

AGENDA
PLANNING COMMITTEE

Date: Wednesday, 23 March 2016

Time: 2.30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors B Bayford
T M Cartwright, MBE
P J Davies
K D Evans
M J Ford, JP
R H Price, JP
D C S Swanbrow

Deputies: L Keeble
Mrs K K Trott
Mrs C L A Hockley
D J Norris



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 5)

To confirm as a correct record the minutes of the Planning Committee meeting held on 24 February 2016.

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. Review of Local Information Requirements (Pages 6 - 33)

To consider a report by the Director of Planning and Regulation on a review of the Local Information Requirements.

7. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 34)

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

ZONE 1 - WESTERN WARDS

(1) **P/15/1273/FP - RIVERNDELL HOOK PARK ROAD WARSASH FAREHAM SO31 9HA** (Pages 36 - 40)

(2) **Q/0005/16 - 22 SUFFOLK DRIVE WHITELEY FAREHAM PO17 7DE** (Pages 41 - 44)

ZONE 2 - FAREHAM

ZONE 3 - EASTERN WARDS

(3) **P/15/1256/FP - OSBORNE VIEW HOTEL 67 HILL HEAD ROAD FAREHAM PO14 3JP** (Pages 47 - 55)

(4) **Planning Appeals** (Pages 56 - 61)

8. Tree Preservation Order No.720 (2015) - Land South of Warsash Common, East of Church Road and West of Fleet end Road Warsash (Pages 62 - 65)

To consider a report by the Director of Planning and Regulation regarding Tree Preservation Order No. 720 (2015) to which two objections have been received.

P GRIMWOOD
Chief Executive Officer

Civic Offices
www.fareham.gov.uk
15 March 2016

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
Tel:01329 236100
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FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 24 February 2016

Venue: Collingwood Room - Civic Offices

PRESENT:

N J Walker (Chairman)

A Mandry (Vice-Chairman)

Councillors: B Bayford, T M Cartwright, MBE, P J Davies, K D Evans,
M J Ford, JP, R H Price, JP and D C S Swanbrow

Also Present: Councillor Mrs S M Bayford (Item 6 (2))



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee held on 27 January 2016 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minutes No/ Application No/Page No
ZONE 1 – 2.30pm				
Mr R Reay (Agent)		P/15/1055/FP - LAND AT NEW ROAD SWANWICK The erection of a detached 5 no. bedroom house provided with a detached double garage, car parking, turning and an earth bund to the front of the site	Supporting	6(1) P/15/1055/FP Pg 19
Mr R Tutton		-Ditto-	Opposing	-Ditto-
Mr G Metcalfe		-Ditto-	Opposing	-Ditto-
Mr P Nash		P/15/1133/FP – 55 RALEY ROAD LOCKS HEATH SO31 6PB Erection of Garage & Single Storey Rear Extension	Opposing	6(2) P/15/1133/FP Pg 26

Mr B Russell (Applicant)		-Ditto-	Supporting	-Ditto-
ZONE 2 – 2.30pm				
ZONE 3 – 2.30pm				

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

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/15/1055/FP - LAND AT NEW ROAD SWANWICK SO31

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

The Committee’s attention was drawn to the Update Report which contained the following information:- *Reason for refusal no. 2 to include reference to Policy DSP6 and amended as follows:*

1. The proposed development in contrary to Policy CS14 of the adopted Fareham Borough Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies and is unacceptable in that the erection of a dwelling in this location would result in a dwelling in the countryside for which it has not been demonstrated that there is a justification or overriding need.

Upon being proposed and seconded, the officer recommendation to refuse planning permission, was voted on and CARRIED.
(Voting: 8 in favour; 1 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

- (1) The proposed development is contrary to Policy CS14 of the adopted Fareham Borough Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies and is unacceptable in that the erection of a dwelling in this location would result in a dwelling in the countryside for which it has not been demonstrated that there is a justification or overriding need.
- (2) The proposed development would be contrary to Policy CS17 of the Fareham Borough Core Strategy in that the excessive mass and scale of the proposed development would not respond positively to the more

modest proportions of the adjacent buildings and would have an adverse effect on the semi-rural character of the area.

(2) P/15/1133/FP - 55 RALEY ROAD LOCKS HEATH FAREHAM SO31 6PB

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

At the invitation of the Chairman, Councillor Mrs Bayford addressed the Committee on this item.

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

(Voting: 6 in favour; 3 against)

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

(3) P/16/0057/FP - 12 LAVEROCK LEA PORTCHESTER FAREHAM PO16 8DA

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) Planning Appeals

The Committee noted the information in the report.

(5) UPDATE REPORT

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

7. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which have been made under delegated powers and to which no formal objection had been received.

Fareham Tree Preservation Order No.718 (2015) – 11 & 15 Bye Road, Swanwick

Order served on 4 December 4 2015 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No 718 be confirmed and made and served.

**Fareham Tree Preservation Order No.721 (2015) – 2 Birdwood Grove,
Portchester**

Order served on 7 January 2016 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No 721 be confirmed and made and served.

(The meeting started at 2.30 pm
and ended at 3.28 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **23 March 2016**

Report of: **Director of Planning and Regulation**

Subject: **REVIEW OF LOCAL INFORMATION REQUIREMENTS**

SUMMARY

A report was presented to the Planning Committee on 27th January 2016 which set out proposed changes to Local Information Requirements for the validation of planning applications. A four week period of consultation was undertaken on the proposed changes which concluded on the 2nd March.

This report sets out the results of the consultation and the assessment by officers' of the responses received. Further changes to the Local Information Requirements List are summarised in the following report, and set out in full in the accompanying Appendix.

RECOMMENDATION

Members are recommended to agree the proposed changes to the Local Information Requirements which have been carefully considered in the context of the consultation responses received. The proposed changes to the Local Information Requirements should take effect on the 1st April 2016, and will be applied to all applications received on or after that date.

INTRODUCTION

1. A report was presented to the Planning Committee on 27th January 2016 reviewing the levels of information required by this Council before it will validate planning applications. The report presented proposed changes to:
 - i) simplify the information which must be submitted, particularly with householder and minor applications, which form the majority of applications this Council receives; and
 - ii) to include the information requirements contained in Part 1 of the Welborne Design Guidance SPD within this Council's Local Requirements List.
2. At that meeting members resolved that the proposed changes to Fareham Borough Council's Local Information Requirements, shown in Appendix A to that report, be approved for public consultation. A four week period was allowed for consultation with statutory and local consultees, and with regular planning agents.
3. As a result of that consultation, two responses have been received from external consultees (the Environment Agency and Highways England). One written response was received from Deloitte on behalf of BST Warehouses Limited. Responses were also received from Environmental Health in respect of noise and air quality.
4. The following is a summary of the consultee responses. This is followed with a section setting out officers recommendations.

SUMMARY OF RESPONSES

Environment Agency

Flood Risk Assessment (FRA)

5. We disagree with the Council's suggestion to remove the requirement for a FRA for Householder applications. To ensure the application is in line with the National Planning Policy Framework and Flood Risk Standing Advice it is a requirement for Householder applications to submit a FRA proportionate to the scale of development. We believe this requirement should still be met. Further guidance can be found by clicking on the below link

Flood Risk Assessment

6. We are pleased to see no changes within this section and welcome the additional details for Welborne.

Foul Sewerage and Utilities Assessment

7. We do not oppose the removal of the words in the second paragraph within this section. We believe the first paragraph contains all necessary information.

Waste Water Strategy (Welborne)

8. We welcome the inclusion of this topic here as it will help ensure there is no deterioration to the quality of the receiving water bodies. It is essential that the method for disposal of waste water from the development is agreed at the earliest possible

stage of the planning application process. It is important that this is considered holistically and that the final scheme ensures there is no damage to the water environment and improvement wherever possible.

Highways England

9. We have reviewed the consultation and have no comments.

Deloitte on behalf of BST Warehouses Limited

10. The Council's action to provide clarity on planning application requirements is welcomed. Whilst we consider there to be no significant issues with the majority of the requirements, we do have comments in respect of the detail of the List.

11. Paragraph 193 of the National Planning Policy Framework (NPPF), states:

“Local planning authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question

12. In consideration of the guidance set out in the NPPF, we request that the Council include the following amendments to the 'standard' Local Information Requirements List:

- i. The relevant Local Plan policy that needs to be satisfied should be identified for each of the planning application documents required. This will provide clarity for applicants and help to ensure that the application documents provide the appropriate level of detail and information, in accordance with the guidance set out in the NPPF.
- ii. It is not clear why an Ecological Assessment would be required at the Reserved Matters stage unless there were specific site issues that necessitated further assessment. In these cases it would be expected that there would be a specific condition to address this point. In most cases it would be expected that the Ecological Assessment submitted with the Outline Planning Application would clearly assess the impact of the proposed development and identify the requisite mitigation for the proposed development (or further assessment at the Reserved Matters stage) which would then normally be addressed in the planning conditions.
- iii. The requirement to prepare a Statement of Community Consultation (and it is assumed undertake community consultation) at the Reserved Matters stage is also not fully explained or justified in the draft Local List. Planning Practice Guidance states that “Pre-application engagement with the community is encouraged where it will add value to the process and the outcome”. There is no apparent reason why further community consultation would necessarily be required at the Reserved Matters stage for all major applications.

13. With regard to the Welborne specific Local Information Requirements, we request that the following amendments are made:

- i. The majority of the 'Required for' statements refer to "Initial planning application(s) for Welborne". To provide clarity we would recommend the wording is amended to state, "Initial planning application(s) for the comprehensive development of Welborne".
- ii. There is a request for a standalone Public Transport Plan, however paragraph 7.15 of the Local Plan Part 3: The Welborne Plan states that "... The Transport Framework will comprise... A Public Transport Plan (see Policy WEL26) .." The Public Transport Plan should therefore be included within the requirements of the Transport Framework.
- iii. There is a lack of clarity with regard to the role and purpose of Comprehensive Masterplans. The Comprehensive Masterplans description (which is based on the Welborne Design SPD wording, albeit this has been changed from the version consulted upon in 2014) identifies requirements/matters which could normally be included within the parameter plans. The List however creates some confusion with the further identification of parameter plans being required with the Structuring Plan. The role of the identified plans needs to be clearly explained to avoid duplication of information and to clearly define the purpose of the various plans required. It is important that the level of detail that is requested for the initial application(s) is appropriate and crucially it should allow sufficient flexibility to enable the detail of the Welborne proposals to be brought forward through subsequent applications.
- iv. There are two aspects of the description of the Comprehensive Masterplans which cause concern due to the ambiguity of the requirement and should therefore be removed. These are: "Demonstrate an understanding of how well the new community is integrated with the surrounding landscape and how this is reflected in the character areas of the development"; and "Define the nature of relationships between buildings and public spaces (i.e. nature of boundaries between private and public spaces)".

