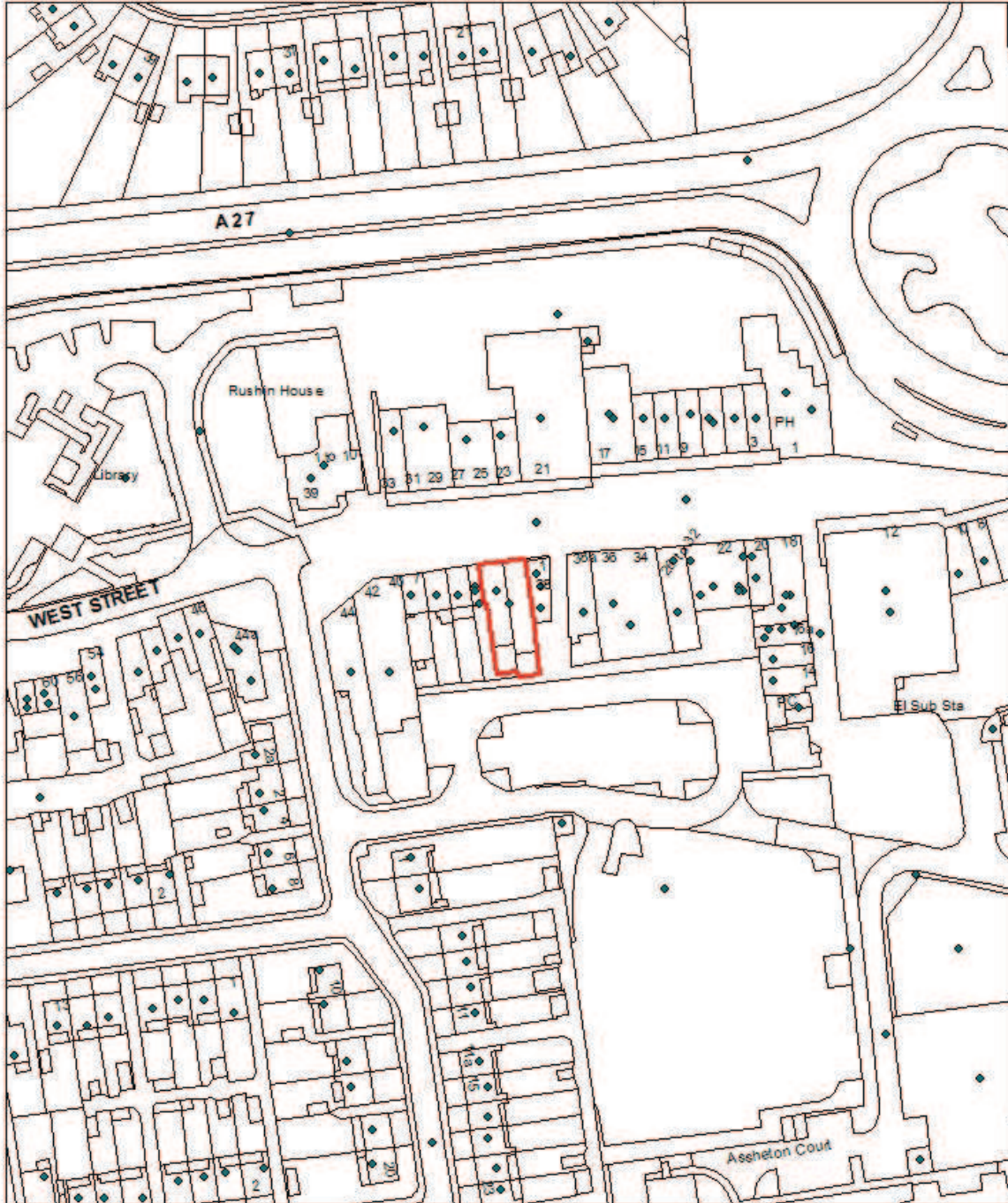
In conclusion, officers consider the proposal complies with the adopted Fareham Borough Core Strategy.

Recommendation

Permission - Desk study to be carried out and actioned if required; hours of opening; restrict nursery use element.

FAREHAM

BOROUGH COUNCIL



2-3 NEW PARADE
SCALE: 1:1,250

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Agenda Item 7(19)

P/13/0807/FP

STUBBINGTON

AGINCOURT SECURITIES LTD

AGENT: LUKEN BECK MDP LTD

ERECTION OF FOUR TWO BEDROOM DETACHED BUNGALOWS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

20-26 TITCHFIELD ROAD FAREHAM PO14 2JH

Report By

Susannah Emery Ext 2412

Site Description

The application site is located within the urban area on the north east side of Titchfield Road, Stubbington. It currently forms part of the residential curtilage of three properties; Nos 20, 22 and 26 Titchfield Road. The area is characterised by residential development, with a mixture of detached and semi detached, single and two storey dwellings fronting Titchfield Road. To the rear of the site is a terrace of elderly persons' bungalows in Cains Close and to the north there is an estate development of two storey semi-detached houses in Ditton Close.

Description of Proposal

Planning permission is sought for the construction of four detached two bedroom bungalows to the rear of Nos. 20-26 Titchfield Road. The dwellings would be accessed via a driveway which would run to the south side of No.26 Titchfield Road adjacent to the boundary with No.22. Each dwelling would be provided with a private amenity space and two car parking spaces.

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

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Fareham Borough Local Plan Review

C18 - Protected Species

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

Q/0134/13 - Pre-application advice was given on this proposal in April 2013. The applicant

was advised that the proposal would be likely to receive officer support.

**P/12/0160/FP CONVERSION OF SINGLE DWELLING INTO SIX FLATS AND
ERECTION OF TWO STOREY SIDE/REAR EXTENSION**

APPROVE 23/08/2012

**P/10/0069/OA EXTENSION TO AND CONVERSION OF NO 26 TO THREE AGED
PERSON FLATS AND A WARDEN'S FLAT. DEMOLITION OF NOS.
20 & 22 AND ERECTION OF TWENTY-SEVEN AGED-PERSON
FLATS, TWO BUNGALOWS & THREE HOUSES**

REFUSE 27/10/2010

Representations

Three letters have been received objecting on the following grounds;

- The area is already overcrowded and Stubbington is being overdeveloped
- Services unable to cope
- There will be less green space to define the existing properties
- Too much traffic on Titchfield Road
- The existing access is not suitable for five properties as it is located on a bend in the road where visibility is not acceptable
- Surface water soakaways are not suitable in this location where ground conditions are predominantly clay

Consultations

Director of Planning & Environment (Highways) - No objection subject to the provision of a visitor car parking space.

Director of Planning & Environment (Arborist) - No objection subject to condition

Director of Regulatory & Democratic Services (Environmental Health) - No objection

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

Director of Planning & Environment (Ecologist) - The Hawthorn tree on the northern boundary of No.22 should be retained unless further bat survey information is submitted as it has the potential to support roosting bats. Reptile habitat will be lost through the proposals and there is the potential for individual animals to be harmed during the works. Mitigation is outlined within the ecological report and a translocation into receptor habitat within the front garden of house 22 is proposed. A detailed mitigation plan based upon the measures outlined will need to be secured through condition of any consent. Works shall be carried out in accordance with the ecological mitigation and enhancement measures set out within sections 4.2.3, 4.4.3 (bat enhancements), and 4.6.3 of the Updating Phase 1 and 2 Ecological Surveys report (Ecosa, August 2013).

