

# FAREHAM

BOROUGH COUNCIL

## AGENDA PLANNING COMMITTEE

**Date:** Wednesday, 13 September 2017

**Time:** 2.30 pm

**Venue:** Collingwood Room - Civic Offices

**Members:**

Councillor N J Walker (Chairman)

Councillor C J Wood (Vice-Chairman)

Councillors B Bayford  
T M Cartwright, MBE  
P J Davies  
K D Evans  
M J Ford, JP  
A Mandry  
R H Price, JP

**Deputies:** S Cunningham  
Mrs C L A Hockley  
L Keeble  
Mrs K K Trott



**1. Apologies for Absence**

**2. Minutes of Previous Meeting (Pages 1 - 8)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 16 August 2017.

**3. Chairman's Announcements**

**4. Declarations of Interest**

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

**5. Deputations**

To receive any deputations of which notice has been lodged.

**6. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 9)**

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/17/0755/VC THE TITHE BARN MILL LANE TITCHFIELD FAREHAM PO15 5RB (Pages 11 - 20)**

(2) **P/17/0869/AD 252 WARSASH ROAD TESCO EXPRESS WARSASH SOUTHAMPTON SO31 9NZ (Pages 21 - 26)**

(3) **P/17/0902/FP 23 APPLETON ROAD FAREHAM HAMPSHIRE PO15 5QH (Pages 27 - 33)**

(4) **P/17/0937/FP 293B TITCHFIELD ROAD TITCHFIELD FAREHAM HAMPSHIRE PO14 3ER (Pages 34 - 42)**

**ZONE 2 - FAREHAM**

**ZONE 3 - EASTERN WARDS**

(5) **P/17/0505/FP 64 HILL ROAD FAREHAM PO16 8JY (Pages 45 - 49)**

(6) **P/17/0807/CU LAKE WORKS CRANLEIGH ROAD FAREHAM PO16 9DR (Pages 50 - 55)**

(7) **Planning Appeals (Pages 56 - 57)**



P GRIMWOOD  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
5 September 2017

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

BOROUGH COUNCIL

## Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 16 August 2017

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

Councillor N J Walker (Chairman)

Councillor C J Wood (Vice-Chairman)

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

**Also Present:** Councillor S D T Woodward, Executive Leader (Item 6 (4))



**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillors B Bayford and M J Ford, JP.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 19 July 2017 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

**4. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct the following Councillors declared interests at this meeting:

Councillor T M Cartwright declared a non-pecuniary interest in item 6 (1) – Drift House, Brook Avenue, Warsash as the owner of Hambles Edge is known to him.

Councillor A Mandry declared a non-pecuniary interest in 6 (5) – Hill Head Beach, East of Giblet Ore as most of the residents who live along that stretch of beach are known to him.

Councillor C J wood declared a non-pecuniary interest in 6 (6) – Solent Airport, Daedalus, Lee-on-the-Solent as his parents' house backs onto the airfield.

**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	Minute Application No/Page No
<b>ZONE 1 – 2.30pm</b>				
Mrs B Clapperton	The Fareham Society	DRIFT HOUSE, BROOK AVENUE, WARSASH, SO31 9HN – DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT 5-BED DWELLING; DETAILS PURSUANT;	<b>Comment</b>	6 (1) P/16/1415/DP/A Pg 14

		CONDITION 6 (LANDSCAPING)		
Mr S Church		23 CYPRUS ROAD, FAREHAM, PO14 4JY – USE OF OUTBUILDING AS A HOLIDAY-LET	<b>Supporting</b>	6 (2) P/17/0610/CU Pg 18
Mrs S Boreham		-Ditto-	<b>-Ditto-</b>	-Ditto-
Mr C Beeching		-Ditto-	<b>Opposing</b>	-Ditto-
Mr M Utting (Agent)		LAND TO THE REAR OF 184 BRIDGE ROAD, SARISBURY GREEN, FAREHAM, SO31 7ED – 1NO. 2- BEDROOM HOUSE, 4NO. 3-BEDROOM HOUSES AND 3NO. 4- BEDROOM HOUSES FOLLOWING THE DEMOLITION OF WORKSHOPS AND A SIDE EXTENSION TO 184 BRIDGE ROAD TO FROM SITE ACCESS FROM BRIDGE ROAD. ACCESS TO 186 BRIDGE ROAD, ESTATES ROADS, CAR PARKING AND CYCLE STORES, LANDSCAPING AND BOUNDARY TREATMENTS AND OTHER ASSOCIATED WORKS	<b>Supporting</b>	6 (3) P/17/0697/FP Pg 23
Mr A Blewett		-Ditto-	<b>-Ditto-</b>	-Ditto-
Mr S Grinsted	Mr W Ewens, Mr & Mrs Wharton, Mr D Wealthy	WILLOWS END 312 OLD SWANWICK LANE, LOWER SWANWICK, SOUTHAMPTON, SO31 7GS – ERECTION OF TWO 1- BED FLATS AND FIVE 2-BED FLATS WITH ASSOCIATED PARKING AND ACCESS FOLLOWING DEMOLITION OF EXISTING BUNGALOW	<b>Opposing</b>	6 (4) P/17/0765/FP Pg 34
Mr R White	Mr & Mrs French Mr A Blewett	-Ditto-	<b>-Ditto-</b>	-Ditto-

	Mr P Smith			
Mr M Knappett (Agent)		-Ditto-	<b>Supporting</b>	-Ditto-
<b>ZONE 2 – 4.00pm</b>				
<b>ZONE 3 – 4.00pm</b>				
Mr R Waterhouse		HILL HEAD BEACH – EAST OF GIBLET ORE – FAREHAM – ADDDION OF EXTRA PLANKS TO GROYNES ON BEACH	<b>Supporting</b>	6 (5) P/17/0569/FP Pg 49
Ms A Nash		-Ditto-	<b>-Ditto-</b>	-Ditto-
Mr A Pearce		-Ditto-	<b>-Ditto-</b>	-Ditto-
Mr S Pickering		SOLENT AIRPORT AT DAEDALUS, LEE-ON- THE-SOLENT, FAREHAM PO13 9FL – CONSTRUCTION OF MEOLUTS MONITORING AND TRACKING SYSTEM FOR EMERGENCY SERVICES	<b>Supporting</b>	6 (6) P/17/0608/FP Pg 53

## 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/16/1415/DP/A - DRIFT HOUSE BROOK AVENUE WARSASH SOUTHAMPTON SO31 9HN

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

Councillor T M Cartwright declared a non-pecuniary interest in this item as the owner of Hambles Edge is known to him.

The Committee's attention was drawn to the Update Report which contained the following information:- *One additional letter has been received from The Fareham Society objecting on the following grounds;*

- *The proposed scheme would not mitigate and soften the impact of the development as seen from the river Hamble*
- *The group of three trees located on each boundary should be of heavy duty standard at least 5m high of 23cm girth*
- *The planting distances from the site boundaries should be identified and the centre tree if each group should be planted so that the whole tree canopy grows totally within the application site to reduce the impact of the dwelling in views from the river*
- *A TPO should be put on all the significant new trees*
- *To avoid any doubt measurements for planting distances should be specified in the planting scheme*

A motion was proposed and seconded to refuse the application, and was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposed landscaping scheme is contrary to Policy CS17 in that it fails to provide sufficient new tree planting to the west of the permitted dwelling to soften views from vantage points to the west. In the absence of sufficient additional tree planting the replacement dwelling is considered to have an unacceptable visual impact upon the appearance of the area when viewed from the west.

**(2) P/17/0610/CU - 23 CYPRUS ROAD FAREHAM PO14 4JY**

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

Upon being proposed and seconded, the officer recommendation to refuse Planning Permission was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposed development would be contrary to Policy DSP2 of the Local Plan Part 2: Development Sites and Policies Plan and Policy CS17 of the adopted Fareham Borough Core Strategy and is unacceptable in that the proposed use would have an unacceptably harmful effect on the living conditions as regards noise and disturbance for nearby residents and would unacceptably increase the activity at the rear of this residential dwelling creating a separate focus of activity tantamount to a new dwelling to the detriment of the character of the area.

**(3) P/17/0697//FP - LAND TO THE REAR OF 184 BRIDGE ROAD SARISBURY GREEN FAREHAM SO31 7ED**

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: - *Additional Condition on Reptile Mitigation Strategy:*

16. *A reptile mitigation strategy shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The strategy shall include:*

- (i) details of the translocation works, including plans showing where reptile fencing will be erected relative to existing reptile habitat, methodology for capture, including timings and capture effort;*
- (ii) The results of reptile surveys conducted at the identified receptor site;*
- (iii) Details of existing reptile habitat availability and capacity within the receptor site;*
- (iv) Appropriate habitat creation options for increasing the receptor sites capacity for the slow-worm population;*
- (v) A work schedule for habitat maintenance (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);*
- (vi) Monitoring and remedial / contingencies measures triggered by monitoring*
- (vii) Personnel responsible for implementation of the plan.*

*REASON: To ensure the protection of wildlife protected by the Wildlife and Countryside Act 1981.*

*Additional Information in respect of Bats:*

*b) Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.*

The Committee were also provided with a verbal update stating that Southern Water have agreed a drainage strategy with the applicant to deal with surface water and foul water drainage.

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

- (a) The conditions in the report;
- (b) The conditions in the Update Report; and
- (c) An additional condition be added requiring the car ports to subsequently be retained as car ports.

was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that, subject to:-

- (a) The conditions in the report;
- (b) The conditions in the Update Report; and
- (c) An additional condition be added requiring the car ports to subsequently be retained as car ports.

PLANNING PERMISSION be granted.

**(4) P/17/0765/FP - WILLOWS END 312 OLD SWANWICK LANE LOWER SWANWICK SOUTHAMPTON SO31 7GS**

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:- An amended bin store plan has been received and the Council's Refuse and Re-cycling Coordinator has confirmed is now acceptable.

The SRMP contribution has been received.

Three additional letters of objection received raising no further material considerations.

At the invitation of the Chairman, Councillor S D T Woodward, addressed the Committee on this item.

A motion was proposed and seconded, to refuse the application, and was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposed development would be contrary to Policy CS17 of the adopted Fareham Borough Core Strategy and Policy DSP3 of the Local Plan Part 2: Development Sites and Policies in that:-

- (i) The height, scale and massing of the building would be harmful to the character and appearance of the area;
- (ii) Would result in the unacceptable overlooking of 308 Old Swanwick lane;
- (iii) The location of the bin store along 308 Old Swanwick Lane would be harmful to the living conditions of its occupants; and
- (iv) Noise arising from the use of the car park would harm the living conditions of 308 Old Swanwick Lane.

**(5) P/17/0569/FP - HILL HEAD BEACH EAST OF GIBLET ORE FAREHAM HAMPSHIRE**

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

Councillor A Mandry declared a non-pecuniary interest in this item as most of the residents who live along this stretch of the beach are known to him.

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

(Voting: 8 in favour; 0 against)

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

**(6) P/17/0608/FP - SOLENT AIRPORT AT DAEDALUS LEE-ON-THE-SOLENT FAREHAM PO13 9FL**

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

Councillor C J Wood declared a non-pecuniary interest in this item as his parents' house backs onto the airfield.

