

# FAREHAM

BOROUGH COUNCIL

## AGENDA PLANNING COMMITTEE

**Date:** Wednesday, 18 December 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:**  
T M Cartwright  
J S Forrest  
Mrs C L A Hockley  
P W Whittle, JP



**1. Apologies for Absence**

**2. Minutes of Previous Meeting (Pages 1 - 14)**

To confirm as a correct record the minutes of the meeting of the Planning Committee held on 20 November 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. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Pages 15 - 16)**

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/13/0800/FP - ALLOTMENT ROAD - THE ROSERY - SARISBURY GREEN**  
(Pages 21 - 28)
- (2) **P/13/0882/FP - SWANWICK MARINA - PREMIER MARINAS (HAMBLE) LTD- BRIDGE ROAD SWANWICK** (Pages 29 - 30)
- (3) **P/13/0898/VC - HINTON HOTEL & THE LIMES 34 CATISFIELD LANE FAREHAM** (Pages 31 - 36)
- (4) **P/13/0917/OA - 69 BOTLEY ROAD PARK GATE** (Pages 37 - 46)
- (5) **P/13/0928/FP - 4 CATISFIELD LANE FAREHAM** (Pages 47 - 50)
- (6) **P/13/0986/CU - UNIT 2, 4 MIDDLE ROAD PARK GATE** (Pages 51 - 54)
- (7) **P/13/1003/FP - 113 WHEATLANDS FAREHAM** (Pages 55 - 58)
- (8) **P/13/1028/FP - 75 CATISFIELD LANE FAREHAM** (Pages 59 - 62)

## **ZONE 2 - FAREHAM**

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

- (9) P/13/0739/CU - LAND TO REAR OF 158 HIGHLANDS ROAD FAREHAM**  
(Pages 65 - 70)
- (10) P/13/0834/FP - HILL PARK BAPTIST CHURCH 217 GUDGE HEATH LANE FAREHAM** (Pages 71 - 76)
- (11) P/13/0989/FP - 1-6 CRAIGBANK COURT FAREHAM** (Pages 77 - 80)
- (12) P/13/0996/FP - 45 LONGFIELD AVENUE FAREHAM** (Pages 81 - 84)
- (13) P/13/1006/FP - 77 GUDGE HEATH LANE FAREHAM** (Pages 85 - 88)

## **ZONE 3 - EASTERN WARDS**

*Portchester West, Hill Head, Stubbington and Portchester East*

- (14) P/13/0823/FP - 36 STUBBINGTON LANE STUBBINGTON** (Pages 91 - 94)
  - (15) P/13/0836/FP - SMITHY COTTAGE 22 BELL DAVIES ROAD FAREHAM**  
(Pages 95 - 98)
  - (16) P/13/0881/FP - 138 CASTLE STREET PORTCHESTER** (Pages 99 - 104)
  - (17) P/13/0981/FP - 221 CASTLE STREET PORTCHESTER** (Pages 105 - 108)
  - (18) P/13/1009/FP - 37 WICOR MILL LANE FAREHAM** (Pages 109 - 112)
  - (19) Planning Appeals** (Pages 113 - 118)
- 7. Planning Appeals - Summary Report** (Pages 119 - 124)
- To consider a report by the Director of Planning and Environment which provides a summary of the appeal decisions received during the period from 1 April 2013 to 9 December 2013 and provides an analysis of them.

P GRIMWOOD  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
10 December 2013

**For further information please contact:**  
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# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 20 November 2013

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

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

**Also Present:** Councillor L Keeble (Minute 7(15) and Councillor D J Norris  
(Minute 7 (18))



**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K D Evans and D C S Swanbrow.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 9 October 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed members that this was the last meeting to be attended by the Committee's legal advisor Ann Greaves, (Principal Solicitor, Southampton City Council) before she takes up a new post . On behalf of the Committee Ann was thanked for her contribution to the work of the Committee and sent good wishes in her new job.

**4. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct Councillor Mrs Hockley declared a non-pecuniary interest in application P/13/0754/FP – Bath Lane Recreation Ground, Fareham (minute 7(11) refers)

**DECISIONS UNDER DELEGATED POWERS**

*(It was proposed and agreed by the Committee that agenda Item 6 be brought forward for consideration)*

**5. SPENDING PLANS 2014/15**

The Committee considered a report by the Director of Finance and Resources which set out the overall level of revenue spending on the Committee's services and sought approval for the revised budget for 2013/14 and the base budget for 2014/15.

RESOLVED 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.

**6. DEPUTATIONS**

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

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No
Ms S Green		69 Swanwick Lane, Swanwick – Formation of manege and extension to stable block	<b>Supporting</b>	Minute 7(4) P/13/0769/FP
Mr J McNaught (on behalf of Ms N Fisher)		167 Hunts Pond Road, Park Gate, – Erection of single storey rear extension and conservatory, provision of front and rear dormers with first floor side roof light to serve loft conversion	<b>Opposing</b>	Minute 7(5) P/13/0774/FP
Mrs A Marodeen		239 West Street, Fareham – Change of use from alarm company office (use class B1) to a children’s day nursery (use class D1)	<b>Supporting</b>	Minute 7(12) P/13/0785/CU
Mr B Alldis	Ms H Lovett Mr D Turner Mr A Robinson Mr R Lacey Mr Cataroche	28 Langstone Walk, Fareham – Erection of single storey side extension to create garage, family room and utility room	<b>Opposing</b>	Minute 7(15) P/13/0858/FP
Mr J Romer		166 Old Street, Fareham – Erection of front porch, single storey rear and side extensions	<b>Supporting</b>	Minute 7(17) P/13/0779/FP

Mr S Cunningham		2-3 New Parade, 38 West Street, Portchester – Change of use of double unit to retail, day nursery, small meeting/training room	<b>Supporting</b>	Minute 7(18) P/13/0789/CU
Ms P Houghton Clarke (Agent)		-ditto-	<b>-ditto-</b>	-ditto-
Mr J Hancock		-ditto-	<b>-ditto-</b>	-ditto-
Mr R Reay (Agent)		20-26 Titchfield Road, Fareham – Erection of four two bedroom detached bungalows with associated access, parking and landscaping	<b>Supporting</b>	Minute 7(19) P/13/0807/FP
Mr P Sweetenham		TPO 684 – 6 & 8 Abshot Close, Titchfield Common	<b>Opposing</b>	Minute 8(3) TPO 684

## 7. 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. An Update Report was tabled at the meeting.

### (1) P/13/0714/FP - 22 DENE CLOSE 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/13/0742/OA - 33 LOWER DUNCAN ROAD PARK GATE**

Upon being proposed and seconded, the officer recommendation to grant outline 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, OUTLINE PLANNING PERMISSION be granted.

**(3) P/13/0760/FP - 48 SHORE ROAD WARSASH**

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.

**(4) P/13/0769/FP - 69 SWANWICK LANE SWANWICK**

The Committee received the deputation referred to in minute 6 above.

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

(Voting: 9 in favour; 0 against)

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

**(5) P/13/0774/FP - 167 HUNTS POND ROAD PARK GATE**

The Committee received the deputation referred to in minute 6 above.

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

(Voting: 9 in favour; 0 against)

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

**(6) P/13/0805/FP - 56 SHORE ROAD WARSASH**

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.

**(7) P/13/0818/TO - 5 THE FARTHINGS TITCHFIELD COMMON**

Upon being proposed and seconded, the officer recommendation to grant consent to fell one oak tree protected by Tree Preservation Order no. 501, 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 to fell one oak tree protected by Tree Preservation Order no. 501.

**(8) P/13/0843/TO - 11 SOUTHAMPTON ROAD PARK GATE**

Upon being proposed and seconded, the officer recommendation to grant consent, subject to the conditions in the report, for the removal of the following:-

- (i) one lower left lateral limb,
- (ii) three lowest limbs back to source,
- (iii) deadwood; and
- (iv) three old stubs

on one oak tree protected by Tree Preservation Order no. 334, was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, CONSENT be granted for the removal of one lower left lateral limb, three lowest limbs back to source, deadwood and three old stubs, on one oak tree protected by Tree Preservation Order no. 334.

**(9) P/09/1024/FP - 69 BOTLEY ROAD PARK GATE**

Upon being proposed and seconded, the officer recommendation that 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, was voted on and CARRIED.  
(Voting: 9 in favour; 0 against)

RESOLVED that 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.

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

The Head of Development Management and Trees provided the Committee with a verbal update. Members were advised that the amount of open space which had been secured through the planning permission exceeds the minimum amount the Council would normally seek based on the number and size of houses provided. To meet the Environment Agency's requirements for a balancing pond, a portion of the approved public open space would need to be used to accommodate the pond. Consequently a variation is required to the current legal agreement entered into as part of the planning permission concerning the amount of land on the site restricted for use as public open space.

A motion to approve was proposed and seconded as follows:-

- (1) Subject to the applicant/ owner first entering into a deed of variation to the existing planning obligation (s) in place at this site, on terms drafted by the Solicitor to the Council, to secure the following matters:-
  - (i) Remove the area occupied by the balancing pond from the area of public open space as defined on the plan attached to the earlier planning obligation;
  - (ii) A requirement to ensure that the balancing pond is within the responsibility of a management company
  - (iii) A requirement to provide details of how the management company who will be responsible for the future maintenance and upkeep of the balancing pond will be formed and their responsibilities; and
  - (iv) A requirement to erect a fence around the balancing pond (details to be agreed) and to ensure its future maintenance and upkeep by the management company.

The motion was CARRIED.

(Voting: 8 in favour; 0 against; 1 abstention).

RESOLVED to APPROVE the amendments to the approved layout for Planning Application P/12/0974/FP:-

- (1) Subject to the applicant/ owner first entering into a deed of variation to the existing planning obligation (s) in place at this site, on terms drafted by the Solicitor to the Council, to secure the following matters:
  - (i) Remove the area occupied by the balancing pond from the area of public open space as defined on the plan attached to the earlier planning obligation;
  - (ii) A requirement to ensure that the balancing pond is within the responsibility of a management company
  - (iii) A requirement to provide details of how the management company who will be responsible for the future maintenance and upkeep of the balancing pond will be formed and their responsibilities; and

- (iv) A requirement to erect a fence around the balancing pond (details to be agreed) and to ensure its future maintenance and upkeep by the management company.

**(11) P/13/0754/FP - BATH LANE RECREATION GROUND FAREHAM**

Councillor Mrs Hockley declared a non-pecuniary interest in this application as Executive Member for Leisure and Community.

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

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

**(12) P/13/0785/CU - 239 WEST STREET FAREHAM**

The Committee received the deputation referred to in minute 6 above.

The Committee was referred to the update report which provided the following information:- *Comments of the Director of Regulatory and Democratic Services (Environmental Health) - Further to the receipt of a revised acoustic report in support of the application, I can advise that I am satisfied with the information provided, subject to the following conditions being applied in line with the reports findings: - The applicants shall submit, prior to the use commencing, a written noise management plan, to be approved in writing by the LPA. - The external play area is to be limited to Play area 2 furthest away from the majority of noise sensitive premises.*

*Additional conditions: Noise management plan, Limit external play to Play Area 2, Contaminated land site investigation required if soft landscaping of external play area is proposed.*

It was reported that the age range of children to be accommodated should read 0 – 2yrs 7 months and not 30 months as stated.

Upon being proposed and seconded, the officer recommendation to grant permission for a change of use subject to:-

- (a) the conditions in the report; and
- (b) the additional conditions proposed in the Update Report.

was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

**Note:** The Committee also requested the inclusion of an informative note to the applicant requesting that where possible parents should be discouraged from using the car park for Western Court as a dropping off/collection point for children attending the nursery.

RESOLVED that, subject to:-

- (a) the conditions in the report; and
- (b) the additional conditions proposed in the update report.

Add an informative note to the applicant requesting that where possible parents should be discouraged from using the car park for Western Court as a dropping off/collection point for children attending the nursery.

**(13) P/13/0790/VC - 1-3 PEAK LANE FAREHAM**

Upon being proposed and seconded, the officer recommendation to grant planning permission for the variation of condition 13 of P/12/0246/FP (to gain permitted development rights for plots JT1 and JT2), subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted for the variation of condition 13 of P/12/0246/FP (to gain permitted development rights for plots JT1 and JT2).

**(14) P/13/0839/FP - 42 HILL PARK ROAD FAREHAM**

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

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

**(15) P/13/0858/FP - 28 LANGSTONE WALK FAREHAM**

The Committee received the deputation referred to in minute 6 above.

At the invitation of the Chairman, Councillor Keeble addressed the Committee on this application.

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: 5 in favour; 3 against; 1 abstention)

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

**(16) P/13/0759/FP - 25 LONSDALE AVENUE PORTCHESTER**

The Committee was referred to the Update Report which provided the following information:- *Further details have been submitted by the applicant to satisfy the requirements of the conditions suggested in the Officer's committee report and to avoid the need for them to be imposed. The materials to be used include stonewold concrete slate-effect roof tiles to match those currently on the dwelling. The gable end to be constructed will be rendered and colour washed in a light colour. A block plan has been submitted demonstrating space on the frontage of the property for parking three vehicles.*

*Recommendation: PERMISSION*

Upon being proposed and seconded the officer recommendation to grant planning permission, as per the Update Report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that PLANNING PERMISSION be granted.

**(17) P/13/0779/FP - 166 OLD STREET FAREHAM**

The Committee received the deputation referred to in minute 6 above.

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

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

**(18) P/13/0789/CU - 2-3 NEW PARADE 38 WEST STREET PORTCHESTER**

The Committee received the deputations referred to in minute 6 above.

At the invitation of the Chairman Councillor Norris addressed the Committee on this application.

A motion was proposed and seconded, that the officer recommendation to grant planning permission for change of use, subject to the conditions in the report, be approved. The motion was voted on and was NOT CARRIED.

(Voting: 2 in favour; 6 against). (N.B. Councillor Bayford had left the meeting when this matter was considered).

A further motion was proposed and seconded that the application be granted planning permission for a change of use subject to:-

- (i) the conditions in the report, and
- (ii) a condition stating that the development of the nursery element of the proposal shall not commence until evidence has been provided to the satisfaction of the local planning authority that the nursery meets the requirements of Ofsted.

The motion was voted on and CARRIED.

(Voting: 7 in favour; 1 abstention).

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that subject to:-

- (i) the conditions in the report, and
- (ii) a condition stating that the development of the nursery element of the proposal shall not commence until evidence has been provided to the satisfaction of the local planning authority that the nursery meets the requirements of Ofsted.

PLANNING PERMISSION be granted.

#### **(19) P/13/0807/FP - 20-26 TITCHFIELD ROAD FAREHAM**

The Committee received the deputation referred to in minute 6 above.

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

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

**(20) P/13/0922/FP - 5 FARM HOUSE CLOSE FAREHAM**

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

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

**(21) Planning Appeals**

The Committee noted the information contained in the report. It was requested that officers prepare a report for a future meeting which provided an analysis of the appeal decisions received from 31 January 2013 when details were last reported to members.

RESOLVED that a summary report analysing Planning Appeal decisions received from 31 January 2013 be prepared for the next meeting of the Committee on 18 December 2013.

**(22) Update Report**

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

**8. TREE PRESERVATION ORDERS**

The Committee considered the confirmation of the following Fareham Tree Preservation Orders to which objections had 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.**

The Committee considered 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) had been received.

A motion was proposed and seconded that, subject to the removal of T14 and T42 from the order and an amendment to the description of woodland ( W1) to read "all species", Fareham Tree Preservation Order No 645 be confirmed. Upon being put to the vote the motion was CARRIED.

(Voting: 8 in favour; 0 against)



(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the removal of T14 and T42 from the order and an amendment to the description of woodland (W1) to read "all species", Fareham Tree Preservation Order No 645 be confirmed.

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

The Committee considered 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) had been received. It was also requested that should Fareham Tree Preservation Order No 652 be confirmed then the existing Fareham Tree Preservation Order No 33 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

A motion was proposed and seconded that, subject to the re-plotting of the position of trees T1, T2 and T40 on the TPO map, Fareham Tree Preservation Order No 652 be confirmed and Fareham Tree Preservation Order No 33 be revoked. Upon being put to the vote the motion was CARRIED

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that:-

- (a) Subject to the re-plotting of the position of trees T1, T2 and T40 on the TPO map, Fareham Tree Preservation Order No 652 be confirmed; and
- (b) Fareham Tree Preservation Order No 33 be revoked 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**

The Committee received the deputation referred to in minute 6 above.

The Committee considered 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) had been received.

A motion was proposed and seconded that Fareham Tree Preservation Order No 684 be confirmed as made and served. Upon being put to the vote the motion was CARRIED.

(Voting: 5 in favour; 3 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that Fareham Tree Preservation Order No 684 be confirmed as made and served.

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

The Committee considered 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) had been received. It was also requested that should Fareham Tree Preservation Order No 685 be confirmed then the existing Fareham Tree Preservation Orders No 154 and 315 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

A motion was proposed and seconded that, Fareham Tree Preservation Order No 685 be confirmed and Fareham Tree Preservation Orders No 154 and 315 be revoked. Upon being put to the vote the motion was CARRIED

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that:-

- (a) Fareham Tree Preservation Order No 685 be confirmed as made and served; and
- (b) Fareham Tree Preservation Orders No 154 and 315 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

(The meeting started at 2.30 pm  
and ended at 6.16 pm).

## **Report to Planning Committee**

**Date:** 18 December 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 Fareham Town, Fareham South, Fareham North, Fareham North-West, Fareham East and Fareham West will be heard no earlier than 3.30 pm
- (3) Items relating to development in Stubbington, Hill Head and Portchester will be heard no earlier than 4.15pm



**ZONE 1 - WESTERN WARDS**

Park Gate  
 Titchfield  
 Sarisbury  
 Locks Heath  
 Warsash  
 Titchfield Common

Reference		Item No
<b>P/13/0800/FP</b> SARISBURY	ALLOTMENT ROAD - THE ROSERY - SARISBURY GREEN SO31 7AP ERECTION OF FIVE DWELLINGS FOLLOWING DEMOLITION OF THE ROSERY, VEHICULAR & PEDESTRIAN ACCESS, CAR & CYCLE PARKING AND LANDSCAPING & SERVICING	<b>1</b> <b>PERMISSION</b>
<b>P/13/0882/FP</b> SARISBURY	BRIDGE ROAD - SWANWICK MARINA - PREMIER MARINAS(HAMBLE) LTD- SWANWICK SOUTHAMPTON SO31 1ZL DEMOLITION OF EXISTING STRUCTURES AND CLEARANCE OF SITE (EXCLUDING CHANDLERY) FOR USE AS BOAT YARD AND MAINTENANCE FACILITY. ERECTION OF BUILDING FOR MARINA RELATED USE, COMPRISING INDUSTRIAL WORKSHOPS (B2), STORAGE (B8) AND OFFICE (B1A), ASSOCIATED EXTERNAL BOAT STORAGE AND CAR PARKING - REVISION TO PART (BOATYARD PHASE) OF COMPREHENSIVE REDEVELOPMENT OF MARINA PERMITTED UNDER P/07/0764/FP	<b>2</b> <b>PERMISSION</b>
<b>P/13/0898/VC</b> TITCHFIELD	HINTON HOTEL & THE LIMES 34 CATISFIELD LANE FAREHAM HAMPSHIRE PO15 5NN ERECTION OF A 50-BED RESIDENTIAL CARE HOME AND 32 DWELLINGS FOLLOWING DEMOLITION OF THE HINTON HOTEL & ANCILLARY BUILDINGS AND THE LIMES PUBLIC HOUSE - AMENDMENTS TO CARE HOME INCLUDING ERECTION OF SUB-STATION ALTERNATIVE TO P/12/0644/FP	<b>3</b> <b>PERMISSION</b>
<b>P/13/0917/OA</b> PARK GATE	69 BOTLEY ROAD PARK GATE SOUTHAMPTON HANTS SO31 1AZ OUTLINE APPLICATION FOR 150 PLACE CHILDREN'S NURSERY, ACCESS, PARKING AND AMENITY AREA	<b>4</b> <b>REFUSE</b>
<b>P/13/0928/FP</b> TITCHFIELD	4 CATISFIELD LANE FAREHAM HANTS PO15 5NN ERECTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS AND FRONT AND SIDE PORCHES	<b>5</b> <b>PERMISSION</b>
<b>P/13/0986/CU</b> PARK GATE	4 MIDDLE ROAD - UNIT 2 - PARK GATE SOUTHAMPTON HAMPSHIRE SO31 7GH CHANGE OF USE FROM RETAIL (BUTCHERS) TO LETTINGS AGENT	<b>6</b> <b>PERMISSION</b>

**P/13/1003/FP**  
TITCHFIELD  
COMMON

113 WHEATLANDS FAREHAM PO14 4SU  
PROPOSED TWO & SINGLE STOREY REAR EXTENSIONS AND  
ALTERATIONS TO FRONT CANOPY

**7**  
**PERMISSION**

**P/13/1028/FP**  
TITCHFIELD

75 CATISFIELD LANE FAREHAM HAMPSHIRE PO15 5NT  
ERECTION OF SINGLE STOREY SIDE & REAR AND TWO  
STOREY FRONT EXTENSION.

**8**  
**PERMISSION**







# Agenda Item 6(1)

**P/13/0800/FP**

**SARISBURY**

CRAYFERN HOMES LIMITED

AGENT: NEAME SUTTON  
LIMITED

ERECTION OF FIVE DWELLINGS FOLLOWING DEMOLITION OF THE ROSERY,  
VEHICULAR & PEDESTRIAN ACCESS, CAR & CYCLE PARKING AND LANDSCAPING &  
SERVICING

ALLOTMENT ROAD - THE ROSERY - SARISBURY GREEN SO31 7AP

## ***Report By***

Susannah Emery Ext 2412

## ***Site Description***

The application site comprises land which currently forms part of the residential curtilage of three properties to the west side of Allotment Road; 'The Rosery', 'Glenhurst' and 'Alverstone'. The site is within the urban area and is bounded by residential dwellings to the north on Bridge Road and to the west on St Paul's Road and by the Allotment gardens to the south. The site slopes down from east to west and there is a watercourse running along the north-west boundary.

## ***Description of Proposal***

Planning permission is sought for demolition of an existing bungalow 'The Rosery' and the erection of five detached dwellings; three 4-bed and two 3-bed. The dwellings would be sited behind the built up frontage in an informal courtyard arrangement. The demolition of 'The Rosery' would enable an access road to be constructed from Allotment Road with landscaping to either side. The plot of the neighbouring property immediately to the north 'Glenhurst' would also be widened by approx. 2.5m to increase the amount of rear amenity space and enable provision of additional car parking to the side.

## ***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

CS20 - Infrastructure and Development Contributions

### **Fareham Borough Local Plan Review**

DG4 - Site Characteristics

C18 - Protected Species

## ***Relevant Planning History***

The following planning history is relevant:

Q/0163/13 - Pre-application advice was given in May 2013 on this proposal. Officers were generally supportive subject to the applicant demonstrating satisfactory visibility splays at the site access, the provision of adequate plot sizes and the consideration of appropriate ecological surveys.

**P/05/1480/FP**      **Erection of Detached Dwelling**  
REFUSE                      25/11/2005

### ***Representations***

Four letters have been received objecting on the following grounds;

- The government were supposed to be stopping development within back gardens
- There has been far too much development already within the local area
- Increased traffic on Allotment Road which is gridlocked during the school run
- The proposed access is close to a dangerous bend and the entrance to Woodlands Close
- There is no pavement outside of the application site
- Allotment Road/Woodlands Close are already congested with parked vehicles associated with the school, cricket club and local businesses
- Detrimental to health and safety of school children walking to and from school
- Waste disposal vehicles and other utility service vehicles will obstruct the road rather than entering the new estate
- The amended access is still not satisfactory
- Detrimental to outlook and loss of views
- Overlooking and loss of privacy
- This is proposed purely for financial gain
- The Council will be pursued for any resultant loss of property value

### ***Consultations***

Director of Planning & Environment (Highways) - Visibility splays of 2.4m by 32.6m to the north, and 2.4m by 33.9m to the south should be provided to achieve safety for drivers that would emerge from the site. The applicants have apparently gained control over sufficient land to the north to achieve the northern splay. Following receipt of the revised access layout I am satisfied that the required southward visibility splay shown on the revised access layout can also be achieved and this will not pass across third-party land. No objection subject to conditions.

Director of Planning & Environment (Arborist) - There are no arboricultural grounds for refusal. No objection subject to conditions.

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

Director of Planning & Environment (Ecology) - The watercourse is to remain on site and measures are set out regarding how it will be protected during the works. The reptile survey has identified a low population of slow worms on the site. It is suggested that these will be accommodated on site, particularly along the southern boundary with the allotments to the south, such that there is continuity of habitat. Conditions are required to ensure adherence to the measures set out in the attached Watercourse Statement and the submission and approval of a reptile mitigation strategy prior to commencement of any works on site. An informative regarding nesting birds will also be required.

Natural England - The proposal is unlikely to affect any statutorily protected sites or

landscapes. The impact of the proposal on protected species and local wildlife sites should be assessed by the Local Planning Authority.