Environmental Health (Noise)

14. As drafted the Local Information Requirements require Noise Impact Assessments when:

Noise generating development such as B2 located near to noise sensitive areas i.e. residential, including all B2 application sensitive developments, e.g. housing located near to a source of noise, e.g. motorway, industrial site.

15. This should be redrafted to read that Noise Impact Assessments are required when:

Noise generating development such as Class B2 Uses are located near to noise sensitive areas i.e. residential; and all noise sensitive developments eg, housing, nursing home etc, located near to a potential sources of noise e.g. licensed premises, busy urban road, motorway, industrial site.

Environmental Health (Air Quality)

Air Quality Assessment

16. At the present time there is no Local Information Requirement for Air Quality Assessments. We believe there should be a requirement for such Assessments for the following application types in the following circumstances:

- Full planning applications (major applications)
- Outline planning applications (major applications)

When

for any development (of any size) which introduces new exposure into an area of poor air quality eg in or near an AQMA, near a heavily trafficked road such as a motorway and/or near a source of potential nuisance such as odour or dust, that may affect amenity for future occupants.

PROPOSED FURTHER AMENDMENTS TO LOCAL INFORMATION REQUIREMENTS ARISING FROM CONSULTATIONS

Air Quality Assessment

17. The importance of air quality management and Air Quality Management Areas are supported through National Policy. Officers consider however that it is extremely difficult to set out clear 'triggers' as to when applicants would be expected to carry out this work.
18. In the opinion of officers the need for air quality assessments is best established through discussions between officers and applicants at the pre-application planning advice stage. Should a need for such an assessment be identified following validation of a planning application it can still be sought.
19. Officers do not propose any changes to the Local Information Requirements in respect of air quality assessments.

Community Involvement

20. The Local Information Requirements as presently drafted requires Community Involvement to be undertaken on all full planning, outline planning and reserved matters applications relating to major developments. The question which has been raised during consultation is why community consultation would be required at the reserved matters stage for all major applications.
21. The experience of Officers is that local communities, especially those immediately adjoining a site, are often very interested in the details of the scheme; this can include its height, appearance or relationship to them. Outline planning applications by their very nature often contain little about these aspects.
22. Officers believe that in cases where there are multiple neighbours to a proposal or broader public interest, Community Involvement is important in preparing and shaping

proposals even at the reserved matters stage.

23. Officers do however acknowledge that reserved matters applications for some major proposals, (for example a new commercial building in the middle of a business park), is unlikely to attract much public interest.
24. In light of the foregoing Officers propose that Community Involvement in reserved matters submissions for major applications should remain on the Local Information Requirements list. This is subject to a caveat that Community Involvement relates solely to those proposals where local interest in them is known to exist or is reasonably foreseeable. In common with other Local Information Requirements, this issue is best established through discussions between officers and applicants at the pre-application planning advice stage.

Ecological Assessment

25. The comments regarding the requirement for an Ecological Assessment to be submitted at the reserved matters stage is noted. Whilst scenarios may arise when fresh appraisals or updated appraisals are needed at the reserved matters stage these are likely to be exceptions rather than every case.
26. In light of this the need for ecological assessments at the reserved matters stage is best established through discussions between officers and applicants at the pre-application planning advice stage. Should a need for such an assessment be identified following validation of a planning application it can still be sought.
27. Officers recommend that the need for ecological assessments to be submitted at the reserved matters stage for all major applications is removed from the list of Local Information Requirements.

Flood Risk Assessment

28. In light of the advice of the Environment Agency, the requirement for a Flood Risk Assessment in connection with householder applications should be added to this Council's Local Information Requirements. The requirement to undertake the Flood Risk Assessment should however be limited solely to development carried out at ground level.

Local Plan policies quoted alongside each Local Information Requirement

29. There is not a statutory requirement for Local Plan policies to be identified alongside each Local Information Requirement. Furthermore, this Council's current list of Local Information Requirements does not identify all relevant Local Plan policies.
30. Officers are not aware that the current situation has caused problems to applicants and therefore Officers do not propose to make any changes in this respect.

Noise Impact Assessment

31. The views of Environmental Health are noted and Officers propose that the requirement is reworded as set out at paragraph 15 above.

Welborne (type of applications triggering submission of details)

32. As currently drafted, many of the Local Information Requirements for Welborne are required to be submitted with 'initial planning application(s) for Welborne'. Following consultation a request has been received that this is amended to read 'initial planning application(s) for the comprehensive development of Welborne'.
33. At the current time is it not known whether one planning application or a number of planning applications will be submitted initially for the development of Welborne. Furthermore it is not known whether the application/ applications will be submitted as outline applications, detailed applications or as hybrid applications.
34. The term 'initial planning application(s) for Welborne' was used as this is a term within The Local Plan Part 3: The Welborne Plan, and the recently adopted Welborne Design Guidance Supplementary Planning Document.
35. Officers are not convinced that adding the words 'comprehensive development' provides greater clarity as to when the Local Information Requirements will need to be submitted. In any event Officers would expect a scheme of the scale of Welborne to be subject to extensive pre-application planning discussions prior to the submission of any planning application. Through the discussions between Officers and applicants, there should not be any doubt as to when the Local Information Requirements need to be submitted.
36. Officers do not propose any changes to this aspect of the Local Information Requirements.

Welborne (Comprehensive Masterplans)

37. The Welborne Design Guidance SPD adopted in January 2016 sets out in detail the role and purpose of the Structuring Plan (and associated parameter plans), and the role and purpose of comprehensive masterplans. The proposed Local Information Requirements reflect the adopted SPD Guidance.
38. Officers would expect a scheme of the scale of Welborne to be subject to extensive pre-application planning discussions prior to the submission of any planning application. Through the discussions between Officers and applicants, any lack of clarity or ambiguity that the planning agent considers exists within the adopted Welborne Design Guidance SPD can be addressed.
39. Officers do not propose any changes to this aspect of the Local Information Requirements.

Welborne (Public Transport Plan)

40. Rather than being a standalone document, a request has been received that the Public Transport Plan should be included within the requirements of the Transport Framework.
41. The change requested will still ensure the submission of this important element with planning application(s) for all or part of Welborne.
42. Officers recommend that the need for a standalone Public Transport Plan is removed from the list of Local Information Requirements, and instead is incorporated within the

requirements of the Transport Framework.

RECOMMENDATION

43. Members are invited to agree the proposed changes to the Local Information Requirements set out in paragraphs 17 to 42 above and incorporated into Appendix A.
44. Members are further invited to approve the changes to the Local Information Requirements so that they become effective from 1st April 2016.

Enquiries:

For further information on this report please contact Lee Smith, Head of Development Management (01329 824427)

Local Information Requirements:

Local list of additional information that must be submitted to Fareham Borough Council with certain types and scales of applications, or in particular locations.

Fareham Borough Council's Local Information Requirements were reviewed and consulted on between 3rd February 2016 and 2nd March 2016 and adopted on 1st April 2016.

Affordable housing statement

Required for:

- Full planning applications
- Outline planning applications

In the event that the proposal is not fully policy compliant, then a viability assessment must be submitted with the application.

When

- Residential schemes of 5 units and above or if the site is part of an allocated site or a larger area capable of development
-

Community Involvement

*Required for the following types of major applications**

- Full planning applications
- Outline planning applications
- Reserved matters**

**Community Involvement should take place on reserved matters submissions where local interest in them is known to exist or is reasonably foreseeable.

Contamination Assessment

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When

- All sites within 250 metres of a currently [licensed or historic landfill site](#) or where former uses may have contaminated land and/or the land is known to be contaminated.

Ecological Assessment

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When:

A biodiversity survey and report is likely to be needed where:

- any development that may affect a nationally designated habitat. You can see these sites on the website of [Natural England](#).
- any development that may affect a locally designated nature conservation habitat. You can see these sites in the Fareham Borough Local Plan Proposals map at the [planning portal](#).
- any development that may have an impact on a protected species. Visit [Hampshire biodiversity information centre](#) for information and help.

If a phase 1 survey is undertaken and identifies that a further survey is necessary, then this must be carried out and submitted with the application.

Flood Risk Assessment

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When:

- All sites within Flood Risk Zones 2 & 3; Sites of 1 hectare or more in area in Flood Risk Zone 1
- Householder developments at ground level in Flood Risk Zones 2 and 3

Foul Sewage and Utilities Assessment

Required for the following types of major applications*

- Full planning applications

When:

- If the proposed development results in any changes or replacement to an existing system or the creation of a new one. All applications in areas where existing sewage flooding takes place.

Heritage Statement (including historical, archaeological features and scheduled ancient monuments)

Required for the following types of major applications*

- Full planning applications
- Outline planning applications
- Full planning application with listed building consent
- Listed building consent

When:

- Where archaeological or historical features or remains may be affected and development within a Conservation Area or affecting a Listed Building either directly or its setting.
-

Landscaping (Detailed)

Required for the following types of major applications*

- Full planning applications
- Outline planning applications where landscaping to be considered

Lighting Assessment

Required for the following types of *major applications

- Full planning applications

When:

- Only where significant external lighting is proposed, i.e. flood lighting, lit areas of car parking, new street lighting.

Noise Impact Assessment

Required for the following types of *major applications

- Full planning applications
- Outline planning applications

When:

- Noise generating development such as Class B2 Uses are located near to noise sensitive areas i.e. residential; and all noise sensitive developments eg, housing, nursing home etc., located near to a potential sources of noise e.g. licensed premises, busy urban road, motorway, industrial site.

Open Space Assessment

Required for the following types of applications

- Full planning applications including change of use
- Outline planning applications

-

When:

- Where the proposed development is on existing public open space.

Parking Provision

Required for the following types of *major applications

- Full planning applications
- Reserved matter applications for layout

When:

- Where new dwellings and/ or floorspace is proposed; where a loss of existing car parking is involved.