Director of Streetscene (Refuse & Recycling) - These four properties will need a bin collection point at the entrance to the development, to facilitate efficient waste collection on this busy road.

Natural England - No objection

Planning Considerations - Key Issues

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

- Principle of Development
- Impact on Character of Area
- Impact on Amenities of Neighbouring Residential Properties
- Highways
- Ecology & Trees

Principle of Development

The site is located within the urban area where residential infilling, redevelopment and development on neglected and underused land may be permitted, providing it does not adversely affect the character of the surrounding area or amenity of existing residents.

The site consists of garden land which is no longer identified as previously developed land. Whilst this in itself is not reason to resist development, proposals on residential garden sites must be considered against Policy CS17 of the Fareham Borough Core Strategy. This policy requires that all development responds positively to and is respectful of the key characteristics of the area including scale, form and spaciousness.

In 2011 an appeal was dismissed for the redevelopment of the site to extend and convert No.26 Titchfield Road to three aged persons flats with a warden's flat and for the demolition of Nos 20 and 22 Titchfield Road and the erection of thirty-two aged persons units including twenty-seven flats, two bungalows and three houses. The development would have been largely two storey divided between three blocks on the Titchfield Road frontage with a fourth large building to the rear of the site. The inspector concluded that by virtue of the increased mass and density of the development the proposal would cause unacceptable harm to the character and appearance of the surrounding area and that this would not be a suitable location for future elderly occupants due to issues with pedestrian accessibility. The dwellings would have been accessed via the existing driveway to No.26 which would have been widened to accommodate two way traffic. There were no highway objections raised.

Planning permission (P/12/0160/FP) was granted in 2012 to extend No.26 Titchfield Road to the southern side and convert it into six flats; four 2-bed and two 1-bed. This development would also have utilised the existing access to No.26 which would have been widened. Officers can confirm that it would not be possible to implement this permission and carry out the development now proposed so this is not an incremental attempt to increase the amount of development on the site.

Impact on Character of Area

No.26 Titchfield Road occupies a relatively wide plot in comparison to neighbouring dwellings with a distance in excess of 14m between the flank wall and the southern boundary with No.22 Titchfield Road. Officers are of the opinion that it would therefore be possible to construct a driveway to access the rear of the site, with landscaped strips to either side, without this having a cramped or tunnel like appearance to the detriment of the visual amenity of the streetscene.

The three existing dwellings on the frontage have large rear gardens in comparison to neighbouring properties and therefore it is not considered that the subdivision of the plots would be detrimental to the character of the area. As the proposed dwellings are single storey they would not be intrusive when viewed from Titchfield Road or from surrounding

residential properties. It would not appear that there are any further parcels of land to the rear of the frontage properties which are large enough to be developed along this stretch of Titchfield Road and therefore officers are not concerned that this proposal would set a precedent for further backland development.

Impact on Amenities of Neighbouring Residential Properties

It is not considered that the proposal would have any detrimental impact on the amenities of neighbouring properties in terms of loss of light and outlook due to the separation distances involved. There are no first floor windows proposed so there are no concerns regarding overlooking. It is proposed that a condition is imposed to remove permitted development rights relating to extensions and roof alterations due to the limited size of the rear gardens and relationship with surrounding development.

Highways

The proposed dwellings would share an access with No.26 Titchfield Road. It is proposed to relocate the existing access slightly further to the south and widen it to 4.8m to improve visibility for emerging vehicles. The access drive would be wide enough to allow two vehicles to pass for the first 10m before narrowing to 3m with a passing point half way down. The access drive would serve a total of five dwellings. It has previously been accepted that the existing access could be widened to serve a far larger development of thirty-one dwellings without detriment to highway safety.

Two car parking spaces and a cycle store would be provided for each of the 2-bed bungalows in accordance with the Council's Residential Car & Cycle Parking SPD. Three car parking spaces would be provided to serve the existing dwelling and a visitor bay would also be provided along the access drive. A bin collection point would be provided adjacent to the highway. There are no highways objections to the proposal.

Ecology & Trees

There are no significant trees on the application site which would be affected by the development. The applicants have agreed to retain a Hawthorn tree which currently stands on the northern boundary of No.22 Titchfield Road as the possibility that this tree could support bats has not been fully investigated.

An ecological report has been submitted which concludes that the site is considered to be of negligible-low ecological value. The site is considered to offer minimal potential for supporting protected species although there is potential to support small numbers of nesting birds and small numbers of reptiles. The Council's ecologist has raised no objection to the proposal subject to the requirement for a detailed reptile mitigation strategy to be secured by condition.

Other Matters

As part of any subsequent building regulations application it would be necessary for the applicant to demonstrate that surface water could be adequately dispersed.

In summary it is considered that the proposal would comply with the relevant policies of the Fareham Borough Council Core Strategy and the Fareham Borough Local Plan Review and the proposal is considered acceptable.

Recommendation

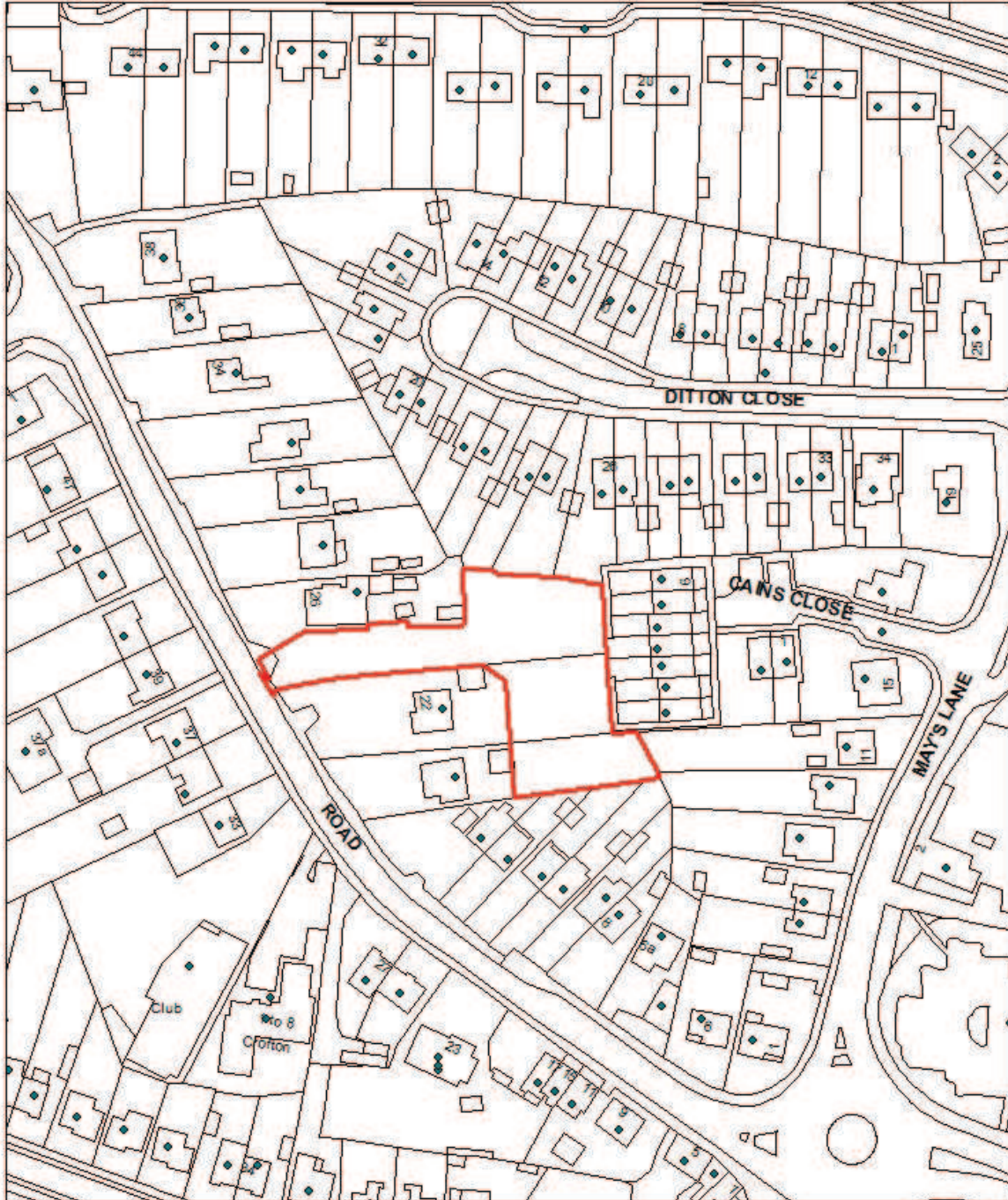
PERMISSION; Materials, Boundary Treatment, Parking, Remove PD: extensions and roof alterations, Visibility Splays, Vehicular Access Construction, Cycle Stores, Bin Collection Point, Level 4 Code for Sustainable Homes, Tree Protection Method Statement, Contamination, Works to be carried out in accordance with Ecological Report, Detailed Reptile Mitigation Strategy, Construction hours, Mud on road, No burning on site