### ***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.

A previous application to erect a large detached dwelling to the rear of 'The Rosery' was refused in November 2005. The reasons for refusal stated that the proposal would result in loss of privacy to 'Glenhurst' and No.26 St Paul's Road. It was considered that by virtue of its size the dwelling would constitute an undesirable form of backland development out of character with the surrounding area. The access was not considered of sufficient width and it was considered that the use of the driveway would have a detrimental impact on the living environment of 'The Rosery'. The current proposal is for a far larger site and a more comprehensive form of development resulting in the demolition of 'The Rosery' rather than piecemeal backland development.

#### Impact on Character of the Area

The surrounding area is characterised by mainly detached two storey dwellings set within medium to large plots. The application site forms part of the residential curtilage of three dwellings which have some of the larger plot sizes visible within the local area. The dwelling to be demolished, 'The Rosery', is a small detached bungalow which is in need of modernisation and could currently be seen as out of keeping with surrounding properties. Occupying such a large plot it is also currently not making the most efficient use of land within the urban area. Whilst it is proposed to subdivide the plots of 'Glenhurst' and 'Alverstone', rear garden lengths of 20 and 26 metres would be retained respectively. These plot sizes far exceed minimum standards and would not be out of character with the surrounding area.

The proposed dwellings are large detached two storey properties. The rear gardens vary in shape and size but are seen as adequate to serve family dwellings. Whilst the plot sizes may be smaller than others within the local area it is not considered that the proposal would have a detrimental impact on the character of the area due to the siting of the development to the rear of the built up frontage. The plot sizes exceed the minimum standards normally sought. The site has a frontage on to Allotment Road measuring approx 14 metres so that

an access drive could be provided which would allow two way traffic to pass with landscaped buffers to either side.

### Impact on Amenities of Neighbouring Residential Properties

The dwellings proposed on Plots 4 and 5 would occupy the largest plots. In light of their garden sizes and the presence of planting along the boundary Officers do not believe there would be material overlooking of adjacent properties from these properties.

The occupants of the neighbouring property to the north 'Kimberly' have raised concerns regarding loss of privacy as Plots 1-3 would back on to the southern boundary of their rear garden. The rear garden serving 'Kimberly' is approximately 45 metres in length and 12 metres in width.

Plot 1 has a rear garden measuring between 11-12 metres in depth. There would also be an area of amenity space extending to the eastern side of the dwelling hence why the plot size is considered acceptable.

Two first floor bedroom windows are proposed within the rear elevation which would face towards the rear garden of 'Kimberly' at a point approximately 20 metres from the back wall of that house. These would be 11 and 12 metres from the boundary. This separation distance complies with guidance set out within Appendix 6 of the Fareham Borough Local Plan Review which seeks a minimum of 11 metres from new first floor windows to adjacent private garden areas. The boundary is taken to be the centre of the existing hedgerow so that the actual distance to useable garden area is marginally higher than the figures stated. In addition there is an existing maturing Ash tree positioned centrally on the rear boundary of Plot 1 which would be retained and this would provide increased screening to the rear garden of 'Kimberly'.

Plot 2 would have a rear garden measuring between 11.2-12 metres in depth. There would be two bedroom windows at first floor within the rear elevation which would be 11.2 metres and 12 metres away from the boundary. Plot 2 would overlook the lower part of the rear garden of 'Kimberly' at a minimum distance of 28m from the dwelling. There is an outbuilding within the rear garden of 'Kimberly' which would be partially behind Plot 2 which makes this area of the garden unuseable.

Plot 3 would be sited within the north-west corner of the application site. Due to the angled nature of the rear boundary of this plot the rear garden would measure between 5.6-9.2 metres in depth but this would also extend around the western side of the dwelling providing sufficient amenity space. There would be two first floor bedroom windows within the rear elevation which would be 7 and 9.2 metres from the rear boundary. Although a minimum distance of 11 metres would normally be sought between new first floor windows and adjacent private garden areas in this instance the windows would be overlooking the very end of the rear gardens of 'Kimberley' and Nos.139 and 141 Bridge Road. These dwellings have very long rear gardens measuring in excess of 35m which come down to narrow points. It is not considered that the overlooking of these parts of the rear gardens would have a detrimental impact on the residential amenity of the occupants and no concerns have been raised by the occupants of the dwellings on Bridge Road.

Officers acknowledge that the level of privacy currently enjoyed by the occupants of 'Kimberly' would be reduced but in light of the size of the objector's rear garden and the distance of the proposed dwellings from 'Kimberly' it is not considered that the degree of

overlooking is such as to justify the refusal of the application.

Loss of private views are not a material planning consideration and given the distance of the proposed dwellings from surrounding development it is not considered that there would be any detrimental loss of outlook to neighbouring properties.

Loss of property value is not a material planning consideration and the Council cannot be held accountable for any subsequent loss of such.

## Highways

A transport assessment has been submitted to support the application. An automatic traffic count survey has been carried out on Allotment Road to determine vehicle volumes and speeds. It is concluded that Allotment Road is lightly trafficked with four or five vehicle movements per minute in the morning peak hour and notably fewer movements outside of this period. Average vehicle speeds were also found to be lower than the 30mph speed limit which is most likely as a result of the limited width of the carriageway. The proposal represents a net increase in four dwellings which is likely to result in two to three additional movements on Allotment Road during peak hours. It is not considered that this increase would be noticeable or that it would have a material impact on the operation of the local highway network.

The Director of Planning & Environment (Highways) initially had some concerns regarding the ability to provide and maintain the required visibility splays in either direction of the site access. The visibility splay to the north crosses areas of front garden that are within the applicant's control and can be offered for highways adoption. Having slightly revised the positioning of the access further to the north it has now been confirmed that the visibility splay to the south can also be achieved across the application site and the highway verge without encroaching on to the third party land to the south or resulting in the need to remove any of the boundary hedge enclosing the allotments. The Council has arrangements in place which should see the allotment hedge trimmed back twice a year to prevent it from overhanging the highway. The provision of the visibility splays would be secured by a condition so that no development would take place before these are available. It is not considered that the proposal would have a detrimental impact on highway safety and no highways objection is raised.

Car parking would be provided in accordance with the Council's Residential Car and Cycle Parking SPD. The two 3-bed dwellings would each have two car parking spaces in addition to a garage. The 4-bed properties would each have three car parking spaces in addition to a garage. One visitor parking space would also be provided in a lay-by along the access road. The proposal should therefore not result in any additional parking along Allotment Road or Woodlands Close.

A bin collection point would be provided close to Allotment Road so that the refuse lorry would not have to enter the site.

## Ecology & Trees

There are no significant trees on the site which would need to be removed as a result of the proposed development. It is proposed to carry out new tree planting as part of the landscaping scheme to ensure the satisfactory appearance of the development. The TPO trees located on adjacent land close to the south-west corner of the site would be protected

during construction and development would not take place within the root protection zones.

An ecological appraisal of the site has been carried out by the applicant's ecologist. Whilst bats were found to be foraging on the application site the existing dwelling to be demolished was found to have low bat roosting potential and no evidence of bats was found. Slow worms were recorded in all three gardens and the wider habitat could also be considered suitable to support grass snakes. There was no evidence of any other protected species on the site. The submission of a full reptile mitigation strategy including arrangements for long term management of the receptor site would be secured by condition.

## Conclusion

Notwithstanding the objections received, it is considered that the proposal complies with the relevant policies of the Fareham Borough Council Core Strategy and Fareham Borough Local Plan Review and it is considered acceptable subject to conditions.

## ***Recommendation***

PERMISSION; Materials, Hard Surfacing, Boundary Treatment, Levels, Tree Protection, Vehicular Access Construction, Visibility Splays at Junction, Parking & Turning, Cycle Parking, Bin Collection Point, Level 4 Code for Sustainable Homes, Obscure glaze & fix shut to 1.7m first floor rear bathroom window on Plot 3 and stairwell window on plot 1, Works in accordance with Watercourse Statement, Development in accordance with Bat Emergence Survey (including recommendations), Details of External Lighting, Reptile Mitigation Strategy, Implementation of Landscaping Scheme, No Mud on Road, No Burning on Site, Operatives Vehicles, Construction Hours

## ***Notes for Information***

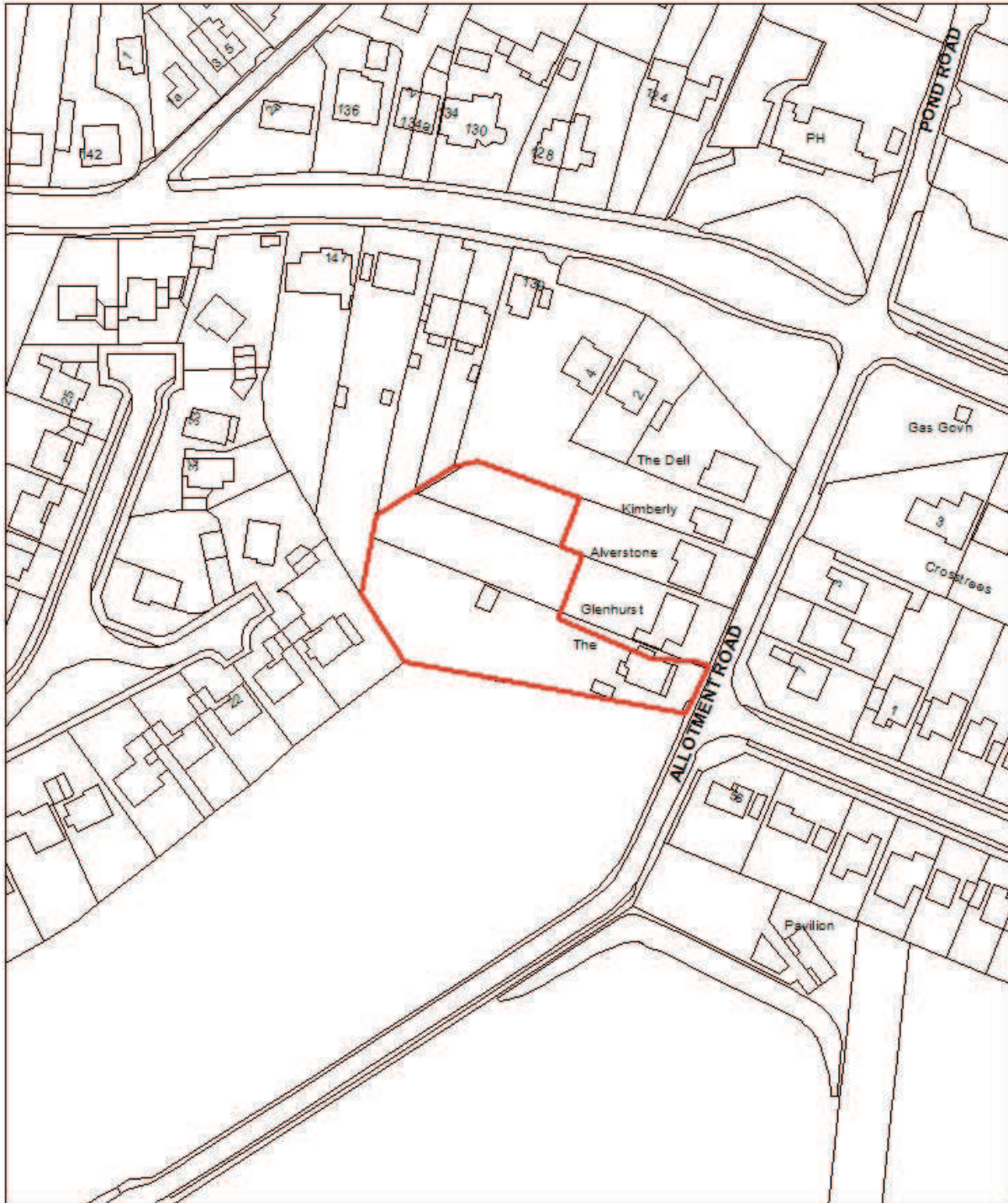
Informative Nesting Birds

## ***Background Papers***

P/13/0800/FP

# FAREHAM

## BOROUGH COUNCIL



The Rosery  
Allotment Road  
Scale 1:1250

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# Agenda Item 6(2)

**P/13/0882/FP**

**SARISBURY**

PREMIER MARINAS (HAMBLE)  
LIMIT

AGENT: CBRE LTD

DEMOLITION OF EXISTING STRUCTURES AND CLEARANCE OF SITE (EXCLUDING CHANDLERY) FOR USE AS BOAT YARD AND MAINTENANCE FACILITY. ERECTION OF BUILDING FOR MARINA RELATED USE, COMPRISING INDUSTRIAL WORKSHOPS (B2), STORAGE (B8) AND OFFICE (B1A), ASSOCIATED EXTERNAL BOAT STORAGE AND CAR PARKING - REVISION TO PART (BOATYARD PHASE) OF COMPREHENSIVE REDEVELOPMENT OF MARINA PERMITTED UNDER P/07/0764/FP

BRIDGE ROAD - SWANWICK MARINA - PREMIER MARINAS(HAMBLE) LTD-  
SWANWICK SOUTHAMPTON SO31 1ZL

## ***Report By***

Kim Hayler - Ext 2367

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

Planning permission was granted in 2008 (P/07/0764/FP refers) for the comprehensive redevelopment of the wider marina. Works have commenced pursuant to this planning permission.

The current application relates to the boatyard element of the marina. It is similar in approach to that consented, but incorporates a smaller scale of development and altered layout to reflect the current requirements of the applicant. This application if granted would have the effect of substituting part of the existing permission from 2008.

No representations were received as a result of publicising the application and no objections have been raised by consultees. Officers have assessed the revised application and consider it is acceptable and that planning permission should be granted for it. As no objections have been received Officers intend to deal with the application under their delegated powers.

The existing planning permission at the site was subject to two Section 106 legal agreements and one unilateral agreement. The two Section 106 legal agreements require a Deed of Variation in order to bind this new boatyard planning permission. As these agreements were entered into with the Authority of the Planning Committee, Members Authority is required to undertake changes to them. Officers will set out the requirements of the Deed of Variation in an update at the meeting.

## **RECOMMENDATION:**

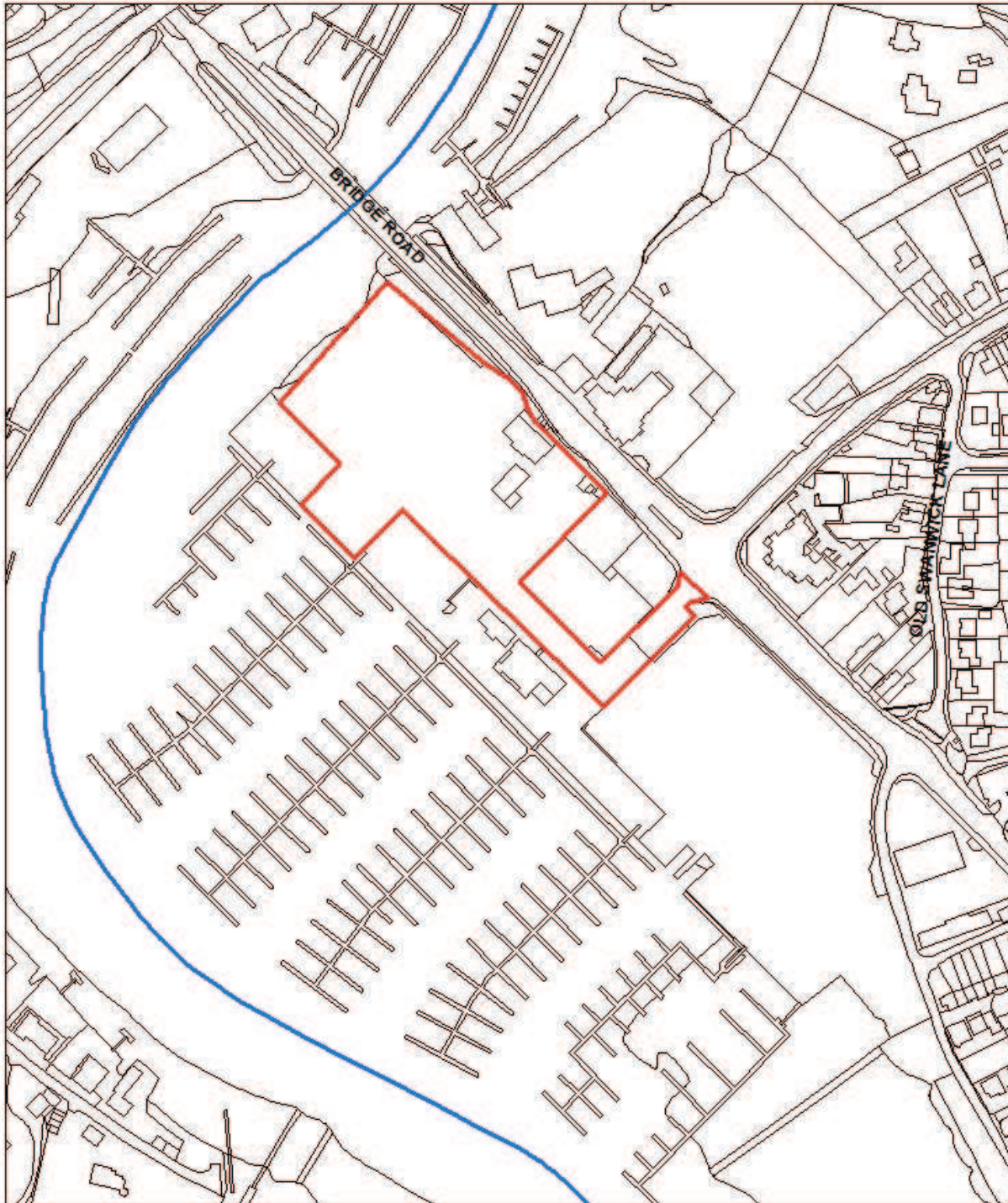
Officers to provide an update setting out the requirements of the Deed of Variation at the meeting.

## ***Background Papers***

P/07/0764/FP

# FAREHAM

## BOROUGH COUNCIL



Swanwick Marina  
Scale 1:2500

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# Agenda Item 6(3)

**P/13/0898/VC**

**TITCHFIELD**

MEDICX

AGENT: AKA PLANNING

ERECTION OF A 50-BED RESIDENTIAL CARE HOME AND 32 DWELLINGS FOLLOWING DEMOLITION OF THE HINTON HOTEL & ANCILLARY BUILDINGS AND THE LIMES PUBLIC HOUSE - AMENDMENTS TO CARE HOME INCLUDING ERECTION OF SUB-STATION ALTERNATIVE TO P/12/0644/FP

HINTON HOTEL & THE LIMES 34 CATISFIELD LANE FAREHAM HAMPSHIRE PO15 5NN

## ***Report By***

Kim Hayler (Ext. 2367)

## ***Site Description***

The site lies north of Catisfield Lane, just east of the junction with Fishers Hill. The site has planning permission (P/12/0644/FP refers) for the erection of a 50-bed residential care home and 32 dwellings following the demolition of the Hinton Hotel and ancillary buildings and the Limes Public House.

The current planning application relates only to the residential care home and associated areas situated in the north eastern corner of the site.

## ***Description of Proposal***

The application seeks to amend the approved residential care home. The most significant changes to the building involve:

- an additional forward single storey extension to the eastern part of the building comprising approximately 56 sq.m. of additional floorspace;
- an additional glazed entrance lobby area;
- revised fenestration and exterior details;
- revised internal use allocations and spaces;
- provision of first floor balcony area to north elevation.

The revised plans also include:

- alterations to the car park to provide 19 car parking spaces (two additional spaces to that permitted);
- alterations to the servicing and manoeuvring area;
- the provision of an electricity substation.

## ***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

CS14 - Development Outside Settlements

C18 - Protected Species  
CS17 - High Quality Design  
CS18 - Provision of Affordable Housing  
CS20 - Infrastructure and Development Contributions  
CS21 - Protection and Provision of Open Space  
CS22 - Development in Strategic Gaps

### **Fareham Borough Local Plan Review**

H1 - Housing Allocations  
DG4 - Site Characteristics  
C18 - Protected Species

### ***Relevant Planning History***

The following planning history is relevant:

**P/13/0893/CU**      **CHANGE OF USE OF PART OF Paddock TO A WOODLAND WALK  
- EXTEND PERMITTED WOODLAND WALK BY 5 METRES  
(ALTERNATIVE TO P/12/0641/CU)**

**P/12/0644/MA/A**      **ERECTION OF A 50-BED RESIDENTIAL CARE HOME AND 32  
DWELLINGS FOLLOWING DEMOLITION OF THE HINTON HOTEL &  
ANCILLARY BUILDINGS AND THE LIMES PUBLIC HOUSE: NON-  
MATERIAL AMENDMENT - REALIGNMENT OF PLOTS 1-4**  
APPROVE                      14/11/2013

**P/12/0645/CA**      **DEMOLITION OF THE LIMES PUBLIC HOUSE SITUATED WITHIN  
CATISFIELD CONSERVATION AREA**  
APPROVE                      26/04/2013

**P/12/0644/FP**      **ERECTION OF A 50-BED RESIDENTIAL CARE HOME AND 32  
DWELLINGS FOLLOWING DEMOLITION OF THE HINTON HOTEL &  
ANCILLARY BUILDINGS AND THE LIMES PUBLIC HOUSE**  
APPROVE                      26/04/2013

**P/12/0641/CU**      **CHANGE OF USE OF PART OF Paddock TO A WOODLAND WALK**  
APPROVE                      26/04/2013

### ***Representations***

Two comments have been received from the occupiers of 16 and 18 Catisfield Lane raising the following issues:

The proposed changes to the care home will have a greater impact on neighbouring property;

The proposal has not been publicised appropriately;

Loss of privacy from proposed terraces;

Kitchen extension will result in smells, noise and loss of privacy;

Strongly against the home being used for nursing, care and dementia.

### ***Consultations***

Director of Planning and Environment (Highways) - No objection

Director of Regulatory and Democratic Services (Environmental Health) - Representations have been made by local residents indicating concerns over smells and noise from the kitchen at the care home. The design statement submitted in support of the variation states the following: "Together with resident facilities, the ancillary facility requirements have been considered and now include appropriate plant, kitchen, laundry and staff rest change areas. No flues were indicated on the approved scheme for the kitchen, plant or laundry. Bespoke "Chimneys" have therefore been added for this purpose which avoids the need for unsightly/ inappropriate proprietary cowls." The flue for the kitchen is shown on plans discharging above ridge height. Subject to a planning condition securing the flue is installed and maintained as per manufacturers' recommendations then odour nuisance from the kitchen would be prevented.

I do not foresee noise being a significant concern nor any other aspects of this submission as regards pollution and suitability of use matters.

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

This application is submitted on behalf of the prospective care home operator, and the changes for the most part reflect their specific requirements for the operation of the care home. The amendment to the car parking layout has been due to the need to make provision for an electricity substation.

The key issues are;

- the impact on the design of the approved building;
- the impact of the revised car parking layout upon the appearance and functioning of the site;
- the impact upon the amenities of the neighbouring properties.

Impact upon the design of the approved building

The proposed single storey extension is located on the eastern side of the care home and is screened from the remainder of the development by a larger wing of the building. The gabled design of the extension matches other examples on the building. On the north elevation part of the internal day room is proposed as a paved external terrace with consequential changes to the external appearance. Fenestration changes are numerous including the position of some of the dormer windows, but these do not compromise the overall character and appearance of the building as already approved. Other alterations include the introduction of two chimneys which add interest to the elevational profile of the building.

Car park layout

The amendments to the car park layout has resulted from:

- the extension of the proposed building into the approved service area;
- the need to provide for an electricity substation; and
- the desire of the prospective operators to provide some additional parking specifically for the care home.

The above aims are achieved by moving the demarcation between the proposed public

highway and the private areas associated with the care home to the west. This has resulted in the loss of some landscape planting but not such as to affect the future character of the development layout. Further space has been created by setting the parking and the service yard at an angle to the main building. The result is that the electricity substation can be accommodated on the southern boundary of the care home and 19 car parking spaces are provided in place of the 17 spaces as approved. The Director of Planning and Environment (Highways) has been consulted and has raised no objection in relation to the proposed changes to the car parking and servicing area.

#### Impact upon the amenities of neighbouring properties

The current application has been publicised in accordance with the Council's neighbour notification policy. Immediate neighbours were notified by letter, site notices were posted and the application was also publicised in the press. The publicity undertaken also reflected the publicity undertaken under the previous application (P/12/0644/FP).

The distance between the proposed kitchen extension and the nearest residential property (as extended) 20 Catisfield Lane to the south east would measure approximately 38 metres.

The distance between the proposed kitchen extension and the garden boundary of 20 Catisfield Lane would measure approximately 28 metres. The originally approved layout showed the kitchen to the rear of the building. As amended the kitchen would be located to the front of the building with staff accommodation above. One first floor window is proposed to serve this staff room facing south. This window would be sited approximately 28 metres from the garden boundary of 20 Catisfield Lane, exceeding the 11 metres normally sought between windows and residential gardens. Furthermore the proposed amendment is an improvement on the previously approved scheme which showed two first floor dormer windows serving a day room facing south. These windows have been removed to facilitate the single storey front kitchen extension.