Retail Impact Assessment

Required for the following types of applications where main town centre uses are proposed and the floor exceeds 500 square metres

- Full planning applications (including change of use)
- Outline planning applications

When

Where proposed at edge of centres and out of centre locations National Planning Policy Framework

Transport Assessment (TA)

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When

- Where the development has significant transport implications. The detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal.

-

Travel Plan

Required for the following types of *major applications

- Full planning applications
- Outline planning applications

When

- Where the development has significant transport implications, subject to following thresholds (National Planning Policy Framework):

Land Use	Threshold
Residential	100 units
Commercial B1 and B2	2500sq.m.
Commercial B8	5000sq.m.
Retail	1000sq.m.
Education	2500sq.m.
Health Establishments	2500sq.m
Care Establishments	500sq.m. or 5 bedroom
Leisure: General	1000sq.m
Leisure: Stadia, ice rinks	All (1500 seats)
Miscellaneous Commercial	500sq.m

Tree Survey/Arboricultural Assessment

Required for the following types of major applications*

- Full planning applications
- Outline planning applications

When

- All sites where there are trees on the site that may be affected by the proposed development.

Ventilation/Extraction (impact) report

Required for

- Full planning applications including Change of Use
- Reserved matter applications for layout and appearance

When

- All A3/A4/A5 and B2 uses

*Major applications are those which involve: 10 or more dwellings; where the site has an area of 0.5 hectares or more and the number of dwellings is unknown; the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; development carried out on a site having an area of 1 hectare or more.

For all residential, commercial and community related planning applications submitted within the policy boundary of Welborne (as shown on the Policies Map in Appendix B.2 of the Welborne Plan), the following Local Information Requirements apply in addition to those set out above

Comprehensive Masterplans

Required for:

- Initial planning application(s) for Welborne

Ecological Assessment

Required for:

- Initial planning application(s) for Welborne

Employment and Training Plan

Required for:

- Initial planning application(s) for Welborne

Energy Strategy

Required for:

- All planning application(s) for Welborne

Flood Risk Assessment

Required for:

- Initial planning application(s) for Welborne

Framework Travel Plan

Required for:

- Planning application(s) for all or part of Welborne

Heritage Strategy

Required for:

- Initial planning application(s) for Welborne

Infrastructure Delivery Plan

Required for:

- Initial planning application(s) for Welborne

Landscaping Scheme (detailed)

Required for:

- Detailed Planning application(s) and Reserved Matter submissions for all or part of Welborne

Landscaping Scheme (Structural)

Required for:

- Initial planning application(s) for Welborne

Open Space and Green Infrastructure strategy

Required for:

- Initial planning application(s) for Welborne

Phasing Plan

Required for:

- Initial planning application(s) for Welborne

Site wide Viability assessment

Required for:

- Any application(s) for Welborne that include a reduced or delayed provision of infrastructure

Strategic Design Codes or Design Principles Documents

Required for:

- Initial planning application(s) for Welborne

Structuring Plan (including parameter plans)

Required for:

- Initial planning application(s) for Welborne

Transport Framework and Transport Assessment

Required for:

- Planning application(s) for all or part of Welborne

Waste Water Strategy

Required for:

- All planning applications for Welborne

Definitions:

Affordable Housing Statement

Affordable Housing is an aim of the National Planning Policy Framework and is required through Policy CS18 of the Fareham Borough Core Strategy which is further amplified through the Affordable Housing Supplementary Planning Document. We may need information about both the affordable housing and any market housing for example, the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The affordable housing statement should include details of any registered social landlords acting as partners in the development.

In the event that the proposal is not fully policy compliant, then a viability assessment needs to be provided with the planning application.

Comprehensive Masterplans (Welborne)

Comprehensive Master Plans propose the layout and location of land uses, buildings, public and private spaces, streets, pedestrian and cyclist routes. A Comprehensive Master Plan adds a further level of detail to the Structuring Plan.

The Comprehensive Master Plans must:

Define the distribution of land-uses and activities;

Define the heights, massing and bulk of buildings including average densities and maximum building heights;

Define the public spaces, including the streets and open spaces;

Define the nature of the relationships between buildings and public spaces (i.e. nature of boundaries between private and public spaces);

Identify the network of streets and routes for people moving by foot, cycle, car or public transport, service and refuse vehicles, as well as access points and connections off-site;

Identify the provision of key infrastructure elements, such as supply of electricity and disposal of foul water, sustainable drainage measures, green infrastructure, structural landscaping etc;

Demonstrate an understanding of how well the new community is integrated with the surrounding landscape context and how this is reflected in the character areas of the development.

Contamination Assessment

Sufficient information should be provided to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed. To identify whether a site could be affected by contaminants in the ground it will be necessary to consider the following;

- Site history (location, surroundings, topography),
- Site usage - nature of any industrial/ commercial use and chemical use and storage/ waste disposal (inc adjacent areas),
- Site geology, hydrogeology, geochemistry, hydrology,
- Site ecology and archaeology,
- Proximity to licensed or unlicensed waste facilities or presence of hazardous gases,
- Naturally occurring harmful substances e.g. radon,
- Site walkover findings,
- Previous investigations,
- What will be exposed to the contaminants following development? e.g. humans, buildings and services, ground and surface water and the environment.

All submissions should include an assessment of the risks to humans, buildings and services, ground and surface water and the environment based upon preliminary findings. Commercial property searches that identify environmental risk are available over the internet, although it should be noted that these may not have access or refer to all available information relating to the previous use of a site and may not assess the site in the context of a new planning use. The pollution section of Environmental Health may be able to provide advice and help. Please contact us to discuss this in more detail.

Ecological Assessment

Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of them. Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation of *Habitats and Species* Regulations 2010 or the Protection of Badgers Act 1992. Applications for development in the countryside that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long term maintenance and management. This information might form part of an environmental statement, where one is necessary. Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts. Government planning policies for biodiversity are set out in National Planning Policy Framework. The Council has developed a

biodiversity [checklist](#) to give detailed validation requirements for biodiversity and geological conservation.

Energy Strategy (Welborne)

The Energy Strategy must demonstrate how the development will:

- i. Optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials;
- ii. Achieve high energy efficiency standards for all buildings, including meeting the Passivhaus Standard if appropriate; and
- iii. Secure energy supply, maximising the use of low or zero carbon technologies including district energy networks

Flood Risk Assessment

A flood risk assessment (FRA) will be required for development proposals of 1 hectare or greater in flood zone 1 and for all proposals for new development located in flood zones 2 and 3 as designated by the Environment Agency . A FRA will be required for any development other than minor development in a designated critical drainage area which has been notified to the local planning authority by the [Environment Agency](#) . The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including sustainable drainage systems (SUDs) and address the need for safe access to and from the development in areas at risk of flooding. The FRA should be prepared by an applicant in consultation with the local planning authority with reference to their published local development documents and any strategic flood risk assessment. The FRA should form part of an environmental statement when one is required by The [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2011](#). [National Planning Policy Framework](#) provides guidance for both local planning authorities and applicants in relation to the undertaking of FRAs and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

Flood Risk Assessment (Welborne)

In addition to the above guidance:

Initial or outline planning applications for Welborne must include a site-specific flood risk assessment for the development site, to demonstrate that the proposed development will not increase flood risk on the Welborne site or elsewhere.

The development of Welborne shall manage flood risk, in accordance with the findings of the site-specific flood risk assessment through the integration of Sustainable Drainage Systems (SuDS). A comprehensive SuDS Strategy showing the principles of delivery, future

management and maintenance across Welborne, shall be prepared and submitted with the initial planning applications.

Foul Sewage and Utilities Assessment

All new buildings need separate connections to foul and storm water sewers. If your application proposes to connect a development to the existing drainage system, you should show details of the existing system on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers¹. Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage. Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory.

An application should indicate how the development connects to existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and also needs connection to foul and surface water drainage and disposal.

As the applicant, you should demonstrate:

1. that, following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community;
2. that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures;
3. that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;
4. where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

Framework Travel Plan (Welborne)

An area wide Framework Travel Plan in accordance with Highway Authority Guidance agreed between the Council, Highway Authority and the developers which will demonstrate how modal shares by walking, cycling and public transport and the encouragement of more sustainable transport will be achieved.

Heritage Statement (including historical, archaeological features and scheduled ancient monuments)

The scope and degree of detail needed in a heritage statement will vary depending on the circumstances of each application. You are advised to discuss proposals with either a

planning officer or a conservation officer before making an application. The following is a guide to the sort of information that we may need for different types of application.

For applications for listed building consent, a written statement that includes a schedule of works to the listed building(s), an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. A structural survey may be required in support of an application for listed building consent.

For applications either related to or impacting on the setting of heritage assets a written statement that includes plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, historic battlefields and scheduled ancient monuments and an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required.

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required.

For all applications involving the disturbance of ground within an area of archaeological potential as defined in the development plan or in other areas in the case of a major development proposal or significant infrastructure works, an applicant may need to commission an assessment of existing archaeological information and submit the results as part of the heritage statement.

Guidance on Planning and Heritage Assets is available as part of the National Planning Policy Framework and advice on formulating a Heritage Statement is provided the Council's [Advice Note Design and Access Statements to Accompany Applications for Listed Building Consent](#).

Heritage Strategy and Historic Environment Management Plan (Welborne)

Initial or outline planning applications shall be accompanied by a heritage strategy and an historic environment management plan, which sets out the broad principles and options for how the following might be addressed:

- i. How the heritage assets will be assessed and identified;
- ii. The significance of the known heritage assets and their setting;
- iii. How the heritage assets will be preserved and enhanced;
- iv. The positive contribution that the conservation of heritage assets will make to a sustainable new community;
- v. How the heritage assets have influenced the layout and design of the development should be clearly set out in the supporting documentation;
- vi. The methodology for recording and storing any archaeological finds of lesser importance;

vii. How the results of any archaeological investigations and the retained heritage assets will be presented to the public.

Infrastructure Delivery Plan (Welborne)

The Infrastructure Delivery Plan will set out what infrastructure is required to support the scale of development envisaged at Welborne, and at what point that infrastructure will need to be delivered or completed by.

The applicants will be expected to base their Infrastructure Delivery Plan on the Plan produced by Fareham Borough Council as part of the evidence for the Welborne Plan. The IDP must be produced to at least the same level of detail as that produced by this Council.

Landscaping Scheme (Detailed)

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the design and access statement, if required. Existing trees and other vegetation should, where practicable, be retained in new developments and protected during the construction of the development.