Background Papers

P/13/0807/FP

FAREHAM

BOROUGH COUNCIL



20-26 TITCHFIELD ROAD
SCALE: 1:1,250

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P/13/0922/FP [O]

STUBBINGTON

MR & MRS J WALKERDINE

AGENT: MR & MRS J
WALKERDINE

EXTENSION TO SIDE ELEVATION

5 FARM HOUSE CLOSE FAREHAM HANTS PO14 3YH

Report By

Emma Marks Extn.2677

Site Description

This application relates to a detached dwelling situated on the north side of Farm House Close, a cul-de-sac accessed from Ranvilles Lane.

Description of Proposal

Planning permission is sought for the erection of a single storey side extension which measures one metre in width, 6 metres in depth with an eaves height of 2.4 metres and a ridge height of 3.6 metres.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Representations

No representations had been received at the time of writing this report.

Planning Considerations - Key Issues

Planning permission is sought for the erection of a single storey side extension.

The neighbouring property to the east is orientated so that its front elevation faces onto the side elevation of the application property and would therefore face onto the side of the extension. This neighbouring property has one secondary window which would look onto the proposed extension with a distance of 4.6 metres between. Officers would generally seek a gap of 4 metres between a main window and a single storey extension therefore this proposal exceeds the distances normally recommended.

The extension has been designed with a pitched roof hipping back towards the house and set 2.1 metres back from the front wall of the dwelling. Officers are of the view that the design of the extension is acceptable and would not have an adverse impact on the street scene or the character of the area.

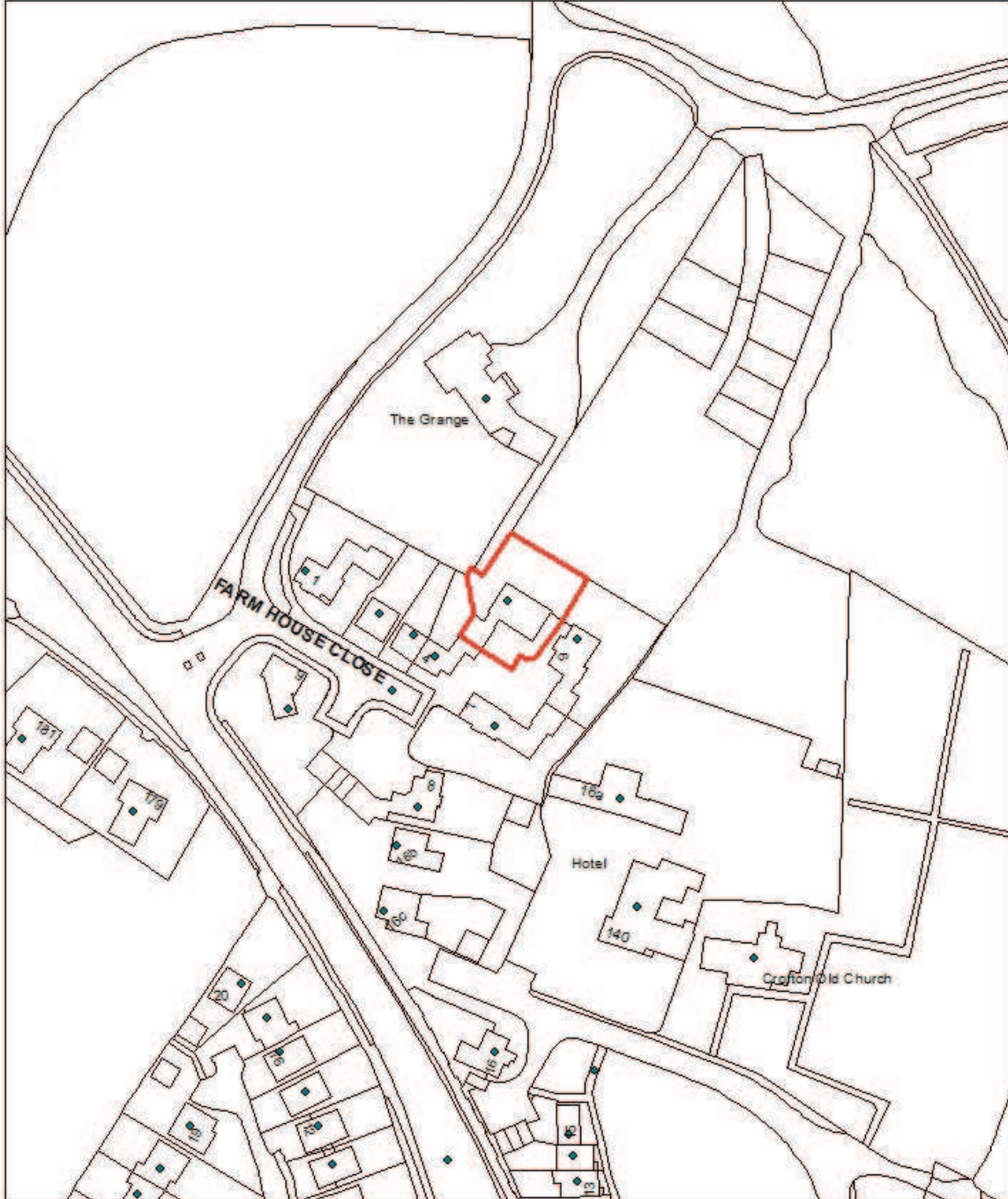
Officers are of the view that the application is acceptable and complies with the Adopted Fareham Borough Core Strategy.