The representations received seem to indicate that new terraces would be added to the eastern elevation. This is not the case. A first floor and second floor terrace would be added to the north elevation only, looking over the paddocks and woodland walk to the north.

Notwithstanding the concerns raised by local residents officers are of the opinion that the amended proposal would not materially harm the amenities of the occupiers of nearby residential properties.

Officers are satisfied in all respects that the amended proposal is acceptable and complies with the relevant Policies of the Adopted Core Strategy and Fareham Borough Local Plan Review.

Recommend:

Subject to:

(i) the comments of the Director of Regulatory and Democratic Services (Environmental Health);

(ii) the applicant/owner entering into a Deed of Variation on terms drafted by the Solicitor to the Council to amend the planning application reference in the previous legal agreement to refer to the current application number, P/13/0898/VC.

PERMISSION: Implementation of landscaping scheme; remove permitted development rights, no buildings or other structures without consent - specific plots; details of fencing; lighting in accordance with bat report; details of material, hardsurfacing, soffits, eaves, roof verges, windows, window reveals and arches (including lintel design), chimneys, rainwater goods, boundary walls, materials for chimneys; no removal of boundary walls; timetable for construction of boundary fences and walls; retention of car ports; tree protection measures; plot 32 - high

level rooflights in rear roofplane; remove permitted development rights no further windows in rear elevation; boundary treatment; details of management and future maintenance of buffer areas; affordable housing; levels; no burning; no mud on roads; hours of work; construction management; car parking; provision in accordance with agreed timetable; details of surface water and foul water; development phasing plan; care home class C2; salvage materials; flue to be installed in accordance with approved details.

***Background Papers***

P/12/0644/FP; P/13/0898/VC

# FAREHAM

## BOROUGH COUNCIL



Hinton Hotel &  
The Limes  
Scale 1:1250

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# Agenda Item 6(4)

**P/13/0917/OA**

MRS A VULLIAMY

**PARK GATE**

AGENT: PLANNING  
DEVELOPMENT  
REGENERATION

OUTLINE APPLICATION FOR 150 PLACE CHILDREN'S NURSERY, ACCESS, PARKING  
AND AMENITY AREA

69 BOTLEY ROAD PARK GATE SOUTHAMPTON HANTS SO31 1AZ

## ***Report By***

Richard Wright x2356

## ***Introduction***

This application has been called onto the Planning Committee for members to determine at the request of Councillor Mr Bayford.

## ***Site Description***

The application site is located to the west of Botley Road (A3051) and includes the residential curtilage of the dwelling at 69 Botley Road, which lies within the designated urban area, and a larger section of land to the rear, which falls outside of the urban area within the countryside.

The boundary of the urban area effectively runs along the rear boundaries of the properties on the western side of Botley Road, the application site straddling the urban/countryside edge.

To the north of the dwelling at 69 Botley Road is a recently constructed care home, whilst to the south is a public house, The Village Inn.

Close to the frontage of the site and on the opposite side of Botley Road runs Duncan Road providing access to Swanwick railway station. Park Gate local centre is located approximately 150 metres to the south of the site.

## ***Description of Proposal***

Planning permission is sought for a children's nursery with a capacity for 150 places. The application is submitted in outline form meaning permission is sought to establish the principle of development along with the means of access. All other matters of scale, appearance, layout and landscaping are reserved to be considered at a later date.

The submitted planning statement explains that it is intended to initially change the use of the existing dwelling to provide accommodation for back office staff, staff welfare accommodation and temporary kitchen and storage areas. A single storey extension to the dwelling would be demolished to make way for turning space for delivery vehicles.

The submitted site layout shows an area within which a new building would be erected. This area is wholly within the designated urban area. An illustrative section shows a two storey scale building, described in the planning statement as a purpose built oak/timber framed structure of 'rural character'. The building would be capable of being constructed in two sections/phases.

The first phase of the development would involve the use of the existing dwelling on the site as explained above along with the first section of the new nursery building. The associated car parking facilities, amenity area and access improvements would also be carried out at this stage. The second phase of the development would take place once the business had grown and would provide accommodation to replace the space being used in the existing dwelling for ancillary office, welfare and storage purposes. The application is not explicit over whether it is intended to demolish the remainder of the existing dwelling during or after this second phase or whether it would be the applicant's intention to put the building to some other use.

Each of the two phases would provide space for 18 babies (with 6 staff), 24 toddlers (8 staff) and 32 pre-schoolers (4 staff). When complete therefore the nursery could potentially cater for up to 150 children at the premises any one time. In practice the applicant expects the nursery would operate at 80% capacity.

The development involved with the associated parking and amenity facilities would take place on the larger section of the site which lies beyond the urban area within the countryside. A 30-space car park is proposed with adjacent 1.8 metre high boarded fencing, whilst the remainder of that part of the site would be used as a garden area ancillary to the nursery.

The application seeks approval for the means of access to the development. Access is proposed via the existing vehicular crossover to Botley Road which would be improved to provide a 6 metre wide, two-way entry/exit. The access road would continue into the site along its southern boundary to the car park at the rear.

### ***Policies***

The following policies apply to this application:

#### **Approved Fareham Borough Core Strategy**

- CS5 - Transport Strategy and Infrastructure
- CS6 - The Development Strategy
- CS9 - Development in Western Wards and Whiteley
- CS14 - Development Outside Settlements
- CS15 - Sustainable Development and Climate Change
- CS16 - Natural Resources and Renewable Energy
- CS17 - High Quality Design

#### **Fareham Borough Local Plan Review**

- DG4 - Site Characteristics
- C18 - Protected Species

### ***Relevant Planning History***

The following planning history is relevant:

<b><u>P/13/0709/CU</u></b>	<b>CHANGE OF USE OF LAND TO RESIDENTIAL GARDEN</b>
	REFUSE                      07/10/2013
<b><u>P/13/0144/OA</u></b>	<b>ERECTION OF TWO DETACHED DWELLINGS (OUTLINE</b>

**APPLICATION)**

REFUSE 23/05/2013

**P/12/0807/FR** FULL RENEWAL OF PERMISSION FOR ERECTION OF 5 DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING AND ALTERATIONS TO EXISTING DWELLINGS  
WITHDRAWN 08/10/2012

**P/09/1024/FP** PROPOSED DEED OF VARIATION OF PLANNING OBLIGATION (LA1451) RELATING TO P/09/1024/FP  
PERMISSION 17/02/2010

**P/09/0538/FP** ERECTION OF 5 DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING. ALTERATIONS TO EXISTING DWELLING.  
REFUSE 01/09/2009

**P/07/1565/OA** ERECTION OF FIVE DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING (OUTLINE APPLICATION)  
OUTLINE PERM 29/01/2008

***Consultations***

Director of Regulatory & Democratic Services (Contaminated Land) -

A condition is no longer required for sampling soil on site. There is no documented potential for contamination on site or on neighbouring land to the north and the imported soil mentioned in the design and access statement was sub soil stripped from the neighbouring land to the north and did not include any demolition waste.

Director of Regulatory & Democratic Services (Environmental Health) -

A previous noise report for this site suggested that the overall external daytime noise level to the rear of the site, which is dominated by traffic noise from the M27, compared poorly with the recommended ideal of 55dB(A) (WHO guidelines) for school (nursery) playgrounds, prior to the erection of the nearby five storey building [Hamble Heights care home]. I had previously asked for the acoustic impact of this building on the external daytime noise level to be assessed and where it fell short of the ideal target, for appropriate remedial measures to be recommended. This assessment has not been undertaken. Also in this case, the area in which the children may play might extend beyond the large building next door. Therefore, I would suggest that the average daytime noise level in all the play areas needs to be assessed and remedial measures implemented as appropriate. Any new nursery building to also be built so as to provide for a reasonable internal noise environment having regard to appropriate standards such as the WHO guidelines for Community Noise.

Although background noise levels are relatively high in this area, I am of the opinion that noise from the external play areas may be subject of complaint to this department by the proprietors of the nearby public house and/or care home. During the summer for instance people having weekday lunch in the pub garden may be affected by noise from children and complain to the management. Complaints from the care home may be less likely as there is a car park between the play area and the facade on that side. However, we are aware of complaints associated with children's nurseries in the Borough and how far the noise can travel. Limiting the number of children using the garden at any one time may help to resolve such issues.

Director of Planning & Environment (Landscape Architect) -

I have looked at the site layout plan and I am concerned at the proposal for a garden and car parking outside the urban area. There is no doubt that conversion of countryside to garden use does introduce urbanising elements such as security fencing and garden structures and equipment. I commented on an earlier application for a residential garden on this area but the current proposal is a garden and car parking related to commercial use as a children's nursery and I think the impact on the countryside will be much greater than a residential garden, firstly because thirty car parking spaces are included and are likely to be well used and active (and may also require lighting) and secondly because equipment in the garden is likely to be heavily used throughout the day and of a larger scale than domestic garden equipment.

Director of Planning & Environment (Strategic Planning) -

The proposed car park in the western part of the site is contrary to Policies CS14 & CS17 of the Core Strategy.

Director of Planning & Environment (Ecology) -

Reference is made to surveys of the existing building having been carried out in relation to a previous application. I have not been able to locate these survey reports, which should be submitted as part of this current application.

Much of the far west of the site is recently disturbed ground which is revegetating but unlikely at this stage to support species such as reptiles. This is the reason why my advice relating to a previous proposal for change from this land to residential curtilage did not raise concerns. It was also established through this application, that any impacts relating to the previous clearance of this part of the site will already have occurred, and due to the existing fencing etc, works are not likely to result in impacts to the retained woodland adjacent to the site to the west.

However, the eastern end of the site which is encompassed within the current proposals, appears to support rougher ground and vegetation, potentially mature garden habitats, and potential refugia such as wood piles, debris etc. As such, it appears that the eastern end of the site in particular may, depending on its exact nature, have potential to support protected species such as nesting birds and reptiles. Information (provided by a qualified ecologist) should demonstrate whether there is reasonable likelihood of any protected or otherwise notable species being present (further species specific survey work may be required), and impacted by the proposals. Full survey and mitigation information will be required where necessary... It is not appropriate to defer this information through condition.

Natural England -

It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

Director of Planning & Environment (Highways) -

The Transport Statement submitted with the application indicates that vehicle turning

activity is likely to be significant and at peak times, greater than a vehicle per minute. Such high levels of additional vehicular activity would be detrimental to traffic conditions given the nature of Botley Road, the location and standard of the access and visibility and its position relative to the other accesses and junctions within the immediate area. There is also a relatively low risk that short term parking could occur on Botley Road which would also present road safety concerns.

A highway objection is therefore raised to this application on the ground that the development would be likely to generate a significant level of additional turning vehicle movements on Botley Road to the detriment of highway safety and free-flow traffic conditions.

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

#### **i) Recent planning history**

Planning permission was granted on 17th February 2010 for the erection of five detached dwellings with associated car parking & landscaping and alterations to the existing dwelling. This permission related entirely to the land within the urban area. The planning permission was implemented with the provision of services to the site, however no construction of the dwellings themselves has yet begun. Members may recall that at the previous committee meeting held on 20th November this year it was resolved to alter the trigger concerning the payment of public open space contributions secured through a section 106 agreement in relation to this permission to be due upon occupation of the units.

An outline planning application for two detached houses on land to the west of 69 Botley Road was refused permission on 23rd May 2013. Members considered that there was no justification or overriding need for development of this nature in the countryside outside a settlement boundary. The two dwellings would be visually intrusive in this countryside location and fail to respect the landscape setting. Furthermore insufficient information had been submitted in respect of the impact of the development on ecology.

On 12th August this year an application to change the use of the land to the west of 69 Botley Road to residential garden (P/13/0709/CU) was refused under Officer delegated powers on the grounds that it would fail to relate to the established garden areas and be disproportionate to the existing curtilage, harmful to the character, appearance and function of the countryside. An appeal has been lodged against the Council's refusal to grant permission and is currently being considered by the Planning Inspectorate on behalf of the Secretary of State.

#### **ii) Principle of development and visual impact within urban area**

The erection of the new nursery building is proposed to take place on the residential curtilage of 69 Botley Road wholly within the urban area. In itself the use is supported in principle through Core Strategy Policy CS6 (Development Strategy) which seeks to focus development on previously developed land within the defined urban settlement boundaries. It is also in alignment with Core Strategy Policy CS9 (Development in the Western Wards & Whiteley) which explains that development will be permitted within the Western Wards and Whiteley settlement boundaries where it contributes towards "local facilities for business, leisure, culture or community facilities".

The area shown on the submitted site plan for the new building covers a significant portion of the part of the site within the urban area. The area would allow for the erection of a large

structure which, along with the existing dwelling and hardsurfaced access, would potentially have a considerable effect on the visual appearance of the streetscene. Notwithstanding, the footprint for development would not be out of keeping with the pattern of development in the immediate surrounding area, taking account of the extent of the care home building to the north and the public house to the south both of which have reasonable sized car parking areas within the urban area also. Matters of the scale, layout and appearance of the building are all reserved and therefore, should outline permission be granted, the Council would be able to control these fundamental aspects pertaining to the visual impact of the development.

### iii) Principle of development and visual impact within countryside

The application proposes development taking place outside of the urban area on land to the west of 69 Botley Road, namely the 30-space car park and garden area. This is the same parcel of land where the two planning applications submitted earlier this year were refused.

Core Strategy Policy CS14 (Development Outside Settlements) sets out that "built development outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure".

Core Strategy Policy CS17 (High Quality Design) requires development to be designed 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". It also expects that development will "provide appropriate parking for intended uses taking account of the accessibility and context of the development and tackling climate change".

Car parking ancillary to a children's nursery is not considered to have an overriding need for a countryside location and no justification for such has been provided by the applicant. Furthermore, a well used and active car park would introduce significant numbers of vehicle movements into this countryside location.

The car park would be considerable in size with Officers estimating it to occupy in excess of 600 m<sup>2</sup>. The submitted planning statement sets out the intention for the car park to be constructed using permeable materials in the form of 'TDP Porous Pave' which would "ensure the natural appearance of this area during all the times when cars are not present". Officers are of the view however that such materials would inevitably have a visual impact as well there being the appearance of associated fencing, signage, markings, lighting and other forms which would have an intrusive and urbanising visual effect. The parking area would also carry with it the unacceptable visual impact of cars and other vehicles themselves which would be present on the site for a considerable time during the day, five days a week. It would be enclosed by a 1.8 metre close boarded fence having the effect of subdividing this plot of land and adding to the disruption to the countryside.

The garden/amenity area represents a material change in the use of the land. Whilst it would theoretically be possible to have a garden with no physical structures present, in reality a nursery garden would be expected to have various paraphernalia and equipment such as for example climbing frames, slides, swings and even outbuildings within which to store toys and other play things. Given that the nursery is proposed to accommodate up to 150 children at one time the amount of equipment and extent of its physical spread across this area of countryside could be considerable. Furthermore large parts of the garden area

are likely to be landscaped and maintained in a way which gives the appearance of a 'residential' garden.

To summarise this particular issue in respect of the development proposed outside the urban area, it is the view of Officers that the proposal is contrary to Policy CS14 in that the car park would be an inappropriate form of built development within the countryside for which there would be no justification or overriding need. The visual effect of the the car park and the new focus of activity it would bring to this countryside location would be harmful to its landscape character, appearance and function.

The proposal is also found to run contrary to Policy CS17 in that the physical nature of the development in the countryside and the ancillary uses which would be facilitated would fail to respect or respond positively to the surrounding area. The land associated with the proposed nursery use draws no relationship with the depths of plots in the immediate vicinity of the site. The site proportions would not reflect the surrounding pattern of development and thus also detracts from the character of the area.

#### iv) Effect on residential amenity

The proposed new building would stand a sufficient distance away from the adjacent care home to the north so as not to adversely affect the light to or outlook from that property subject to the scale of the structure which is a reserved matter. Similarly, should outline permission be granted, consideration of any potential overlooking arising from the erection of the new building would be undertaken when matters concerning the scale, appearance and layout of the building were submitted.

The creation of access through the site to the rear where the proposed car park would be located would involve a new focus of vehicular activity close to the southern boundary of the site. Notwithstanding, Officers are satisfied that there would be no adverse effect on the living conditions of neighbours given the adjacent premises to the south is a public house.

Concern has been raised by the Director of Regulatory & Democratic Services (Environmental Health) over the potential for noise and disturbance from children playing in the nursery garden. Notwithstanding the comments received, Officers are of the view that the garden area is large and in places quite some distance from the adjacent care home and public house, furthermore any potential adverse impact in this regard could be satisfactorily controlled by imposing reasonable planning conditions.

#### v) Highway safety

The Director of Planning & Environment (Highways) has raised concerns over the number of vehicle movements generated by the proposal at peak times of the day and the likely impact on highway safety and the free-flow of traffic on Botley Road:

"The Transport Statement submitted with the application indicates that vehicle turning activity is likely to be significant and at peak times, greater than a vehicle per minute. Such high levels of additional vehicular activity would be detrimental to traffic conditions given the nature of Botley Road, the location and standard of the access and visibility and its position relative to the other accesses and junctions within the immediate area."

Furthermore, as a vehicular crossover as opposed to a kerbed bell mouth access, the proposed exit/entrance is considered inadequate for the intensity of use at peak times.

Such a poor standard of access would compound the detrimental effect on the safety and convenience of highway users.

The proposal is considered to be contrary to Policies CS5 (Transport Strategy & Infrastructure) & CS17 (High Quality Design) in that it would generate a significant number of additional vehicle movements on Botley Road which by virtue of the points set out above would adversely affect the safety and operation of the highway.

#### vi) Ecology

The Director of Planning & Environment (Ecology) has raised concerns over the absence of sufficient information for the local planning authority to consider in respect of the effect of the development on ecology. The focus of the ecologist's comments is the eastern end of the site where the proposal has potential to impact on potentially mature garden and other suitable habitats for protected species. It is understood that the applicant is currently working to provide Officers with the required level of information in relation to the matters raised by the Council's ecologist however at the time of writing this report no such survey work had been received.

The proposal is contrary to Saved Policy C18 of the Fareham Borough Local Plan Review in that insufficient evidence has been presented to satisfy the local planning authority that any impact on protected species and habitats is known and acceptable.

#### Summary

Officers acknowledge the demand for nursery facilities of this type and the employment opportunities it can create.

The considerable scale of the proposed facility would however require extensive car parking and associated garden areas to be located within an area defined as countryside where development is normally strictly controlled. The extension of the facilities into the countryside would be contrary to policy, harmful to visual amenity and would not respect the key characteristics of the area.

The proposed access design along with the likely level of car movements into and out of Botley Road, particularly during the peak period, would be harmful to the convenience and safety of users of the highway.

In terms of ecology, inadequate information has been provided to date to demonstrate that protected species and habitats would not be harmed.

Officers consider that the harm caused by the proposal is of such significance that it outweighs any benefits which might arise. The application is therefore recommended for refusal.

#### ***Recommendation***

**REFUSE:** Contary to policies CS5, CS14, CS17 of the adopted Fareham Borough Core Strategy and Saved Policy C18 of the Fareham Borough Local Plan Review: development in countryside unacceptable in principle; visual harm to landscape character, appearance and function; fails to respect and respond positively to key characteristics of surrounding area; detrimental to highway safety and convenience; insufficient evidence to demonstrate no material harm to ecological interest;

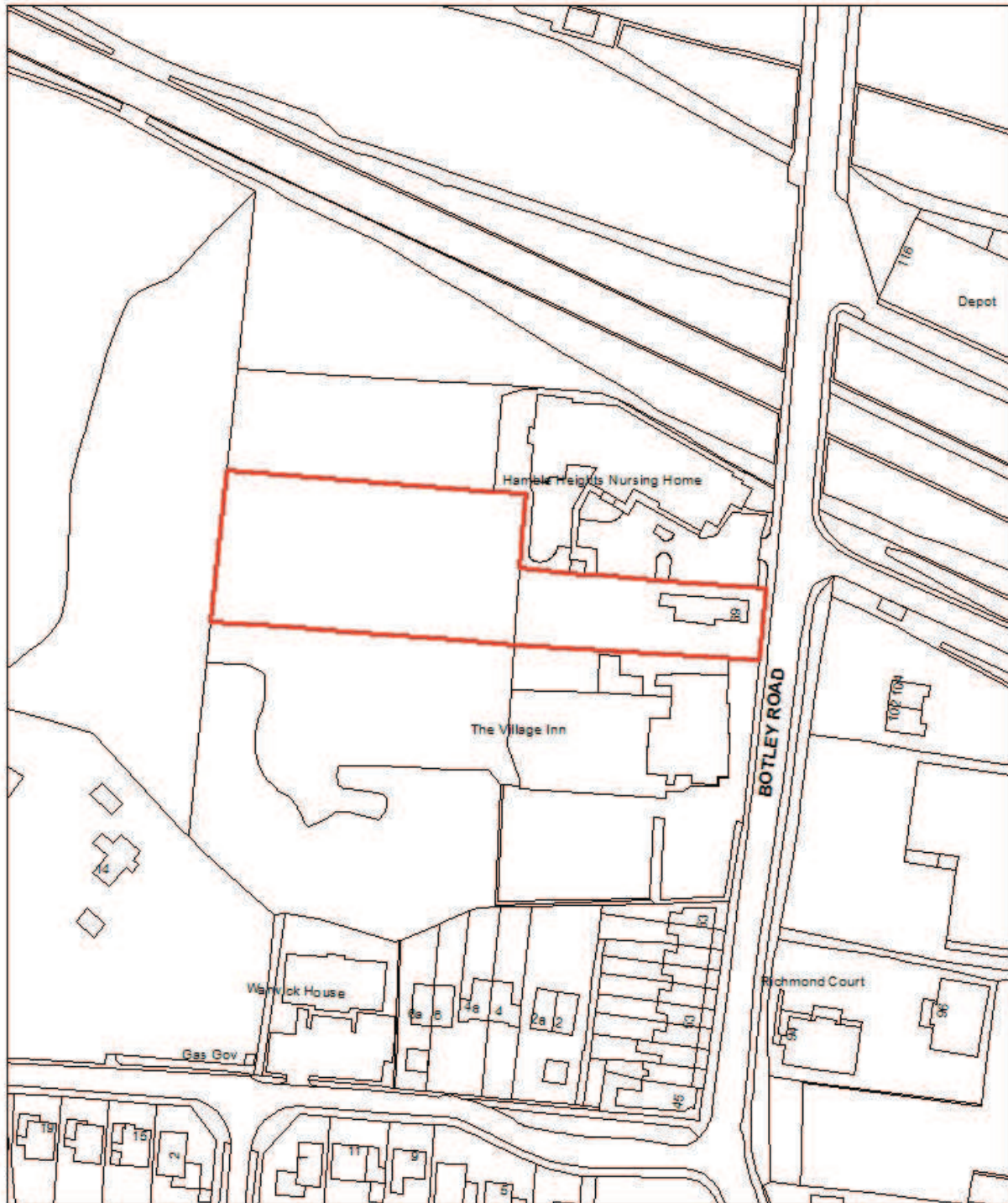


**Background Papers**

P/13/0917/OA

# FAREHAM

## BOROUGH COUNCIL



69 Botley Road  
Scale 1:1250

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# Agenda Item 6(5)

**P/13/0928/FP**

**TITCHFIELD**

MR G DUGGAN

AGENT: MR T AYLES

ERECTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS AND FRONT AND SIDE PORCHES

4 CATISFIELD LANE FAREHAM HANTS PO15 5NN

## ***Report By***

Richard Wright x2356

## ***Site Description***

This application relates to a detached dwelling to the eastern end of Catisfield Lane. The property is one of four detached chalet style properties that occupy the corner plots to the north of the Catisfield Lane and Highlands Road junction.

## ***Description of Proposal***

Planning permission is sought for a two storey side and single storey rear extension and front and side porches.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

### **Approved SPG/SPD**

EXTDG - Extension Design Guide (1993)

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

## ***Representations***

One letter has been received objecting to the application on the following grounds:

- Siting, scale and design of proposal will adversely impact on residential amenities (light, privacy and outlook)
- The extension will come close to the boundary wall and the proposed building line will come in front of building line at no.4 which will overshadow property.
- The view from side lounge window will be of an oppressive blank wall and will block morning daylight.
- No loss of trees mentioned in proposal.
- Insufficient space to park two vehicles and lack of turning space will encourage reversing onto Catisfield Lane to the detriment of highway safety.
- Proposed extension is close to the boundary which will adversely impact on enjoyment and privacy of garden
- The design of the 'pyramid' roof windows (dormer windows) are intrusive.

## ***Consultations***

Director of Planning and Environment (Highways) - No highway objection is raised to the application.

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

### **i) Effect on appearance of dwelling and character of streetscene**

The application relates to 4 Catisfield Lane, one of four chalet bungalow style dwellings located along the north side of Catisfield Lane near the junction with Highlands Road apparently built around the same time and of similar appearance. The quartet of chalet-style properties have been altered to varying degrees which has inevitably led to some loss of uniformity between the four dwellings. The character of this locality has however remained by virtue of material choice and design of the modifications.