Landscaping Scheme (Structural) (Welborne)

Structural landscaping schemes must identify how the existing landscape features on and around the site can be strengthened and used to create a unique 21st century model for a new garden community .

Structural landscaping schemes will show how they respond positively to areas of high landscape quality to the north and east of the site and take into account any material impact upon long distance views of the site from Portsdown Hill to the east and across the site from the south.

All structural landscaping schemes should include a detailed phasing and management plan, with the emphasis on bringing forward the structural planting elements in the early phases of the development.

Lighting Assessment

Proposals involving provision of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area, or open countryside, where external lighting would be provided or made necessary by the development, should be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design. [Lighting in the countryside: towards good practice \(1997\)](#)  and The Institution of Lighting Engineers 'Guidance Notes For The Reduction of Obtrusive Light' are valuable guides for local planning authorities, planners, highway engineers and members of the public. It demonstrates what can be done to lessen the effects of external lighting, including street lighting and security lighting. The advice is applicable in towns as well as the countryside.

Noise Assessment

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician. Further guidance is provided in the [National Planning Policy Framework](#)

Open Space Assessment

For development within open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. In the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application.

Open Space and Green Infrastructure Strategy (Welborne)

The strategy shall identify the exact location, quantity, nature and quality standards of each type of on-site green infrastructure required, together with adequate changing, storage and parking facilities, where appropriate.

Specifications for the layout and construction of the relevant facilities together with details of the required level of parking and floodlighting (where appropriate), and boundary treatment shall be included.

Parking Provision

Applications must provide details of existing and proposed parking provision. These details should be shown on a site layout plan. Advice on residential car parking requirements is set out in [Residential Car & Cycle Parking Standards Supplementary Planning Document November 2009](#). Non-residential car parking requirements are set out in [Fareham Borough Council's Non-Residential Parking Standards Supplementary Parking Document](#) adopted in September 2015.

Phasing Plan (Welborne)

The Phasing Plan will set out what areas of land within Welborne will be developed and in what order. The way in which development comes forward at the site will have a direct link to what infrastructure needs to be delivered and when.

The applicants will be expected to base their Phasing Plan on the Plan produced by Fareham Borough Council as part of the evidence for the Welborne Plan. The Phasing Plan must be produced to at least the same level of detail as that produced by this Council.

Retail Impact Assessment

National Planning Policy Framework provides up to date advice concerning the application of the sequential test for town centre uses. The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal.

Statement of Community Involvement

Applications will need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation set out in the local planning authority's adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Strategic Design Codes or Design Principles Document (Welborne)

Strategic Design Codes are technical documents that illustrate the detailed design rules and requirements for the area of Welborne, which they control.

Strategic Design Codes will provide details of the nature of the overarching and consistent character of the whole Welborne site, within which character areas sit. They provide details of each character area, where they are located and how they vary to reflect the site conditions, the different use(s) and spaces proposed. They will include an explanation of each character area and how it relates to the overall character of Welborne. The rationale for the design will be supported by an analysis of the site and surrounding area to demonstrate how the character of the landscape and surrounding area has influenced the design options within the code. Each Strategic Design Code will contain a plan showing where each character area applies, and which sections of the code (i.e. the rules) apply. For each character area covered by the code, an illustrative design with supporting text explaining the type of place proposed will be provided.

For each character area, the Strategic Design Codes will illustrate:

Typical street design including how highway, footpaths, cycling routes, servicing/refuse, boundaries, planting, lighting and 'on street' parking will be provided;

Typical housing types with boundary treatments, parking, bin/cycle provision and storage (including corner plots);

Typical planting species for trees, shrubs and ground cover;

Treatment of areas of public space;

Treatment of key views and non residential buildings; and

Palette of main materials

The Strategic Design Codes should include elevations of the front or side view of a building, and cross sections that slice through a building and the entire street which services the

property. They must also clearly show how necessary green and physical infrastructure and utilities can be accommodated, such as underground servicing.

If no Strategic Design Codes are submitted with initial outline planning application(s), then High-Level Development Principles to be submitted with the Structuring Plan, in accordance with this SPD. High-Level Development Principles (which accompany the Structuring Plan) will set out what the design objectives for Welborne will be; the Design Codes will provide detailed instructions on how these principles will be delivered.

Structuring Plan (including parameter plans) (Welborne)

The Structuring Plan is a plan with a supporting evidence base that both shows and explains how the development can come forward on a comprehensive basis at Welborne. It will need to reflect the phasing and delivery guidelines set out in the adopted Plan.

The purpose of the Structuring Plan is to ensure that Welborne is developed comprehensively and the design process is co-ordinated across site ownership boundaries. It is essential that a Structuring Plan is prepared for all of the land within the Welborne Plan policy boundary as shown on the 'Policies Map'.

The Structuring Plan must show and justify the following:

The disposition of the main land-uses, the location of Welborne's schools, the District and Local Centres and the Community Hub (with a rationale for the location, distribution and amount of different land uses, as well as average densities and maximum building heights shown), together with an agreed land budget (i.e. breakdown of each land use by measured area);

The main pedestrian and cycle routes throughout Welborne, the access points and primary road network, including the Bus Rapid Transit (BRT) route (with a rationale for the transport network and hierarchy, including street design/dimensions details to ensure consistency throughout the development);

The areas proposed for SANGs (Suitable Alternative Natural Greenspaces) and strategic green infrastructure, including the green corridors linking them (with a rationale for the location, distribution, type and amount of green infrastructure, including structural landscaping); and

The location of strategic utilities, infrastructure, including for the supply of electricity and disposal of foul water (with a rationale for the location, utility network and nature of provision).

Parameter plans should support the Structuring Plan for the Welborne site; they should also be accompanied by a written explanation of the rationale behind the plans.

Further details and guidance on these elements are contained within pages 11-17 of the adopted Welborne Design Guidance SPD.

Transport Assessment

National Planning Policy Framework provides up to date advice concerning the status of Transport Assessments. The coverage and detail of the TA should reflect the scale of the development and the extent of the transport implications of the proposal. For smaller schemes the TA should simply outline the transport aspects of the application, while for major proposals, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts.

Transport Framework (incorporating a Public Transport Plan) and Transport Assessment for Welborne

Demonstration of how the following will be achieved:

- i. The delivery of high quality sustainable public transport system, including the extension of the existing Bus Rapid Transit network to serve the new community;
- ii. Implementation of Travel planning to reduce the reliance on the private car;
- iii. A development which is southwards-facing in transport terms through the masterplan layout and delivery of access via the A32 and an improved junction 10 of the M27;
- iv. The rate of development linked to the funding and provision of necessary transport infrastructure;
- v. The incorporation of transport interventions to mitigate traffic impacts on the local and strategic road network and to mitigate any environmental impacts.

Travel Plan

A travel plan should be submitted alongside planning applications which are likely to have significant transport implications. The need for a travel plan is based upon the scale of the proposed development as set out above. Initially a Framework Travel Plan may need to be submitted, as the detail will be subject to agreement with Hampshire County Council as Highway Authority.

Tree Survey/ Arboricultural Implications

Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837:2012 ; Trees in relation to design, demolition and construction - Recommendations. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

Ventilation/Extraction Statement

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within use classes A3 (i.e. restaurants and cafes – use for the sale of food and drink for consumption on the premises), A4 (i.e. drinking establishments – use as a public house, wine-bar or other drinking establishment), A5 (i.e. hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial). This information (excluding odour abatement techniques unless specifically required) will be required for significant retail, business, industrial, leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

Viability Assessment

In the event that applicants consider infrastructure should be reduced or delayed, this will need to be fully justified through a viability assessment undertaken by a suitably qualified person. The scope and methodology of the viability assessment must be agreed with the Council before the assessment is undertaken and submitted.

Waste Water Strategy (Welborne)

Planning application(s) for development will be accompanied by details of a comprehensive waste water conveyance and treatment solution for Welborne, including details on the phasing of new waste water infrastructure.

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date: 23 March 2016

Report of: Director of Planning and Regulation

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

Items relating to development in all wards will be heard from 2.30pm at Civic Offices, Civic Way, Fareham PO16 7AZ.

ZONE 1 - WESTERN WARDS

Park Gate
 Titchfield
 Sarisbury
 Locks Heath
 Warsash
 Titchfield Common

Reference

Item No

P/15/1273/FP
 WARSASH

RIVENDELL HOOK PARK ROAD WARSASH FAREHAM SO31
 9HA
 TWO STOREY FRONT EXTENSION, TWO STOREY SIDE
 EXTENSION, SINGLE STOREY REAR EXTENSION, REAR CAR
 PORT, TWO STOREY ANNEXE TO REAR INCORPORATING AN
 INTEGRAL GARAGE AND CAR PORT AND NEW VEHICULAR
 ACCESS FROM SOLENT DRIVE.

1
REFUSE

Q/0005/16
 SARISBURY

22 SUFFOLK DRIVE WHITELEY FAREHAM HAMPSHIRE PO17
 7DE
 WITHOUT PLANNING PERMISSION, CHANGE OF USE FROM
 DWELLING (USE CLASS C3) TO MIXED USE COMPRISING USE
 OF ORIGINAL GARAGE AS HAIRDRESSING SALON AND
 RESIDENTIAL USE OF THE REST OF THE HOUSE (SUI
 GENERIS)

2
APPROVE

Agenda Item 7(1)

P/15/1273/FP

MR MALCOLM WALLACE

WARSASH

AGENT: DAVID NEWELL
CONSULTANCY LTD

TWO STOREY FRONT EXTENSION, TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION, REAR CAR PORT, TWO STOREY ANNEXE TO REAR INCORPORATING AN INTEGRAL GARAGE AND CAR PORT AND NEW VEHICULAR ACCESS FROM SOLENT DRIVE.

RIVENDELL HOOK PARK ROAD WARSASH FAREHAM SO31 9HA

Report By

Rachael Hebden 01329 824424

Introduction

Seven representations have been received therefore the application has been included on the agenda in line with the scheme of delegation.

Site Description

The site is a corner plot between Hook Park Road and Solent Drive. The area is characterized by detached dwellings set within substantial plots. The dwellings on either side of the site which front Hook Park Road have generous front gardens and are set back from their front boundaries by approximately 25m forming a regular building line. The dwellings to the north of the site, which front Solent Drive also have large front gardens, are set back from the front boundaries by approximately 20m and adhere to a regular building line. While the gardens to either side of the site, which front Hook Park Road contain a number of mature trees, the front gardens within Solent Drive have a much more open character with unobstructed views of the properties.