Recommendation

Permission - Materials to match

FAREHAM

BOROUGH COUNCIL



5 FARM HOUSE CLOSE
SCALE: 1:1,250

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PLANNING APPEALS

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

CURRENT

ENF/11/0057

Appellant: MR GARY CASTLE
Site: 119 Newgate Lane - Land Adjacent - Fareham
Date Lodged: 21 March 2013
Reason for Appeal: The Enforcement Notice has been appealed on the following grounds:
 That planning permission should be granted for (i) the gravel drive
 and (iv) the hard standing.

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/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

PLANNING APPEALS

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

CURRENT

P/12/0936/VC

Appellant: MR DOUGIE LEASK
Site: Locks Heath Sports & Social Club 419 Warsash Road Fareham Hampshire PO14 4JX
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: APPROVE
Date Lodged: 27 June 2013
Reason for Appeal: VARIATION OF CONDITIONS 1 & 2 APPLIED TO P/01/01387/VC TO ALLOW USE OF FLOODLIGHTS FOR TRAINING AS WELL AS MATCHES AND ON 72 OCCASIONS PER ANNUM

P/13/0137/OA

Appellant: MR & MRS A.F.W. TRIMMINGS
Site: 84 Fareham Park Road Fareham Hampshire PO15 6LW
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 25 September 2013
Reason for Appeal: PROPOSED REDEVELOPMENT BY THE ERECTION OF FOURTEEN TWO-BEDROOMED BUNGALOWS FOR OCCUPATION BY ELDERLY PERSONS (OUTLINE).

P/13/0271/FP

Appellant: MR D SELBY
Site: 203 Locks Road Locks Heath Southampton SO31 6LD
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 24 October 2013
Reason for Appeal: DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF TWO-STOREY DETACHED BUILDING WITH ACCOMMODATION AT ROOF LEVEL TO FORM SIX RESIDENTIAL FLATS WITH ASSOCIATED LANDSCAPING & CAR PARKING

PLANNING APPEALS

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

CURRENT

P/13/0413/TO

Appellant: MR PAUL BENNETT
Site: 16 St Pauls Road Sarisbury Green Southampton Hampshire SO31 7BP
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 31 July 2013
Reason for Appeal: FELL ONE SYCAMORE PROTECTED BY TPO568

P/13/0460/FP

Appellant: MR I. JUPP
Site: 53-55 Uplands Crescent - Land To The Rear Fareham PO16 7JZ
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 01 November 2013
Reason for Appeal: PROPOSED DEVELOPMENT BY THE DEMOLITION OF AN EXISTING GARAGE AND THE ERECTION OF A SEMI-DETACHED PAIR OF TWO-BEDROOMED HOUSES. (RESUBMISSION).

P/13/0535/FP

Appellant: MR M PALMER
Site: Crofton Cliff Crofton Avenue Lee-On-The-Solent Hampshire PO13 9NJ
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 26 September 2013
Reason for Appeal: ERECTION OF BOAT SHED ON EXISTING CONCRETE BOAT COMPOUND (REVISED APPLICATION)

PLANNING APPEALS

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

CURRENT

P/13/0556/FP

Appellant: THE MALINS GROUP
Site: 31 Stubbington Green Fareham PO14 2LE
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 14 October 2013
Reason for Appeal: CONVERSION, ALTERATIONS & EXTENSION TO THE EXISTING FIRST FLOOR A1 USE TO CREATE THREE TWO-BED RESIDENTIAL DWELLINGS

P/13/0569/TO

Appellant: MISS SANDRA STONE
Site: 36 Crispin Close Locks Heath Southampton Hampshire SO31 6TD
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 19 September 2013
Reason for Appeal: CROWN REDUCTION BY 2M ON 1 OAK. FELL 2 YEW TREES PROTECTED BY TPO623

HEARINGS

P/12/0717/FP

Appellant: TAYLOR WIMPEY (SOUTHERN COUNTIES)
Site: Peters Road - Land To The South Of - Locks Heath
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 15 August 2013
Reason for Appeal: RESIDENTIAL DEVELOPMENT, ERECTION OF 206 NO. DWELLINGS (INCLUDING AFFORDABLE HOUSING) WITH NEW VEHICLE & PEDESTRIAN ACCESS, ASSOCIATED PARKING, LANDSCAPING & OPEN SPACE

DECISIONS

PLANNING APPEALS

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

DECISIONS

ENF/12/0046

Appellant: MRS C DEARY
Site: 83 The Greendale
Date Lodged: 27 August 2013
Reason for Appeal: The Enforcement Notice has been appealed on the following grounds:
i. That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.
ii. That there has not been a breach of planning control.
iii. The steps required to comply with the requirements of the notice are excessive, lesser steps would overcome the objections.

Decision: WITHDRAWN
Decision Date: 17 October 2013

P/12/0895/FP

Appellant: MR PAUL G ANCELL
Site: 10 Down End Road Fareham Hampshire PO16 8RG
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 29 April 2013
Reason for Appeal: ERECTION OF DETACHED DWELLING
Decision: DISMISSED
Decision Date: 23 September 2013

PLANNING APPEALS

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

DECISIONS

P/12/0994/FP

Appellant: MR TIM HISCOCK
Site: Eastlands Boatyard - Eastlands - Coal Park Lane Swanwick
Southampton SO31 7GW
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 02 April 2013
Reason for Appeal: CONSTRUCTION OF EIGHT TWIN CARAVANS PROVIDING
SHORT TERM HOLIDAY RENTAL ACCOMMODATION AND
ASSOCIATED SERVICE BUILDING, IN CONJUNCTION WITH
RECREATIONAL WATER ACTIVITIES.
Decision: ALLOWED
Decision Date: 19 September 2013

P/12/1018/FP

Appellant: MR A PACKER
Site: 12 Hanoverian Way Whiteley Fareham PO15 7JT
Decision Maker: Officers Delegated Powers
Recommendation: APPROVE
Council's Decision: APPROVE
Date Lodged: 10 May 2013
Reason for Appeal: ERECTION OF FIRST FLOOR SIDE/FRONT EXTENSION AND
PROVISION OF REAR DORMERS (ALTERNATIVE TO
P/11/0078/FP INCLUDING REVISED DORMER DESIGN) AND
RETENTION OF THREE CLEAR GLAZED OPENABLE VELUX
WINDOWS IN SOUTH ELEVATION AND ERECTION OF 2.25
METRE HIGH BOUNDARY WALL
Decision: DISMISSED
Decision Date: 04 November 2013

PLANNING APPEALS

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

DECISIONS

P/13/0013/FP

Appellant: DAVIES ASSOCIATES
Site: 22 Peters Road Locks Heath SO31 6EQ
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 17 April 2013
Reason for Appeal: ERECTION OF TWO 4-BED HOUSES AND ONE 5-BED HOUSE WITH INTEGRAL GARAGES
Decision: DISMISSED
Decision Date: 19 September 2013

P/13/0065/FP

Appellant: KEBBELL HOMES LTD
Site: 45 Fleet End Road Warsash SO31 9JH
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 01 July 2013
Reason for Appeal: ERECTION OF THREE DWELLINGS WITH ASSOCIATED ACCESS, PARKING & LANDSCAPING FOLLOWING DEMOLITION OF 45 FLEET END ROAD & ASSOCIATED OUTBUILDINGS
Decision: DISMISSED
Decision Date: 05 November 2013