The Committee's attention was drawn to the Update Report which contained the following information:- *ADDITIONAL CONSULTATION RESPONSE:*

*Environmental Health (Contamination): No objection subject to the conditions recommended.*

*Airport Manager: No objection.*

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

(Voting: 8 in favour; 0 against)

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

**(7) P/17/0699/FP - 13 MONTROSE AVENUE FAREHAM PO16 8HT**

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report and an additional condition stating that the garage shall not at any time be used as a separate unit of residential accommodation, was voted on and CARRIED.

(Voting: 6 in favour; 2 against)

RESOLVED that, subject to the conditions in the report, and the additional condition requiring that the garage shall not at any time be used as a separate unit of residential accommodation, PLANNING PERMISSION be granted.

**(8) Planning Appeals**

The Committee noted the information in the report.

**(9) UPDATE REPORT**

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

(The meeting started at 2.30 pm  
and ended at 5.05 pm).

## **Report to Planning Committee**

**Date:** 13 September 2017

**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**

The meeting will take place at the Civic Offices, Civic Way, Fareham, PO16 7AZ.

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

(2) Items relating to development in Fareham Town: Fareham South, Fareham North, Fareham North-West, Fareham East and Fareham West Stubbington, Hill Head, Portchester East and Portchester West will not be heard before 3.45pm

# Agenda Annex

## ZONE 1 - WESTERN WARDS

Park Gate  
Titchfield  
Sarisbury  
Locks Heath  
Warsash  
Titchfield Common

Reference		Item No
<b>P/17/0755/VC</b> TITCHFIELD	THE TITHE BARN MILL LANE TITCHFIELD FAREHAM PO15 5RB VARIATION OF CONDITION 2 OF P/15/0786/VC TO ALLOW USE OF OUTSIDE AREA ON EAST SIDE OF BARN FOR WEDDING EVENTS	<b>1</b> <b>PERMISSION</b>
<b>P/17/0869/AD</b> WARSASH	252 WARSASH ROAD - TESCO EXPRESS WARSASH SOUTHAMPTON SO319NZ. 1 ILLUMINATED SIGN AND 8 NON-ILLUMINATED SIGNS	<b>2</b> <b>CONSENT</b>
<b>P/17/0902/FP</b> TITCHFIELD	23 APPLETON ROAD FAREHAM HAMPSHIRE PO15 5QH 1NO. FOUR BEDROOMED CHALET BUNGALOW (ALTERNATIVE SCHEME TO P/17/0513/FP)	<b>3</b> <b>PERMISSION</b>
<b>P/17/0937/FP</b> TITCHFIELD	293B TITCHFIELD ROAD TITCHFIELD FAREHAM HAMPSHIRE PO14 3ER PROPOSED DWELLING (ALTERNATIVE TO PERMISSION GRANTED FOR NEW DWELLING UNDER REFERENCE P/17/0355/FP)	<b>4</b> <b>PERMISSION</b>

# Agenda Item 6(1)

**P/17/0755/VC**

TITCHFIELD FESTIVAL  
THEATRE

**TITCHFIELD**

AGENT: SOUTHERN PLANNING  
PRACTICE

VARIATION OF CONDITION 2 OF P/15/0786/VC TO ALLOW USE OF OUTSIDE AREA  
ON EAST SIDE OF BARN FOR WEDDING EVENTS

THE TITHE BARN MILL LANE TITCHFIELD FAREHAM PO15 5RB

## ***Report By***

Richard Wright - direct dial 01329 824758

## ***Introduction***

Planning permission was granted in 2013 for the use of the Tithe Barn (also known as the Great Barn) and surrounding land (our reference P/13/0265/CU). The approved use allowed the barn to be used for theatrical performances, as an educational centre, for craft and farmers markets, as a museum and exhibition suite and for corporate, charity, wedding and community events. Condition 2 of the permission stipulated these authorised uses and added that the following uses shall only be held inside the barn: educational uses, craft and farmers markets, museum and exhibition suite, and wedding and corporate events. In total there were 17 planning conditions imposed on the permission.

In 2015 Titchfield Festival Theatre applied for relief of various conditions imposed by the 2013 permission (our reference P/15/0786/VC). It was proposed to:

- Remove condition 2 to allow outside of the barn to be used;
- Vary condition 8 to allow removable/temporary structures under 9m x 9m within the grounds of the barn for no longer than 72 hours;
- Remove condition 13 requiring the need for visibility splays at the entrance from Mill Lane;
- Remove condition 16 allowing unrestricted number of weddings subject to recorded amplified music or non-amplified acoustic music and installation of a noise limiter;
- Vary condition 17 allowing garden benches and tables to be left in the grounds on a permanent basis.

The Council refused planning permission for the removal/variation of these conditions. The applicant lodged an appeal and the Planning Inspectorate determined the appeal in June 2016 (PINS appeal reference APP/A1720/W/16/314264). With the exception of condition 13 (visibility splays onto Mill Lane), all of the previous conditions attached to the 2013 permission were imposed once again by the Planning Inspector (renumbered 1 - 16). It is this permission granted by the Planning Inspector which the current application relates to.

In December 2016 a further planning application seeking permission to vary condition 15 of the permission granted on appeal was refused permission by the Planning Committee (P/16/1192/VC). The application proposed to increase the number of wedding ceremonies and/or functions which could take place each calendar year from 14 to 28. An appeal against the Council's refusal to grant permission has since been lodged and is currently being processed by the Planning Inspectorate.

## ***Site Description***

The application site includes the barn which is a Grade I Listed Building and the surrounding land. The site is within the countryside, the Titchfield Abbey Conservation Area

and Meon Strategic Gap.

The barn is situated on rising ground to the west of Mill Lane and is approached by a long straight hard surfaced driveway from Mill Lane. Where it enters the site there are two small fields on either side of the drive to its north and south. The drive continues and opens out into a hardsurfaced car park on the immediate east side of the barn itself. The car park continues around the northern side of the barn where it leads to a gate providing a right of way into the land to the west where several fishing lakes are located.

There is one dwelling, Fern Hill Farmhouse, in close proximity to the site adjacent to its north-western boundary.

There is a public right of way along the eastern boundary of the site behind a mature hedgerow and another which passes through the car park to the northern side of the barn.

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

Planning permission is sought to vary condition 2 of the planning permission granted on appeal in 2016 (PINS ref. APP/A1720/W/16/314264) which reads as follows:

"The barn shall be used for theatrical performances, as an educational centre, for craft and farmer's markets, museum and exhibition suite, and corporate, charity, wedding and community events only. The following uses shall only be held inside the barn: educational uses, craft and farmers markets, museum and exhibition suite, wedding and corporate events unless otherwise agreed in writing with the Local Planning Authority".

The proposed variation is intended to allow the use of areas outside on the eastern side of the barn during wedding events. The external areas proposed to be used are hatched green on the submitted site plan and comprise the car park and the small field to the south of the driveway adjacent to the car park.

### ***Policies***

The following policies apply to this application:

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

CS14 - Development Outside Settlements

CS17 - High Quality Design

#### **Development Sites and Policies**

DSP2 - Environmental Impact

DSP5 - Protecting and enhancing the historic environment

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

The following planning history is relevant:

<b><u>P/16/1192/VC</u></b>	<b>Vary condition 15 of P/15/0786/VC to increase the number of wedding ceremonies and/or wedding functions from 14 to 28 to be held on the application site in any one calendar year - development affecting the setting of the Grade 1 Listed Barn.</b>
REFUSE	14/12/2016

<b><u>P/16/0738/FP</u></b>	<b>RETROSPECTIVE APPLICATION FOR UNDERGROUND SEWAGE TANK AND PROPOSED HEDGE SCREENING AND PROVISION OF SOAKAWAY AND STANDPIPE.</b>	APPROVE	25/01/2017
<b><u>P/16/0406/LB</u></b>	<b>Retrospective consent for glazing to window slits &amp; cladding of toilets; new external doors to barn.</b>	APPROVE	11/01/2017
<b><u>P/15/0786/VC</u></b>	<b>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) &amp; installation of a noise limiter; vary CONDITION 17 to allow garden benches &amp; tables to be left in the grounds on a permanent basis.</b>	REFUSE APPEAL: PART ALLOWED	15/10/2015 27/06/2016
<b><u>P/13/0265/CU</u></b>	<b>CHANGE OF USE OF THE GREAT BARN TO THEATRICAL PERFORMANCE USE, INCLUDING BAR/CAFE, TOILET FACILITIES, ANCILLARY EDUCATIONAL FIELD CENTRE, CRAFT AND FARMERS MARKETS, MUSEUM &amp; EXHIBITION SUITE, CORPORATE, CHARITY, WEDDING AND COMMUNITY EVENTS &amp; USE OF FORMER OFFICE/STORE FOR CAST FACILITIES/SECURITY OFFICE (ALTERNATIVE TO P/12/0362/CU)</b>	APPROVE	02/07/2013

### ***Representations***

Twenty-seven sets of comments have been received in support of the application with the following points raised:

- The barn is a valued asset which the Council should be helping to support
- Restricting wedding events from being held outside is unfair
- Hosting weddings at the venue generates money to maintain the listed building
- There are no houses nearby to be affected by wedding events

One letter has been received from the neighbour living at Fern Hill Farmhouse.:

- The main issue raised is that of noise nuisance experienced by them from events held at the application site, however they state that activities within the field in the south-east corner of the site have very little impact on them unless they involve music.
- The neighbour expresses the view that the existing conditions in place are not being complied with and are worded such that they are difficult for the Council to enforce.
- The neighbour offers support to the proposal on the proviso that all of the existing conditions are reviewed. Unless changes are made to the conditions they wish for the application to be rejected.



## **Consultations**

### INTERNAL

#### Conservation -

The monastic Barn is a grade 1 listed building and Titchfield Abbey is a scheduled monument. The nearby Fernhill Farmhouse is also a grade II listed building. All the buildings lie within the Titchfield Conservation Area, they and the conservation area itself are designated heritage assets the significance of which must be given weight in the making of planning decisions in accordance with advice contained in the NPPF.

The monastic barn stands in the area of the outer precinct of the former Premonstratensian abbey at Titchfield, and is one of the few surviving great medieval abbey barns nationally in terms of survival of fabric and monumental proportions. The barn was built to centralise grain storage in the early C15 and along with the nearby Fernhill Farmhouse and other historic structures in the vicinity form part of the former monastic estate. An important aspect of the conservation area is the physical and functional relationship of the abbey with its estate buildings and the landscape.

In determining the recent appeal APP/A1720/W/16/3143264 against refusal of planning permission to remove/ vary conditions relating to use of the barn the planning inspector stressed the importance of taking into account its special interest and 'distinct open rural appearance'. Also the contribution it makes to the historic monastic landscape. The inspector considered that the permanent presence of tables and chairs and other such paraphernalia around the building would unacceptably erode the rural monastic landscape of the building's setting, giving a cluttered and fragmented appearance to its surroundings.

In my view retaining an absence of permanent benches, tables and other clutter on the land around the barn is of particular importance to preserving its setting, the wider setting of the abbey and the character and appearance of this part of the conservation area. Provided that this does not result from the application proposals I would not have any objection to use of the areas proposed in connection with the limited number of weddings permitted to be held in the barn.