The site itself contains a detached, two storey dwelling (Rivendell) which fronts Hook Park Road. Rivendell is set back from the front of the plot by 25m in line with the dwellings on either side. There is a flat roofed double garage to the rear of Rivendell which fronts Solent Drive. Although the dwelling fronts Hook Park Road, vehicular access to the site is from Solent Drive.

Description of Proposal

The application proposes:

- A two storey front extension of 1.1m in depth with bay window and a hipped roof;
- A two storey front/side extension which would also protrude 1.1m beyond the front elevation and incorporate a hipped roof to match that of the proposed front extension. This extension would protrude 1.7m beyond the rear elevation;
- A veranda linking the proposed front and front/side extensions;
- A single storey car port attached to the rear elevation;
- A new vehicular entrance to serve the proposed car port;
- A two storey annexe to the rear of the dwelling (linked to the proposed car port). The annexe would have a footprint of 12.1 by 7.8m with a ridge height of 6.7m. The annexe would contain a kitchen and living area, together with a cloakroom, integral garage and car port at ground floor level. Accommodation at first floor level would comprise two bedrooms and a bathroom.

Policies

The following policies apply to this application:

National Planning Policy Framework 2012
National Planning Practice Guidance

Fareham Borough Design Guidance SPD (Excluding Welborne)

Approved Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS9 - Development in Western Wards and Whiteley

CS17 - High Quality Design

Development Sites and Policies

DPS1 - Sustainable Development

DSP3 - Impact on living conditions

DSP46 - Self Contained Annexes and Extensions

Representations

7 representations have been received of which 4 are in support of the application and 3 are in objection.

The letters of support state that the proposed development is appropriate for the area.

The letters of objection raise the following issues:

- The first floor windows will overlook 'Spinneys' (the property on the opposite side of the road)
- The existing garage is unusually situated to the rear of the host property and much closer to the road than the building line in Solent Drive
- The proposed annexe does not comply with the requirements of the Local Plan in that it would be very difficult to incorporate it into the main dwelling once the annexe is no longer required.
- Concerns that the annexe would be used as a separate dwelling.
- The proposed 2 storey extension would result in over shadowing and loss of light to the study in 'Upwood' (north east of the site).
- The proposed ground floor windows in the north east side elevation would overlook 'Upwood' and result in a noise nuisance.
- The proposed annexe is an independent dwelling which would set a precedent for infilling which would be at odds with the character of the area.

Planning Considerations - Key Issues

Principle of development

Policy DSP46 states that:

The provision of self-contained annexes to accommodate dependent relatives will be permitted, provided that:

- i. a functional link between the principal dwelling and the annex or extension can be demonstrated such as a relationship of the occupants of the principal dwelling and the annex;

- ii. the annex or extension is within the curtilage of the principal dwelling;
- iii. adequate car parking spaces are provided for both the residents of the annex or extension and the principal dwelling;
- iv. there is no boundary demarcation or sub-division of garden areas between the principal dwelling and the annexe or extension; and
- v. the annex or extension conforms to the space standards and design requirements as set out in Local Plan Part 1: Core Strategy Policy CS17: High Quality Design and the Design Supplementary Planning Document.

The proposed annex, which is for an elderly relative, satisfies the requirements of Policy DSP46 and is therefore acceptable in principle, subject to satisfying the criteria of the remaining relevant planning policies.

Effect on the character of the area

CS17 requires all development to be of a high quality of design that responds positively to and is respectful of the key characteristics of the area, including (amongst other criteria) scale, form and spaciousness.

The proposed extensions and car port would be in proportion to the host property and would respect the building line established by properties on either side of the site.

Although the host dwelling fronts Hook Park Road, the proposed annex would be positioned to the rear of the dwelling and would front Solent Drive. It follows therefore that the proposed annex must respond to and be respectful of the key characteristics of Solent Drive. Solent Drive is characterized by regularly spaced, detached dwellings which adhere to a uniform building line. The properties to the north of the site are set back from the front of the plot by approximately 20m with front gardens of an open character. Some of the properties within Solent Drive contain garages within their front gardens, however they are single storey structures with hipped roofs. The character of front gardens within Solent Drive is therefore open and undeveloped.

The existing garage to the rear of Rivendell is positioned forward of the building line established by properties to the north of the site, however it is modestly proportioned with a flat roof of 2.2m in height and is therefore not a prominent feature. The proposed annex (which would replace the existing garage) would be 12.1m in length with a ridge height of 6.7m (only 0.5m below the ridge height of the host property). The size of the annex is such that its position forward of the building line established by properties along Solent Drive would be emphasized and would result in the annex being a dominant structure which would contrast with the open and undeveloped character of Solent Drive at the entrance to the road. Furthermore the size, design and position of the annex, which would have a separate vehicular access to that of the host property, would have the appearance of a separate dwelling rather than an annex. Given that dwellings in Solent Drive are large, detached properties set back from the front of the plot by approximately 20m, the addition of the proposed annex which would be set back from the front of the site by only 7m would be a marked departure from the spatial characteristics of the area and would appear incongruous.

The proposed annex would therefore be a departure from the established characteristics of Solent Drive in terms of scale, form and spaciousness and would be contrary to Policy CS17.

Effect on neighbouring properties

Concerns have been raised regarding the impact of the proposed annex on the privacy of 'Spinneys' to the south west of the site. The proposed annex would be separated from Spinney's by a distance of over 25m which is in excess of the minimum 'back to back' distance of 22m required by the Fareham Borough Design Guidance SPD. The proposed annex would therefore not result in a significant loss of privacy to Spinneys.

Concerns have also been raised regarding the impact that the proposed two storey side extension would have on 'Upwood' (to the north east of the site) in terms of loss of privacy, loss of light and noise pollution. The proposed two storey side extension would be visible from within the study in Upwood, however it would be separated by a distance of 9m which is in excess of the minimum 4-6m separation distance recommended by the Fareham Borough Design Guidance SPD. The proposed extension would not have a significant adverse impact on the outlook or amount of light available to the study. The impact on Upwood in terms of additional noise pollution would also be minimal. If planning permission was granted, the proposed rear dormers could be obscure glazed as they are not the only windows serving the proposed bedrooms. The proposed annex would therefore not result in a loss of privacy to Upwood.

Recommendation

REFUSE for the following reason:

The proposed development is contrary to Policy CS17 of the adopted Fareham Borough Core Strategy and is unacceptable in that the size, bulk, height and location of the proposed annex forward of the building line established by properties along Solent Drive, would fail to respond positively to and be respectful of the key characteristics of the area and would as a result appear incongruous in the street scene to the detriment of its spatial character.

Background Papers

P/15/1273/FP

FAREHAM

BOROUGH COUNCIL



Rivendell
SCALE: 1:1,250

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Agenda Item 7(2)

Q/0005/16

SARISBURY

MRS HELENA HATTON

AGENT: MRS HELENA HATTON

WITHOUT PLANNING PERMISSION, CHANGE OF USE FROM DWELLING (USE CLASS C3) TO MIXED USE COMPRISING USE OF ORIGINAL GARAGE AS HAIRDRESSING SALON AND RESIDENTIAL USE OF THE REST OF THE HOUSE (SUI GENERIS)

22 SUFFOLK DRIVE WHITELEY FAREHAM HAMPSHIRE PO17 7DE

Report By

Richard Wright - direct dial 01329 824758

Introduction

This agenda item relates to a planning enforcement investigation carried out following a report of a hairdressing salon operating from the premises without planning permission.

After investigating the circumstances Officers established that there has been a breach of planning control (details of the investigation and breach found are set out in the below report). In accordance with the Council's normal procedure Officers prepared an Expediency Report which recommended that it would not be expedient to take formal enforcement action in this instance. At the request of the ward member Councillor Swanbrow the matter was brought before the Planning Committee on 24th February this year. At the meeting the homeowner Mrs Hatton made a deputation and indicated she would make a planning application to seek retrospective permission for the garage conversion and mixed use of the property. Members of the committee agreed to allow Mrs Hatton three weeks in which to do so and it was resolved to defer consideration of the matter. However, since no planning application has been received the item is once again brought before Members of the committee.

Site Description

The site is a detached three bedroom dwelling located within the defined urban area of Whiteley.

The property has an attached single garage to one side which, it is understood, was converted several years ago to form a habitable room. In front of the garage is a hard surfaced driveway large enough for one vehicle to park.

Description of Proposal

Following a report that a hairdressing salon was operating from the premises Officers visited the property.

A planning officer met with the resident Mrs Helena Hatton who confirmed that she had resided at the property for a number of years with her husband Mark and two children. She advised that for a number of years that she had been a mobile hairdresser. Part of the garage at the property has recently been fitted out as a hairdressing salon. This area had previously been used as office space and, along with the rear half of the garage which continues to be used as a store room accessed from within the house, was subject of a garage conversion some years earlier.

The salon is equipped with a hairdressers chair, a sink with running water, an additional chair for the sink, couch and various hairdressing instruments. Mrs Hatton informed the

planning officer during the visit that she still works as a mobile hairdresser but also uses the salon to cut around 6 paying customers hair per week whilst she practices on a further 6 neighbours and friends (non-paying) per week.

Following the site visit Officers examined the property's planning history. Permission was originally granted in 1988 for a number of houses in the area of which this was one (reference FBC.7437/13). Condition 17 of that permission reads as follows:

The development thereby permitted shall not be brought into use until areas for the parking, loading, and unloading of vehicles in accordance with a scheme to be agreed by the Local Planning Authority shall have been provided and the areas shall be hard surfaced, marked out and subsequently retained and kept available at all times for the purposes to the satisfaction of the Local Planning Authority.

Reason - In the interest of highway safety

Officers subsequently advised Mrs Hatton that the conversion of the garage without further planning permission being granted was a breach of this condition.

Following the Planning Committee meeting held on 24th February this year, Mrs Hatton has provided Officers with photographs indicating that the garage conversion took place more than ten years ago. On that basis Officers are of the view that this particular breach of condition would now be immune from planning enforcement action.