PLANNING APPEALS

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

DECISIONS

P/13/0075/FP

Appellant: MR D WEYMAN
Site: 22 The Downsway Fareham Hampshire PO16 8PA
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 09 May 2013
Reason for Appeal: ERECTION OF A DETACHED ONE-BEDROOM BUNGALOW WITH ACCESS VIA ST HELENA WAY
Decision: ALLOWED
Decision Date: 10 October 2013

P/13/0343/FP

Appellant: MR & MRS EARL
Site: 57 Leith Avenue Portchester Fareham PO16 8HN
Decision Maker: Officers Delegated Powers
Recommendation: PART APPROVE
Council's Decision: PART APPROVE
Date Lodged: 03 September 2013
Reason for Appeal: (A) ERECTION OF DOUBLE GARAGE (B) ERECTION OF TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION
Decision: DISMISSED
Decision Date: 18 October 2013

PLANNING APPEALS

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

DECISIONS

P/13/0358/VC

Appellant: MS LYNN TAYLOR
Site: 18 Haven Crescent Fareham PO14 3JX
Decision Maker: Committee
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 06 August 2013
Reason for Appeal: VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/11/0237/VC TO ALLOW ROOF LIGHT IN SOUTH EAST ELEVATION SERVING EN-SUITE TO BE FITTED WITH A RESTRICTOR ALLOWING OPENING OF 5CM
Decision: ALLOWED
Decision Date: 13 September 2013

P/13/0369/FP

Appellant: MR & MRS E OST
Site: 4 Cliff Road Fareham PO14 3JS
Decision Maker: Committee
Recommendation: PART APPROVE
Council's Decision: PART APPROVE
Date Lodged: 09 August 2013
Reason for Appeal: (A)PROPOSED EXTENSIONS & ALTERATIONS TO INCLUDE FRONT BALCONY, PORCH & SINGLE STOREY EXTENSION TO REAR AND CHANGE FRONT FENESTRATION WITH TILE HANGING & GABLE (B)GARAGE EXTENSIONS, CHANGE GARAGE ROOF TO PITCHED ROOF, BUILD LINK PORCH BETWEEN GARAGE & HOUSE.
Decision: DISMISSED
Decision Date: 04 November 2013

PLANNING APPEALS

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

DECISIONS

P/13/0403/TO

Appellant: MRS SIOBHAN SOLOMON
Site: 41 Sandringham Road Fareham Hampshire PO14 3DN
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 24 July 2013
Reason for Appeal: FELL ONE CYPRESS TREE PROTECTED BY TPO459
Decision: ALLOWED
Decision Date: 04 October 2013

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 20 November 2013

Report of: Director of Planning and Environment

Subject: FAREHAM TREE PRESERVATION ORDER 645

Land at Sarisbury Court: Sarisbury Court Gardens & woodland to the east, The Birches, The Dell, Alban House, Timbers and Fynone 91 Holly Hill Lane.

SUMMARY

The report details an objection to a provisional order made in July 2013 and provides officer comment on the points raised.

RECOMMENDATION

That Fareham Tree Preservation Order 645 is confirmed subject to minor modification as set out in this report.

BACKGROUND

1. Section 197 of The Town and Country Planning Act 1990 places a duty on local planning authorities when granting planning permission to include appropriate provision for the preservation and planting of trees.

It shall be the duty of the local planning authority -

- (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
 - (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.
2. Section 198 gives local planning authorities the power to make tree preservation orders [TPOs].

(1) If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.

3. Fareham Borough Council Tree Strategy 2012 - 2017.

Policy TP7 - Protect significant trees not under Council ownership through the making of Tree Preservation Orders.

Policy TP8 - Where necessary protect private trees of high amenity value with Tree Preservation Orders.

4. In 1991 Fareham Borough Council made Tree Preservation Order no 227 'Land at Sarisbury Court, Holly Hill Lane, Sarisbury'. Since the making of FTPO 227 there have been changes to the built environment; some of the originally protected trees have been removed and others have grown and become worthy of protection. The Council has reviewed this old TPO and has identified the most significant and prominent trees within the locality worthy of protection.
5. The Council has decided to make TPO 645, which is one of four up to date orders covering Sarisbury Court.

INTRODUCTION

6. On the 12 July 2013 a provisional order was served in respect of 46 individual trees - 3 ash, 1 beech, 1 cherry, 14 oak, 1 Scots pine, 1 silver birch, 1 Corsican pine, 2 horse chestnut, 2 wellingtonia, 2 copper beech, 1 field maple, 2 hornbeam, 1 Leyland cypress, 1 spruce, 3 sweet chestnut, 2 sycamore, 6 yew and 2 western red cedar, 3 groups: G1 – 3 sycamore, 1 oak & 1 silver maple; G2 – 3 oak & 1 sycamore and G3 – 1 sweet chestnut, 5 oak & 1 copper beech and 1 woodland (W1).

OBJECTIONS

7. Under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012 one objection has been received from the owner of 91 Holly Hill Lane in relation to T38 & T39 western red cedars and T43 to T46 Yews on the following grounds:
 - Western Red Cedars – T38 & T39: This non-native species has no value and are out of place amongst the largely ash, chestnut and sycamore in the vicinity.
 - Yews T43 to T46: These trees are heavily overshadowed by adjacent trees within Holly Hill Woodland Park and visually make no significant contribution against the dominant trees in the park.

No other objections to the making of the order have been received.

COMMENT

8. Sarisbury Court has a sylvan character and the surrounding landscape is dominated by woodland, which is punctuated by mature specimen trees of both native and exotic origin, particularly within the grounds of residential properties. Officers do not consider western red cedar to be an inappropriate species for inclusion within a TPO or indeed out of context for this particular setting.
9. 91 Holly Hill Lane is the old lodge to Sarisbury Court and is surrounded by woodland, which includes several large mature trees adjacent to the property. There are four yew trees situated in the northeast corner of the plot, which effectively form part of the woodland edge. As a result of group pressures these yews are suppressed to a degree by more dominant trees adjacent. In officers opinion the four yews are a constituent part of the woodland edge and contribute to the sylvan character of the landscape. The trees are visible from Holly Hill Lane and therefore offer sufficient amenity value to be worthy of inclusion within the TPO.
10. 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 Officers consider that the reasons for excluding the two western red cedars and two yews from the TPO are not sufficient to outweigh their public amenity value.

TREE WORK APPLICATIONS

11. In dealing with applications to carry out works to protected trees the Council will consider whether the reasons given in support of an application outweigh the amenity reasons for protecting them. Permission to prune and maintain protected trees in the context of their surroundings, species, and previous management history will not be unreasonably withheld by the Council.
12. The existence of a TPO does not preclude the carrying out of arboricultural works to, or indeed the felling of, any tree if such a course of action is warranted by the facts. There is currently no charge for making an application to carry out works to protected trees, applications are normally determined within 8 weeks of registration.

RISK ASSESSMENT

13. The Council will not be exposed to any significant risk associated with the confirmation of the FTPO 645 as set out in this report. Only where an application is made for consent to work on trees subject to a TPO and subsequently refused does the question of compensation payable by the Council arise.