The proposed extension will use matching materials and a condition to secure this in construction is recommended. The design of the proposal responds positively to the characteristics of the existing dwelling in terms of form, scale and materials and would preserve the appearance of the property.

Core Strategy Policy CS17 requires development proposals to positively respond to key characteristics of the area including taking account of spaciousness about buildings. Of particular note in the streetscene are the dwellings at 8 Catisfield Lane and 2 Catisfield Lane both of which have been extended to the side increasing the mass and site coverage of the properties thereby reducing the space between them. It would appear that the proposal would be broadly similar in terms of its design, appearance and effect on the space about the building. As such, officers are of the opinion that the proposal would not have an unacceptable impact upon the spacious character of the streetscene.

The design of the dormer window is considered appropriate and reflective of the existing dormer window and the character of the surrounding properties.

In design terms Officers consider that the proposal accords with Core Strategy Policy CS17 (High Quality Design) and the Council's approved Extension Design Guide.

### **ii) Effect on living conditions of neighbour at 6 Catisfield Lane**

The proposed side extension will extend the building line of the existing dwelling west bringing the footprint of the property closer to the boundary with the neighbouring property at 6 Catisfield Lane. The proposed side extension would be partially visible from within number 6 but only when one is stood in the corner of its lounge. The lounge is separated from the party boundary by a driveway's width.

As such, the view of the flank wall of the extension would be limited, being visible from a small side lounge window, and would not have a significant or unneighbourly impact on the outlook from that room. Similarly the loss of light to the lounge would, in the opinion of Officers, be limited with the room also benefiting from a large bay-style window providing the main source of light and outlook which would be unaffected. There are no other side windows to the east flank of 6 Catisfield Lane that would be affected by this proposal.

The proposed dormer window to the rear of the property will provide only oblique views to the east and west and would not be significantly different in this regard from the current situation with the existing dormer window. A single small window is proposed to the east flank wall. There is the potential for overlooking of the neighbours property from this point. To ensure no loss of privacy the window conditioned so as to have a sill no lower than 1.7 metres above internal finished floor level.

### iii) Parking provision and highway safety

The Director of Planning & Environment (Highways) is satisfied that the proposed parking and turning areas are sufficient to cope with the expected demands of the extended house. The proposal complies with the level of parking required by the Council's adopted Residential Car & Cycle Parking Standards.

### iv) Summary

The proposal would have no material impact on the light, outlook or privacy enjoyed by neighbours. The proposal would not be harmful to the appearance of the dwelling or the character of the streetscene and the level of parking provision is sufficient to cater for the demands of the extended property.

The proposal is acceptable and complies with the relevant adopted development plan policies.

### ***Recommendation***

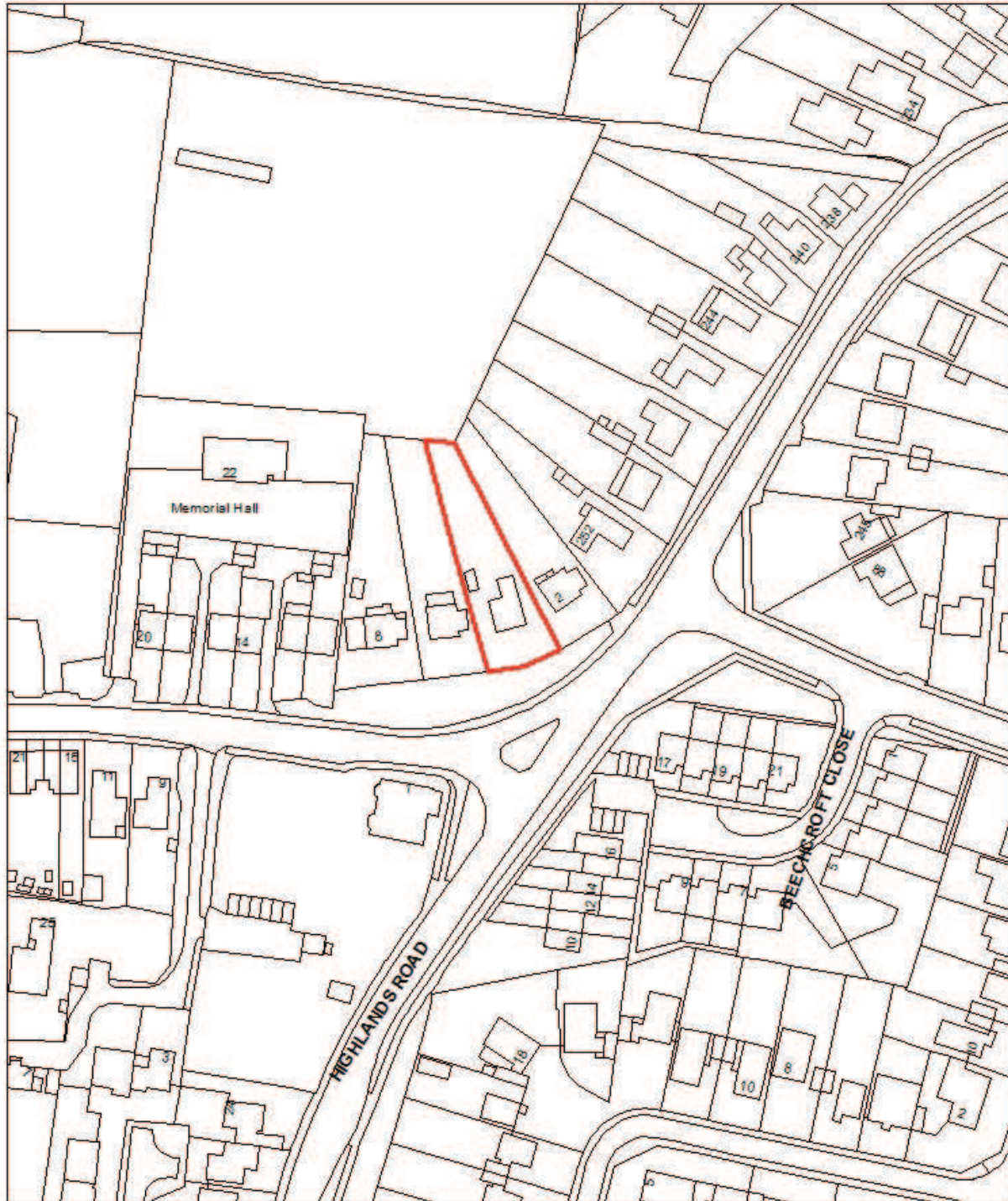
PERMISSION: materials to match; first floor high level window in west elevation

### ***Background Papers***

P/13/0928/FP

# FAREHAM

## BOROUGH COUNCIL



4 Catisfield Lane  
Scale 1:1250

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# Agenda Item 6(6)

**P/13/0986/CU**

**PARK GATE**

MR STUART HARE

AGENT: NEWTON SCOTT

CHANGE OF USE FROM RETAIL (BUTCHERS) TO LETTINGS AGENT

4 MIDDLE ROAD - UNIT 2 - PARK GATE SOUTHAMPTON HAMPSHIRE SO31 7GH

## ***Report By***

Richard Wright x2356

## ***Site Description***

The application site comprises Unit 4B Middle Road, commercial premises located on the eastern side of the street which forms the principal part of the designated Park Gate Local Centre. The unit is understood to have last been in use as a butchers shop.

Unit 4B is one of three such outlets occupying the ground floor space within what was previously known as 4 Middle Road. Lying adjacent in that building is a bakery to one side and a funeral directors on the other. A community care provider occupies the office space at first floor level over all three ground floor units. Service access to the rear is shared with the bakery.

## ***Description of Proposal***

Permission is sought for the change of use of the unit from retail (use class A1) to a letting agent (use class A2).

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS3 - Vitality and Viability of Centres

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

### **Fareham Borough Local Plan Review**

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

## ***Relevant Planning History***

The following planning history is relevant:

**P/13/0531/CU**

**CHANGE OF USE FROM RETAIL (BUTCHERS) TO A5 (HOT FOOD TAKEAWAY)**

APPROVE

17/10/2013

## ***Representations***

One letter has been received objecting to the application on the following grounds:

-There are already ten estate agency shops/offices in Park Gate therefore no call for another

-Park Gate needs more diversity not more of the same, in order to attract more shoppers to the existing businesses

## **Consultations**

Director of Planning & Environment (Highways) - No objection

Director of Planning & Environment (Strategic Planning) -

In view of the previous application for the Change of Use of the Butchers Shop to a Hot Food Takeaway (P/13/0531/CU) a condition was placed of the granting of permission that the premises be used for no other purpose other than A5. This was "In the interests of the vitality, viability and character of the Park Gate Local Centre; in order to protect the amenities of occupiers of nearby residential properties; in accordance with Policies S7 & S12 of the Fareham Borough Local Plan Review."

Policy S7 does not allow for a change to a non-retail use. The previous application was granted with the view that it would only be the second A5 use in the Park Gate Local Centre area. However, with the current application the proposal is for a change of use to A2 which the policy notes has historically had a negative effect on the retail character of Park Gate Local Centre. Moreover the presence of 10 other Estate Agents within the Local Centre would suggest that the approval of the proposed change of use would "extend or consolidate existing non-retail uses so that they would dominate the character of the area" That said, the policy wording does not isolate any particular type of non-retail use. Furthermore the uses class order allows for the change of use from A5 to A1, A2 and A3 (up to 150m<sup>2</sup> for up to 2yrs) without the need for planning permission.

Emerging Policy DS1 is met through the unit being vacant and marketed for at least 11 months. In line with emerging policy the period of vacancy takes precedence and it is undeniable that a vacancy for this length of time has a negative effect on the vitality of the Local Centre. In view of this we would support the proposal as it would bring into use a vacant unit and would add to the vitality of the centre in accordance with Policy CS3 and contribute to the provision of employment space in accordance with CS1.

It is however important to note that our support is based on the current mix of uses and that any further change of use from retail to non-retail use will constitute a cumulative negative impact on the character of Park Gate Local centre.

Currently Park Gate local centre accommodates 57 units, 21 of which (over 36%) are in retail use. 10 out of 28 units located on Middle Road are in A1 use. There is currently one A5 unit within the centre and three A3 units situated on Middle Road. The most represented group within the centre is professional services (A2) accounting for 38.5% of all units (22 units). The most recent retail data indicates 3 vacant units, resulting in 5.2% vacancy rate.

## **Planning Considerations - Key Issues**

A previous application was granted planning permission on the 17th October 2013 for the change of use of the unit from A1 (Retail) to A5 (Hot Food). That permission was not implemented and this application has been submitted to change the unit from A1 to A2 (Financial & professional Services).

### **i) Traffic and amenity implications**

The application site is located within Park Gate Local Centre, a vibrant local centre with a mixture of retail and non-retail uses. The proposed business will be operating within normal office hours and is therefore unlikely to raise concerns over noise and disturbance arising from the proposed use adversely affecting residents. Similarly it is not considered that there



would be a discernible increase in vehicle movements to and from the site compared to its previous use as a butchers to affect highway safety or convenience.

ii) Character, vitality and viability of Park Gate Local Centre and principle of change of use from retail to letting agent

Saved Policy S7 of the Fareham Borough Local Plan Review states that "in Middle Road, Park Gate the change of use of any shop to a non-retail use at ground floor level will not be permitted". The Local Plan Review explains that "so many changes of use to offices have already taken place that any further loss of retail use would cause the local centre to lose its shopping character" (para 10.43). The Director of Planning & Environment (Strategic Planning) has commented on this application by saying that a vacant unit does not contribute towards vitality or viability of the centre and in this instance the premises are understood to have been empty for the last eleven months. The centre performs well and should not be harmed by the introduction of a further letting agents (class A2).

Limited weight can be afforded to Draft Policy DS1 of the Draft Local Plan Part 2: Development Sites & Policies Plan which, although not formally adopted as part of the Borough's development plan, gives an indication of the emerging planning policy position. Draft Policy TC1 states that changes of use in centres from Use Class A1 will only be permitted where it would 1) not result in an unacceptable continuous group of non-retail uses on the same side of the street, and 2) the unit would retain an active shop windows display. In this instance the application site is one unit fronting Middle Road amongst a row of ground floor units on its eastern side between Bridge Road and St Margaret Mary Catholic Church, and comprising three A1 retail uses (florists, card/gift shop and Co-Op), two A2 professional services uses and two mixed retail/cafe uses (the bakery and Panini's cafe). The introduction of a letting agent into that row of units is not considered unacceptable in regards its impact on the character and in turn vitality and viability of the centre.

Furthermore the recent permitted change from A1 retail to A5 hot food takeaway would have resulted in the unit only being open during the evening period. The proposed change to that of a letting agent would result in the unit being open during the daytime which in turn would further enhance the vitality and viability of the centre.

Having given consideration to the current and emerging planning policy stance, as well as other material planning issues, Officers consider that, on balance, the benefit of bringing this vacant unit back into use as a letting agent and the contribution this would make to the continued vitality and viability of the Park Gate Local Centre justifies the setting aside of the policy considerations of Saved Policy S7 insofar as it conflicts with this proposal.

### ***Recommendation***

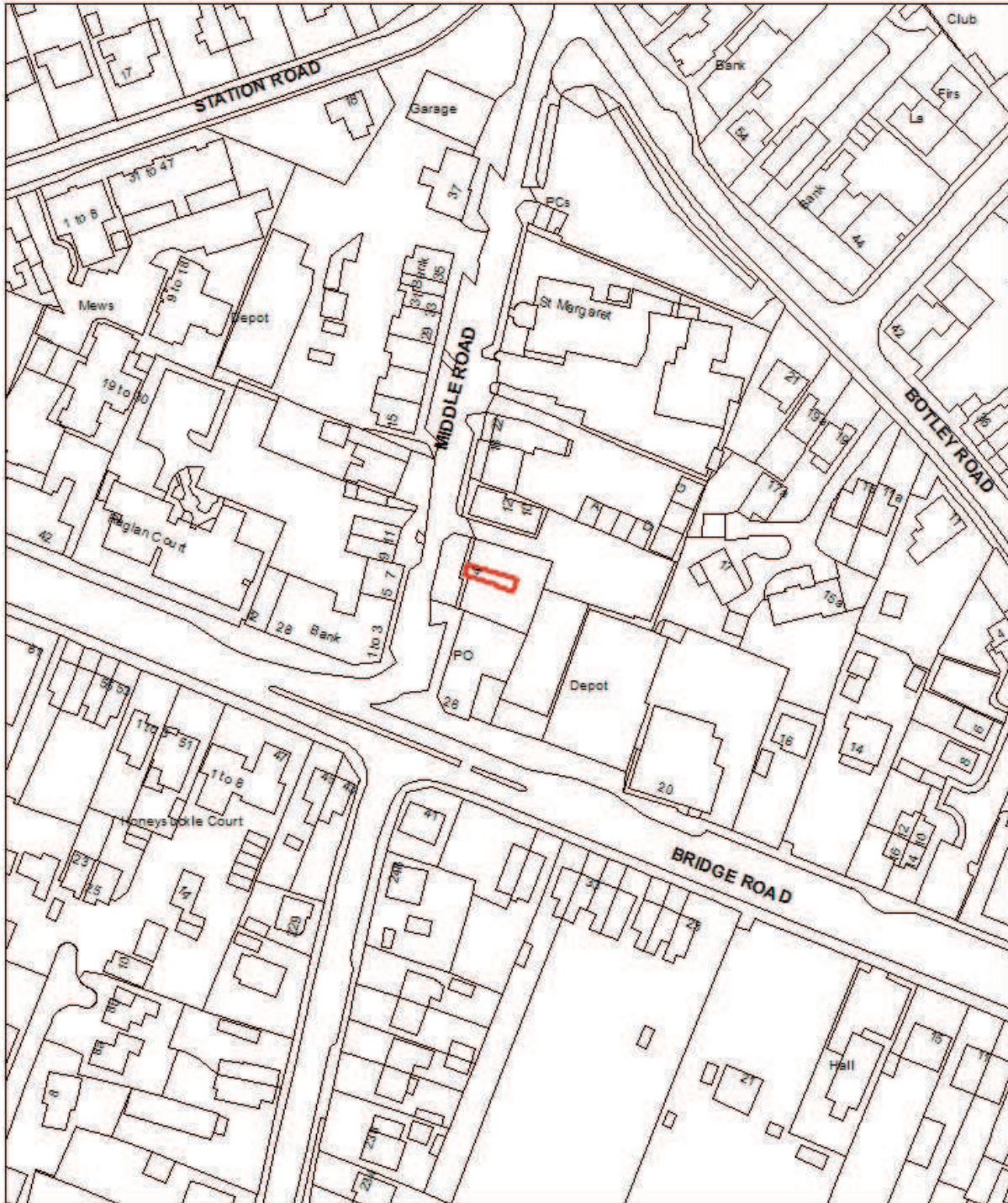
PERMISSION:

### ***Background Papers***

P/13/0531/CU

# FAREHAM

## BOROUGH COUNCIL



Unit 2  
4 Middle Road  
Scale 1:1250

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# Agenda Item 6(7)

**P/13/1003/FP**

**TITCHFIELD COMMON**

MS J BRYANT

AGENT: MR BARRIE LAWRENCE

PROPOSED TWO & SINGLE STOREY REAR EXTENSIONS AND ALTERATIONS TO FRONT CANOPY

113 WHEATLANDS FAREHAM PO14 4SU

## ***Report By***

Arleta Miszewska ext. 4666

## ***Site Description***

This application relates to a two storey semi-detached dwelling located within northern part of Wheatlands, east of Hunts Pond Road, which is an urban area in Titchfield Common.

The property has been already extended to the side by a two storey extension.

## ***Description of Proposal***

Planning permission is sought for a part two and part single storey extension to the rear. The proposed single storey extension would accommodate a dining and breakfast room, the first floor extension would accommodate a bedroom. Minor alterations are also proposed to the front canopy.

A previous proposal for extensions to this property was refused earlier this year for the following reasons:

1. the proposed juliet balcony within the south elevation would give rise to the unacceptable overlooking of the adjoining property to the detriment of the amenities of its occupants; and
2. without a tree survey to otherwise demonstrate the satisfactory spread of canopies of those Tree Preservation Order protected trees situated beside the rear boundary, the proposed rear extension would be excessively close to these trees, introducing unacceptable pressure to prune these trees in a manner likely to be harmful to their public amenity value.

In order to address the reasons for refusal, this submission incorporates the following amendments:

1. the proposed juliet balcony has been set back by approximately 680mm and now sits within the internal floorspace;
2. a new door and two full-height windows have been incorporated on the western elevation to allow for more sunlight entering into the ground floor dining area and to reduce the pressure to prune the Tree Preservation Order protected trees situated beside the rear.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

## **Fareham Borough Local Plan Review**

DG4 - Site Characteristics

### ***Relevant Planning History***

The following planning history is relevant:

<b><u>P/13/0510/FP</u></b>	<b>ERECTION OF SINGLE AND TWO STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION WITH CANOPY OVER</b>
	REFUSE                      17/07/2013
<b><u>P/02/1656/FP</u></b>	<b>Erection of a Two Storey Side Extension</b>
	PERMISSION              04/02/2003

### ***Representations***

Four letters of objection have been received in total, including two letters from 145 Hunts Pond Road. The main issues can be summarised as follows:

- impact of excavations and soak-away construction on tree roots,
- pressure to prune protected trees,
- overlooking and loss of privacy,
- loss of light and overshadowing,
- visual intrusion from the mass of the already undertaken and proposed extensions,
- overdevelopment,
- poor design, out of scale,
- out of character with the area,
- overbearing and obtrusive,
- additional car parking pressure,
- design does not meet this minimum privacy requirement in relation to the proximity to the rear boundary
- loss of visual amenity,

### ***Consultations***

Director of Planning and Environment (Arboriculture)- There are no arboricultural grounds for refusal and no objections are raised subject to a condition securing tree protection measures during construction.

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

The proposed development incorporates amendments designed to address the reasons for the previous refusal.

By setting the balcony back, the distance between the balcony and the closest point of the rear garden of the property to the rear (151 Hunts Pond Road) is approximately 11.5 metres, which is in accordance with Fareham Borough Council's Extension Design Guide. Furthermore, the amended design also prevents sideways overlooking towards the adjacent properties at no. 111 Wheatlands and 145 Hunts Pond Road.

A new door and two full-height windows have been incorporated on the western elevation to allow for more sunlight entering into the ground floor dining area and to reduce the pressure to prune the Tree Preservation Order protected trees situated to the rear. The insertion of the additional openings within this elevation would not cause any loss of privacy, due to the existing boundary treatment between the properties, and therefore can be supported.

Other considerations:

In terms of street scene and appearance, the proposed front alterations will be sympathetic to the design of this dwelling whilst the rear extensions will be hidden from view by the existing property and those nearby.

The depth of the rear extension is acceptable at 3 metres, being in accordance with the Council's Extension Design Guide. The property immediately to the northeast would not be materially harmed.

In respect of 145 Hunts Pond Road to the west, Officers are satisfied that a sufficient separation would be maintained between that property and the proposed extension.

Parking is considered adequate given no additional bedrooms are due to be created.

### Summary

Notwithstanding the objections received, Officers are satisfied that the proposed extensions would not materially harm the outlook or privacy of adjoining properties, nor would they harm the appearance of the dwelling. The modifications proposed to existing dwelling through the installation of additional windows would reduce the pressure to carry out works to the nearby protected trees. Subject to the imposition of appropriate conditions, the proposal is considered to accord with the adopted planning policies of this Authority.

### ***Recommendation***

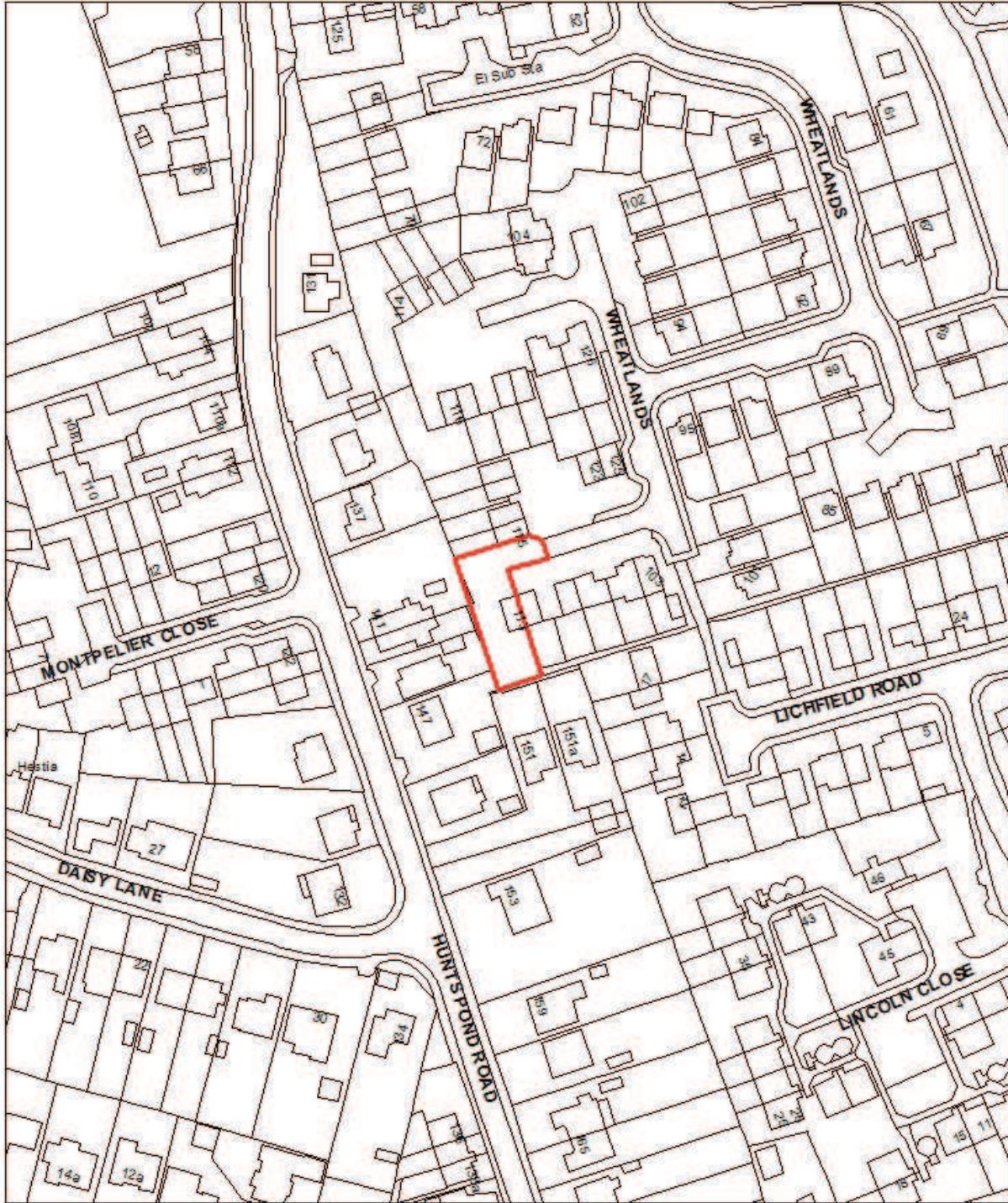
PERMISSION:In accordance with approved plans; materials matching existing; tree protection to be secured during construction; addition door and windows to be installed in west elevation before extension brought into use.