Environmental Health - No objection. It seems that this is a formalisation of what is already happening and from previous visits to the barn when this is occurring no issues are foreseen.

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

##### i) Planning history and relevant appeal decision dated 27th June 2016

The appeal decision dated 27th June 2016 is an important material planning consideration in that it thoroughly considers a number of the planning conditions which remain in place in the consent subsequently granted and their importance with regards preserving the historic and countryside character of the site and protecting the living conditions of neighbours. However, it should be born in mind that the appeal proposal differed from that which is now before the Council for determination.

##### ii) Heritage matters

In paragraph 13 of the 2016 appeal the Inspector considered the effect of the proposed changes on "the special interest of the barn and its rural setting and the contribution it

makes to the historic monastic landscape". She remarked that being able to control what activities could take place outside of the barn was important to maintaining the open rural character of its setting. Removing condition 2 to allow unfettered use of the outside space for events would in her opinion erode the barn's setting and its contribution to the conservation area.

In the current proposal, rather than limitless use of the outside area of the barn, it is proposed to use a relatively small area in the site's south-eastern corner for wedding event - essentially the car park to the east of the barn and a small field. There is a small pedestrian sized opening in the hedgerow between the car park and the field to allow access from the barn, across the car park into the field. The field is surrounded on all sides by hedgerow with newly planted hedging along the edge of the driveway.

The hedgerow around the field would to a large extent screen the activities of wedding events taking place however there would be some limited views of this part of the site still possible from the adjacent public right of way and along the driveway. It is anticipated that the field could be used for wedding guests to eat and drink with tables and chairs and temporary structures such as gazebos erected (subject to approval first being given by the local planning authority). The use of the car park as an external space for wedding events is likely to be more limited to the parking of vehicles (as is already currently the case), stationing of catering vans (which are often already present if not used to serve food to wedding guests outdoors) and other associated temporary structures.

Unlike the previous proposal which was subject of the 2016 appeal, there are no proposed changes to the other conditions which include control over marquees and temporary structures (condition 8) and the storage of tables, chairs and other paraphernalia inside of the barn when not in use (condition 16). There is therefore the ability to control the visual impact of wedding events and the effect on the heritage assets accordingly. Importantly the limit on the number of wedding events which can take place each year (condition 15) would remain in place meaning the effect of use of this outdoor area would be further mitigated by virtue of the fact that weddings would only be permitted to take place on a maximum of 14 occasions annually.

Officers consider the proposed use of the area to the east of the barn as proposed would not have the same unacceptable impact on heritage assets as described by the Planning Inspector in relation to the 2016 appeal. The area in which it is proposed to hold wedding events outside is limited in size and a portion of it screened by boundary hedgerow. The car park is already used during weddings, for example for the parking of guests vehicles, catering vans and other service providers and its use for hosting the wedding events themselves would, in visual impact terms, be little different. Finally, other planning conditions would remain in place to control the presence of temporary structures and paraphernalia and the number of times each year such wedding events would be allowed to take place.

As required by Sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Officers have paid special attention to the desirability of preserving or enhancing the character of the Titchfield Abbey Conservation Area and the settings of the listed barn and its features of special architectural and historic interest. The proposed use of the outside areas to the east of the barn is not considered to be harmful in this regard and both the character of the conservation area and the setting of the barn and its features of interest would be preserved.

### iii) Living conditions

Fern Hill Farmhouse is the only residential property in close proximity to the application site. The farmhouse lies adjacent to the north-western site boundary on the opposite side of the barn to the outdoor areas proposed by the applicant for use during wedding events. The field in the south-eastern corner of the application site is approximately 60 metres at its closest point from the nearest part of the garden of Fern Hill Farm and around 90 metres from the farm house itself.

The neighbour living at Fern Hill Farmhouse has commented on the application. They express some reservations over the proposal principally due to concerns over noise from wedding events, however they acknowledge that the holding of wedding activities in the field in the south-eastern corner of the site has very little impact on them unless they involve music. Their suggestion is that the existing conditions be reworked accordingly to ensure their effectiveness in dealing with noise nuisance in the future.

The Council's Environmental Health team have raised no objection to the proposal. Whilst Officers from that team have attended the site in response to noise complaints they do not foresee any issues arising simply from the use of the outside area to the east for wedding events as proposed.

In determining the 2016 appeal the Planning Inspector noted that "Allowing unrestricted events to occur outside, providing permanent tables and chairs, and other facilities, including catering, would encourage large numbers of people to be accommodated, thereby increasing noise and disturbance". As explained above, this current application differs in that the proposal is for a specific part of the site to be used for a specific type of event (weddings) and with all other conditions controlling the use of the site remaining in place. Whilst therefore noise from wedding events is clearly a concern, the nature of this specific proposal means the use of the area outdoors to the east of the barn is unlikely to lead to unacceptable levels of noise harmful to the living conditions of neighbours. It is considered appropriate to restrict the use of amplified music outdoors by a suitably worded planning condition.

### iv) Planning conditions

As highlighted above, the comments received from the neighbour living at Fern Hill Farm are supportive of the proposal but only on the proviso that all of the conditions the use is subject to are reviewed and reworded, not just condition 2.

The government's Planning Practice Guidance (PPG) states that, to assist with clarity, decision notices for the grant of planning permission under section 73 (such as this application) should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. New conditions can be imposed provided the conditions do not materially alter the development that was subject to the earlier permission.

Taking into account the PPG advice Officers do not consider it would be appropriate to alter the wording of conditions other than to revise condition 2 accordingly and remove condition 11 (waste tank) as numbered on the 2016 appeal decision since the waste tank it refers to no longer exists on the site. All other conditions imposed on the 2016 appeal decision would once again be included. Reimposing conditions in this way is consistent with the advice in the PPG and the approach taken by the Planning Inspector in dealing with the

2016 appeal.

A new condition should be added restricting the use of amplified music outdoors during wedding events.

Planning conditions as recommended by Officers are included in full below. Officers are satisfied that the suggested conditions meet the 6 tests set out in paragraph 206 of the National Planning Policy Framework and should be imposed.

v) Summary

Subject to the suggested conditions below Officers find no material harm would arise from the proposal in terms of the impact on heritage assets, the site's countryside character and setting or the living conditions of neighbours.

Officers consider the proposal accords with Policies CS14 & CS17 of the adopted Fareham Borough Core Strategy and Policies DSP2 & DSP5 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies.

**Recommendation**

PERMISSION:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

a) Location plan

b) Site plan

c) Phase 1 and 2 Bat Surveys and Breeding Bird Survey (Draft Document, Ecosa, September 2012) - approved under reference P/13/0265/CU

REASON: To avoid any doubt over what is permitted.

2. The barn shall be used for theatrical performances, as an educational centre, for craft and farmers markets, museum and exhibition suite, and corporate, charity, wedding and community events only. The following uses shall only be held inside the barn: educational uses, craft and farmers markets, museum and exhibition suite and corporate events unless otherwise agreed in writing with the local planning authority. Wedding events shall only be held inside the barn and within the area outside of the barn shown hatched green on the approved site plan unless otherwise agreed in writing with the local planning authority.

REASON: To secure the future use of the barn whilst protecting the living conditions of the occupiers of nearby residential properties; in the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area.

3. Public performances within the grounds of outside of the barn and forming part of the application site shall be restricted to not more than 5 days in any one calendar year

REASON: To protect the living conditions of the occupiers of nearby residential properties; in the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area.

4. Charitable events within the grounds outside of the barn and forming part of the application site shall be restricted to not more than 5 days in any one calendar year and shall not take place outside the hours of 1000 - 1900.

REASON: To protect the living conditions of the occupiers of nearby residential properties; in the interests of the visual amenities and character of the area and the Titchfield Abbey

Conservation Area.

5. No public performances, theatre performances or other functions shall take place inside or outside of the barn outside the hours of 1000 - 2300.

REASON: To protect the living conditions of the occupiers of nearby residential properties.

6. Any bar or catering facilities within the barn building shall only be used during performances or functions and shall not be used independently outside of those times.

REASON: To protect the living conditions of the occupiers of nearby residential properties.

7. No external alterations shall be undertaken to the office / store / security building until details have first been submitted to and approved in writing by the local planning authority. The alterations shall be subsequently implemented in full in accordance with the approved plans and details.

REASON: In the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area.

8. Should any of the approved uses of the barn require the erection of a marquee or similar temporary structure the scale, position and timing of how long the structure will be in place shall first be agreed in writing with the local planning authority. The approved marquee / ancillary structure shall be dismantled and removed from the site in accordance with the agreed timescales unless otherwise agreed with the local planning authority.

REASON: To protect the living conditions of the occupiers of nearby residential properties; in the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area.

9. No fireworks or pyrotechnics shall be used at the site unless first approved in writing by the local planning authority.

REASON: To protect the living conditions of the occupiers of nearby residential properties.

10. The cast facilities / security office building shall be used only ancillary to the approved uses of the barn, as dressing rooms or other similar uses and as a base for overnight security accommodation and shall not be let, sold or used separately as an independent unit of accommodation.

REASON: To protect the living conditions of the occupiers of nearby residential properties; in the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area; the building is located within a countryside area where new residential accommodation would not normally be permitted.

11. A transport management plan shall be submitted to and approved by the local planning authority in writing within one month of the date of this decision notice. The transport management plan shall include traffic management measures to be put in place during performances / functions. The approved traffic management plan shall be fully implemented within two weeks of the date of its approval by the local planning authority.

REASON: To protect the living conditions of the occupiers of nearby residential properties; in the interests of highway safety.

12. At no time shall any vehicles associated with the uses hereby permitted use or park on the lane (footpath 41) adjacent to the Abbey Garden Centre and Abbey Cottage.

REASON: To protect the living conditions of the occupiers of nearby residential properties.

13. Works and ongoing operational use of the site shall be carried out in accordance with

the measures set out in sections 4.2.3, 4.3.3 and 4.4.3 of the Phase 1 and 2 Bat Surveys and Breeding Bird Survey (Draft Document, Ecosa, September 2012) unless otherwise approved in writing by the local planning authority.

REASON: In order to secure adequate ecological mitigation including for bats and nesting birds.

14. No more than 14 wedding ceremonies and / or functions shall be held at the application site in any one calendar year.

REASON: To protect the living conditions of the occupiers of nearby residential properties; in the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area.

15. Any tables / chairs or any other paraphernalia associated with the uses hereby approved shall, when not in use for any of the approved uses, be stored within the barn.

REASON: In the interests of the visual amenities and character of the area and the Titchfield Abbey Conservation Area.

16. At no time whilst wedding ceremonies or wedding functions are taking place shall any amplified music / sound equipment be used outside of the barn.