CONCLUSION

14. When making tree preservation orders the Council endeavours to consider the rights of those affected and use their powers responsibly. However, the rights of the individual must be balanced against the rights of the public to expect the planning system to protect a tree when its amenity value justifies such protection.
15. The following minor modifications are necessary: T14 and T42 are to be removed from the order due to their condition, which has necessitated their removal since the review took place, but prior to the serving of TPO 645. The description of the woodland (W1) should read 'all species'.
16. It is therefore recommended that Fareham Tree Preservation Order No.645 be confirmed accordingly. However, members are invited to reach their own conclusions.

Background Papers: TPO 645.

Photographs: Appendix A.

Reference Papers: Tree Preservation Orders – A Guide to the Law and Good Practice, Fareham Borough Council Tree Strategy 2012 – 2017 and The Law of Trees, Forests and Hedges (second edition) – *Charles Mynors*.

Enquiries:

For further information on this report please contact Paul Johnston, Principal Tree Officer (Ext 4451)

Appendix A – yews T43, T44, T45 and T63





FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 20 November 2013

Report of: Director of Planning and Environment

Subject: FAREHAM TREE PRESERVATION ORDER 652
The Glade, The Copse & Kingston Gardens, Fareham.

SUMMARY

The report details objections to a provisional order made in July 2013 and provides officer comment on the points raised.

RECOMMENDATION

That Fareham Tree Preservation Order 652 is confirmed subject to a minor modification as set out in this report.

BACKGROUND

1. Section 197 of The Town and Country Planning Act 1990 places a duty on local planning authorities when granting planning permission to include appropriate provision for the preservation and planting of trees.

It shall be the duty of the local planning authority -

- (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
 - (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.
2. Section 198 gives local planning authorities the power to make tree preservation orders [TPOs].

(1) If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.

3. Fareham Borough Council Tree Strategy 2012 - 2017.

Policy TP7 - Protect significant trees not under Council ownership through the making of Tree Preservation Orders.

Policy TP8 - Where necessary protect private trees of high amenity value with Tree Preservation Orders.

4. TPO 33 was made on 19 October 1981 and subsequently confirmed on 14 January 82. TPO 33 was reviewed in 2012 and a new order made to protect those trees currently worthy of protection.

INTRODUCTION

5. On the 9 July 2013 a provisional order was served in respect of 40 individual trees - 4 ash, 1 beech, 1 birch, 1 horse chestnut, 30 oak, 1 rowan and 1 yew and woodland (W1 – oak)

OBJECTIONS

6. Under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012 one objection has been received from the owner of 1 The Glade in relation to T6 ash on the following grounds:
 - The root system of the ash is travelling underneath the driveway causing it to lift, crack and subside.
 - Some of the branches of the tree are extending across the front of the property, which hit the building in windy conditions.

No other objections to the making of the order have been received.

COMMENT

7. The driveway is of concrete construction laid in sections and is believed to date from the original construction of the development in the early 1980s. The section that abuts the highway footpath is cracked in several places across its width and some lifting is visible on the edge adjacent to the ash tree circa 1.5 metres away (see photos at Appendix A).
8. Whilst roots from the ash being the potential cause of the damage to the drive cannot be dismissed the damage pattern is extensive and could be indicative of wear and tear given the age of the structure. Excavation of the driveway construction and confirmation of existing tree roots beneath would be necessary to establish the cause. It may be possible to sever and remove any offending roots carefully and then repair or indeed the replace the driveway surface.
9. The responsibility for a tree rests with the owner of the land on which it is situated and this includes potential liability for any damage caused by a tree. Neighbours have the right to prune back branches that encroach onto their property from a third party tree and such works would be subject to an application under the TPO.

IMPACT ON 1 THE GLADE

10. The ash is situated approximately 6 metres to the north east of the dwelling in an area of landscaping adjacent to the highway. The subject tree is one of a pair of ash trees, which are in a prominent position and make an important contribution to the character and public amenity of The Glade.
11. 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 Officers consider that the reasons for excluding the subject ash from the TPO are not sufficient to outweigh its public amenity value.

TREE WORK APPLICATIONS

12. In dealing with applications to carry out works to protected trees the Council will consider whether the reasons given in support of an application outweigh the amenity reasons for protecting them. Permission to prune and maintain protected trees in the context of their surroundings, species, and previous management history will not be unreasonably withheld by the Council.
13. The existence of a TPO does not preclude the carrying out of arboricultural works to, or indeed the felling of, any tree if such a course of action is warranted by the facts. There is currently no charge for making an application to carry out works to protected trees, applications are normally determined within 8 weeks of registration.

RISK ASSESSMENT

14. The Council will not be exposed to any significant risk associated with the confirmation of the FTPO 652 as made and served. Only where an application is made for consent to work on trees subject to a TPO and subsequently refused does the question of compensation payable by the Council arise.

CONCLUSION

15. When making tree preservation orders the Council endeavours to consider the rights of those affected and use their powers responsibly. However, the rights of the individual must be balanced against the rights of the public to expect the planning system to protect a tree when its amenity value justifies such protection.
16. Officers therefore recommend that ash T6 remains protected by Tree Preservation Order 652. However, members are invited to reach their own conclusions.
17. Three trees require minor amendments to their positions on the TPO map following information from householders in terms of their land ownership. It is therefore recommended that Fareham Tree Preservation Order No.652 be confirmed with the following minor modification: the re-plotting of T1, T2 and T40.
18. Upon confirmation of TPO 652 the existing FTPO 33 shall be revoked as where appropriate those trees currently worthy of protection have been included in the new TPO.

Background Papers: TPO 652.

Reference Papers: Tree Preservation Orders – A Guide to the Law and Good Practice, Fareham Borough Council Tree Strategy 2012 – 2017 and The Law of Trees, Forests and Hedges (second edition) – *Charles Mynors*.

Enquiries:

For further information on this report please contact Paul Johnston, Principal Tree Officer (Ext 4451)

Appendix A – damage to driveway at 1 The Glade



T6 & T7 viewed from The Glade



FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **20 November 2013**

Report of: **Director of Planning and Environment**

Subject: **FAREHAM TREE PRESERVATION ORDER 684**
6 and 8 Abshot Close, Titchfield Common.

SUMMARY

The report details objections to a provisional order made in July 2013 and provides officer comment on the points raised.

RECOMMENDATION

That Fareham Tree Preservation Order 684 is confirmed as made and served.

BACKGROUND

1. Section 197 of The Town and Country Planning Act 1990 places a duty on local planning authorities when granting planning permission to include appropriate provision for the preservation and planting of trees.

It shall be the duty of the local planning authority -

- (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
 - (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.
2. Section 198 gives local planning authorities the power to make tree preservation orders [TPOs].

(1) If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.

3. Fareham Borough Council Tree Strategy 2012 - 2017.

Policy TP7 - Protect significant trees not under Council ownership through the making of Tree Preservation Orders.

Policy TP8 - Where necessary protect private trees of high amenity value with Tree Preservation Orders.

4. T2 is a large mature pedunculate oak situated on the rear boundary of 8 Abshot Close, the trunk straddles the boundary and as such the Council considers the tree to be a boundary feature, which is not under its control or maintenance. Tree Officers have had previous dialogue with the owner of 8 Abshot Close in terms of the tree's ownership and the desire of the householder to have the tree reduced in size. Some recent pruning has been undertaken to the western side of the crown and Tree Officers have stated that they would be concerned if the tree was to be drastically pruned or indeed removed completely.
5. In June 2013 Officers were made aware that the subject oak may be under threat of removal.