Whether the use of the former garage for a hairdressing business needs planning permission or not is however a separate issue to the physical conversion of the garage in breach of a planning condition. Based on the information available at this time, Officers consider that there has been a material change of use of the property requiring planning permission. Officers have on several occasions invited Mrs Hatton to make a planning application for a "Change of use from dwelling (Use Class C3) to mixed use comprising continued use of original garage as hairdressing salon and continued residential use of the rest of the house (Sui Generis)". To date no application has been received.

On the understanding that the mixed use first occurred less than ten years ago the Council is able to take formal enforcement action in relation to this breach. The below planning assessment considers the relevant issues concerning the unauthorised change of use of the land and whether it would be expedient for the local planning authority to take formal enforcement action.

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

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

Development Sites and Policies

DSP2 - Environmental Impact

Relevant Planning History

The following planning history is relevant:

FBC.7437/13

PERMISSION 17/08/1988

Planning Considerations - Key Issues

The information Officers have obtained concerning the use of the former garage as a hairdressing salon indicates that the scale and nature of the use is relatively low key at present.

The number of customers Mrs Hatton is believed to have visiting the property each week is low and since it is only her involved in providing the service there is only limited potential for more than one customer to be present at any one time. The location of the salon means that customers are unlikely to visit without an appointment having already been made. In these respects the use is very different to a high street barber shop where 'drop in' trade would be expected.

The number of customers travelling to the site by car is unclear and unknown to Officers. However, given the location of the property within a residential area there may well be a number that travel to the site on foot or cycle as opposed to drive.

Taking the above into account Officers do not consider the hairdressing salon at its current scale generates a significant number of vehicle movements on a frequent basis to and from the site. Officers have not received any complaints from residents and there is no evidence to suggest that this small number of customer cars is creating problems in relation to the availability of street parking and the safe operation of the highway.

The hairdressing use is not considered to have any adverse impact on the living conditions of neighbours through increased noise or disturbance. Neighbours have not reported any nuisance being caused by the hairdressing use to Officers.

Based on the current level at which the hairdressing use appears to be operating, Officers do not consider it would be expedient to take enforcement action to require its cessation. The use complies with the requirements of Policies CS5, CS17 & DSP2 of the local plan.

Notwithstanding, if the number and/or frequency of customers visiting the site should increase in the future and it be demonstrated that issues were arising concerning parking space, highway safety or residential amenity, the Council could reassess the situation at any given time and reconsider the expediency of taking enforcement action.

Recommendation

Based on the above assessment, the policies of the adopted development plan and other relevant material considerations, including advice contained within the NPPF (para 207) and PPG, Officers do not consider it expedient to instigate enforcement action in respect of the use of the former garage as a hairdressing salon.

FAREHAM

BOROUGH COUNCIL



22 SUFFOLK DRIVE
SCALE: 1:1,250

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Agenda Annex

ZONE 3 - EASTERN WARDS

Portchester West
Hill Head
Stubbington
Portchester East

Reference

Item No

P/15/1256/FP
HILL HEAD

OSBORNE VIEW HOTEL 67 HILL HEAD ROAD FAREHAM PO14
3JP
BASEMENT EXTENSION, NEW EXTERNAL CLADDING,
REPLACEMENT WINDOWS, ALTERATIONS TO REAR GARDEN
INCLUDING NEW FENCING AND ENLARGEMENT OF BIN
STORE.

3
PERMISSION

Agenda Item 7(3)

P/15/1256/FP

HALL & WOODHOUSE LTD

HILL HEAD

AGENT: PHILIPS SURVEYORS
LLP

BASEMENT EXTENSION, NEW EXTERNAL CLADDING, REPLACEMENT WINDOWS, ALTERATIONS TO REAR GARDEN INCLUDING NEW FENCING AND ENLARGEMENT OF BIN STORE.

OSBORNE VIEW HOTEL 67 HILL HEAD ROAD FAREHAM PO14 3JP

Report By

Peter Kneen - 01329 824363

Site Description

The application site is located on the southern side of Hill Head Road, within the defined urban settlement of Hill Head/Stubington. The property comprises a long established public house/restaurant and is a popular destination within the wider community due to its views across the Solent to the Isle of Wight. The area is largely residential although across the road to the north are other commercial premises. Also on the northern side of Hill Head Road lies the large surface car parking for the public house, which comprises 79no. car parking spaces.

The existing building, comprises a part single storey and part two storey element at road level, although there are a further two floors (mid floor and basement) down to the garden level which is level with the beach. The public house/restaurant is set over the ground floor level, mid-floor level and within the garden, with the basement level comprising a managers flat, toilets and storage. The first floor level comprises existing staff accommodation.

Description of Proposal

This application seeks to extend the existing managers flat at basement level by 5 metres to provide sufficient space for the existing manager and his family, together with the provision of a roof terrace over this extension. Other works include a 2.7 metre extension onto the garden deck, a 9 square metre extension to the existing bin storage area, fencing to the garden and the general external renovation of the property, including replacement cladding and new windows.

Included within this application is information regarding the provision of additional tables and chairs (covers) within the main public house garden, together with the re-cladding of the beach wall, which proposes low level lighting along the wall and the laying of paths in the garden. These aspects however do not require planning permission and are not therefore a material consideration for the determination of the planning application.

The provision of the raised terrace above the proposed extended managers flat and the existing garden decked area would be upgraded with glazed balustrades and the staircase from the raised terrace to the garden terrace would be re-sited to improve the aesthetics of the rear elevation when viewed from the beach or Solent.

During the course of the planning application and following discussions with interested parties, a number of amendments have taken place, including the reduction in the width of the raised terrace, and provision of a 1.8 metre high obscure glazed screen along the western elevation to prevent overlooking into the patios of the neighbouring properties.

Additionally, 'hit and miss' fencing would be erected on the east and west boundaries of the garden in order to minimise overlooking and noise for the gardens of the neighbouring occupiers. A dog waste bin has been removed from the plans and the main bin storage area (presently situated in the car park) would be upgraded and extended.

Policies

The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS4 - Green Infrastructure, Biodiversity and Geological Conservation
CS17 - High Quality Design

Adopted Development Sites and Policies

DSP1 - Sustainable Development
DSP2 - Environmental Impact
DSP3 - Impact on Living Conditions
DSP13 - Nature Conservation

Other Documents:

Non-Residential Parking Standards (September 2015)

Relevant Planning History

The following planning history is relevant:

P/03/1935/FP Demolish Conservatory & External Alterations & Provision of Decking at Ground Floor, Demolish Garages in Car Park
PERMITTED 18/02/2004

P/10/1002/FP External Landscaping Improvements including Timber Boardwalks, Timber Decking, Small Beach Hut Style Cabins
REFUSED 07/02/2011

P/10/1118/FP Installation of Panoramic Window to Mid Floor Dining Room, New Fire Exit & Side Window Arrangement, Metal Fire Escape Stair Landing and Flight Extension at Side to Accommodate Above.
PERMITTED 31/01/2011

Representations

Third Party Comments -

Forty one respondents have objected to the proposed development. Whilst many letters highlighted that the visual improvements to the building were welcomed, the key matters of concern raised were:

- Increased traffic and car parking issues at peak times;
- Increased noise and loss of privacy in the garden;
- Negative impact of the provision of a children's play area in the garden;
- Concern regarding a potential 'Phase 2 - clarified as only a potential modernisation of the kitchen';

- Overlooking from the raised deck; and,
- Additional light pollution from the garden and deck lighting.

Consultations

EXTERNAL

Natural England -

Solent and Southampton Water SPA/Ramsar: No objection. Lee-on-the-Solent to Itchen Estuary SSSI: No objection subject to Informative regarding storage, access or encroachment within the SSSI and notification to contractors regarding its location.

Hampshire County Council (Archaeology)-

Some area of archaeological potential, however the small scale of the works means it would be unlikely for any unrecorded archaeological features to be uncovered. No objection.

INTERNAL

Environmental Health -

Residential Noise: No objection subject to provision of screen to flank of raised terrace and fencing to the garden.

Commercial Waste: Current waste storage is unacceptable, increased capacity required due to increase in potential covers. Recommend increased capacity, works to improve ground between storage area and Breezes Cafe, and low level lighting installed in bin storage to enable staff to properly put waste in bins.

Highways -

Only a minimal increase in outside seating areas, which could be created in the garden without planning permission, and therefore the proposals would not have any material impact on the overall level of potential activity. No objection on highway grounds.

Monitoring and Enforcement (Dog Waste) -

Dog waste bins already exist either end of the beach, which are controlled by the Council. Advise removal of proposed bin as this would require specialist contractor to remove the waste. Advise re-locating existing general waste bins further from the beach.

Ecology -

Acknowledge no objection on the designated sites (Solent and Southampton Water SPA/Ramsar and Lee-on-the-Solent to Itchen Estuary SSSI), but highlight that the application has not been supported by an ecological survey for protected species, and in particular bats.

Planning Considerations - Key Issues

The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues

comprise:

- Amenity of neighbouring occupiers;
- Visual amenity;
- Highway safety and car parking;
- Nature Conservation.

Amenity of neighbouring occupiers:

During the course of the planning application, a number of amendments have been sought following Officer visits to the site, detailed discussions with consultees and the immediate neighbours and having regard to the various comments received from the interested parties.

The proposed raised terrace over the extended manager's flat has been reduced in width by 2.6 metre, and a 1.8 metre high obscure glazed screen provided on the west elevation, and one metre along the south elevation of the terrace. Following this amendment, it is considered that the amenity of occupiers of the neighbouring Coastguard Cottages would be protected sufficiently not to warrant a reason for refusal on this ground.

In terms of the garden terrace extension (which would increase in depth by 2.7 metre), the provision of additional screen fencing to the east and west boundaries of the garden with 'hit and miss' fencing would ensure a long term means of protecting the amenity of occupiers of both the users of the communal garden for the Coastguard Cottages and the neighbours to the east. The fencing would be at staggered heights along its length to ensure that views of the Solent from the main public house and from the neighbours properties would be maintained as much as possible.

In addition, the children's play area was removed from the development proposals due to the concerns raised by a number of the third party objectors. It is therefore considered that the proposed extension and provision of additional terracing will not result in a detrimental impact on the amenity of neighbouring occupiers.

Visual Amenity:

The current appearance and maintenance of the building externally is relatively poor at present, largely a result of the impact on the building owing to its harsh maritime environment. The proposed external works would see the rendered and timber weatherboarding replaced with two tone synthetic (timber effect) weatherboarding, with the existing plinth clad in bricks. Additionally, all the windows would be replaced with new aluminium windows, and rainwater goods replaced with cast iron effect guttering and rainwater goods.