### ***Background Papers***

P/13/1003/FP

# FAREHAM

## BOROUGH COUNCIL



113 Wheatlands  
Scale 1:1250

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# Agenda Item 6(8)

**P/13/1028/FP**

MR BEADELL

**TITCHFIELD**

AGENT: DEREK TREAGUS  
ASSOCIATES

ERECTION OF SINGLE STOREY SIDE & REAR AND TWO STOREY FRONT  
EXTENSION.

75 CATISFIELD LANE FAREHAM HAMPSHIRE PO15 5NT

## ***Report By***

Graham Pretty (ext.2526)

## ***Site Description***

The application site is on the east side of Catisfield Lane a short distance to the north of Mount Drive.

The property is an end of terrace and adjoins an access track leading to properties to the rear on its north side.

The property is slightly elevated from the road but is relatively level otherwise. Vehicular access is to the front of the dwelling and there is space for 2 - 3 cars. Pedestrian access is available to the rear garden from the adjoining access track.

## ***Description of Proposal***

The proposals are to extend the dwelling to the front, side and rear

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Fareham Borough Local Plan Review**

DG4 - Site Characteristics

## ***Representations***

One letter has been received raising no objection in principle but caveating that the driveway to the north of the site should not be blocked during construction works.

One letter has been received in support of the proposal.

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

The key issues are:

### **Principle of development**

The site is within the settlement policy boundary where the principle of extending existing residential properties is acceptable.

### **Impact on character of the area**

The character of the area is predominantly residential with a mixed character including older and newer properties and an overall appearance of spaciousness.

The property is an end of terrace, two storey dwelling. It is located at the north end of the terrace and is adjacent to an access track to properties to the rear. The nearest property to the north is set approximately 8m away across the track. The application property is set back and slightly elevated from the road with the existing side projection being visible. The proposed two storey front extension will be set against the existing two storey side projection and will not be harmful to the character of the area. The single storey side extension is designed with a lean to pitched roof, sympathetic to the overall character of the building and the area.

#### Impact on neighbouring properties

The properties to the north and east are set sufficiently far from the proposed development that there will be no harm to the amenity of the residents of those properties.

Immediately to the south of the application site is number 77, a terraced property attached to the application property. Both number 77 and the application property have two storey projecting elements to the rear, set away from the party boundary. The single storey rear extension proposed, would be constructed to the rear of the existing two storey element.

At ground floor level in the neighbouring property, there are two clear glazed habitable room windows in close proximity to the application site. The first of these faces due east down the rear garden. The second window faces northwards directly towards the side elevation of the existing two storey element at the application site.

The single storey extension is set in the region of 2.5 metres from the party boundary and is to the north of the neighbouring property. Whilst some impact upon outlook would occur, Officers consider the relationship acceptable on balance in light of the existing relationships with the two storey elements and the fact the extension is set away from the party boundary.

#### Highways

The dwelling has three bedrooms and this is not altered by the proposals. A minimum of 2 car parking spaces are available at the front of the site which is in line with current parking standards. The concern of the neighbour relating to the adjacent access is noted. The applicants have advised that they are aware that the access should not be obstructed.

#### Conclusion

The proposed extensions are not considered to be harmful to the character of the area or to the amenities of adjacent residents. The proposals are therefore in accordance with national and local planning policy and are otherwise acceptable.

#### **PERMISSION**

Materials to match

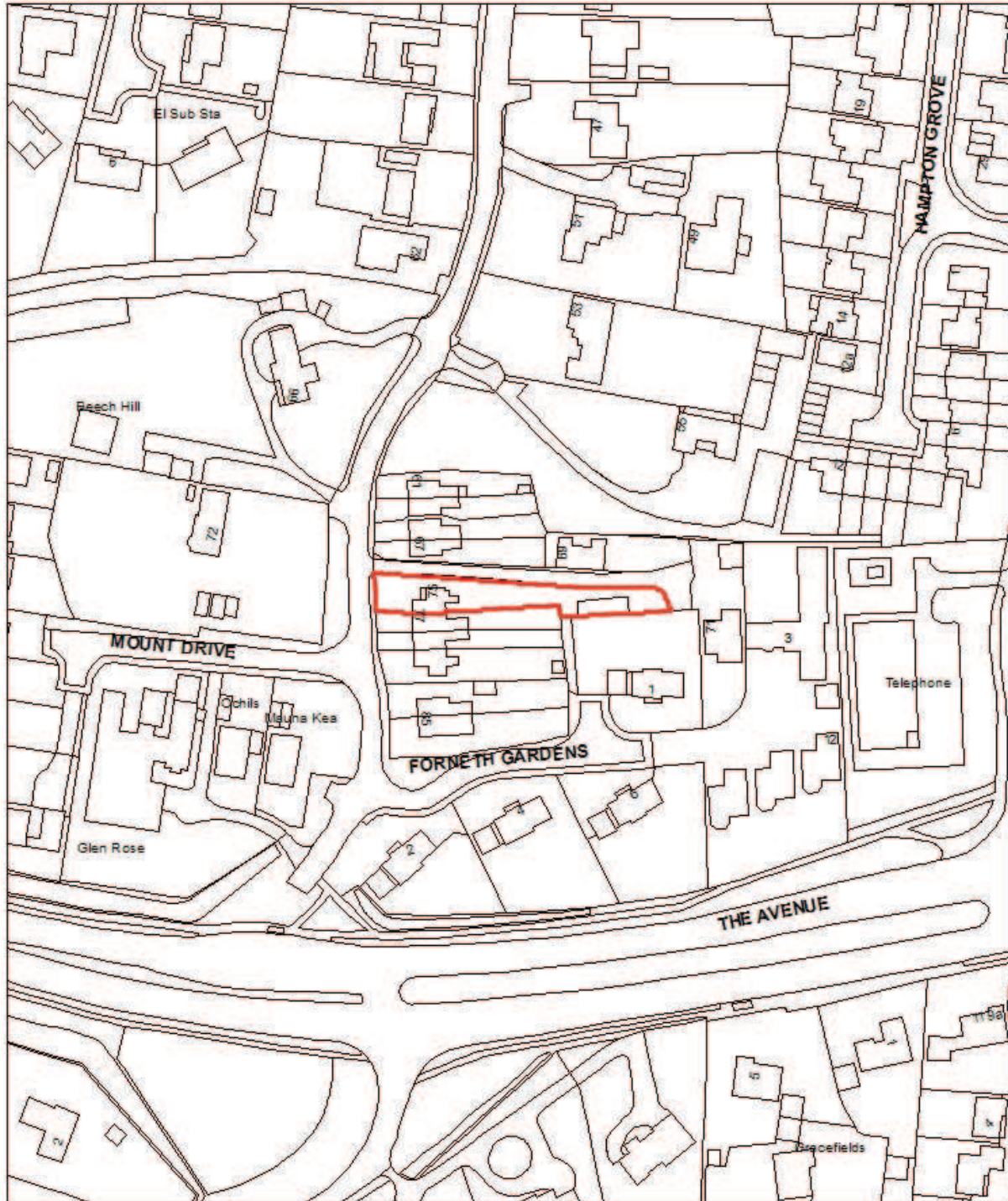
#### **Background Papers**

P/13/1028/FP



# FAREHAM

## BOROUGH COUNCIL



75 Catisfield Lane  
Scale 1:1250

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**ZONE 2 - FAREHAM**

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

Reference		Item No
<b>P/13/0739/CU</b> FAREHAM WEST	158 HIGHLANDS ROAD - LAND TO REAR OF - FAREHAM PO15 5PS ERECTION OF 1.8 METRE VERTICAL BOARD FENCE	9 <b>REFUSE</b>
<b>P/13/0834/FP</b> FAREHAM NORTH-WEST	HILL PARK BAPTIST CHURCH 217 GUDGE HEATH LANE FAREHAM PO15 6PZ DEMOLITION OF EXISTING BUILDING AND ERECTION OF REPLACEMENT CHURCH BUILDINGS	10 <b>PERMISSION</b>
<b>P/13/0989/FP</b> FAREHAM WEST	CRAIGBANK COURT 1-6 FAREHAM PO14 1AQ CREATION OF PARKING AREA PROVIDING SPACE FOR TWO CARS AND ASSOCIATED RETAINING WALL, FENCING AND GATE ACCESS AND LANDSCAPING	11 <b>REFUSE</b>
<b>P/13/0996/FP</b> [O] FAREHAM SOUTH	45 LONGFIELD AVENUE FAREHAM HANTS PO14 1BX ERECTION OF SINGLE STOREY REAR EXTENSION AND DETACHED GARAGE	12 <b>PERMISSION</b>
<b>P/13/1006/FP</b> [O] FAREHAM NORTH	77 GUDGE HEATH LANE FAREHAM HANTS PO15 5AX ERECTION OF SINGLE STOREY REAR EXTENSION TO FORM SELF-CONTAINED RESIDENTIAL ANNEXE (ALTERNATIVE TO P/13/0692/FP)	13 <b>PERMISSION</b>



# Agenda Item 6(9)

**P/13/0739/CU**

MR C BARNES

**FAREHAM WEST**

AGENT: ROBERT TUTTON  
TOWN PLANNING  
CONSULTANTS LTD

ERECTION OF 1.8 METRE VERTICAL BOARD FENCE

158 HIGHLANDS ROAD - LAND TO REAR OF - FAREHAM PO15 5PS

## ***Report By***

Richard Wright x2356

## ***Introduction***

This application has been called onto the Planning Committee for members to determine at the request of Councillor Gregory.

## ***Site Description***

The application site is a grassed area occupying space between the highway footpath on the south-eastern side of The Cloisters, and the rear boundary fences of numbers 156, 158 & 160 Highlands Road.

There are several trees on the land edged in red as shown on the amended site plan and labelled T1 & T2 (both ash), T3, T4 & T5 (chestnut) and T6 (ash). These trees are protected by a tree preservation order (FTPO 620). A further tree T7 (crab apple) lies a short distance to the north-east of the application site.

## ***Description of Proposal***

Permission is sought for the erection of a 1.8 metre high vertical close boarded fence around the perimeter of the application site with the exception of its south-eastern boundary where existing 1.8 metre high fencing currently stands. Two gates 2.3 metres in width are proposed to provide access onto The Cloisters at the western end of the site where the existing dropped kerb and the end of the adjacent footpath lie.

## ***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

## ***Representations***

Residents of thirteen properties have written to object to the application on the following grounds:

- Site is public open space and should remain so
- Visual impact of fence harmful
- Highway land encroached on
- Potentially hazardous to highway safety
- Fence and gates prevents maintenance of pathway and kerb and access to underground services

- Gate excessive for access to a residential garden
- Concern over future use/erection of buildings on land
- Concern over maintenance of protected trees
- Application does not propose any change of use
- Site includes parking spaces which are not owned by applicant

### ***Consultations***

Director of Planning & Environment (Arboriculture) - There are no arboricultural grounds for refusal and therefore no objection to the proposed fencing subject to conditions (tree protection method statement).

Director of Planning & Environment (Highways) -

There are several matters, as follows, that will need to be amended or provided before the proposal would be acceptable -

- For highway safety and visibility reasons, no part of the proposed fence or gates should be less than 2 metres from the carriageway of The Cloisters.
- It is apparent that a public drain and possibly other public utility services cross the area of land in question. It will be necessary for the application to confer easement and access rights to any under, or overground public utility that has equipment within the area.
- The gates and fence, located alongside the highway edge, must be set back a minimum of 0.1m for maintenance purposes.

Until these matters are satisfactorily resolved a holding highway objection is raised to the application.

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

i) Site history and use of the land

The residential development to the rear of Highlands Road known today as The Cloisters was granted planning permission in the late 1970s. Together the development permitted by planning references FBC.540/8 (2nd November 1976) and FBC.540/9 (26th January 1977) allowed the erection of 8 semi-detached houses and 12 maisonettes and garages. The approved site plan identifies the land subject of this current application on the south-eastern side of The Cloisters as "public open space".

The planning statement submitted by Mr Barnes in relation to this current planning application refers to condition 9 of FBC.540/8 which reads: "The land since hatched blue on the approved plan shall be laid out and maintained to the satisfaction of the local planning authority as amenity land in relation to the remainder of the site to be developed".

With reference to the laying out and maintenance of the amenity land, the statement contends that the "requisite arrangements were evidently not put in place in order to achieve that end" and that "in the absence of any claim to the contrary, one is obliged to conclude that the lawful use of the land owned by Colin Barnes continues to be residential garden and that planning permission is not required for him to use the land for that purpose".

Officers do not agree with the applicant's view that the land enjoys a residential use. Contrary to the applicant's statement the above planning condition did not require any specific arrangements to be put in place or for the Council to adopt the land in order that it could become public open space. There has evidently been no breach of condition in that regard. Officers consider that the status of the land should instead be determined from its

past and present use.

The site was identified in the 1976 permission as amenity land and as such it was laid out as an open grassed area with no physical division of the land to prevent it from being used by members of the public. The information available to Officers, and that provided by local residents in response to this application, shows that the site has been used for the public amenity of local residents over a number of years. It is understood the land was purchased by the applicant in December 2006 however no evidence has been provided that at any time it was put to residential use or for any other purpose other than as public open space.

The Council's Streetscene department maintained the land by mowing the grass until 2012 when it was brought to the attention of Officers that the land was in private ownership and a decision was subsequently made to discontinue the maintenance of any land outside of the adopted highway boundary. Following requests by residents grass cutting over the whole site resumed earlier this year.

This application seeks permission for the erection of a 1.8 metre high fence. No material change of use of the land is sought by the applicant, their understanding being as stated above that planning permission would not be required for its use for residential purposes. Notwithstanding their view, planning permissions for the carrying out of building operations such as the erection of fencing carry an implied permission for any material change of use. The proposed fence is intended to fully enclose the land and to provide the desired security and privacy for the applicant to use the land for residential purposes. If approved therefore the fencing would permit a material change of the use of the land. Section 75(3) of the Town & Country Planning Act 1990 states that "if no purpose is so specified, the permission shall be construed as including permission to use the building for the purpose for which it is designed".

Policy CS21 (Protection and Provision of Open Space) of the adopted Fareham Borough Core Strategy explains that "development which would result in the loss of or reduce the recreational value of open space, including public and private playing fields, allotments and informal open space will not be permitted unless it is of poor quality, under-used or has low potential for open space...". The representations received demonstrate the high value local residents place on this particular piece of land as public amenity space. Its loss through being enclosed as a piece of private garden land would be harmful to the provision of such informal open space and contrary to Policy CS21.

#### ii) Visual impact of proposed fencing

The proposed 1.8 metre high fence would stretch approximately 40 metres alongside and immediately adjacent to the existing footpath on the south-eastern side of The Cloisters, wrapping around at each end with further 8 - 9 metre long stretches to join the existing fencing to the rear of houses on Highlands Road. Such a long expanse of 1.8 metre high fencing would be an incongruous feature, would appear unsightly and would severely diminish and detract from the spacious, open character of the streetscene as it exists at present. This would be especially so when the fence is viewed on entering The Cloisters from the south where the structure would extend right up to a point immediately adjacent to the highway carriageway eroding the spaciousness on the right hand side of the streetscene entirely.

It would also be the case when the fence was viewed from houses on the opposite side of the road and also when seen by users of the abutting footpath where it would appear most

imposing and overbearing. The harsh and unsightly appearance of the timber fence would be exacerbated by its proximity to the adjacent highway with no space retained within which to add landscape planting to screen the enclosure. This would be in stark contrast to the existing boundary fence along the rear boundary of the private gardens of properties in Highlands Road which is not only set much further back from the edge of the public highway but has also been softened visually over time through the natural weathering of timber materials and adjacent planting, some of which has overgrown or climbed the fence panels, and mature trees.

The proposed fence is considered to be contrary to Policy CS17 (High Quality Design) of the adopted Fareham Borough Core Strategy in that it would fail to respect or respond positively to the key characteristics of the streetscene, in particular its open spacious nature.

### iii) Highway safety

The red-edged application site does not encroach onto land forming part of the adopted highway in The Cloisters. The extent of the adopted highway does however include the adjacent footpath and land between it and the carriageway.

The Director of Planning & Environment (Highways) has raised an objection to the proposal principally due to the proximity of the fence to the highway. The fence and vehicular access gates are too close to the adjacent carriageway to enable adequate visibility southwards for exiting drivers. In addition the fence would directly abut the carriageway at its southern corner posing a hazard to vehicles using the road. The Director of Planning & Environment (Highways) has recommended that the fence be set back from the carriageway at this corner by at least 2 metres in order to address these concerns. In the absence of any such revisions the proposal as submitted would be harmful to the safety of highway users contrary to the aims of Policy CS5 of the adopted Fareham Borough Core Strategy.

The Director of Planning & Environment (Highways) has also raised issues concerning the proximity of the fence to the footpath and potential issues in the future with highway maintenance. Furthermore there are utilities and services understood to be on the land to which access would be lost if it were to be enclosed. These are practical concerns the applicant would be advised to take on board but are not considered to necessarily in themselves be reasons to resist this planning application.

### iv) Protected trees

The fence would enclose land on which stands a number of tree preservation order protected trees (T1 - T6 as identified on the submitted site plan). Subject to measures being taken to protect these trees during the erection of the fencing there would be no physical harm to their health or condition. Regardless of whether the land was public open space or residential garden land the trees would continue to be covered by the order and the Council able to exercise control over any works.

### v) Summary

The proposal to enclose this piece of land with a 1.8 metre high vertical close boarded fence is considered to be contrary to Policies CS5, CS17 & CS21 of the adopted Fareham Borough Core Strategy in that it would be harmful to the safety of highway users, would lead to an unsightly and incongruous addition which would detract from the open, spacious



character of the streetscene and would lead to the loss of a valued area of public open space.

***Recommendation***

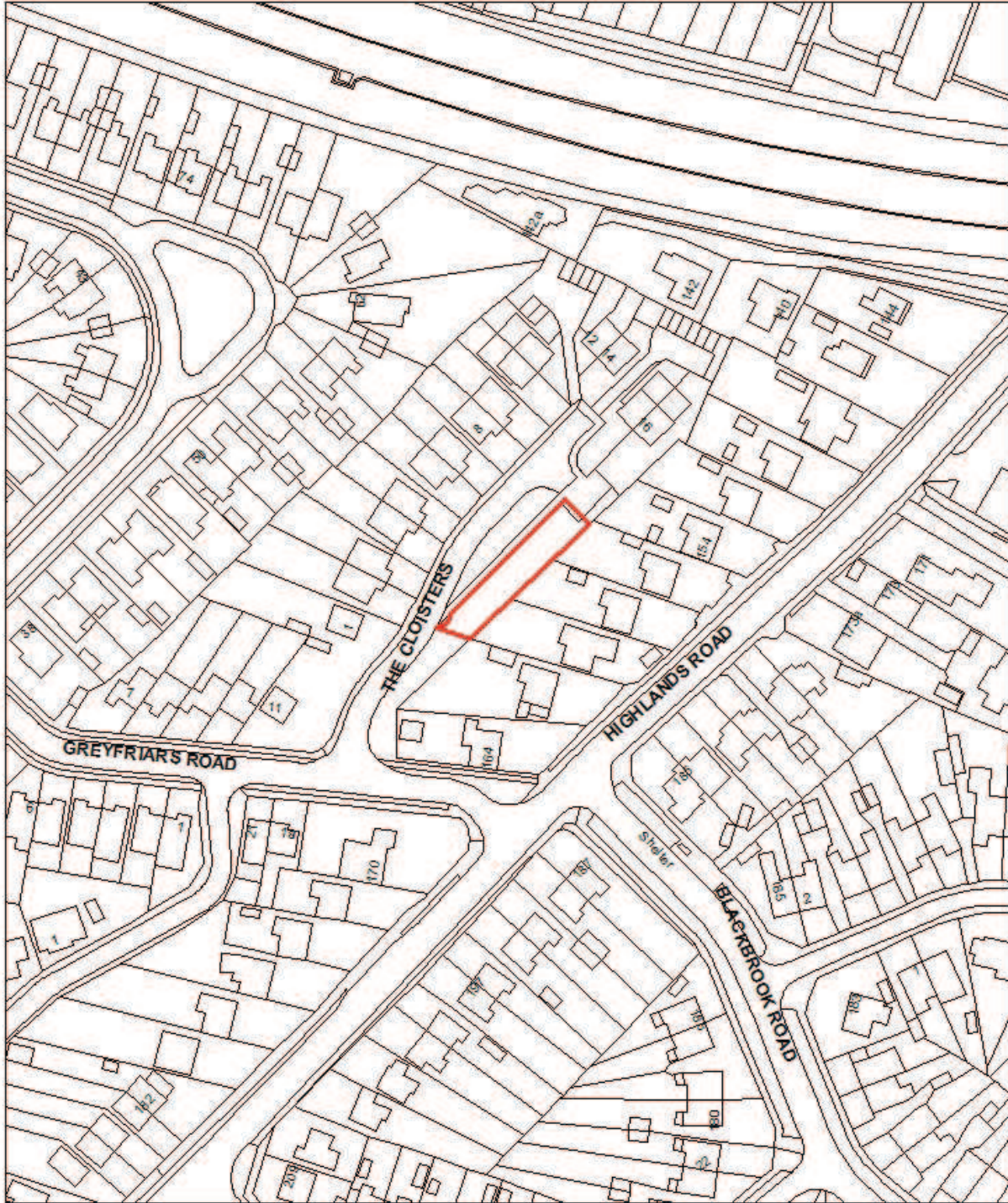
REFUSE: Contrary to policy: harmful to highway safety; harmful to the visual appearance of the area; would result in the loss of an area of public open space.

***Background Papers***

P/13/0739/CU

# FAREHAM

## BOROUGH COUNCIL



158 Highlands Road  
Scale 1:1250

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# Agenda Item 6(10)

**P/13/0834/FP**

MR BRIAN ROGERS

**FAREHAM NORTH-WEST**

AGENT: KNIGHT  
ARCHITECTURAL DESIGN

DEMOLITION OF EXISTING BUILDING AND ERECTION OF REPLACEMENT CHURCH BUILDINGS

HILL PARK BAPTIST CHURCH 217 GUDGE HEATH LANE FAREHAM PO15 6PZ

## ***Report By***

Kim Hayler (Ext.2367)

## ***Introduction***

This application is the same as submitted and approved on two previous occasions, under ref: P/05/0690/FP in 2005 and under ref: P/10/0603/FR in 2010. The latter permission was subject of an appeal against two conditions relating to the use of the building.

## ***Site Description***

The site lies on the north eastern side of Gudge Heath Lane, 33 metres south of its junction with Highlands Road. A supermarket building lies immediately to the north west and a bungalow lies on the south eastern side of the site. The site currently consists of two prefabricated single storey church buildings situated one behind the other within the site. There are a number of outbuildings used for associated facilities such as toilets and storage. There is currently no parking within the site.

## ***Description of Proposal***

The last planning permission lapsed on 17 September 2013.

The application involves the demolition of existing buildings and erection of a replacement church building measuring 9.3 metres wide and 31.5 metres long. The building would be two storey in part on the north western side adjacent to the supermarket reducing to single storey on the south eastern side adjacent to the neighbouring bungalow and to the rear. The rear (north eastern) part of the building is single storey.

Some accommodation is proposed within the roofspace on the north western side consisting of a classroom, office, upper lounge and storage facilities.

Three parking spaces would be provided within the front of the site, together with a sunken patio and lawn area at the rear.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

DG4 - Site Characteristics

## **Fareham Borough Local Plan Review**

DG4 - Site Characteristics

### ***Relevant Planning History***

The following planning history is relevant:

<b><u>P/10/0603/FR</u></b>	<b>DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF REPLACEMENT CHURCH BUILDING (FULL RENEWAL OF P/05/0690/FP)</b>
	PERMISSION 17/09/2010
<b><u>P/05/0690/FP</u></b>	<b>Demolition of Existing Buildings and Erection of Replacement Church Building</b>
	PERMISSION 19/07/2005
<b><u>P/04/1738/FP</u></b>	<b>Demolition of Existing Buildings and Erection of Replacement Church Building</b>
	REFUSE 06/01/2005

### ***Representations***

One letter has been received from the property to the south east in Gudge Heath Lane objecting on the following grounds:

- Overshadowing and loss of light due to the size of the replacement building;
- Noise nuisance due to increased numbers of people;
- Littering;
- Parking and disturbance problems during and after the construction period;
- Danger to health due to removal of asbestos.

### ***Consultations***

Director of Planning and Environment(Highways) - As indicated within the previous appeal Inspector's Report, the site is fairly well served by bus services and also has convenient public car parking facilities at the Highlands Road Shopping Parade and north-east of the Working Men's Club. The use of the church would not be expected to generate a material increase in traffic movements on the local road network. Consequently no highway objection is raised.