INTRODUCTION

6. On the 5 July 2013 a provisional order was served in respect of 2no oak trees situated to the rear of no's 6 and 8 Abshot Close. Both trees are clearly visible from several public vantage points including Oriel Drive open space; Oriel Drive, St Edmund Close, Abshot Close and Warsash Road (see Appendix A).

OBJECTIONS

7. Under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012 one objection has been received from the owner of 8 Abshot Close in relation to T2 oak on the following grounds:
 - In the twenty years the householder has lived at the property the oak has grown significantly and is having an adverse impact on the enjoyment of the property.
 - Lights are required to be on inside during the day, the patio is being damaged by tree roots and the garden is unusable.
 - The Council has misled the owner in terms of the ownership of the oak tree and have been involved in discussions as to what could be done to the tree by way of pruning.
 - The owner would have taken steps to manage the size of the oak before now and maintained it in proportion to adjacent buildings had ownership been made clearer.
 - Therefore it is quite unreasonable for a TPO to be made immediately after ownership of the tree had been confirmed.

No other objections to the making of the order have been received.

COMMENT

8. Tree Officers have previously met with the owner of 8 Abshot Close on several occasions to discuss the subject tree and regarded the relationship between both parties as one of negotiating a compromise that balanced the desire to reduce the impact of the tree on the property and maintain the value of the tree in terms of its contribution to local public amenity. The Council's position is clear in that the oak is a boundary tree over which it has no direct responsibility. The purpose of these discussions was not to mislead the householder, merely confirm that the Council view the oak as an important specimen that it would be concerned to see significantly pruned or indeed removed.
9. The characteristics associated with different tree species vary greatly; some are more burdensome than others and there can be considerable subjectivity amongst the public as to why a certain tree species is inappropriate. A judgement has to be made in terms of balancing the many positive benefits trees provide with any negative characteristics associated with them. The Council's Tree Strategy acknowledges that a conflict of interest exists because for many residents trees can be a source of frustration. However, these very same trees make Fareham a pleasant place and provide multiple benefits to our communities.

IMPACT ON 8 ABSHOT CLOSE

10. The oak is situated on the eastern boundary approximately 8 metres from the façade of the original building and 5 metres from the single storey extension. The oak predates the Abshot Close development by a significant margin and is situated much closer to dwellings than would be permitted in a modern planning context. The tree has a significant impact on the use and enjoyment of the property in terms of dominance and shading; and there is some damage to the paved surfaces in the rear garden, which are believed to have been installed by a previous owner over twenty years ago.
11. The subject oak is a large, prominent specimen of good form and makes a significant contribution to the character and public amenity of its surroundings. Officers suggest that by virtue of the tree's age and size the potential implications on the use and enjoyment of the property would have been apparent at the time the development was built in the mid-1960s and at any time since.
12. In general terms the higher the amenity value of a protected tree and the greater the impact of pruning or removing it on the amenity of the area, the stronger the reasons needed in support of such proposals.
13. 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 Officers consider that the reasons for excluding the subject oak from the TPO are not sufficient to outweigh its public amenity value and thereby justify modification of the order.

TREE WORK APPLICATIONS

14. In dealing with applications to carry out works to protected trees the Council will consider whether the reasons given in support of an application outweigh the amenity reasons for protecting them. Permission to prune and maintain protected trees in the context of their surroundings, species, and previous management history will not be unreasonably withheld by the Council.
15. The existence of a TPO does not preclude the carrying out of arboricultural works to, or indeed the felling of, any tree if such a course of action is warranted by the facts. There is currently no charge for making an application to carry out works to protected trees, applications are normally determined within 8 weeks of registration.

RISK ASSESSMENT

16. The Council will not be exposed to any significant risk associated with the confirmation of the FTPO 684 as made and served. Only where an application is made for consent to work on trees subject to a TPO and subsequently refused does the question of compensation payable by the Council arise.

CONCLUSION

17. When making tree preservation orders the Council endeavours to consider the rights of those affected and use their powers responsibly. However, the rights of the individual must be balanced against the rights of the public to expect the planning system to protect a tree when its amenity value justifies such protection.
18. In this instance Officers acknowledge the subject oak is a large and dominant tree, which is positioned closer to property than one would expect. The public benefit the tree provides is considered to be significant and therefore in Officers' opinion the protection of the oak T2 should prevail in this case. However, members are invited to reach their own conclusions.
19. Officers therefore recommend that Tree Preservation Order 684 is confirmed as originally made and served.

Background Papers: TPO 684.

Reference Papers: Tree Preservation Orders – A Guide to the Law and Good Practice, Fareham Borough Council Tree Strategy 2012 – 2017 and The Law of Trees, Forests and Hedges (second edition) – *Charles Mynors*.

Enquiries:

For further information on this report please contact Paul Johnston, Principal Tree Officer (Ext 4451)

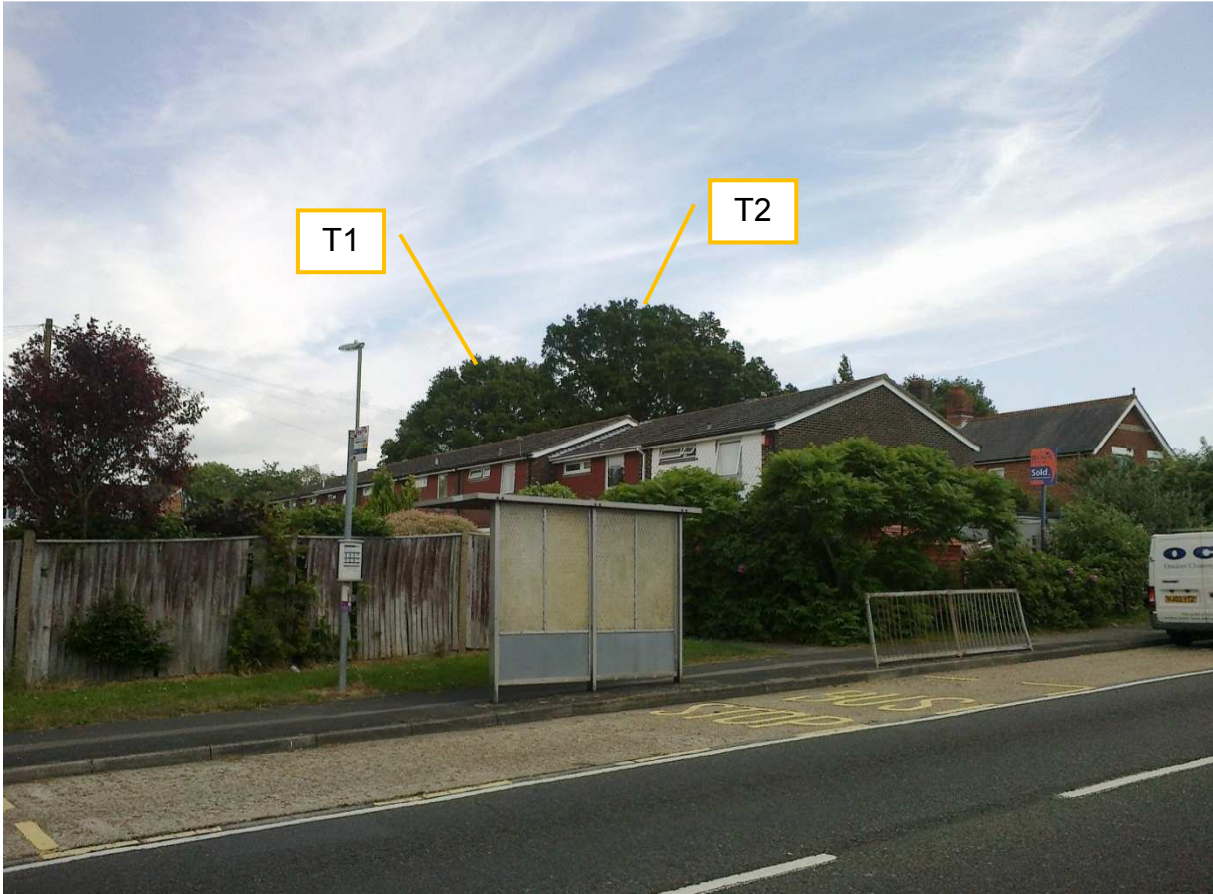
Appendix A: T1 and T2 viewed from public open space to east.