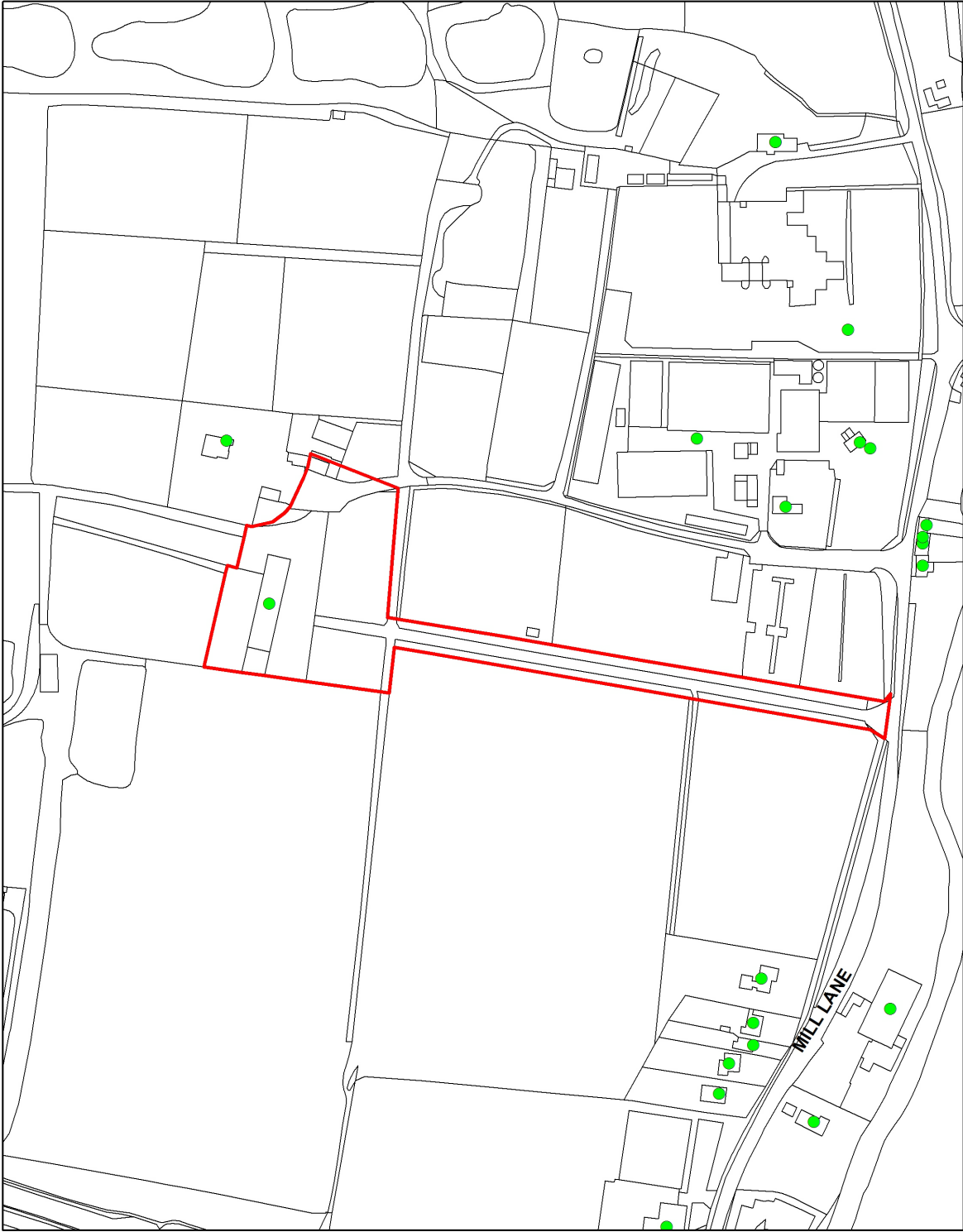
REASON: To protect the living conditions of the occupiers of nearby residential properties.

***Background Papers***

P/17/0755/VC

# FAREHAM

BOROUGH COUNCIL



The Tithe Barn  
Scale 1:2500



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# Agenda Item 6(2)

**P/17/0869/AD**

**WARSASH**

TESCO STORES LTD

AGENT: PEOPLE AND SPACE

1 ILLUMINATED SIGN AND 8 NON-ILLUMINATED SIGNS

252 WARSASH ROAD - TESCO EXPRESS WARSASH SOUTHAMPTON SO319NZ.

## ***Report By***

Lucy Knight - Direct Dial 01329 824579

## ***Amendments***

This application relates to the updating of signs at the existing Tesco Express on Warsash Road as well as the addition of more signs.

## ***Site Description***

The application site is a single storey food store (operated by Tesco) on the south side of Warsash Road.

## ***Description of Proposal***

Advertisement Consent is sought to display one illuminated and 8 non illuminated signs.

- Two of the signs are new fascia signs on the shop front one of which will have internally illuminated lettering.
- One sign is a totem sign which is to replace the current totem sign and will be non-illuminated.
- Three signs are car park signs (two identifying that the spaces are for customer use only and to be respectful of the site neighbours when leaving and the third sign is to mark the disabled parking space)
- All other signs are non-illuminated vinyl or banner signs identifying in-store produce or promotions.

It is noted that the scheme is broadly similar in nature to the consent granted under reference P/15/0021/AD with some changes to the totem design and some alterations to the car park signs and sign locations to those now proposed. P/15/0021/AD was granted consent under delegated authority.

## ***Policies***

The following guidance and policies apply to this application:

National Planning Policy Framework (NPPF)

## **Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

## **Development Sites and Policies**

DSP2 - Environmental Impact

DSP3 - Impact on living conditions



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

The following Planning History is considered to be relevant:

<b><u>P/15/0021/AD</u></b>	<b>REPLACE ONE ILLUMINATED AND TWO NON-ILLUMINATED FASCIA SIGNS ON THE FRONT ELEVATION, PROMOTIONAL BANNER, TOTEM SIGN AND TWO WALL MOUNTED CAR PARK SIGNS</b>	
	APPROVE	02/03/2015
<b><u>P/06/1275/AD</u></b>	<b>Display of Non Illuminated Sign above Automatic Teller Machine</b>	
	CONSENT 5 YEARS	02/11/2006
<b><u>P/04/0401/AD</u></b>	<b>Display of Various Internally Illuminated Signs</b>	
	CONSENT 5 YEARS	06/05/2004
<b><u>P/03/0569/AD</u></b>	<b>Display of Various internally illuminated Signs</b>	
	PART CONSENT 5 YEARS	18/06/2003
<b><u>P/02/0418/AD</u></b>	<b>Display of One Illuminated Pole Sign</b>	
	WITHDRAWN	16/05/2002
<b><u>P/02/0419/FP</u></b>	<b>Installation of Two External Refrigeration Condensors</b>	
	WITHDRAWN	20/09/2002

### ***Representations***

Ten letters of representation have been received and a petition with 18 signatures. This includes ten letters of objection received from seven households. The objections are made on the following grounds:

- Light pollution and impacts upon bedroom windows of neighbouring properties
- Additional signs in village location
- Highway Safety
- Shop already busy, no need to draw further attention to it
- Traffic disruption
- No need for illumination of signs and there is a history of illuminated signs that have been unacceptable at this site.

### ***Consultations***

INTERNAL CONSULTEES:

Highways: No objection is raised to this application.

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

The key considerations for an application for Advertisement Consent are the impacts on

Public Amenity and the implications of the advertisements on Public Safety as per Regulation 3 of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

#### AMENITY:

In assessing an advertisement's impact upon amenity, the NPPF (para 67) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Therefore the relevant considerations for this application are the local characteristics of the neighbourhood including historic and architectural features which contribute to the distinctive character of the locality.

There is no criteria based policy within the development plan that specifically deals with advertisement proposals. As such the most pertinent policy is CS17 which seeks to ensure that development proposals respond positively to and are respectful of the key characteristics of the area. Policies DSP2 and DSP3 of the Local Plan Part 2 are also of some relevance when considering impacts upon neighboring properties.

Many of the proposed signs are replacement signs with updated corporate imaging and branding for the applicant. The additional signs are mainly for the purpose of advertisement of instore produce and are on the shop front or at the side boundaries of the site. The proposed fascia signs are of a much darker blue colour than the existing white fascia. It is noted that on the shop front fascia only the lettering over the store entrance is to be internally illuminated rather than the downward strip lighting along the majority of the existing white fascia.

The internal illumination extends only to the new lettering on the fascia above the store entrance. The submitted details indicate that this illumination would be no greater than 300 candella per square metre. It is noted that this level of luminance on the front fascia was considered acceptable for the Consent issued in 2015 under reference P/15/0021/AD. It is also noted that the same Consent granted in 2015 limited the hours of illumination to this illuminated sign to between 0600 and 2200 only.

It is considered that the reduction in extent of illumination along the length of the fascia and the change in fascia colour would not have a demonstrably harmful impact upon the visual amenity of the area or the shop front. Furthermore the re-imposition of the condition from P/15/0021/AD limiting the hours of illumination is also appropriate given the residential context of the store.

The totem sign at the entrance to the site is not proposed to change in location but just in design and colour. Third party comments have indicated that there is planning history of illuminated signs being unacceptable in this location. The receipt of amended plans mean that the new totem sign will continue to remain non-illuminated. The omission of illumination to the totem sign is welcomed and would result in a new sign that would not have a demonstrably harmful impact upon the visual amenity of the area or the shop front.

The proposed additional signage is going to be on the shop front and at the sides of the site and will be non-illuminated.

It is considered that there will be no significant additional impact on the living conditions of the neighbouring properties. This conclusion is reached given that the level of illumination over the shop front entrance has previously been found to be acceptable in this location (as

per P/15/0021/AD), it is proposed to include a condition limiting the hours of illumination (as per P/15/0021/AD) and the fact that all other signs are to be non-illuminated.

The Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (The Regulations) state that "amenity" includes both visual and aural amenity. Therefore as well as visual amenity, the noise generated by advertisements should be considered. The proposed signage would not generate any noise and is therefore considered to have no significant detrimental impact upon aural amenity.

#### PUBLIC SAFETY:

The proposed totem sign is in the same location as the existing sign and the extent of information upon the sign is considered to be acceptable without being a distraction to drivers. As described above the totem sign is now proposed as a non-illuminated sign. The Transport Officer has raised no highway objection such that the proposal is not considered to result in any highway safety issues.

The Regulations also state that 'Public Safety' is not confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed camera and security camera by advertisements is now included. It is considered that the proposed signage has no impact upon any such equipment.

#### OTHER MATTERS:

Third party comments have referred to ongoing work at the store and deliveries at the site during unsociable hours. These matters are not material to the assessment of an application for Advertisement Consent.

#### CONCLUSION:

The proposal is considered to be acceptable without harm to the visual amenity of the area and in turn the character of the area or the amenity of neighbouring dwellings. There are no public safety implications as a result of the proposal. The application complies with the development plan policies CS17 and DSP3 and as such is recommended that Consent be granted.

#### ***Recommendation***

ADVERTISEMENT CONSENT subject to Standard Advertisement Conditions:

(i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(ii) No advertisement shall be sited or displayed so as to -

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**Additional Conditions:**

1) The fascia advertisement identified as "sign 2" on drawing B2/623\_03 hereby approved shall only be illuminated between the hours of 06:00 and 22:00.