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

Director of Regulatory and Democratic Services (Environmental Health) - no objection subject to condition

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

The Key Issues are as follows and remain as reported on previous applications:

- Principle of development
- Character of the area
- Impact on neighbouring properties
- Highway implications

## Principle of development

A church has been established on the site since just after the Second World War. The fellowship of locals who have been worshipping on this site for approximately 13 years became established as a Baptist Church in their own right in 2001.

The buildings on the site were originally relocated second-hand chicken rearing sheds and are past repair and therefore redevelopment of the site is necessary.

The land is within the urban area where redevelopment will be permitted, providing it does not adversely affect the character of the surrounding area or amenity of existing residents.

## Character of the area

There is a mix of building types and scale in the area. The proposed replacement building has been designed as a 'wedge' shape in order to create a visual transition between the adjacent supermarket and bungalow. Although the replacement building will be larger than those it is replacing Officers consider its design, size and scale would not be out of keeping with the character of the area.

## Impact on the amenities of the neighbouring properties

The proposal has been assessed in terms of the impact that the replacement building would have on adjoining properties.

The neighbouring property to the south east (215 Gudge Heath Lane) has windows facing north west into the site. The building has been designed with single storey eaves facing the neighbour and would be sited 4 metres away. The only windows proposed within the elevation are facing this neighbour are within the roof slope. A point to be noted is the existing church building currently has a number of opening windows along its south east facing elevation.

The neighbouring property to the north west in Gudge Heath Lane (no. 93) has a garden depth of 12.4 metres. The two storey element of the proposed building would extend in part across the bottom of the garden, with the remainder being single storey.

Unlike the existing building there are no windows planned in the side wall of the new building. A planning condition can be imposed to secure noise attenuation measures.

In response to the immediate neighbour's specific concerns the applicants have confirmed that the youth club is no longer run at the site and members and visitors do not park outside the neighbouring property.

On the matter of possible health risk from asbestos in the existing buildings the applicants confirm that any asbestos will be removed in strict compliance with relevant legislation. It is proposed that a further condition be added over and above those on the previous decisions to cover any pollution risk.

## Highway Implications

The applicants have included a transport usage survey in support of the proposal which reflects a relatively high proportion of non-car users. The church expect some growth from

the local area however this has been and is likely to be limited, so that a significant increase in car usage is not anticipated.

The church does not let the premises for activities not connected with the church.

At present there is no car parking available on the site. In light of this, the very close proximity to the public car parking associated with the Highlands Road shopping centre and on street parking restrictions, Officers believe it would be difficult to substantiate refusal on the grounds of inadequate car parking.

Notwithstanding the objection received officers consider there have been no material changes since permission was last granted and therefore recommend that permission is granted subject to the conditions below.

***PERMISSION***

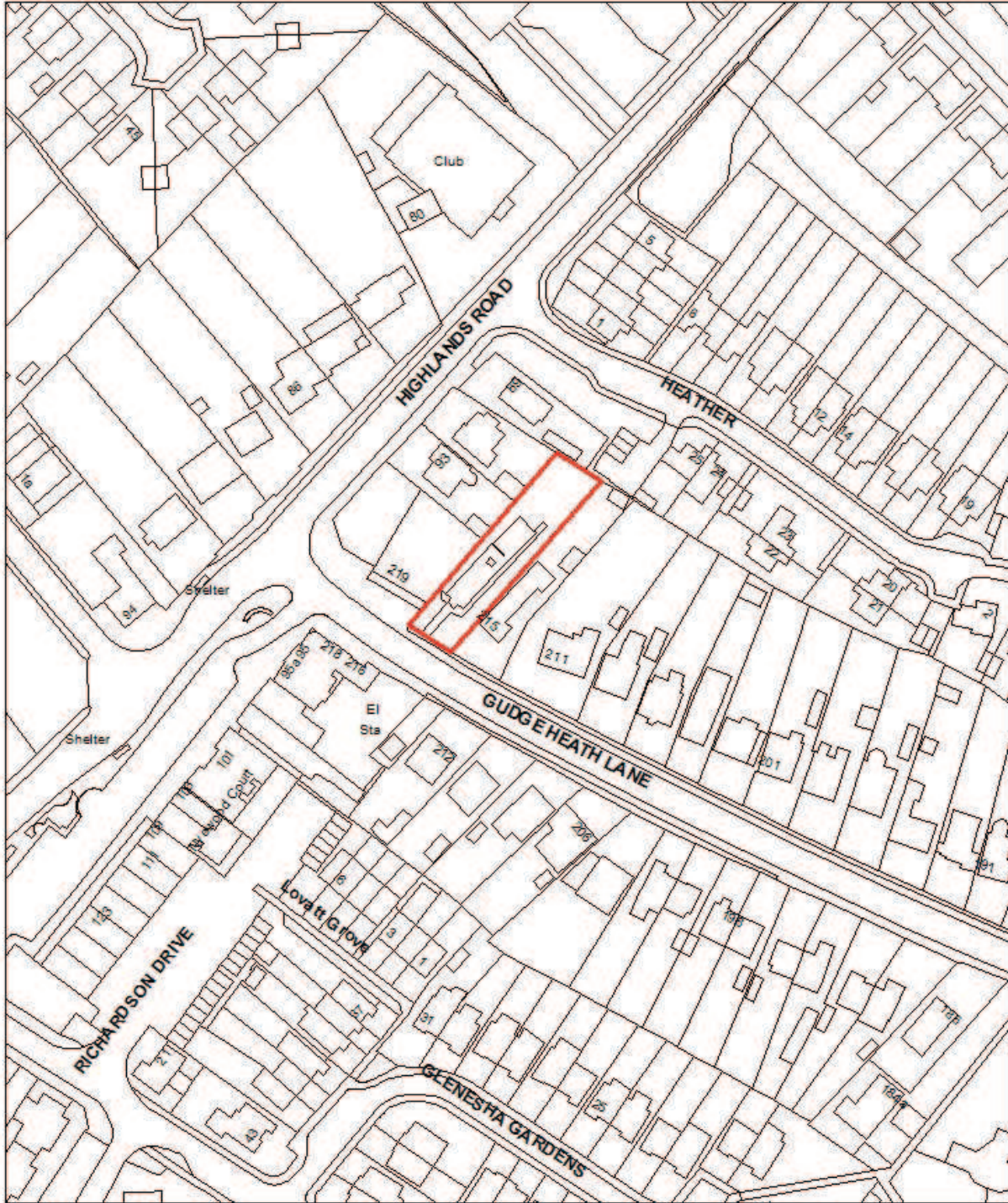
Materials, parking and turning, levels, noise attenuation measures, premises to be used for activities connected with the church, construction hours, no mud on road, no burning on site, no openings in specified elevations, high level roof lights, boundary treatment, landscaping and implementation, building to be used as a church and for no other purpose within Class D1, details of extraction or air conditioning systems to be installed

***Background Papers***

P/05/0690/FP; P/10/0603/FR; P/13/0834/FP

# FAREHAM

## BOROUGH COUNCIL



Hill Park Baptist Church  
Scale 1:1250

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# Agenda Item 6(11)

**P/13/0989/FP**

**FAREHAM WEST**

FIRST WESSEX

AGENT: FIRST WESSEX

CREATION OF PARKING AREA PROVIDING SPACE FOR TWO CARS AND ASSOCIATED RETAINING WALL, FENCING AND GATE ACCESS AND LANDSCAPING

CRAIGBANK COURT 1-6 FAREHAM PO14 1AQ

## ***Report By***

Richard Wright x2356

## ***Site Description***

This application relates to a piece of land in front of the apartment block 1 - 6 Craigbank Court which is to be found on the eastern side of Gudge Heath Lane close to its southern extremity where it meets The Avenue. The land is a landscaped area laid to grass with some low level shrubs and planting also. It is enclosed by a black 1.25 metre high metal bow top fence running around its western and southern boundary with the adjacent highway footpath.

The site forms part of the wider residential development of Craigbank Court which contains a mixture of privately owned flats and rented properties owned by First Wessex.

## ***Description of Proposal***

Permission is sought for the creation of a parking area to provide space for two cars to park. A retaining wall topped with bow top fencing would be constructed between the car parking area and the front of the building at 1 - 6 Craigbank Court. A new gated vehicular and pedestrian access would be provided off Craigbank Court via a dropped kerb. A hedgerow would be planted along the western boundary with Gudge Heath Lane inside of the existing bow top fencing.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

## ***Representations***

Five letters have been received from residents living in Craigbank Court raising the following points:

### Objection

- Existing parking problems will be exacerbated
- Unless parking is provided for all tensions will still persist
- Will increase existing problems with unwanted visitors to 1 - 6 Craigbank Court causing noise and disturbance
- The access will be an area where it will restrict the ability of delivery vehicles and cars to pull up and unload
- Loss of green space

## Supporting comments

- Will help solve existing parking problems
- Residents currently have to park far away

## General comments

- How will the parking be allocated?
- Will the hedge cover the height of the vehicles?
- Double yellow lines should be placed in the entrance to the road to discourage illegal parking

## **Consultations**

Director of Planning & Environment (Highways) - No objection is raised subject to conditions (vehicular access construction; no obstructions over 0.9m high)

## **Planning Considerations - Key Issues**

This application has been submitted by First Wessex to try and help alleviate parking problems currently experienced by residents in Craigbank Court. The two proposed parking spaces are intended for use by First Wessex tenants in 1 - 6 Craigbank Court who currently have nowhere to park their vehicles.

Some residents have raised concerns over the potential effects of providing these additional spaces on the ability for vehicles to park and unload at the entrance to Craigbank Court. Officers consider that vehicles parking in close proximity to the junction with Gudge Heath Lane potentially pose a highway safety hazard and would not wish to preserve the ability of residents to do so at the expense of providing these further two parking spaces.

The site of the proposed car parking is very prominent within the street and highly visible when entering Gudge Heath Lane from The Avenue. The application site is well maintained and landscaped. The landscaped frontage to the broader scheme continues down Gudge Heath Lane towards The Avenue and runs along The Avenue frontage. Most of the existing landscaping in front of numbers 1-6 would need to be removed to create the space for parking two cars.

The building containing flats 1-6 has a number of main habitable room windows facing towards Gudge Heath Lane. At ground floor level two large bay windows face towards the proposed car parking area. Due to level changes the car parking would be set approximately 0.5 metres above the ground floor level of the adjoining flats. The closest car parking space would be in the region of 2.5 metres from the nearest bay window. The change of the frontage from a landscaped garden to a car parking area would reduce the outlook presently enjoyed by the residents of those flats.

Officers consider that this is a finely balanced case. On the one hand it will provide a small number of car parking spaces to help towards meeting the needs of the residents of the adjacent flats. On the other hand it will result in the loss of a pleasant landscaped frontage in turn reducing the high quality appearance of the scheme when viewed from Gudge Heath Lane. Furthermore the outlook currently available from the adjacent flats will be materially reduced when the garden is replaced by car parking.

Having carefully weighed up the material planning issues Officers consider that loss of the landscaping and resultant harm to the appearance of the scheme, along with the reduction in outlook for adjacent residents are such that planning permission should be withheld in

this instance.

***Recommendation***

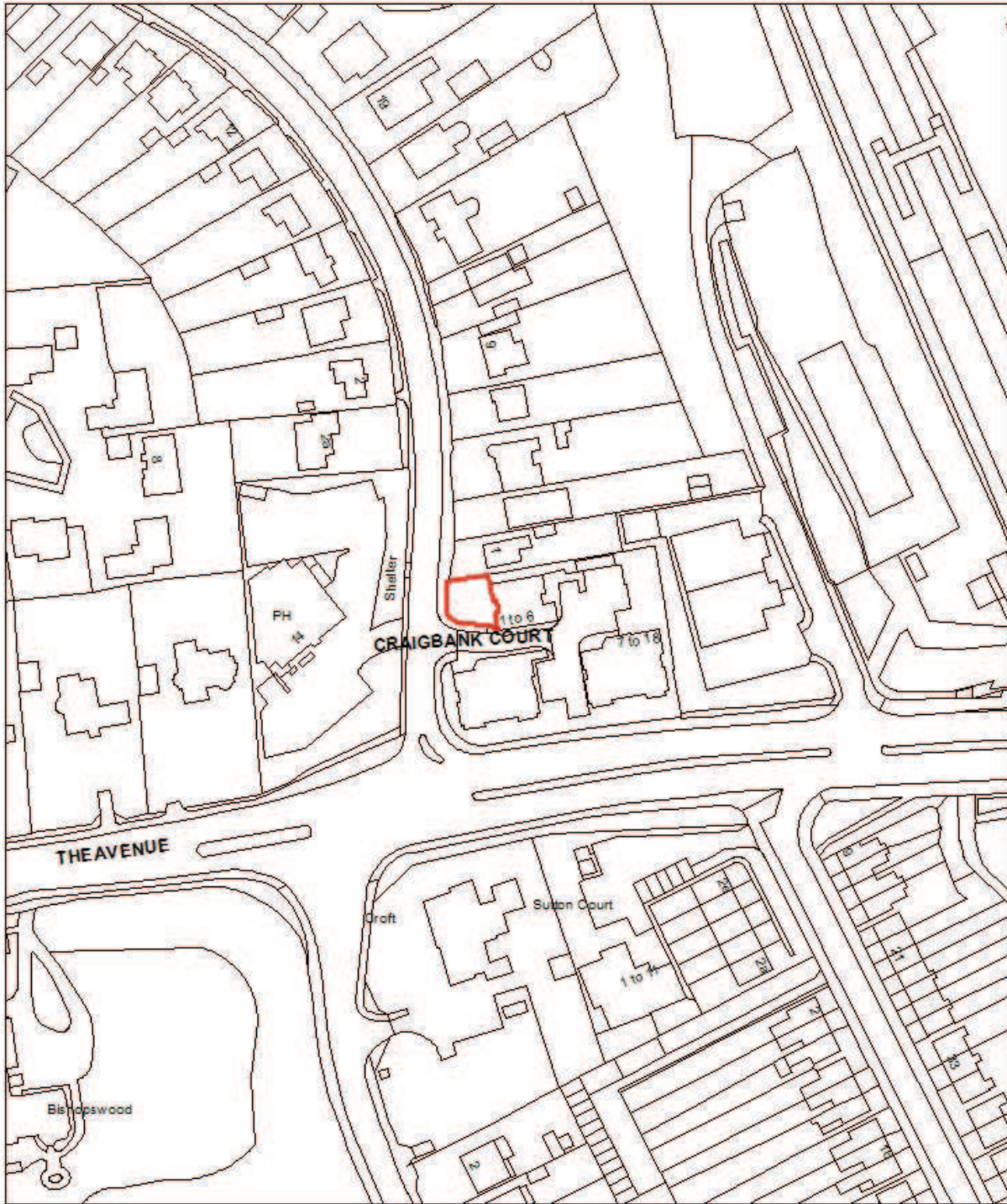
REFUSE: Contrary to policy; loss of landscaped frontage harmful to appearance of the scheme and the visual amenity of the area; harmful to the outlook of residents of adjacent flats.

***Background Papers***

P/13/0989/FP

# FAREHAM

## BOROUGH COUNCIL



1-6 Craigbank Court  
Scale 1:1250

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# Agenda Item 6(12)

P/13/0996/FP [O]

FAREHAM SOUTH

MRS E MARKS

AGENT: MRS E MARKS

ERECTION OF SINGLE STOREY REAR EXTENSION AND DETACHED GARAGE

45 LONGFIELD AVENUE FAREHAM HANTS PO14 1BX

## ***Report By***

Richard Wright x2356

## ***Site Description***

The application site comprises the residential curtilage of this two-storey mid-terraced dwelling located on the south-western side of Longfield Avenue and within the designated urban area.

The dwelling has an existing flat roof ground floor extension at the rear spanning approximately half the width of the house and projecting approximately 3.0 metres beyond the original rear elevation. The rear garden at the property is in excess of 45 metres long, an area of concrete hardstanding being at its south-western extent.

## ***Description of Proposal***

Permission is sought for the erection of a single storey rear extension alongside and to the same depth as the existing rear extension. A new lean-to style roof would be provided across both the new and existing extensions.

The application also proposes the erection of a detached garage located approximately 36 metres from the rear extension towards the end of the rear garden. The garage would have a footprint of 4.9 x 5.8 metres and would feature a dual pitched gabled roof with a ridge running from front to back at around 3.7 metres in height. Access to the garage would be provided via the rear service road.

## ***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)

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

There would be no adverse effect on the living conditions of neighbours living either side of the application site. The proposed extension would not project far enough into the rear garden to cause any loss of light or outlook to the neighbouring properties and there would be no overbearing effect or loss of light or outlook as a result of the construction of the new garage.

The proposed extension and garage are proposed to be at the rear of the property and would not be seen from the street. Whilst both structures would be visible from shared and private areas to the rear of houses along Longfield Avenue, there are numerous other rear extensions and garages nearby similar to that proposed. The submitted scale, design and

appearance of the development is such that there would be no harm to the appearance or character of the area.

The proposal accords with those amenity and design criteria set out in Core Strategy Policy CS17 and the Council's approved Extension Design Guide.

***Recommendation***

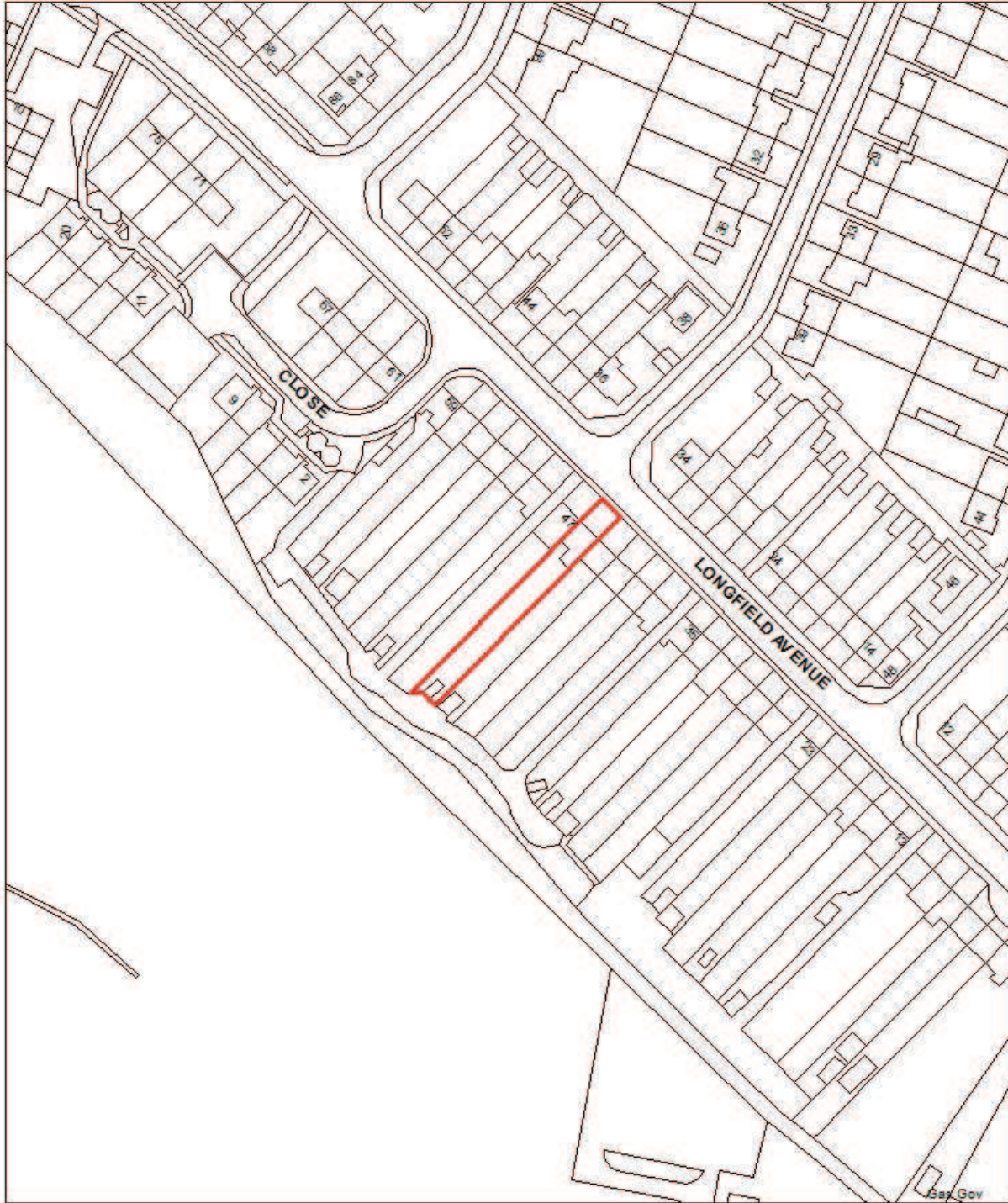
PERMISSION

***Background Papers***

P/13/0996/FP

# FAREHAM

## BOROUGH COUNCIL



45 Longfield Avenue  
Scale 1:1250

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# Agenda Item 6(13)

P/13/1006/FP [O]

FAREHAM NORTH

MR DAVID ESAU

AGENT: MR DAVID ESAU

ERECTION OF SINGLE STOREY REAR EXTENSION TO FORM SELF-CONTAINED RESIDENTIAL ANNEXE (ALTERNATIVE TO P/13/0692/FP)

77 GUDGE HEATH LANE FAREHAM HANTS PO15 5AX

## **Report By**

Emma Marks Extn.2677

## **Site Description**

This application relates to a detached bungalow set within a large plot on the east side of Gudge Heath Lane, opposite the junction with Blackbrook Road.

## **Description of Proposal**

Planning permission is sought for a single storey rear extension to form a self-contained residential annexe. The annexe measures 12.5 metres in depth, 4.6 metres in width with an eaves height of 2.8 metres and a maximum ridge height of 4.3 metres.

## **Policies**

The following policies apply to this application:

## **Relevant Planning History**

The following planning history is relevant:

<b><u>P/13/0692/FP</u></b>	<b>ERECTION OF SINGLE STOREY EXTENSION TO FORM SELF-CONTAINED RESIDENTIAL ANNEXE</b>
	APPROVE                      12/09/2013

## **Representations**

No representations received

## **Consultations**

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

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

## **Planning Considerations - Key Issues**

This application has been submitted following a recently approved application for a similar proposal. This current application has amended the approved extension by changing the roof design of the extension so it is hipped at the end and adding a pitched roof over the link extension, in place of a flat roof.

The application property occupies a wide plot with a deep rear garden measuring 16 metres in width by approximately 45 metres in depth.

The proposed extension is deep with an overall depth of 12.5 metres from the rear wall of the existing bungalow. The proposal is set off the party boundary with number 79 by 1.2 metres. It has a low pitched roof raking away from the neighbouring property with a maximum ridge height of 4.3 metres.

Officers have assessed the proposal on site from within the rear garden of number 79. Whilst deep, in light of the siting and modest height of extension, Officers are satisfied that the development would not be detrimental to the neighbouring property's light or outlook. No representations have been received from the occupier of the property nearest the proposal.

A number of essentially secondary windows are shown close to the party boundary, and Officers are recommending a condition that these windows are obscure glazed and fixed shut.