T1 and T2 viewed from Abshot Close to west



T1 and T2 viewed from Warsash Road to southwest



Entrance to rear garden from public open space



T2 situated on east boundary of 8 Abshot Close.



FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 20 November 2013

Report of: Director of Planning and Environment

Subject: FAREHAM TREE PRESERVATION ORDER No 685

Priestfields, Ascot Close & Locks Heath Free Church, Titchfield
Common

SUMMARY

The report details objections to a provisional order made in July 2013 and provides officer comment on the points raised.

RECOMMENDATION

That Fareham Tree Preservation Order 685 is confirmed as made and served.

BACKGROUND

1. Section 197 of The Town and Country Planning Act 1990 places a duty on local planning authorities when granting planning permission to include appropriate provision for the preservation and planting of trees.

It shall be the duty of the local planning authority -

- (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
 - (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.
2. Section 198 gives local planning authorities the power to make tree preservation orders [TPOs].

(1) If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.
3. Fareham Borough Council Tree Strategy 2012 - 2017.

Policy TP7 - Protect significant trees not under Council ownership through the making of Tree Preservation Orders.

Policy TP8 - Where necessary protect private trees of high amenity value with Tree Preservation Orders.

4. The Council has an on-going programme of reviewing its existing TPOs, which sets out broad priorities based on the age of orders and their content in terms of the schedule of trees, particularly old 'area' type orders. Many trees retained on developments during the 1980s and 90s were protected by planning conditions, a practice no longer undertaken and deemed inappropriate by Government guidance. Trees originally protected by outdated planning conditions are also subject to review and where appropriate protected by new TPOs.
5. The review of TPOs is also influenced by development proposals, open space adoption, tree officer's local knowledge and potential threats brought to the Council's attention.

INTRODUCTION

6. On the 26 July 2013 a provisional order was served in respect of 6no oak trees situated along the frontage of properties in Ascot Close and Priestfields; four groups of trees containing 12no oak, 4no cherry, 2no ornamental pear and 2no field maple situated throughout Priestfields; and one group of 8no oak situated to the rear of Locks Heath Free Church.
7. TPO 685 reviews TPO 154 made in October 1988, TPO 315 made in June 1995 and several trees, which pre date the Ascot Close development and were originally protected by planning conditions.

OBJECTIONS

8. Under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012 one objection has been received from the owners of 2 Ascot Close in relation to T4 oak on the following grounds:
 - It is too much of a coincidence that a TPO was being prepared at the exact same time of our enquiry when the tree has been essentially unprotected for around 25 years.
 - It is difficult to accept the TPO as it was issued after our initial enquiry.
 - The tree is causing damage to the driveway and there are fears this may encroach towards and affect the house.
 - The drive cannot be used to park cars because of falling debris and sap. A new hard standing has been built at some considerable cost away from the oak and car covers are necessary to protect vehicles.
 - The oak is too big and inappropriate for its location. Another more suitable species, which is easier to live with day to day would be planted in place of the oak.

No other objections to the making of the order have been received.

COMMENT

9. An enquiry was received from the owners of 2 Ascot Close on the 10 July 2013 requesting confirmation as to whether an oak tree in the front garden of the property was protected. Following an initial holding reply, a full response was sent on the 22 July, which confirmed the oak was not covered by a TPO, but was subject to an original planning condition and that the trees in the locality were currently under review and further details would follow.
10. T4, T5 and T6 are mature pedunculate oaks, which predate the Ascot Close development completed in 1987 and are now situated in the larger front gardens of no's 2 and 4 Ascot Close to accommodate the trees and on land adjacent to 8 Ascot Close (see Appendix A). These trees influenced the design and layout of the development in which they were successfully retained 27 years ago and form part of a wider landscape context that now provides a distinct character to Priestfields, Prelate Way and Ascot Close. In officers' opinion the three oaks make a significant contribution to the public amenity of the locality due to their size and prominence in the landscape.

11. In general terms the higher the amenity value of a protected tree and the greater the impact of pruning or removing it on the amenity of the area, the stronger the reasons needed in support of such proposals.
12. 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.
13. In this instance officers consider that the reasons for excluding the subject oak from the TPO are not sufficient to outweigh its public amenity value and thereby justify modification of the order. It is to be expected that a large, mature tree will produce copious amounts of tree related debris. The periodic clearing of such debris, albeit an inconvenience, is considered to be part of routine household maintenance when living in close proximity to trees and provides no justification for removing this good quality tree.

TREE WORK APPLICATIONS

14. In dealing with applications to carry out works to protected trees the Council will consider whether the reasons given in support of an application outweigh the amenity reasons for protecting them. Permission to prune and maintain protected trees in the context of their surroundings, species, and previous management history will not be unreasonably withheld by the Council.
15. The existence of a TPO does not preclude the carrying out of arboricultural works to, or indeed the felling of, any tree if such a course of action is warranted by the facts. There is currently no charge for making an application to carry out works to protected trees, applications are normally determined within 8 weeks of registration.

RISK ASSESSMENT

16. The Council will not be exposed to any significant risk associated with the confirmation of the FTPO 685 as made and served. Only where an application is made for consent to work on trees subject to a TPO and subsequently refused does the question of compensation payable by the Council arise.

CONCLUSION

17. When making tree preservation orders the Council endeavours to consider the rights of those affected and use their powers responsibly. However, the rights of the individual must be balanced against the rights of the public to expect the planning system to protect a tree when its amenity value justifies such protection.
18. In this instance, it is officers' opinion that the protection of the subject tree should prevail. However, members are invited to reach their own conclusions.
19. Officers therefore recommend that Tree Preservation Order 685 is confirmed as originally made and served.

20. Upon confirmation of TPO 685 the existing FTPO 154 and 315 shall be revoked as where appropriate those trees currently worthy of protection have been included in the new TPO.

Background Papers: TPO 685.

Reference Papers: Tree Preservation Orders – A Guide to the Law and Good Practice, Fareham Borough Council Tree Strategy 2012 – 2017 and The Law of Trees, Forests and Hedges (second edition) – *Charles Mynors*.

Enquiries:

For further information on this report please contact Paul Johnston, Principal Tree Officer (Ext 4451)

Appendix A - T4, T5 and T6 viewed from Prelate Way.



Appendix B – T4 front garden of 2 Ascot Close.