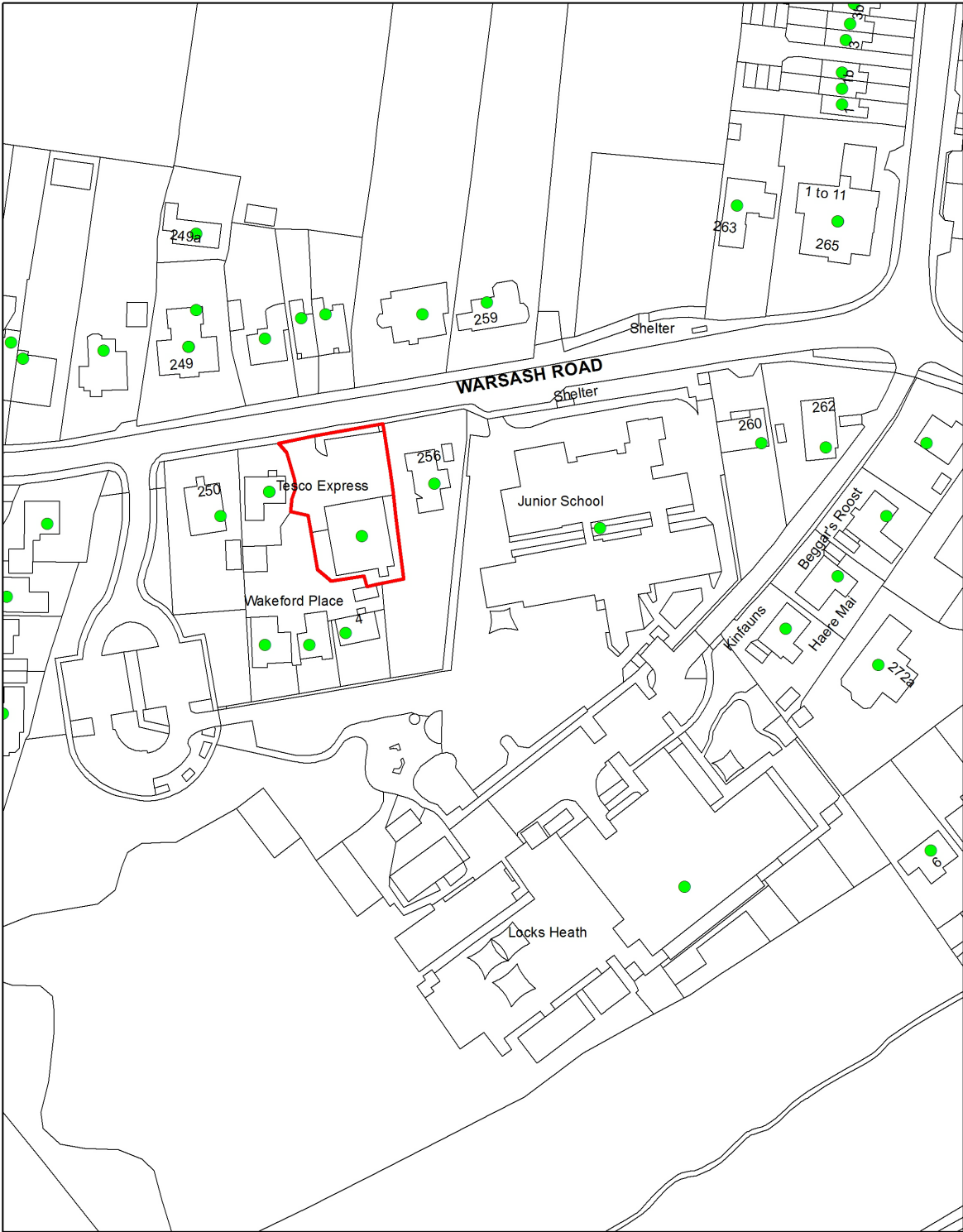
Reason: In the interest of the visual amenity of the area.

***Background Papers***

See 'Relevant Planning History' above

# FAREHAM

BOROUGH COUNCIL



252 Warsash Road - Tesco Express  
Scale 1:2500



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# Agenda Item 6(3)

**P/17/0902/FP**

REGAL HOMES

**TITCHFIELD**

AGENT: ANDERS ROBERTS &  
ASSOC

1NO. FOUR BEDROOMED CHALET BUNGALOW (ALTERNATIVE SCHEME TO  
P/17/0513/FP)

23 APPLETON ROAD FAREHAM HAMPSHIRE PO15 5QH

## ***Report By***

Peter Kneen - direct dial 01329 824363

## ***Site Description***

The application site is located within the existing defined urban area of Fareham (Catisfield), and presently forms part of the rear garden area of 23 Appleton Road, an existing chalet bungalow within a ribbon of residential development comprising a mix of residential properties. Appleton Road is a cul-de-sac serving 48 properties. This residential area of western Fareham is characterised by mixed styles and types of property, including detached, semi-detached and terraced. The majority of the properties are two storeys, although there are also bungalows and chalet bungalows in the street. The properties are constructed with traditional materials including bricked, rendered and tile hung elevations under pitched tiled roofs. The streets comprise maintained front gardens with each property benefitting from its own private access and driveway.

The site itself comprises the rear garden of 23 Appleton Drive, which benefits from a 45m long rear garden. The existing landscaped garden, which is largely laid to lawn, is bounded by mature trees and hedgerows, including a belt of mature trees to the western boundary with the properties on Chatsworth Close. Located within the defined urban area, the site is considered to be sustainable, and less than 30 minutes walk to Fareham Railway Station.

## ***Description of Proposal***

This application seeks planning permission for the construction of 1no. four bedroomed detached chalet bungalow within the rear garden of 23 Appleton Road. Planning permission was granted in June 2017 for the construction of a 3-bedroomed bungalow on the site (Application Reference: P/17/0513/FP). The scheme represents a minor amendment to the current scheme to allow for the provision of 2-bedrooms within the roof space. The overall footprint of the property does not increase, and the overall ridge height only increases by 25mm (the height of the proposed ridge tile). The main changes are in the re-pitching of the roof on the side elevations, and the provision of 6no. rooflights on the eastern (front), northern and western elevations. The proposed dwelling would comprise an open plan kitchen/dining area, and separate lounge and two bedrooms at ground floor level with 2no. further bedrooms at first floor level. The proposed property would be located 20m from the rear elevation of the host dwelling, and 25.5m away from the rear elevation of the closest property on Chatsworth Close (No.17).

The site has been designed to provide 3no. off street car parking spaces for the host dwelling, and 3no. off street car parking spaces for the proposed dwelling. The host dwelling would retain a 13m long rear garden, and the proposed dwelling would include a 11.5m private rear garden, and a 4m front garden.

## ***Policies***

The following policies apply to this application:

**Approved Fareham Borough Core Strategy**

CS6 - The Development Strategy

CS7 - Development in Fareham

CS17 - High Quality Design

**Approved SPG/SPD**

RCPSPG - Residential Car Parking Guide (replaced 11/2009)

**Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

**Development Sites and Policies**

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

***Relevant Planning History***

The following planning history is relevant:

<b><u>P/17/0513/FP</u></b>	<b>1 no. three bedroomed bungalow within the rear garden of existing dwelling</b>	
	APPROVE	08/06/2017

***Representations***

Eight respondents have objected to the proposed development. The key matters of concern raised were:

- Overlooking and loss of privacy;
- Overdevelopment of the site - increased car parking.

***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:

- Principle of the development;
- Impact on living conditions to neighbouring occupiers;
- Private amenity space;
- Design and Appearance of the proposal;
- Highway safety and car parking; and,
- Ecology.

Principle of the development:

The site is located within the defined urban area of Fareham, where there is a presumption in favour of new development, in principle. The site, located within Catisfield represents a

highly sustainable location for new development, providing a wide range of services and facilities, including schools, shops, access to public transport and a wide mix of employment opportunities.

In addition, the principle of the development has already been established following the grant of planning P/17/0513/FP, for a 3-bedroomed bungalow on the site.

#### Impact on Living Conditions:

This planning application proposes the construction of 1no. detached, chalet bungalow with the first floor accommodation set entirely within the roof space. There is only a minor external change to the property from that of the extant planning permission, with a 25mm increase in the ridge height and the side pitches of the roof increased to provide the additional internal roof space.

Six rooflights are proposed; three on the rear elevation (facing Chatsworth Close), two on the front elevation (towards the host dwelling), and one on the northern elevation towards 25 Appleton Road.

Two of the three rooflights on the rear elevation would be obscure glazed (serving bathrooms), and all three would have cill heights of 1.2m above finished floor level. Whilst not above head height (normally 1.7m), the bathroom windows would be over 26m from the rear elevation of 17 Chatsworth Close, and the rear facing bedroom window (clear glazed) would be 28m away from the rear elevation of 17 Chatsworth Close. This level of separation exceeds the minimum level sought by the Adopted Design Guidance (22m), coupled with the provision of a mature tree belt along the boundary between the two properties would ensure that the proposal would not have an adverse impact on the living conditions of neighbours. The existing wire mesh fencing along the boundary would also be replaced with a 1.8m high close-boarded timber fence, ensuring the garden areas remain private.

The two front facing rooflights would both be set at 1.2m above the finished floor level, and would serve the two first floor bedrooms. These windows would be set 22m away from the first floor, rear facing window of the host dwelling. The two windows would also be over 28m away from the rear elevation of 25 Appleton Road and 33m away from the rear elevation of 19 Appleton Road. Both these levels of separation exceed the minimum 22m level of separation sought in the Adopted Design Guidance, and therefore it is considered that the proposal will not have an adverse impact on the living conditions of occupiers of 19, 23 or 25 Appleton Road.

Finally, the proposed rooflight on the northern elevation would be set at 1.7m above the finished floor level, and would therefore ensure no overlooking to the rear garden of 25 Appleton Road.

Therefore, having regard to the above, it is considered that the proposals would not have a detrimental impact on the amenities of neighbouring occupiers, and complies with and largely exceeds the requirements of the Design Guidance.

#### Private Amenity Space

The application proposal includes a private rear garden with a length of between 11.5m and width of 18m, providing a good level of outdoor amenity space. It is acknowledged that the



site does include a drainage ditch to the rear of the garden, which would need to be maintained, together with a number of mature trees. The boundary trees are proposed to be retained as part of the development proposal, and whilst this does reduce the usable garden length, the level of space provided retains a generous open space for the development proposed.

### Design and Appearance

The application seeks the erection of a traditionally constructed rendered and pitched tiled roof. 23 Appleton Road is a rendered property, as are several other properties along Appleton Road. The design and appearance of the proposed dwelling is therefore considered to reflect the broad character of other properties in the street scene, and would therefore be an appropriate design approach for this backland site.

### Highway Safety and Car Parking

The site is located on a quiet residential street. The development makes use of the existing access arrangement to the site, and therefore consideration of the proposal falls under the remit of Hampshire County Council's Standing Advice for highway considerations. The proposal would result in the provision of 3no. off street car parking spaces for the host dwelling and 3no. off street spaces for the proposed dwelling, which accord with the Council's Adopted Car Parking Standards. Both properties would be able to enter and exit the site in a forward gear. Provision of bin and cycle storage is subject to condition.

### Ecology

The Solent coastline provides feeding grounds for internationally protected populations of overwintering birds and is used extensively for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within the Borough therefore need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution of £181.00 per dwelling. The applicant made this payment under the earlier approved application (P/17/0513/FP) and therefore is considered to have satisfactorily addressed the mitigation concerns.