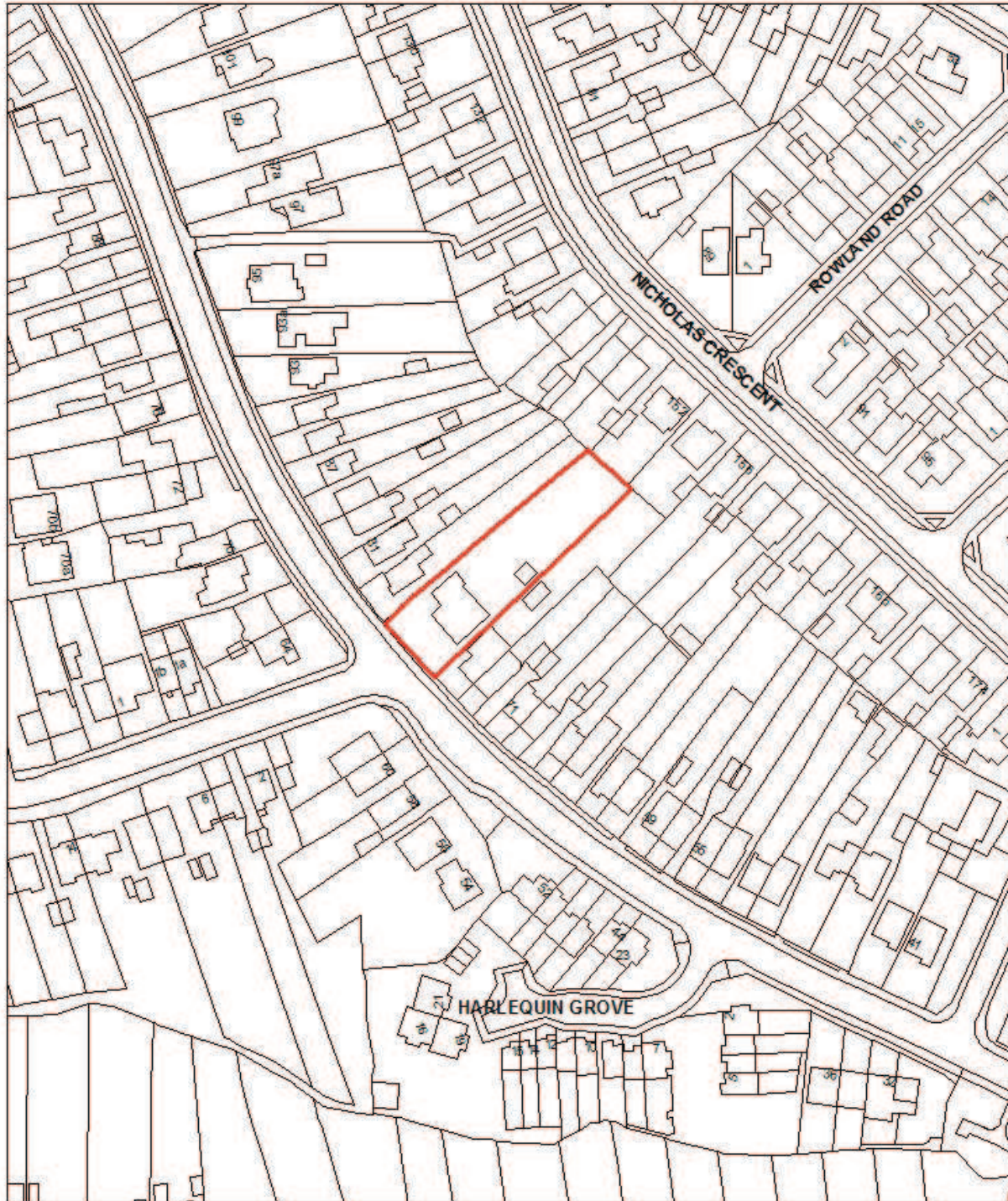
Officers are of the view the amendments made to the previously approved extension are acceptable and comply with the Adopted Fareham Borough Core Strategy.

***Recommendation***

PERMISSION - Materials to match; restrict annexe to main dwelling; obscure glaze and fix shut windows in north west elevation.

# FAREHAM

## BOROUGH COUNCIL



77 Gudge Heath Lane  
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**ZONE 3 - EASTERN WARDS**

Portchester West  
Hill Head  
Stubbington  
Portchester East

Reference		Item No
<b>P/13/0823/FP</b> HILL HEAD	36 STUBBINGTON LANE STUBBINGTON FAREHAM HAMPSHIRE PO14 2PW ERECTION OF TWO STOREY SIDE/REAR EXTENSIONS RAISE HEIGHT OF WALLS AND ALTERATIONS TO ROOF OF EXISTING DWELLING INCLUDING DORMER WINDOWS AND ROOF LIGHTS AND CONVERSION OF FRONT HIPPED ROOF TO GABLE END (ALTERNATIVE TO P/12/0485/FP)	<b>14</b> <b>REFUSE</b>
<b>P/13/0836/FP</b> HILL HEAD	SMITHY COTTAGE 22 BELL DAVIES ROAD FAREHAM HAMPSHIRE PO14 2AY SINGLE STOREY REAR EXTENSION	<b>15</b> <b>PERMISSION</b>
<b>P/13/0881/FP</b> PORTCHESTER EAST	138 CASTLE STREET PORTCHESTER FAREHAM PO16 9QH ERECTION OF DETACHED GARAGE TO REAR OF PROPERTY, TWO & SINGLE STOREY EXTENSIONS TO SIDE & REAR, ROOF ALTERATIONS FROM HIPPED TO GABLE AND REAR DORMER WINDOW	<b>16</b> <b>PERMISSION</b>
<b>P/13/0981/FP</b> PORTCHESTER EAST	221 CASTLE STREET PORTCHESTER PO16 9QW ERECTION OF FIRST FLOOR EXTENSION	<b>17</b> <b>PERMISSION</b>
<b>P/13/1009/FP</b> PORTCHESTER EAST	37 WICOR MILL LANE FAREHAM HAMPSHIRE PO16 9EE ERECTION OF FRONT AND REAR DORMERS, BARN HIP ROOF AND SINGLE STOREY REAR EXTENSION	<b>18</b> <b>PERMISSION</b>



# Agenda Item 6(14)

**P/13/0823/FP**

**HILL HEAD**

MR AND MRS BUICK

AGENT: MRS SUSAN DAVEY

ERECTION OF TWO STOREY SIDE/REAR EXTENSIONS RAISE HEIGHT OF WALLS AND ALTERATIONS TO ROOF OF EXISTING DWELLING INCLUDING DORMER WINDOWS AND ROOF LIGHTS AND CONVERSION OF FRONT HIPPED ROOF TO GABLE END (ALTERNATIVE TO P/12/0485/FP)

36 STUBBINGTON LANE STUBBINGTON FAREHAM HAMPSHIRE PO14 2PW

## ***Report By***

Emma Marks Extn.2677

## ***Site Description***

The application site comprises of a detached bungalow located on the west side of Stubbington Lane to the south of Bells Lane, between Bells Lane and Glyn Way. The street scene is predominantly characterised by detached bungalows.

The site is within the urban area.

## ***Description of Proposal***

The existing bungalow is rectangular in form with a hipped roof and flat roofed rear extension. The proposal includes the erection of a two storey wrap around rear/side extension which measures 9.8 metres in depth and 9.9 metres in width.

The ridge of the existing dwelling is to be raised by approximately 1.1 metres and the eaves raised by 1.8 metres to allow for the provision of accommodation in the roof space. The front hip will be extended to a gable and the rear of the proposed extension would be hipped with the north elevation being a cut off gable (formed by a small flat roofed section) and the south being semi-hipped. The new roof would incorporate several dormer windows facing each of the compass points. The first floor accommodation would comprise three bedrooms, a landing area, two bathrooms and a study.

## ***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)

## ***Relevant Planning History***

The following planning history is relevant:

**P/12/0485/FP**

**ERECTION OF TWO STOREY SIDE & REAR EXTENSIONS, ALTERATIONS TO ROOF OF EXISTING DWELLING INCLUDING SIDE DORMER WINDOWS & ROOF LIGHTS AND CONVERSION OF FRONT HIPPED ROOF TO GABLE END (ALTERNATIVE TO P/11/1001/FP)**

APPROVE

16/08/2012

***Representations***

One letter of representation has been received in support of the development.

***Planning Considerations - Key Issues***

Introduction

A previous application was approved in March 2012 to extend the property and create first floor accommodation. The current application seeks an alternative design approach. The most significant change is to increase the height of the eaves of the existing property from 2.4 metres to 4.2 metres to create more usable space at first floor level.

Principle of development

The site is located within the urban area of Stubbington where extensions to existing dwellings are considered to be acceptable in principle, subject to the details of the proposed development not causing unacceptable harm to matters such as the character and appearance of the locality and street scene or the amenity of adjacent residents.

Character of the area

The area is predominately bungalows. There are examples of dormer windows and other roof space development. The proposed development would increase the ridge height of the bungalow which has previously been supported, however the eaves height of the bungalow as proposed would be increased by 1.8 metres in height. This amendment to the application has changed the design of the dwelling, resulting in a large, bulky dwelling, out of character with its immediate neighbours. Officers are of the opinion that the extensions would be unsympathetic additions to the dwelling, detrimental to the visual amenities and character of the area.

Impact on Amenity of Adjacent Residents

Both the north and the south boundaries of the site are delineated by screen fencing which contribute towards the protection of the privacy of the occupants of the adjacent dwellings. Furthermore, all of the proposed side dormer windows are capable of being fixed and obscure glazed.

The property to the north is set approximately 10.8 metres away from the existing bungalow with the new rear extension being approximately 3.8 to 4 metres from the boundary of the neighbouring rear garden which is screened by an existing garage.

The bungalow to the south is closer but will not lose direct sunlight due to its orientation. The existing kitchen, bathroom and bedroom windows already look on to the side wall of the application dwelling. The conservatory of the neighbouring property will be affected to some degree by the provision of the pitched roof over the existing flat roofed extension at the application site, but since the conservatory is a wholly glazed structure there will



continue to be acceptable outlook in other directions.

## Conclusion

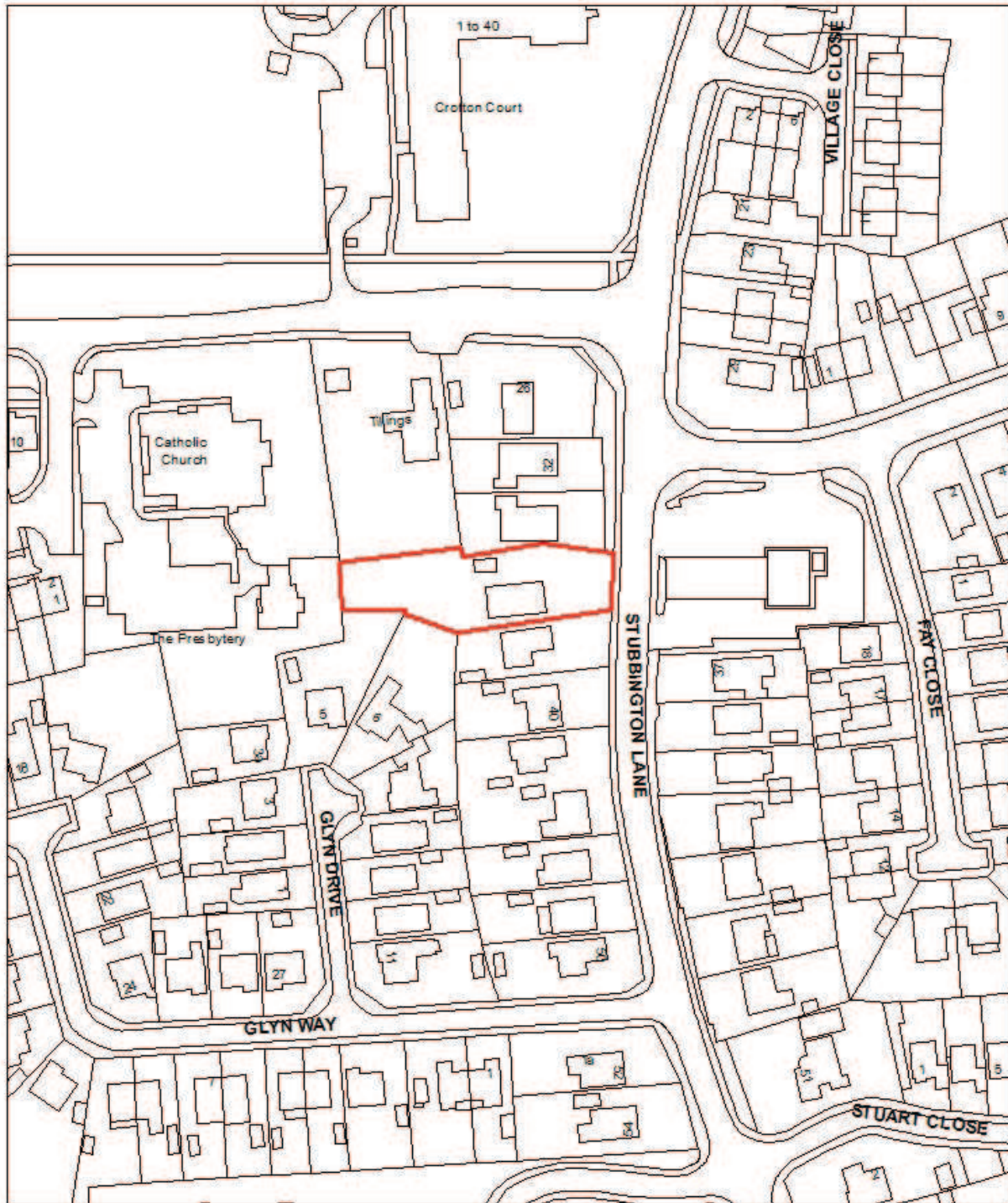
The proposed development is within the urban area and is acceptable as a matter of principle. There are no neighbour concerns with regarding to impact on their amenities. However the design of the proposed alterations to the dwelling would be unsympathetic and out of keeping with the surrounding properties, resulting in a bulky form of development detrimental to the a visual appearance of the street scene.

## ***Recommendation***

REFUSE - Contrary to Policy: unsympathetic additions, impact on visual appearance of the street scene

# FAREHAM

## BOROUGH COUNCIL



36 Stubbington Lane  
Scale 1:1250

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# Agenda Item 6(15)

**P/13/0836/FP**

**HILL HEAD**

MR KEVIN SMITH

AGENT: H J CONCEPTS LTD

SINGLE STOREY REAR EXTENSION

SMITHY COTTAGE 22 BELL DAVIES ROAD FAREHAM HAMPSHIRE PO14 2AY

## ***Report By***

Susannah Emery Ext 2412

## ***Site Description***

This application relates to a detached bungalow within the urban area to the west of Bell Davies Road. The bungalow is of recent construction and was built within the rear garden of No.18 Pilgrims Way.

## ***Description of Proposal***

Planning permission is sought for the erection of a single storey rear extension measuring 4.1 metres in depth, 4.6 metres in width with a ridge height of 4.1 metres.

## ***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)

## ***Relevant Planning History***

The following planning history is relevant:

**P/12/0768/FP**      **PROPOSED ERECTION OF A DETACHED THREE-BEDROOMED BUNGALOW (WITH ACCESS VIA BELL DAVIES ROAD) (REVISED SCHEME)**

APPROVE                      14/11/2012

**P/12/0342/FP**      **ERECTION OF DETACHED THREE BEDROOMED BUNGALOW WITH ACCESS VIA BELL DAVIES ROAD**

APPROVE                      23/08/2012

## ***Representations***

One letter has been received objecting on the following grounds;

- the dwelling was permitted against our wishes and objections to the detriment of the quality of our immediate environment and quality and character of the area
- further development of this small plot would increase visual intrusion to our rear garden
- Reduction of outlook from sun room
- The dwelling was built less than 12 months ago yet they seek to extend it

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

Permitted development rights were removed from the dwelling when planning permission was originally granted as it was considered that the amount of amenity space to the rear of

the property was quite limited and that control should be retained over any further development. Having given consideration to the details of the extension that is now being sought officers are of the opinion that it is of a modest size and is positioned so that a useable area of amenity space is still maintained. It is not considered that the proposal would have any detrimental impact on the visual appearance or character of the area.

The objector's property (No.20 Pilgrims Way) is in excess of 10 metres from the nearest part of the proposed extension. There is a 2 metre high wall on the boundary between the two properties and the objectors property is orientated with rear windows facing north-east rather than directly towards the application site. The objector's property has a detached sun room within the rear garden which is positioned facing back to the west towards the main dwelling. It is not considered that the proposal would have any detrimental impact on the amenities of the objector's property in terms of visual intrusion or loss of outlook.

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

***Recommendation***

PERMISSION; Materials to match

***Background Papers***

P/13/0836/FP; P/12/0768/FP; P/12/0342/FP

# FAREHAM

## BOROUGH COUNCIL



Smithy Cottage  
22 Bell Davies Road  
Scale 1:1250

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# Agenda Item 6(16)

**P/13/0881/FP**

MR & MRS D MACMILLAN

**PORTCHESTER EAST**

AGENT: VIVID SURVEYORS  
LIMITED

ERECTION OF DETACHED GARAGE TO REAR OF PROPERTY, TWO & SINGLE STOREY EXTENSIONS TO SIDE & REAR, ROOF ALTERATIONS FROM HIPPED TO GABLE AND REAR DORMER WINDOW

138 CASTLE STREET PORTCHESTER FAREHAM PO16 9QH

## ***Report By***

Arleta Miszewska ext. 4666

## ***Site Description***

This application relates to an end-of-terrace, two storey dwelling located on the eastern side of Castle Street, which is within the Castle Street Conservation Area.

## ***Description of Proposal***

Planning permission is sought for:

- A two side extension with a gable ended roof above;
- A first floor rear extension
- A single storey extension to the rear;
- A rear dormer window;
- A detached garage at the end of the rear garden.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Fareham Borough Local Plan Review**

DG4 - Site Characteristics

## ***Relevant Planning History***

The following planning history is relevant:

**Q/0229/13**                    **PROPOSED GABLE ROOF, LOFT CONVERSION AND REBUILDING OF EXTENTION.**

NO FOLLOW UP    20/06/2013

**Q/0026/13**                    **PROPOSED 2 STOREY EXTENSION AT THE REAR OF THE PROPERTY**

NO FOLLOW UP    24/01/2013

## ***Representations***

A total of twelve letters (including representations from the Portchester Society) were received objecting to the original and revised proposals. The main points of objection can be summarised as follows:

-loss of light,

- loss of privacy,
- out of character,
- garage would be overbearing and would give a feeling of being "hemmed in",
- harmful to the surrounding historic environment,
- no access to the proposed garage,
- problem with car parking,
- will alter the character of the terrace,
- intrusive,
- noise from en-suite bathroom,
- difficult access for emergency vehicles through Castle Street,
- unsympathetic appearance,
- too large,
- overbearing impact on other nearby properties,

Three letters of support has been received stating that:

- this proposal will improve the area,
- the alterations are sympathetic,

### ***Consultations***

Director of Planning and Environment (Conservation) - This is the end property in a terrace of 5 cottages, the group is included on the late 19th century ordnance survey. The site lies in the Portchester (Castle Street) Conservation Area. Portchester Castle Street Conservation Area Character Appraisal identifies the terraces on both sides of the road in this part of Castle Street as buildings of townscape interest that make a contribution to the character and appearance of the street.

Whilst the terrace as a whole has lost its period windows and original roof material it has essentially retained its historic building form, including the arrangement of doors and window openings. The property the subject of this application has been re-fronted in the 20th century in modern stretcher bond brickwork; these works have resulted in its historic window arrangement and proportions being lost and I would suggest also the front door being removed from the front to the side. These changes have detracted from its historic character but its width as one of the small cottages that comprise the group has remained and is part of the character of the terrace.

The proposed side extension would result in an increase in width of the building making it noticeably wider than the other 4 cottages. This in my view would harm the surviving architectural rhythm of the terrace and the contribution it makes to the character and appearance of the conservation area. I would suggest that alterations should aim to restore the character of the terrace rather than depart further from its historic character. Reinstatement of the missing arrangement and proportion of openings in the front elevation would help achieve this. The original C19 windows would have been recessed in their openings, this can be seen on the adjacent buildings.

I would support the change to a gable end subject to detail which would not be harmful to character. The opposite end of the terrace is a gable end which suggests this may have been an earlier configuration, the traditional verge detail should be replicated rather than using a modern barge board.

The first floor rear addition is poorly detailed with a blank rear elevation and an eaves that are too high. I would not object to rendering of the building although the finish and texture should match the others in the terrace.



The external materials to be used, including the detailed design of windows, doors and roof verge detail, should be secured by planning condition.

Director of Planning and Environment (Highways) - no objection.

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

Following the undertaking of publicity and the comments of the Director of the Environment (Conservation), the proposal has been revised and amended plans have been submitted.

The main changes include:

- reduction in the width of the proposed two storey side extension;
- rearrangement of windows positioning, revised proportions and design to match the other terraces in this row;
- lowering the eaves of the proposed first floor rear extension to match existing;
- insertion of a window on the rear elevation of the proposed first floor extension to improve appearance;

Appearance of the extended dwelling and effect on the Castle Street Conservation Area

One of the main issues raised in this case is the effect of the extended building upon the Conservation Area.

As has been described above, the application property is located at the end of a row of terraces. The side extension would be just under 1.1 metres in width and a gable end would be created above in place of the existing hip.

The window and front door arrangement on the elevation facing Castle Street has been carefully reconsidered in the light of representations and the Conservation comments received. The use of render on this elevation would also represent a marked improvement over the existing brickwork. The terraced houses immediately to the north are also rendered.

The use of a gable end is in keeping with neighbouring roof forms and Officers consider it an acceptable design solution for this building.

The eaves height of the first floor rear addition has now been lowered to line through with those on the main house. A window is proposed within the east elevation which would break up the appearance of this addition. In design and proportion terms, Officers consider this element acceptable.

The rear dormer is set within the roof space and is modest in scale. Its design would respect the appearance of the house and the character of the area.

Lastly, the garage would be located in the same general location as one which previously existed. It would have white rendered sides, a clay tile roof with a hipped roof to the front and a gable to the rear. Its design is considered appropriate for this location.

Officers are satisfied that when considered both individually and cumulatively, the additions and alterations to this property are acceptable and would preserve the character and appearance of the Castle Street Conservation Area.

## Impact upon the amenities of neighbouring properties

The single storey extension measures approximately 1 metre in depth and is modest in height. Due to its size, positioning and design, Officers do not believe this extension would materially harm the residential amenities currently enjoyed by the adjacent neighbours.

The first floor extension would be 2.6 metres deep and set off the party boundary. Officers have made efforts to assess the proposal from inside the neighbouring property. This has not proved possible to date, but officers hope to have done this by the time of the planning committee. Officers will provide an update at the meeting.

The side extension would be separated from the neighbouring property by a driveway and walkway. Officers similarly do not believe the extension would materially harm the amenities of the neighbouring property.

The proposed garage would be located at the end of the rear garden, some distance from the rear of properties fronting Castle Street and adjacent to the garage serving 138A Castle Street. Officers consider the scale of the garage appropriate for this location and that it would not be harmful to neighbouring amenity.

The dormer window would not materially increase the overlooking of adjoining properties.

## Summary

Officers have carefully assessed the proposals in terms of their effect on the appearance of the dwelling and the wider Conservation Area. The impact upon neighbouring amenity has also been examined.

Officers consider that collectively the works proposed would improve the appearance of the application property and in turn would preserve and enhance the character and appearance of the Conservation Area. The recreation of the window and door arrangement upon the front elevation is particularly welcome.

Notwithstanding the objections received Officers consider that subject to officers assessing the impact upon 136 Castle Street and appropriate conditions these works and additions are acceptable.

## ***Recommendation***

Subject to officers assessing the impact upon 136 Castle Street;

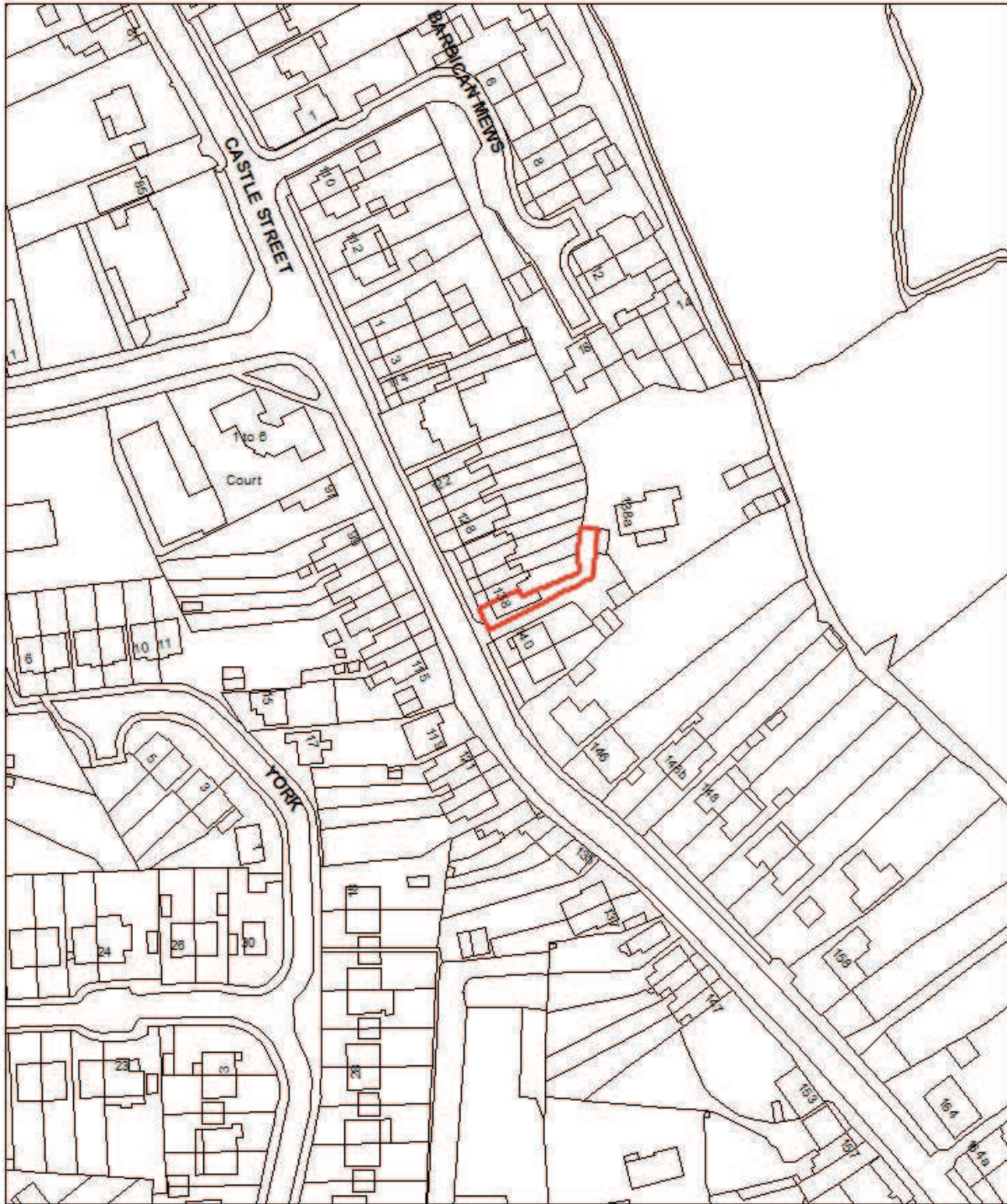
PERMISSION: samples of materials to be agreed; window details including recesses to be agreed; revised fenestration to Castle Street to be completed as part of extension works to dwelling; rendering details to be agreed; rendering to be undertaken as part of any extension works to the dwelling.