On the rear elevation, the balustrades for the proposed and existing decked areas will be replaced with stainless steel balustrades and glazed panels, which would match those on the proposed external staircase. It is considered that the proposed works would result in a significant visual improvement in the appearance of the building where viewed from both the street scene (along Hill Head Road), and when viewed along the beach. Many of the comments from the third parties have highlighted that they have raised no concerns to the overall improvements to the building, and acknowledge that the building needs a general external renovation.

Highway Safety and Car Parking:

As stated above the existing premises has a designated private car park with 79no. car parking spaces. In addition, the car park also provides an area for cycle parking for patrons. The car park operates a barrier system to ensure that the users of the car park are limited to that of the users of public house.

The public house/restaurant use has been in operation for a considerable period of time, and prior to its use as a public house/restaurant it was in use as a hotel, as early as 1890. Since that time, the use of the site has evolved to the current use as a public house, nevertheless the whole site, including the garden area benefits from an unfettered use associated with the public house/restaurant (A3/A4) use class. It is therefore beyond the remit of the Local Planning Authority to retrospectively impose restrictions on the number of covers (tables and chairs) within the site and cannot therefore impose current car parking standards on the site. In addition, the adopted Non-residential Car Parking Standards apply to the provision of additional floor space. Only external seating is being increased, which given its use cannot be used as intensively as internal seating, the level of impact is largely only intermittent depending on the prevailing weather conditions.

Whilst the garden terrace is proposed to be extended 2.7 metre further into the garden, the resultant seating area is not increasing as the space is currently used for seating in the garden. Therefore the only additional floor area being created is the part of the raised terrace over the manager's flat extension. Having regard to the car parking standards, the additional floor area created by the raised terrace, which measures 64 square metres, and based on the Standards of one space per 5 square metres, this should require the provision of an additional 13no. spaces within the car park. However, the 64 square metres increase represents only a 5% increase in the total floor area, and is therefore considered to be a de minimis increase in the overall capacity available to the Osborne View.

It is considered that the car parking issue at the Osborne View is largely limited to peak times of the year (summer and school holidays during periods of warm weather) when the garden is more intensively used. This time of year add additional pressures on Hill Head due to its coastal location when many holiday homes are being used and more people in general will make their way to the beaches. Whilst the Osborne View is seeking to maximise its use of the site during these peak times, given the restrictions on the use of the car park, the owners of the facility are doing all they can to ensure that the car park is purely limited to those users of the Osborne View, without factoring in the natural increase in traffic and users of Hill Head during the summer months.

It is therefore considered that the small increase in floor area proposed by the Osborne View is not a significant increase beyond their existing floor area, and that the proposals would not have a significant detrimental impact on the highway safety or car parking beyond the existing situation. This approach is supported by the Council's Highways Officer who raised no objection to the scheme.

Nature Conservation:

The site is located immediately adjacent to Hill Head beach, where at the low water mark lies the Solent and Southampton Water Special Protection Area (SPA)/Ramsar Site and the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). The boundary of these international and national designations is approximately 16 metres from the southern boundary of the site (existing beach wall). Whilst the beach along this stretch of the Hill Head seafront is privately owned, there is unrestricted public access to it throughout the year. Concern has been raised regarding the intensification of the use of the site and its

impact on these important nature conservation designations, which, having regard to Policy DSP13 which highlights that where proposals would have a detrimental impact on sites of nature conservation importance permission should only be granted where the Planning Authority is satisfied that impacts are outweighed by the need/benefits of the development, or where adverse impacts can be minimised or mitigated.

It is considered, following a consultation response from Natural England that the proposals will not have a detrimental impact on the SSSI or the SPA. The SSSI designation relates to the protection of the Littoral Sediments (essentially molluscs, oysters and barnacles) beyond the low water mark, and the SPA seeks to protect habitats for over wintering birds, when the use of the beach and garden area for the Osborne View are more limited. The potential increases in activity at the Osborne View would be minimal compared to the existing and potential users of the beach during the peak times of the year.

In terms of the impact on protected species, despite the comments from the Council's ecologist, the development proposal does not impact on the roof of the property. Therefore the greatest potential impact on bats as a result of the development proposal is from the re-cladding of the building. Due to the limited level of external works to the property, coupled with the location of the site in a busy beach side location, away from suitable open spaces and hedgerows for foraging for bats, the works are considered likely to have a low impact on any local bat population. A preliminary survey has been requested, and an update will be provided at the Committee meeting. An informative has been added to the application highlighting the potential risk to bats and other protected species.

Conclusion:

In summary, it is considered that the relatively minor scale of the proposed development, coupled with the wider visual improvements to the maintenance and upkeep of the building that the resultant works would have a visual and physical improvement to the Osborne View to the benefit of the character and appearance of the street scene. The alterations to the rear elevation will have a significant visual improvement when the building is viewed from the Solent and Hill Head beach. The modifications and additions added to the proposal during the course of the planning application are considered to have minimised and improved the potential impact on the amenity of neighbouring occupiers, and would not therefore result in increased harm to their residential amenity.

Whilst there is an acknowledged issue of car parking in the area during the summer months, the proprietors of the Osborne View have limited use of their private car park to the users of the public house/restaurant, and as such it is considered that the slight increase in covers on the raised terrace would not result in a significant level of additional pressure of the surrounding streets. It is therefore considered that there is no highway safety or car parking issues as a result of the proposed alterations.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

PERMISSION, subject to conditions:

1. The development shall begin before 23 March 2019.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

- a) Drawing PL1 Rev A (Location and Block Plan, Existing Topographical Plan);
- b) Drawing PL2 (Existing Floor Plan [Basement, Ground, Mid, First]);
- c) Drawing PL3 Rev D (External Works Plan, Proposed South Elevation);
- d) Drawing PL4 Rev A (Proposed Floor Plan [Basement, Mid-floor, Ground & First]); and,
- e) Drawing PL5 Rev A (Existing & Proposed Elevations).

REASON: To avoid any doubt over what has been permitted.

3. The development hereby permitted shall be carried out with the materials and finishes as specified within the planning application unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

4. The obscure glazed screen on the southern and western elevations of the raised terrace shall be installed and maintained in perpetuity before the first use of the terrace by the general public, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity.

5. The fencing to the boundaries of the garden shall be erected and maintained in perpetuity before the garden decked area is extended. Details regarding the finished appearance of the fencing shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

REASON: In the interests of residential and visual amenity.

6. The fencing for the extended bin store shall be installed, and thereafter maintained in perpetuity before the development commences. Low level lighting shall be installed within the bin storage area, details of which should be submitted to and approved in writing by the Local Planning Authority before the development commences.

REASON: In the interests of amenity.

INFORMATIVE:

(i) The applicant is advised that should storage, access or encroachment within the Lee-on-the Solent to Itchen Estuary SSSI be found to occur as a result of the proposals during or after the works, this will be considered an offence under Section 28 of the Wildlife and Countryside Act 1981 (as amended) whereby the applicant may be liable on summary conviction to a maximum fine of £20,000 or on conviction on indictment to an unlimited fine. All contractors working on site should be made aware of this and should be provided with a map that clearly shows the boundaries of the Lee-on-the Solent to Itchen Estuary SSSI in relation to the development site.

(ii) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act

1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

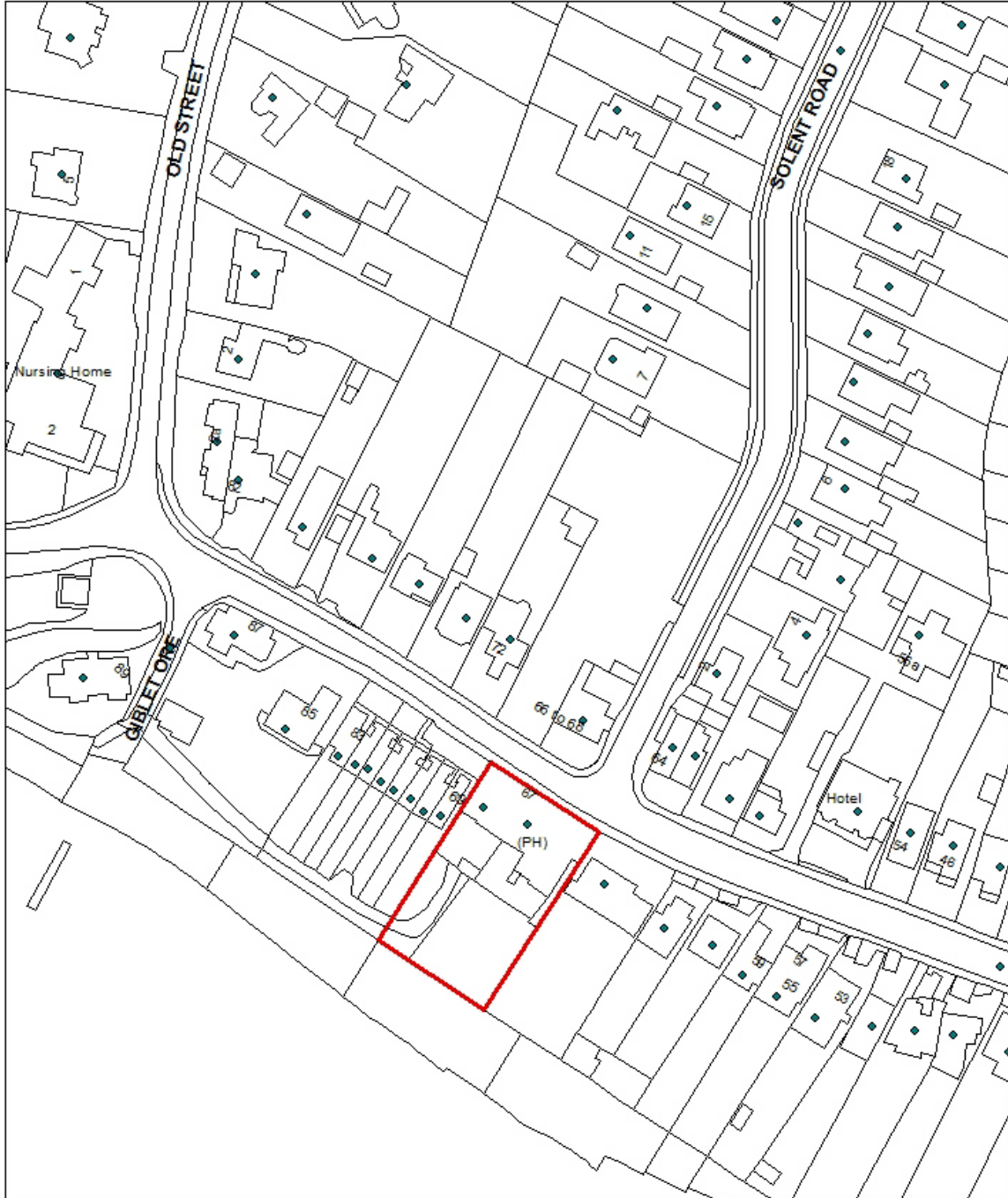
The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, 2nd Floor, Cromwell House, 15 Andover Road, Winchester, Hampshire, SO23 7BT, 0300 060 3900, enquiries@naturalengland.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

Background Papers

See history above.