### Conclusion:

In summary, it is considered that the proposed construction of 1no. four bed roomed detached dwelling accords with the principles of the adopted Design Guidance and Parking Standards. The levels of separation, siting, design and layout of the property is considered appropriate for the existing, built-up residential environment, and would not therefore be detrimental to the living conditions of neighbouring occupiers. The proposal would not have a detrimental impact on highway safety or the ecology of the local area.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

### ***Recommendation***

PERMISSION

### Conditions

1. The development shall begin before the expiration of three years following the date of this decision.

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) Site, Block and Location Plan (Drawing: 8878/200 Rev B);

b) Proposed Floor Plans, Elevations and Existing Garage Plan (Drawing: 8878/201 Rev B).

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

3. No development above the damp proof course shall take place until details of all materials to be used in the construction of the dwelling hereby permitted, have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development, in the interests of visual amenity.

4. Notwithstanding the provisions of Classes A, B or C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, no additions or alterations to the roof shall be constructed within the curtilage of the/any dwellinghouse hereby approved unless first agreed in writing with the Local Planning Authority.

REASON: To protect the outlook and privacy of the adjacent residents.

5. The dwelling hereby approved shall not be occupied until the approved parking and turning areas (where appropriate) for that property has been constructed in accordance with the approved details and available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times.

REASON: In the interests of highway safety.

6. No development shall proceed beyond damp proof course level until a landscape scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of visual amenities of the locality.

7. The landscaping scheme, submitted under Condition 6, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

8. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

REASON: To protect the privacy of occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

9. No development shall proceed beyond damp proof course (DPC) level until details of secure cycle storage and bin storage have been submitted to and approved by the Local Planning Authority in writing. The secure cycle stores and bin storage area shall be provided before any dwelling is first occupied and shall thereafter be retained and kept available for use at all times.

REASON: In the interests of visual amenity and in order to facilitate modes of transport alternative to the private car.

10. The drainage ditch to the rear (western) boundary of the site shall be retained for the lifetime of the development.

REASON: To ensure that the development is satisfactorily drained.

11. Surfacing of the proposed driveway and parking and turning courtyard shall be implemented in block paving or some other bound but permeable surface to aid water disposal prior to the first occupation of the development.

REASON: In the interests of residential amenity.

12. The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0800 hours and 1800 hours Monday to Friday and 0800 hours and 1300 hours on Saturday.

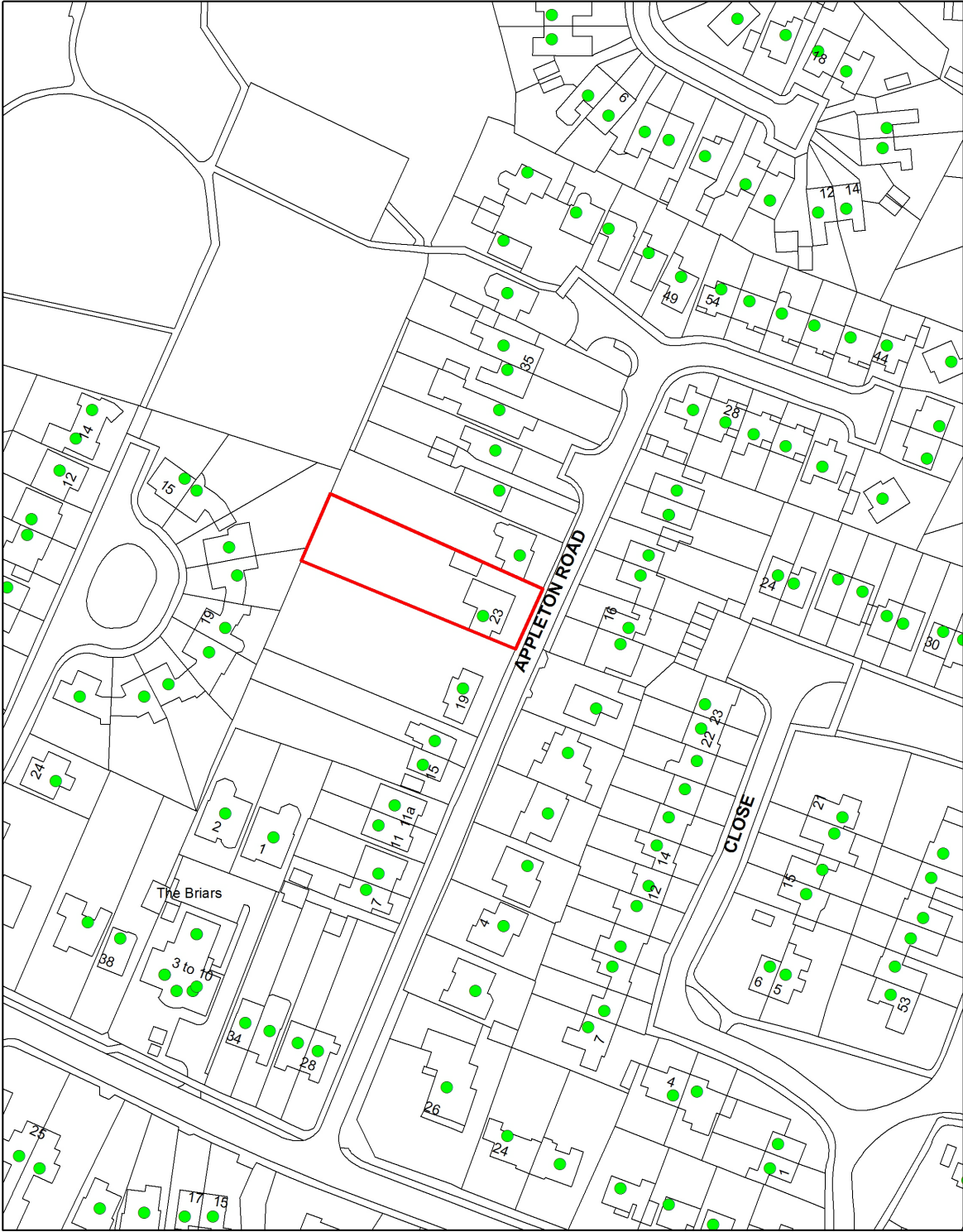
REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

### ***Background Papers***

P/17/0902/FP; Please see relevant planning history above.

# FAREHAM

BOROUGH COUNCIL



23 Appleton Road  
1:1,250



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# Agenda Item 6(4)

**P/17/0937/FP**

MR MILES DORAN

**TITCHFIELD**

AGENT: MARTIN CRITCHLEY,  
ARCHITECT

PROPOSED DWELLING (ALTERNATIVE TO PERMISSION GRANTED FOR NEW DWELLING UNDER REFERENCE P/17/0355/FP)

293B TITCHFIELD ROAD TITCHFIELD FAREHAM HAMPSHIRE PO14 3ER

## ***Report By***

Richard Wright - direct dial 01329 824758

## ***Introduction***

The application site comprises a residential caravan site which was first granted planning permission on appeal in March 2013 (our ref P/11/1097/CU / Planning Inspectorate ref APP/A1720/A/12/2183866). A later planning permission in March 2014 granted permission for the extension of this site and the siting of an additional caravan (our ref P/13/1089/CU).

In September 2016 planning permission was granted to extend and alter the then existing day room/amenity building at the site to be used as a single dwellinghouse (our ref P/16/0691/FP). The applicant later explained that, when work began on site in the early part of 2017, the poor condition of the building led to it being demolished instead. Planning permission was subsequently granted in April 2017 for those demolition works and for the construction of a bungalow on the same part of the site with a slightly larger footprint than that previously approved (our ref P/17/0355/FP).

This current application has been submitted following reports that the construction of the bungalow granted planning permission earlier this year was not in accordance with the approved drawings. In July this year Officers visited the site and observed that the footprint of the dwelling as well as its height to roof eaves and overall height and design differed from that which was previously approved. On the advice of Officers construction work has now ceased whilst the applicant seeks planning permission for an alternative development which is the subject of this application.

## ***Site Description***

The site lies on the western side of Titchfield Road to the immediate north of a commercial nursery site and along a lane used to access around half a dozen houses (nos. 293, 293a, 295, 297-299, 301, 303) as well as the site itself. The site lies outside of the defined urban settlement boundaries and within the Meon Gap (strategic gap).

Except for a small patch of ground the site is entirely hardsurfaced with a mixture of tarmac and block paved finishes. There are two existing buildings on the site; a timber outbuilding which was erected in 2015 and for which retrospective planning consent is sought in a separate planning application (our ref P/16/0931/FP), and; the partially constructed dwelling for which planning permission is now sought. Previously a single storey building had stood on the land for a number of years and had most recently provided living accommodation for the family of the applicant Mr Doran as well as ancillary storage space.

## ***Description of Proposal***

Permission is sought for the construction of a new detached dwelling which is already partially constructed.

The proposed dwelling measures 10.2 by 14.9 metres in terms of its ground floor area when measured externally. In comparison, the permission granted earlier this year (our ref P/17/0355/FP) was for a dwelling in the same part of the site measuring 8.9 by 15.2 metres externally. The current proposal is therefore for a slightly narrower but deeper footprint to the building. The proposed and previously permitted dimensions are shown for ease of comparison on the submitted drawings (drawing no. 1322-410A).

The new proposal also differs from that previously approved in terms of its scale and design. The proposed dwelling would feature first floor accommodation in the form of two further bedrooms (making five in total). As a result its overall height is greater at 7.15 metres than the bungalow that was previously approved earlier this year which was to be 4.05 metres high (an increase in height of 3.1 metres). The submitted drawings enable easy comparison between what has been permitted previously and what is now proposed (drawing no. 1322-510A). As a result of the increase in overall height the pitch of the roof has also increased and it is proposed that the roof be fully hipped as opposed to having gable ends. It is important to note that, whilst the structure that has started to be constructed on site has gable roof ends, the applicant's application proposes amending that structure to form a fully hipped roof. The elevational drawings also demonstrate the difference in roof eaves heights between the permitted and proposed dwellings and that the ground floor level of the new house is higher than previously at approximately 550mm above external ground level.

As previously proposed, the roof would be covered in grey interlocking concrete tiles whilst the external facing walls of the dwelling would be clad in pre-finished mineral cladding boards in a cream finish.