## ***Background Papers***

P/13/0881/FP

# FAREHAM

## BOROUGH COUNCIL



138 Castle Street  
Scale 1:1250

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**P/13/0981/FP**

MR AND MRS COLLINS

**PORTCHESTER EAST**

AGENT: BERNARD COLE &  
PARTNER

ERECTION OF FIRST FLOOR EXTENSION

221 CASTLE STREET PORTCHESTER PO16 9QW

### ***Report By***

Susannah Emery Ext 2412

### ***Site Description***

This application relates to an unlisted dwelling to the west side of Castle Street within the Conservation Area. Portchester Castle and its grounds lie immediately to the south and east. The dwelling was erected in approx 1972 and has a modern split level design which steps down towards the rear of the site to reflect the ground levels.

### ***Description of Proposal***

Planning permission is sought for the erection of a first floor rear extension to the rear of the building above the lower level featuring a curved roof design.

### ***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)

### ***Relevant Planning History***

The following planning history is relevant:

FBC 6951 Redevelopment by Erection of Replacement Dwelling Permission 16 February 1972

**P/13/0738/FP**

**FIRST FLOOR EXTENSIONS**

WITHDRAWN 23/10/2013

### ***Representations***

Seven letters had been received (including one from The Portchester Civic Society) raising the following objections/concerns;

- The dwelling is in a Conservation Area and the size and height should be limited particularly as it is very close to Portchester Castle;
- Such a modern design should not be allowed in a conservation area or close to Portchester Castle
- The extension would be visible from the Castle Keep and would not be in keeping with 'old worldly' structures in the environment local to the Castle;
- A planning application at a similar distance from the Castle to the east was not allowed to be built above a certain height and size. It had to be a bungalow;
- The existing dwelling was permitted largely because it had such a low profile and it is was

thought it would be hidden by trees and bushes;

- The extension appears higher than the last plans;
- New development of any kind should be kept to a minimum;
- We have managed to mask the existing dwelling to some extent;
- Raising the height of the building would impose its ugliness on the neighbouring property to its detriment.
- Overlooking of No.201 Castle Street
- Has any archaeological work been done on the area where the extension is to be located?

### ***Consultations***

Director of Planning & Environment (Conservation Officer) - This unlisted modern property lies in the Portchester (Castle Street) Conservation Area. It is within the setting and designated scheduled area of Portchester Castle (also a grade I listed building). The site also has some effect on the setting of adjacent grade II listed buildings. Due to its low height and the presence of boundary planting the existing building is not prominent in views from the castle, its grounds or from Castle Street, Hospital Lane or Church Lane. In that respect the impact on the castle and the character and appearance of the conservation area of the proposed extension is not great.

Following withdrawal of planning application P/13/0738/FP for a flat roofed design and further pre-application discussion the proposal has been reconfigured to include a curved roof. This in my view has improved the design of the proposed building, reduced its bulk and retained some relationship to ground levels. I would support the application which in my view would not be harmful to the character or appearance of the conservation area or the setting of listed buildings.

Director of Planning & Environment (Arborist) - There are no arboricultural grounds for refusal and I therefore raise no objections to the proposed extension.

English Heritage - No comment

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

A previous application (P/13/0738/FP) for a first floor rear extension was withdrawn in October 2013 after officers raised concerns with the applicant's agent regarding the design. The application involved the addition of a second storey above the lower section of the dwelling with a flat roof. This would have resulted in a significant height increase of the dwelling close to the boundary and a rather unsightly west elevation which would have been partially visible from the rear garden of the neighbouring listed dwelling (No.201).

The proposal has been amended reducing the head height in the rear section of the extension and introducing a curved roof design. The section of the dwelling to be extended currently has a flat roof standing at a height of 4.4m above ground level. The maximum height of the curved roof over the first floor extension would be 7.3m representing a height increase just under 3 metres. However as a result of the amendments the eaves height adjacent to the boundary of the neighbouring property to the west would only be raised by 0.4m and the roof to the extension would then rake away from this boundary rising to its maximum height approx 13 metres away. The curved roof over the extension would be approx 1 metre higher than the flat roof over the upper level of the dwelling so that the height of the dwelling as a whole would not be significantly increased. In officers opinion the amendments would overcome the previous concerns raised and would also represent an improvement in the current design of the dwelling.

There are no windows proposed at first floor level within the west elevation which would face towards the garden of the neighbouring property (No.201) so it is not considered that the proposal would result in overlooking. Due to the presence of boundary vegetation screening the proposed extension would not be easily visible from any of the neighbouring properties or from any public vantage points of the Conservation Area. There would be only limited views of the extension from the far end of the rear garden of the neighbouring property (No.201) and the quality of the design has been greatly improved. It is therefore not considered that the proposal would have any detrimental impact on residential amenity, the setting of adjacent listed buildings or the character of the area. Whilst the roof of the extension would be visible from the Castle Keep it is not considered there would be any harm to the setting of Portchester Castle.

Although the site is located within a Conservation Area this does not preclude any form of development or dictate that development should be only single storey. The merits of each case need to be assessed individually and in this instance the proposal is for an extension which would largely be unseen from outside of the application site. As the proposal is for a first floor extension it is not considered any archaeological exploration is required.

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

***Recommendation***

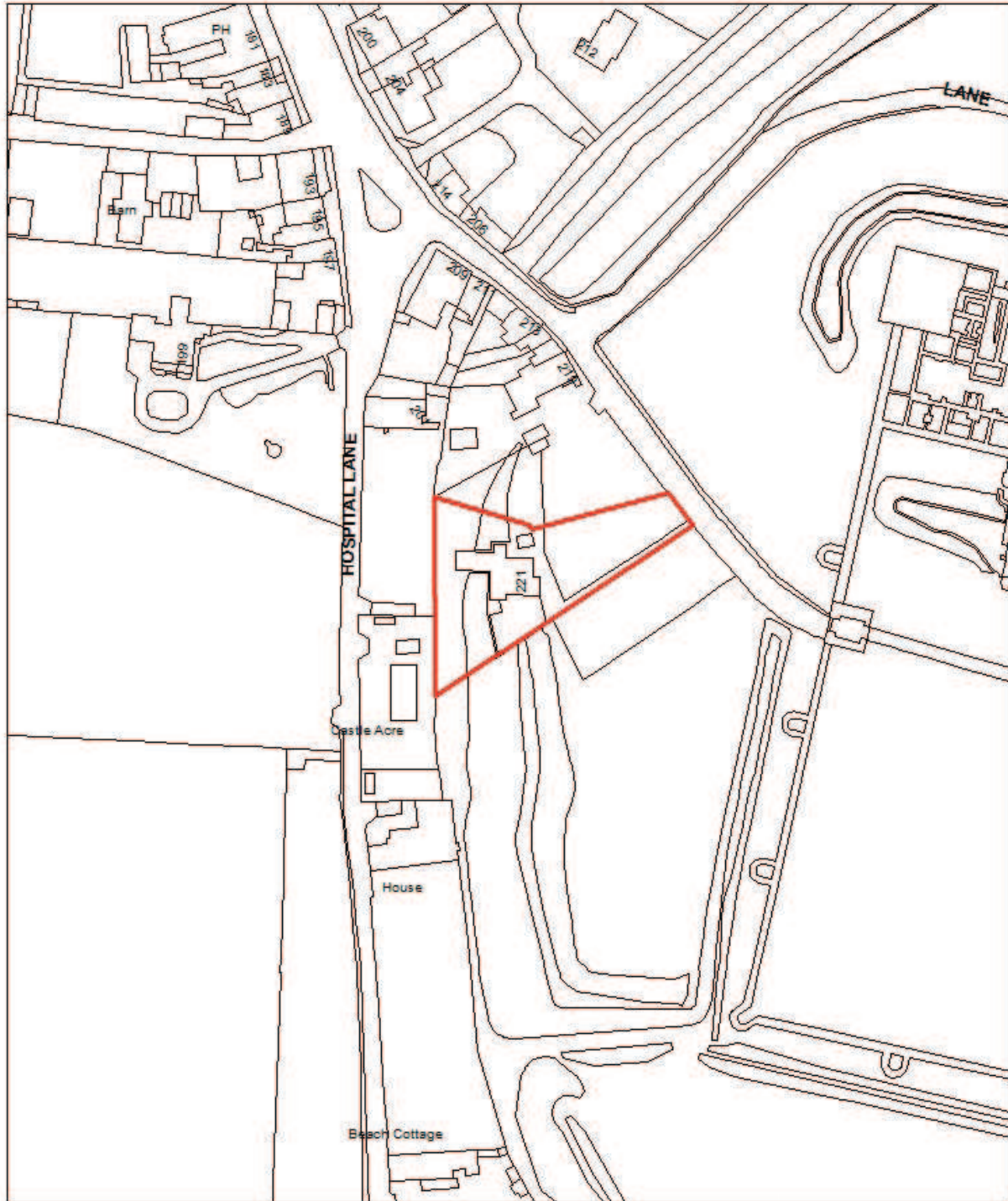
PERMISSION; Materials, Detailed design of windows/doors, Remove PD windows first floor (west elevation)

***Background Papers***

P/13/0981/FP

# FAREHAM

## BOROUGH COUNCIL



221 Castle Street  
Scale 1:1250

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# Agenda Item 6(18)

**P/13/1009/FP**

**PORTCHESTER EAST**

MRS CASSIE DUNFORD

AGENT: DRAWING BY DESIGN

ERECTION OF FRONT AND REAR DORMERS, BARN HIP ROOF AND SINGLE STOREY REAR EXTENSION

37 WICOR MILL LANE FAREHAM HAMPSHIRE PO16 9EE

## ***Report By***

Arleta Miszewska ext. 4666

## ***Site Description***

This application relates to a single storey, semi-detached bungalow located on the western side of Wicor Mill Lane. The dwelling benefits from an ample rear garden, measuring over 15 metres to the rear boundary when measured from the end of existing conservatory.

Wicor Mill Lane contains a mix of semi-detached properties, single storey bungalows on the western side and two storey dwellings on the eastern side. Front and rear dormer windows have been built within the area.

## ***Description of Proposal***

Planning permission is sought to build up the existing hip end of the roof to a barn hip and to insert two dormer windows at the front and one at the rear. This development of first floor roof space would accommodate two bedrooms.

Planning permission is also sought to replace the existing conservatory with a 3 metre deep and 4 metre high single storey rear extension to provide a kitchen/dining area.

## ***Policies***

The following policies apply to this application:

### **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

### **Fareham Borough Local Plan Review**

DG4 - Site Characteristics

## ***Relevant Planning History***

P/13/0713/FP - single storey rear extension, loft conversion with roof extension - Withdrawn on 23 October 2013 due to adverse impact on neighbours to the north from proposed roof extension. Amendments recommended.

## ***Representations***

One letter of objection received from 22 Seafield Road, which is to the west of the application site. The following concerns have been raised:

- overlooking of garden, sun lounge and into bungalow;
- design and appearance out of keeping with the character of the area detrimental to the appearance of the host property;

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

The proposed rear extension would be marginally higher than what could normally be

constructed under permitted development rights and would replace the existing conservatory. The other half of the semi-detached pair has previously been extended to the rear. The other neighbouring property to the south is positioned over 4 metres away from the proposed extension and also benefits from a rear conservatory. Officers consider that the proposed rear extension would be acceptable, in terms of impact on residential amenities of adjacent neighbours.

Concern over the proposed rear dormer window has been raised, in terms of loss of privacy. The Fareham Borough Council Extension Design Guide requires first floor windows to be at least 11 metres away from neighbours gardens and 22 metres away from neighbouring windows to prevent overlooking. The proposed dormer window would be over 17 metres away from the party boundary and approximately 35 metres from the property to the rear. Officers consider the proposed rear dormer window would not lead to any material loss of privacy.

Finally, as dormer windows are a well established feature in the area, it is considered that this proposal would not detract from the character or appearance of this bungalow or the wider street scene.

For the reasons given above, Officers consider the application accords with the local development plan for Fareham and there are no other material considerations to justify refusal.

***Recommendation***

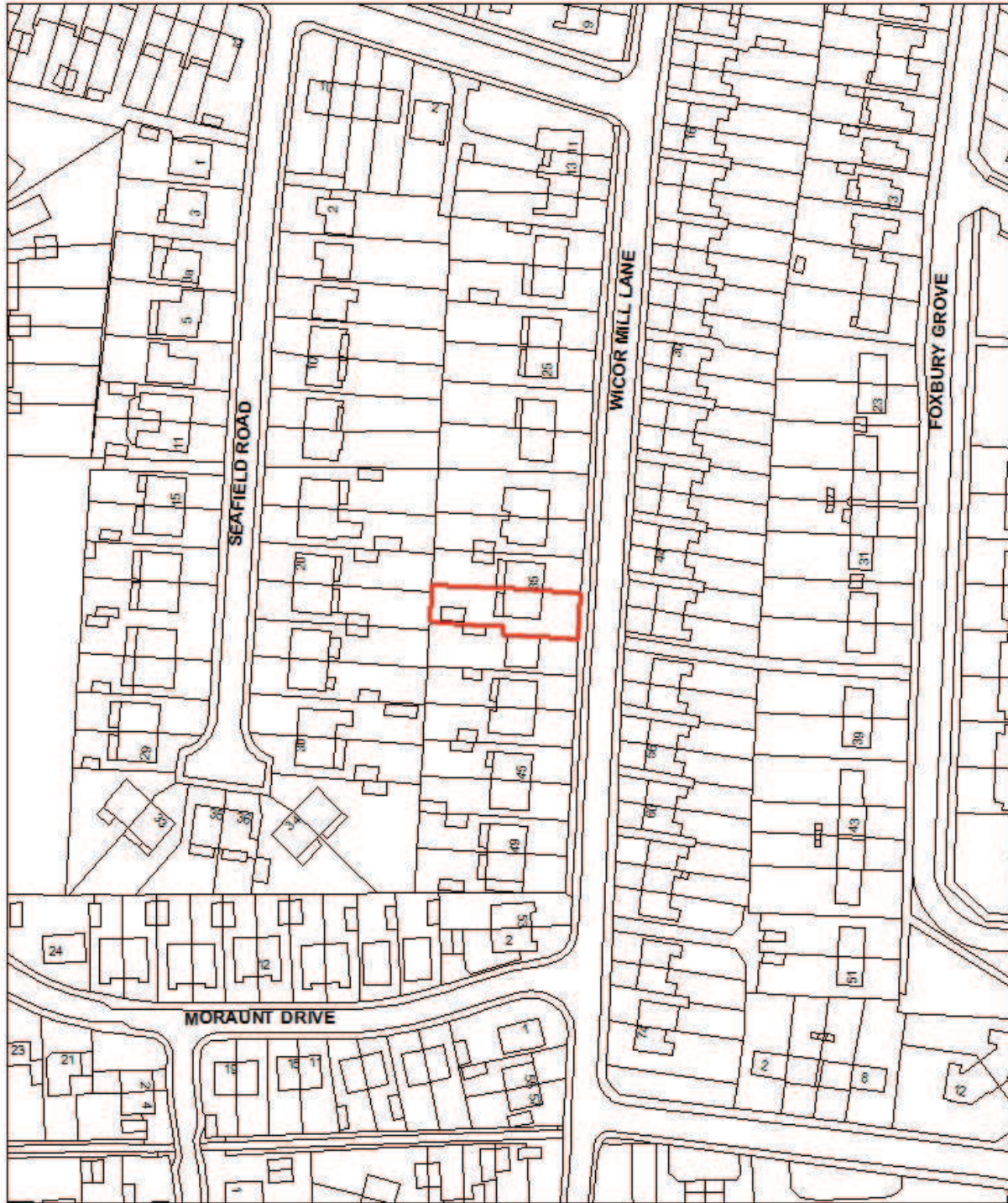
PERMISSION: Materials to match existing.

***Background Papers***

P/13/1009/FP

# FAREHAM

## BOROUGH COUNCIL



37 Wicor Mill Lane  
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## PLANNING APPEALS

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

### CURRENT

#### HG/12/0001

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

#### P/12/0567/LU

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

#### P/12/0936/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

## **PLANNING APPEALS**

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

### **CURRENT**

#### **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

#### **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).

## **PLANNING APPEALS**

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

### **CURRENT**

#### **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)

#### **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

## **PLANNING APPEALS**

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

### **CURRENT**

#### **P/13/0709/CU**

**Appellant:** MR M HILL  
**Site:** 69 Botley Road - Land To West Park Gate Southampton Hants SO31 1AZ  
**Decision Maker:** Officers Delegated Powers  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 04 December 2013  
**Reason for Appeal:** CHANGE OF USE OF LAND TO RESIDENTIAL GARDEN

### **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

#### **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

### **DECISIONS**



## **PLANNING APPEALS**

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

### **DECISIONS**

#### **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

#### **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/13/0369/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

# FAREHAM

## BOROUGH COUNCIL

### Report to Planning Committee

**Date**                    **18 December 2013**

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

**Subject:**              **PLANNING APPEALS - SUMMARY REPORT**

#### **SUMMARY**

This report summarises the appeal decisions received during the period 1 April 2013 to 9 December 2013 and provides an analysis of them.

#### **RECOMMENDATION**

That the Committee notes the contents of this report.

## INTRODUCTION

1. The following report analyses the planning appeal decisions received in the period 1 April 2013 to 9 December 2013.

### Analysis of Appeal Decisions and Trends

2. During the period covered by this report 27 appeal decisions were received. Of those 27 decisions, 8 were allowed, 1 was part allowed and 18 were dismissed. The decisions can be broken down in greater detail as follow:-

	<b>Total</b>	Written Representations	Informal Hearing	PLI
Allowed:	8	5	3	0
Part Allowed:	1	1	0	0
Dismissed:	18	11	7	0

3. Of the 18 appeals dismissed: 10 were either refused under officers' delegated powers or recommended for refusal. One appeal related to a delegated officer decision for part approval. Six of the other 7 appeals were in relation to conditions attached to permissions. The final appeal related to an application which was favourably recommended by Officers but granted only part approval by the Planning Committee.
4. Of the 8 appeals allowed: six related to applications either refused under delegated powers or recommended for refusal and one resulted from the Planning Committee overturning the recommendation of Officers. The final appeal related to an enforcement notice issued under Officer delegated powers.
5. The appeal that was part allowed related to an officer delegated decision for refusal.
6. The 27 appeal decisions received can be grouped into the following areas:-

	Allowed	Dismissed
Tree Preservation Orders	2 (inc. 1 part allowed)	0
Householder development	1	5
Residential Development (less than 10 units)	3	8
Residential Development (more than 10 units)	0	0
Advertisements	0	0
Variation of Condition	0	5

Commercial	2	0
Listed Building Consent	0	0
Planning Enforcement Notice	1	0
Lawful Use Certificate	0	0

There has been one successful application for full costs in relation to the above appeals and a further partial award of costs. These awards are in relation to refused applications at 22 The Downsway and Land to the south-west of Burridge Road which are discussed in more details below.

7. The planning appeals for this financial year to date cover a range of applications and development types but are all smaller scale development. Many related to subjective issues of the impact upon character and adjoining properties. All the appeal decisions received are circulated to Members of the Planning Committee and therefore a detailed analysis of each one is not set out here. The following discussion looks at those relatively few cases where the recommendations of Officers were not accepted by the Planning Committee as well as the context and content of other notable appeal decisions.

#### **The appeals allowed**

8. In the case of 18 Haven Crescent, Hill Head Members refused the planning application against the recommendation of Officers. The proposal related to a roof light which was the subject of an earlier planning condition. The roof light would be fitted with a restrictor to enable it to be opened up to 5 centimetres however Members were concerned that this arrangement would give rise to the overlooking of the property to the rear. The Planning Inspector noted that in this instance the roof light is of an unusual configuration and that its distance from the common boundary, the boundary treatment in place and the angle of the roof all combined to the extent that there would not be a material loss of privacy for the neighbours.
9. A proposal for the construction of 8no twin caravans for short term holiday rental accommodation at Eastlands Boatyard, Swanwick was refused by Members in line with the Officer recommendation. The appeal decision focussed on the Council's contention that the development was contrary to Core Strategy Policy CS14 and was visually intrusive to the landscape. The inspector was clear in his view however that this kind of use had needs which could only be met in a countryside location and therefore fell within the description of acceptable development set out in local and national planning policy. Whilst he recognised that the undeveloped form of the site did make some visual contribution to the locality he concluded that the proposal would not have an adverse effect on the landscape character. In allowing the appeal the inspector imposed a condition restricting occupancy of the caravans for no more than 30 days at a time or 60 days in any calendar year. The condition did not tie the occupancy of the caravans to use of the leisure facilities at Eastlands boatyard.
10. Planning permission was refused for a detached one-bedroom bungalow at 22 The

Downsway, under Officer delegated powers. Notwithstanding the limited size of the resultant plot the inspector considered that the nature of the site and the surrounding streetscene was such that the proposal would not be harmful to its character or appearance.

11. Costs were awarded against the Council with the Inspector noting that the Planning Committee had previously granted permission for a two bedroom chalet on a site of identical size to the rear of 99 West Street. The Inspector considered that the appeal scheme accorded with the National Planning Policy Framework requirements in that it provided a sustainable form of development appropriate in terms of its density, setting and standards of amenity for future residents. The Inspector concluded that the Council had acted unreasonably in refusing the application.
12. A planning inspector's decision to grant permission at land to the south-west of Burridge Road related to the proposed use of the land for the stationing of caravans for residential purposes for a gypsy pitch.
13. This authority argued that the site was not appropriate in principle in this location; it would harm the character and appearance of the surrounding area; and the use would impact upon ecological interests.
14. The inspector judged that the proposed development would not be out of step with Government guidance in terms of its location. The inspector also judged that the site was sustainable economically, socially and environmentally.
15. Whilst the introduction of the residential pitch would alter the site's appearance, it was not considered out of context in this location and was considered well screened from distant public views.
16. Turning to ecological harm, the inspector dismissed the appeal relating to the larger site on these grounds. On the much smaller site, the Inspector concluded that any harm would not be significant and would in any event be outweighed by the pressing need for such sites.
17. In relation to the appeal the appellant was successful in obtaining a partial award of costs due to the fact that this Authority had initially argued that there was no requirement for additional gypsy pitches within Fareham. In relation to the other reasons for refusal however the inspector found no unreasonable behaviour.
18. An enforcement appeal was quashed and an appeal against refusal to grant permission allowed at land adjacent to 237 Segensworth Road. The development involved the continued use of the land for stabling and grazing (including the retention of a mobile home in connection with an equine breeding business).
19. The Inspector concluded that the equine business had potential to become profitable in the future, but current uncertainties meant only a temporary permission would be justified at present. The business use was judged as one which if successful would require the presence of the worker on site at all times.
20. The Inspector accepted that the mobile home was larger than might be expected for a single worker, but with further landscaping and careful site layout its impact could be mitigated.

### **The dismissed appeals**

21. Members will be aware that many of the holiday chalets at Solent Breezes Holiday Park are subject to restrictions as to when they can be occupied during the year. Planning permission was sought for the variation of a long-standing seasonal occupancy condition in relation to five separate chalets. Under Officer delegated powers these applications were approved but reworded occupancy conditions imposed in each case in order to prevent the establishment of a permanent residential dwelling. The chalet owners appealed against the imposition of this new condition
22. In considering the issues the planning inspector agreed with the Council that the countryside and unsustainable location of the chalets meant that their use as full-time residences would be contrary to local and national planning policy. There were no other matters which outweighed this consideration and the appeals against the condition were dismissed.

### **Summary**

23. The appeals received within this financial year to date have related to small scale developments, many of which involved subjective judgements relating to the design and appearance of schemes and their effect on the character of the area and residential amenity. Several appeals have turned on considerations relating to residential development outside of the urban area. With the exception of the appeal at Burrigge Road concerning the Council's assessment of gypsy and traveller accommodation need, no significant policy challenges arose through these appeals.

### **CONCLUSION**

24. Members are recommended to note the contents of this report.

#### **Background Papers:**

The appeal decision notices in respect of those appeals mentioned in this report.

#### **Reference Papers:**

None

#### **Enquiries:**

For further information on this report please contact Richard Wright, Senior Planner (Development Management) (Ext 2356)