FAREHAM

BOROUGH COUNCIL



Osborne View Hotel
SCALE: 1:1,250

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Agenda Item 7(4)

PLANNING APPEALS

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

CURRENT

ENF/15/0107

Appellant: COLIN & SUSAN BARNES
Site: Land To Rear Of 158 Highlands Road / Land At The Cloisters
Date Lodged: 29 December 2015
Reason for Appeal: n/a

P/15/0254/FP

Appellant: MASCOT HOMES
Site: Land To Rear Of 20 Church Road Warsash Southampton Hants
SO31 9DG
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 14 December 2015
Reason for Appeal: ERECTION OF 7 HOUSES WITH ASSOCIATED PARKING,
ACCESSED VIA SANDYCROFT

P/15/0434/FP

Appellant: MRS J GILES
Site: 2 The Grounds Heath Road North Locks Heath Fareham SO31 7PL
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 29 January 2016
Reason for Appeal: CONSTRUCTION OF ACCESS ONTO LOCKSWOOD ROAD

PLANNING APPEALS

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

CURRENT

P/15/0506/CU

Appellant: DR MANORI AMBROSE
Site: 270 Hunts Pond Road Titchfield Fareham Hampshire PO14 4PF
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 02 November 2015
Reason for Appeal: CHANGE OF USE OF FIRST FLOOR FROM RESIDENTIAL TO PROVIDE TWO ADDITIONAL DENTIST TREATMENT ROOMS, OFFICE/STORE & STAFF KITCHEN, CONVERSION OF GARAGE TO PROVIDE RECEPTION & WAITING ROOM, EXTENSION OF EXISTING GARAGE TO PROVIDE LINK TO MAIN BUILDING & VARIATION OF OPENING HOURS

P/15/0667/LP

Appellant: MR D MURSELL
Site: 9 Chapel Road Sarisbury Green Fareham SO31 7FB
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 09 October 2015
Reason for Appeal: DETACHED GARAGE AND NEW STONED DRIVE.

P/15/0694/FP

Appellant: MR GARETH EYRE
Site: 11 Fareham Park Road Fareham Hampshire PO15 6LA
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 13 November 2015
Reason for Appeal: TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION

PLANNING APPEALS

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

CURRENT

P/15/0786/VC

Appellant: Titchfield Festival Theatre
Site: The Tithe Barn Mill Lane Titchfield Fareham PO15 5RB
Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 09 February 2016
Reason for Appeal: Remove CONDITION 2 allowing outside of barn to be used; vary CONDITION 8 to allow removable/temporary structures under 9m x 9m within the grounds of the barn to be erected for up to 72 hours; remove CONDITION 13 requiring need for visibility splays; remove CONDITION 16 allowing unrestricted number of weddings subject to recorded amplified music (DJs) or non amplified acoustic music (bands) & installation of a noise limiter; vary CONDITION 17 to allow garden benches & tables to be left in the grounds on a permanent basis.

P/15/1117/FP

Appellant: MR & MRS DEDMAN
Site: 9 Shetland Rise Whiteley PO15 7JP
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 29 January 2016
Reason for Appeal: TWO STOREY SIDE EXTENSION

P/15/1263/AD

Appellant: Mr Andrew Page
Site: Delme Court Maytree Road Fareham PO16 0HX
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 26 February 2016
Reason for Appeal: OUTDOOR ADVERTISTMENT TO BE DISPLAYED ON PREVIOUSLY APPROVED BOUNDARY WALL

HEARINGS

PLANNING APPEALS

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

HEARINGS

ENF/15/0071

PUBLIC INQUIRY

Appellant:

MR LEIGH DUNKASON

Site:

46 Glen Road Sarisbury Green Southampton

Date Lodged:

01 October 2015

Reason for Appeal:

The Enforcement Notice has been appealed on the following grounds:

Ground (a) that planning permission should be granted for what is alleged in the notice;

Ground (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters, and;

Ground (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.

DECISIONS

PLANNING APPEALS

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

DECISIONS

ENF/13/0095

Appellant: MS ROS SNOWDEN
Site: Spring Road Sarisbury Green Southampton Hampshire SO31 7FG
Date Lodged: 19 June 2015
Reason for Appeal: The Enforcement Notice has been appealed on the following grounds:
(a) that planning permission should be granted for what is alleged in the notice (or that the condition or limitation referred to in the enforcement notice should be removed);
(c) that those matters (if they occurred) do not constitute a breach of planning control;
(d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
(e) that the notice was not properly served on everyone with an interest in the land;
(f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
(g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.
Decision: ALLOWED
Decision Date: 17 February 2016

P/14/0804/FP

Appellant: MR ZAMIR AFGHAN
Site: Peel House Rest Home Woodcote Lane Fareham Hampshire PO14 1AY
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 17 August 2015
Reason for Appeal: PROPOSED ERECTION OF GROUND & FIRST FLOOR EXTENSIONS TO THE SOUTHERN PART OF THE BUILDING AND PROVISION OF TWELVE ADDITIONAL BEDROOMS
Decision: ALLOWED
Decision Date: 06 February 2016

PLANNING APPEALS

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

DECISIONS

P/14/1101/FP

Appellant: MRS C HAZLERIGG
Site: 74 Privett Road Fareham Hampshire PO15 6SH
Decision Maker: Officers Delegated Powers
Recommendation: APPROVE
Council's Decision: REFUSE
Date Lodged: 10 December 2015
Reason for Appeal: TWO STOREY EXTENSION TO FORM NEW DWELLING
Decision: DISMISSED
Decision Date: 26 February 2016

P/15/0592/FP

Appellant: MR JAMES WARD
Site: 12 Tulip Gardens Locks Heath Southampton Hampshire SO31 6GB
Decision Maker: Officers Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 28 October 2015
Reason for Appeal: TWO STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING DETACHED GARAGE, FRONT PORCH WITH CANOPY & DETACHED GARAGE.
Decision: DISMISSED
Decision Date: 10 February 2016

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date: 23 March 2016

Report of: Director of Planning and Regulation

Subject: FAREHAM TREE PRESERVATION ORDER No.720 (2015) – LAND SOUTH OF WARSASH COMMON, EAST OF CHURCH ROAD AND WEST OF FLEET END ROAD, WARSASH

SUMMARY

The report details objections to the making of a provisional order in December 2015 and provides officer comment on the points raised.

RECOMMENDATION

That Tree Preservation Order 720 is not confirmed.

BACKGROUND

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

It shall be the duty of the local planning authority -

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

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

3. Fareham Borough Council Tree Strategy 2012 - 2017.

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

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

4. In mid-December 2015 the Council was made aware that a significant area of woodland had been put up for sale to the west of Hook village.

INTRODUCTION

5. On the 22 December 2015 a provisional order was served in respect of an area of woodland south of Warsash Common, east of Church Road and west of Fleet End Road – Woodland 1(W1).

OBJECTIONS

6. Under Regulation 6 of the Town and Country Planning (Trees) Regulations 2012 one objection has been received from the owner and a licensee on the following grounds:
 - The woodland has now been withdrawn from the market and is no longer for sale.
 - The current owner has not undertaken any tree works or forestry operation that could be considered a threat to the woodland.
 - The woodland requires management to improve and sustain its structure, character and diversity.
 - The current owner is in negotiation with a local resident experienced in woodland management who wishes to enter into a licence agreement with the landowner to manage the woodland.

- The proposed licensee has met with the Council's Tree officers who have articulated their support for the proactive management of the woodland.
- The TPO would limit the ability of the licensee to manage the woodland effectively given the restrictions in place.
- The proposed management plan will seek to manage the woodland in a proactive and sustainable manner and will include the involvement of local community groups in the management process.

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

COMMENT

7. The woodland has now been withdrawn from the market and the current owner has not undertaken any tree works or operations that could be considered a threat to the woodland.
8. The woodland requires ongoing management to improve its structure, character and diversity; and manage public access. The existence of a woodland TPO would not preclude such management and in fact Local Authorities are advised to encourage woodland owners to enter into a proactive management plan and involve the Forestry Commission where applicable.
9. Tree officers have met with Mr King, the licensee and they are of the view that he has the necessary experience and commitment required to ensure the woodland is managed effectively in future. Mr King will involve the local community and existing users of the site in these plans and will maintain regular communication with the Council and the Forestry Commission where appropriate.

RISK ASSESSMENT

10. The Council will not be exposed to any risk by not confirming TPO 720. Only where an application is made for consent to work on trees subject to a TPO and subsequently refused does the question of compensation payable by the Council arise. Any significant cutting and removal of trees within the woodland would require consultation with the Forestry Commission.

CONCLUSION

11. The woodland has been withdrawn from the market and is not for sale. The existing long standing owner has never undertaken and does not seek to undertake any detrimental works to the land and trees. A local woodland manager has now entered into a license agreement with the owner to manage the woodland in a sustainable manner involving the local community. Therefore in officers opinion there is no threat to the woodland and the TPO is not necessary. However, members are invited to reach their own conclusion.
12. Officers therefore recommend that Tree Preservation Order 720 is not confirmed.

Background Papers: TPO 720.

Reference Papers: National Planning Policy Framework: Planning Practice Guidance - Tree Preservation Orders (2014), Fareham Borough Council Tree Strategy 2012 – 2017 and The Law of Trees, Forests and Hedges (second edition) – *Charles Mynors*.

Enquiries:

For further information on this report please contact Paul Johnston. (Ext 4451)