### ***Policies***

The following policies apply to this application:

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

- CS2 - Housing Provision
- CS5 - Transport Strategy and Infrastructure
- CS6 - The Development Strategy
- CS14 - Development Outside Settlements
- CS15 - Sustainable Development and Climate Change
- CS17 - High Quality Design
- CS22 - Development in Strategic Gaps

#### **Approved SPG/SPD**

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

#### **Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

#### **Development Sites and Policies**

- DSP2 - Environmental Impact
- DSP3 - Impact on living conditions
- DSP6 - New residential development outside of the defined urban settlement boundaries
- DSP15 - Recreational Disturbance on the Solent Special Protection Areas

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

The following planning history is relevant:

<b><u>P/17/0355/FP</u></b>	<b>Proposed bungalow (alternative to permission granted for new dwelling under reference P/16/0691/FP) and new entrance gates, brick walls and piers</b>	APPROVE	26/04/2017
<b><u>P/16/0691/FP</u></b>	<b>ALTERATIONS TO ROOF AND ELEVATIONS, AND EXTENSION OF EXISTING AMENITY BUILDING/DAY ROOM TO CREATE A SINGLE DWELLINGHOUSE (USE CLASS C3)</b>	APPROVE	15/09/2016
<b><u>P/16/0931/FP</u></b>	<b>Storage shed - (Retrospective application)</b>	APPROVE	16/12/2016
<b><u>P/13/1089/CU</u></b>	<b>CHANGE OF USE OF LAND TO FORM AN EXTENSION TO AN EXISTING RESIDENTIAL GYPSY CARAVAN SITE, INCLUDING THE SITING OF ONE ADDITIONAL TOURING CARAVAN</b>	APPROVE	06/03/2014
<b><u>P/11/1097/CU</u></b>	<b>CHANGE OF USE OF LAND AND PREMISES TO USE AS A RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY WITH TWO CARAVANS, INCLUDING NO MORE THAN ONE STATIC MOBILE HOME AND USE OF EXISTING BUILDING ON SITE AS ANCILLARY ACCOMMODATION FOR FAMILY UNIT</b>	REFUSE APPEAL: ALLOWED	22/06/2012 14/03/2013
<b><u>P/08/0063/CU</u></b>	<b>USE OF FORMER CATTERY BUILDING AS ARTISTS WORKING STUDIO (RETROSPECTIVE APPLICATION)</b>	RETAIN DEVLPMT	20/03/2008

### ***Representations***

Comments have been received from two separate households. In addition another set of comments from a group named "Residents of Titchfield Road" has been received including those same two households plus a further five nearby properties. The following points of objection have been raised:

- Application is not valid due to a misleading description, no application fee having been paid and inaccurate information having been submitted
- Inadequate / unclear drainage proposals regarding foul water and surface water drainage including run-off from the roof of the dwelling
- Over development in such a small irregular shaped site
- Size, bulk and siting is visually intrusive in countryside location and strategic gap and therefore contrary to policy
- Severe effects on enjoyment of adjacent neighbouring property

- Entrance gates are too narrow for large vehicles owned by applicant
- The local planning authority has failed to take action for breaches of conditions
- Enforcement action should be taken

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

#### **i) Validation of application**

Under the relevant regulations on application fees any application that follows within twelve months of an earlier grant of planning permission is exempt from the requirement to pay a fee provided the local planning authority are satisfied the development proposed is of the same character as before. In this instance, whilst there are clear differences in the previous permitted dwelling and that for which permission is now sought, Officers are satisfied the character of the development is the same and so no application fee is required.

When the application was first received Officers assessed the description of the proposed development as stated on the submitted application form. The government's Planning Practice Guidance (PPG) explains that local planning authorities should be satisfied that the description of development provided by the applicant is accurate. If necessary the authority can amend the description accordingly. It was considered appropriate to describe the application as for a "proposed bungalow" whilst also making it clear that the proposal was an alternative to the previous permission granted for a new dwelling. When the application was publicised it's description was considered appropriate however that description has since been amended to replace the word "bungalow" with "dwelling" as it is considered a more accurate description of the building proposed. New entrance gates, brick walls and piers were originally proposed as part of the application however the applicant has chosen to withdraw those particular elements from the submission.

Residents have raised concerns that various pieces of information contained within the application form are missing or incorrect. The information contained in the form is sufficient for Officers to assess the proposal however where necessary clarification has been sought from the applicant's agent, for example on the issue of surface water drainage.

In summary of this particular point of concern raised by residents, Officers consider the application is valid.

#### **ii) Visual appearance and impact on countryside and strategic gap**

The increased size and bulk of the proposed dwelling compared to that which was previously proposed needs to be assessed with regards to the relevant policies of the adopted local plan and in the context of the lane and surrounding area.

Policy CS14 of the adopted Fareham Borough Core Strategy seeks to strictly control development outside of the defined urban settlement boundaries to protect the countryside from development which would adversely affect its landscape character, appearance and function.

Policy CS17 of the Core Strategy is also relevant in that it expects development to respond positively to and be respectful of the key characteristics of the area including its landscape, scale, form and spaciousness.

Policy CS22 of the Core Strategy seeks to resist development which would significantly affect the integrity of a strategic gap and the physical and visual separation of settlements.



To the east of the application site is the adjacent dwelling at 293 Titchfield Road, itself a chalet bungalow with first floor accommodation and a fully hipped roof. To the east of that neighbouring property is a mature hedgerow along the boundary with the main road itself. To the south of the application site is a large nursery site with a glasshouse of a considerable size and height only a short distance from the party boundary. To the west of the site lies another building associated with the nursery with a high dual pitched roof and alongside it a storage silo.

It has not been possible to provide a precise comparison between the exact size and heights of those surrounding buildings and the proposed dwelling. It is clear however that the site, whilst in the countryside and strategic gap, has built development on several sides adjacent to it meaning that the appearance of the dwelling would be seen against the backdrop and within the context of these other buildings. The proposed dwelling is 3.1 metres higher and its roof bulkier in appearance than that previously proposed. However, it's overall appearance would not be disproportionate to or appear out of keeping with the surrounding structures on adjacent sites or for that matter other dwellings in the immediate surrounding area and further down the lane.

Brief and limited views of the roof of the dwelling would be possible from certain points on Titchfield Road. However the only prominent views of the dwelling would be provided from the private access lane itself. On the other side of the private lane is a row of trees and mature hedgerow behind which a public right of way runs parallel to the lane. Views into the site and of the dwelling may be possible from this right of way however such views would still be limited.

Officers do not consider that the visual impact of the proposed dwelling would have a materially harmful effect on the appearance or character of the countryside in which the site sits. Furthermore the dwelling would not significantly affect the separation of settlements which the strategic gap is intended to preserve. The scale, design and proposed use of materials are not considered out of keeping with the key characteristics of the surrounding area. As a result the proposal is found to accord with Core Strategy Policies CS14, CS17 & CS22.

### iii) Living conditions

The effect on the living conditions of the occupiers of the neighbouring property at 293 Titchfield Road is an important planning consideration.

Policy DSP3 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies states that: "Development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy".

The eastern flank of the proposed dwelling would be located approximately 1.0 - 1.4 metres from the party boundary with the adjacent rear garden of no. 293 and would measure 10.2 metres long. The previous permission granted earlier this year allowed a flank elevation 8.9 metres long however the roof in that instance was lower than now proposed and was in effect little different to the flat roofed day/amenity building which stood on the site previously. Drawing no. 1322-510A submitted by the applicant shows a comparison of the proposed dwelling with that previously approved (shown as a dashed line). The roof of the dwelling is clearly higher and so too are the roof eaves heights.

The effect would be that the neighbouring garden at 293 could be expected to receive less direct sunlight at certain times later in the day according to how high the sun was in the sky. With their letter of objection the neighbour has included several photographs to show the current effect the structure has on light to their property. The photos include views of the garden and also from windows to habitable rooms within the southern and western facing elevations of the house (the submitted site plan shows the distance between the eastern flank of the new dwelling and the windows in the western facing elevation of no. 293 to be around 12.5 metres). It should be noted however that these photos show the existing unauthorised roof which has been constructed with a gable end. The proposal is, as explained above, to install a fully hipped roof which would reduce the impact on the adjacent property since above roof eaves height the structure would be sloping away from the boundary.

Officers have considered the impact of the proposed dwelling taking into account the neighbours' concerns as well as factors such as the orientation of the affected garden (south facing with the development to its west), the garden's overall size, the distance and orientation of windows in no. 293 and of course the height and bulk of the proposal compared to the day/amenity building that was there previously and the bungalow previously approved on the site. Whilst it is accepted that some light would be lost to the property the extent to which that would impact on the living conditions of the neighbours is not considered so adverse as to mean planning permission ought to be refused. Similarly, the flank elevation of the dwelling would not be overly dominant or appear overbearing such that it would materially harm the outlook available from the neighbouring property or detract from the enjoyment of the adjacent garden.

There would be no overlooking of the neighbouring property provided no further openings which provide views into that property are inserted into the eastern facing elevation of the proposed dwelling in the future. Upper floor windows are already restricted by virtue of the General Permitted Development Order (GPDO) however because of the slightly higher than usual ground floor level to the dwelling a planning condition should be imposed on any consent to prevent any lower level windows from being installed also.

In summary of this particular issue, Officers do not consider the impact of the development to be materially harmful to the living conditions of the neighbours living adjacent to the site. The proposal accords with Policy DSP3 of the adopted Local Plan Part 2.

#### iv) Foul and surface water drainage

Policy DSP2 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies states that: "Development should provide for the satisfactory disposal of surface and waste water, and should not be detrimental to the management and protection of water resources".

No details on the disposal of surface or foul water were originally submitted with the application and the submitted application form simply states that the means of foul sewage disposal is unknown. When considering planning applications in many cases for minor development it is not considered necessary to require the applicant to provide further information on foul water discharge or run-off from the roofs of proposed new buildings. This is because such matters are covered under the building regulations, guidance on which is included in Approved Document H. In this instance the applicant is using an approved building inspector as opposed to Officers from the Council's Building Control Partnership to inspect the construction and to ensure the necessary regulations are met.

Notwithstanding, given the strength of feeling of residents on this particular issue Officers have sought clarification from the applicant on what measures will be used to dispose of foul and roof water. On 4th September the applicant submitted a drawing showing details of foul and roof water drainage (drawing no. 1322-112). The drawing shows foul water being connected to a new foul manhole and new cesspit whilst rainwater pipes are shown to be connected to a soakaway formed of "Aquacell crates" underneath the hard surfacing 5.0 metres west of the new dwelling.

#### v) Summary

The proposal is not considered likely to have a materially adverse impact on the character or appearance of the countryside, the visual or physical integrity of the strategic gap or the living conditions of neighbours. For this development it is considered that the applicant's obligation to comply with the building regulations is sufficient to ensure adequate provision is made for the disposal of foul and roof run-off water.

The application is found to accord with the relevant policies of the adopted development plan and it is recommended that planning permission be granted.

#### **Recommendation**

PERMISSION subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following drawings:

- a) Location plan and block plan - drawing no. 1322-110
- b) Proposed site plan - drawing no. 1322-111
- c) Proposed site plan and drainage - drawing no. 1322-112
- d) Proposal plans and section - drawing no. 1322-410A
- e) Proposal elevations - drawing no. 1322-510A

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

2. The development hereby permitted shall be carried out using the materials stated in the submitted application form unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the development is of a high quality design and appearance.

3. Within one month of the dwelling hereby permitted first being occupied no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time. No static caravan shall be stationed on the site at any time.

REASON: In the interests of the character and appearance of the area.

4. No commercial activities shall take place on the land, including the storage of materials.

REASON: To protect the living conditions of neighbours.

5. Notwithstanding the provisions of the Schedule of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any subsequent Order revoking and re-enacting that Order) at no time shall any windows be inserted into the eastern elevation of the dwelling hereby permitted unless otherwise agreed in writing by the local planning authority following the submission of a planning application.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent property.

6. Notwithstanding the provisions of Classes A, B, C or E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, no additions or alterations to the roof, and no out buildings shall be constructed within the curtilage of the dwelling house hereby approved unless first agreed in writing with the local planning authority following the submission of a planning application.

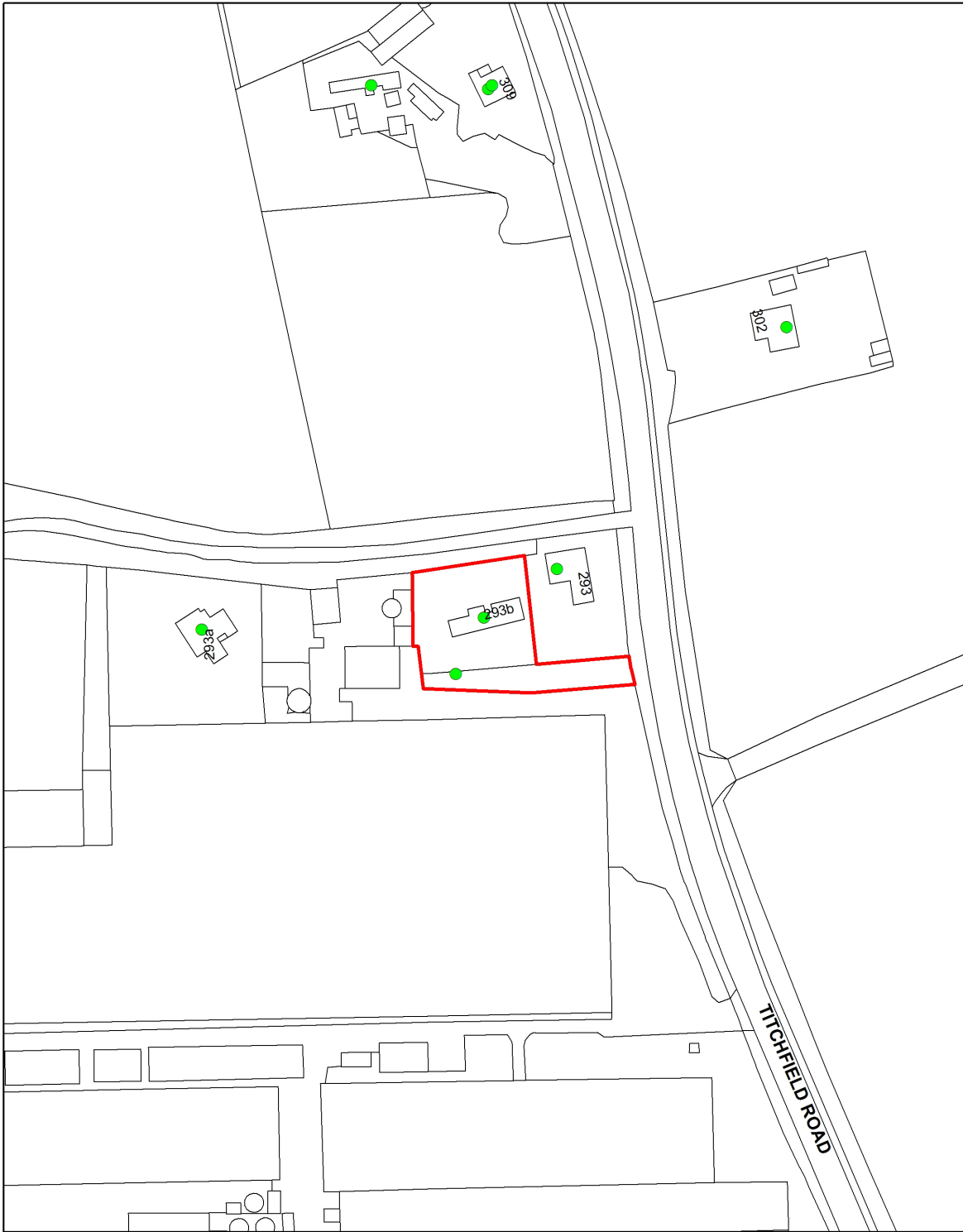
REASON: To protect the outlook and privacy of the adjacent residents; to protect the character and appearance of the countryside.

***Background Papers***

P/17/0937/FP

# FAREHAM

BOROUGH COUNCIL



293B Titchfield Road  
1:1,250



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**ZONE 3 - EASTERN WARDS**

Portchester West  
Hill Head  
Stubbington  
Portchester East

**Reference**

**Item No**

<b>P/17/0505/FP</b> PORTCHESTER EAST	64 HILL ROAD FAREHAM PO16 8JY SIDE AND REAR TWO STOREY EXTENSION, INCLUDING REAR BALCONY	<b>5</b> <b>PERMISSION</b>
<b>P/17/0807/CU</b> PORTCHESTER EAST	LAKE WORKS CRANLEIGH ROAD FAREHAM PO16 9DR CHANGE OF USE OF SITE TO ALLOW PREMISES TO BE USED FOR ANY USE FALLING WITHIN CLASSES B1(B) AND B1(C) OR A MIXED USE COMPRISING OF STORAGE OF USED CARS, MECHANICAL REPAIRS AND VEHICLE VALETING.	<b>6</b> <b>PERMISSION</b>

# Agenda Item 6(5)

**P/17/0505/FP**

**PORTCHESTER EAST**

MR & MRS BERKIN

AGENT: PRB ASSOCIATES

SIDE AND REAR TWO STOREY EXTENSION, INCLUDING REAR BALCONY

64 HILL ROAD FAREHAM PO16 8JY

## ***Report By***

Arleta Miszewska - Direct dial 01329 824666

## ***Site Description***

This application relates to a two storey detached dwelling situated on the north eastern side of Hill Road. The dwelling benefits from 3 bedrooms, a large frontage and approximately 35 metres long rear garden, with levels rising towards the rear.

## ***Description of Proposal***

Planning permission is sought for a two storey side and first floor rear extension with a balcony served by a staircase providing access to the rear garden.

The extension would provide a garage and a workshop on the ground floor, a kitchen/breakfast and a lounge on the first floor. The proposal would also result in the number of bedrooms increasing from three to four.

The original proposal has been significantly revised. The main amendments include:

- The addition of a pitched roof over the proposed rear extension,
- Incorporating windows to match the existing property, in size and design,
- Incorporating privacy screens on the proposed balcony,
- Removal of the proposed bridge providing access from the balcony to the rear garden.

## ***Policies***

The following policies apply to this application:

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

CS17 - High Quality Design

### **Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

### **Development Sites and Policies**

DSP3 - Impact on living conditions

## ***Representations***

The proposal was revised and advertised three times. Representations have been received from six households; the amendments to the original proposal have evolved as a result of officer and neighbour concerns. The main comments from each household are summarised below:

66 Hill Road:

- Overlooking and loss of privacy,
- Potential for a division to two flats and associated implications,



- Loss of light, overshadowing caused by balcony and stairs,
- Glare from privacy screens,
- Damage to garage,
- Highway safety,
- Impact on protected species and nature conservation.

364 Catherington Lane, Waterlooville:

- Loss of privacy,
- Multiple occupancy and associated implications,
- Overdevelopment, out of keeping.

119 Hill Road:

- Potential for a division to two flats.

60A Hill Road:

- Overlooking,
- Out of keeping.

72 Hill Road:

- Set a precedent for balconies and bridges resulting in loss of privacy.

9 Portsdown Avenue, Portsmouth:

- Layout and density,
- Overlooking and loss of privacy,
- Out of character with the area.

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

- Overlooking and loss of privacy

The Council's adopted Design Guidance SPD (excluding Welborne) requires first floor windows to be at least 11 metres from boundaries they look towards and no less than 22 metres from facing windows in neighbouring houses. The new windows within the proposed rear elevation would be located over 22 metres away from the rear boundary of the application site.

The application does not propose new windows within side elevations.

The proposed balcony would have screens 1.8m high on both sides to prevent views towards the adjacent gardens, as per the Council's guidance for residential balconies.

Consequently, the proposal meets the Borough's policy requirements safeguarding privacy.

- Loss of light/outlook

The proposed rear extension would measure 2.3 metres deep, set off both side party boundaries.

The Council's Design guidance advises that extensions which fall behind a line drawn at 45 degrees from the centre line of the neighbour's window, are less likely to reduce the light to these windows. The proposed extension, including the proposed balcony and stairs, would not breach the line drawn at 45 degree angle from the centre line of the rear windows of the adjacent properties at nos. 62 and 66 Hill Road, therefore the proposal meets the Council's

requirements set out to prevent loss of light and outlook to neighbouring properties.

The property at no. 62 has no windows in the side elevation that could be affected by the proposal.

Number 66 has two windows within the side wall at first floor level which serve a landing. The Council's design policies safeguard living conditions in habitable rooms only. Habitable rooms are defined by the Council's Design guide as rooms usable for living purposes such as bedrooms, sitting rooms and kitchens. As such, living conditions in landings are not protected by the Council's design policies and the reduced outlook from and light to these windows cannot justify refusal of this application.

- Potential for a division to two flats and associated implications

The applicants have confirmed that the proposed extensions are aimed to provide an improved living space and not to convert the property into two separate flats. Such division would require planning permission and if such an application were submitted to the Council the impacts of such a proposal would then be assessed.

- Over development and out of character of the area

The application seeks planning permission for a two storey extension to the side and first floor extension to the back. The new building footprint would include the area in between the garage and the original house, and the new workshop. The size of the extensions and the additional footprint would not be out of proportion with the existing dwelling. Furthermore, the size of the curtilage surrounding the property could accommodate the proposed extensions without compromising the character and usability of the property frontage and rear garden. Finally, when viewed from public vantage points along Hill Road, it would only be the two storey side extension that would be visible.

Concerns have been raised over the extension being too close to the boundary and the other detached property at no. 66 Hill Road. This concern has been carefully assessed on site and the proposal would not be out of character of the area as there are already properties in the street which are located in a very close proximity to each other.

Further concerns have been raised over the use of wooden cladding. It is acknowledged that the application property currently has no wooden cladding on its exterior. However, cladding of an existing part of a building in most instances would not require planning permission from the Council meaning the applicant would be able to do so at a later date. A light blue finish cladding has been used on another property on Hill Road without the need for planning permission which demonstrates that this is not a matter which can reasonably be controlled by the Council.

- Damage to garage located at no. 66 Hill Road

Concerns have been raised over potential damage to the garage located at no. 66 Hill Road. However, this would be a private matter between the applicants and the neighbor and consequently cannot justify refusal of this application.

- Noise

Concerns over noise created by the users of the balcony have been raised. However, the

balcony is proposed to be used for residential purposes and would be located within a residential garden where noises associated with everyday living activities can be expected. Furthermore, the balcony would be a modest size, measuring 1.7 metres deep by 3.7 metres wide.

- Other matters

The proposal triggers the need to provide three on-site car parking spaces. The frontage of the property is ample enough to accommodate three spaces. Therefore, the proposal satisfies the requirements for car parking provision for a four bedroom dwelling.

An informative to the applicant would be added to the decision notice warning that a significant adverse impact on protected species, such as bats, is an offence under the Wildlife & Countryside Act 1981 and subsequent legislation.

### ***Recommendation***

PERMISSION

Conditions:

1. The development shall begin within 3 years from the date of the decision notice.

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) Proposed floor plans, drawing number 4 revision F 08.08.17;

b) Proposed elevations, drawing number 2 revision F 08.08.17;

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

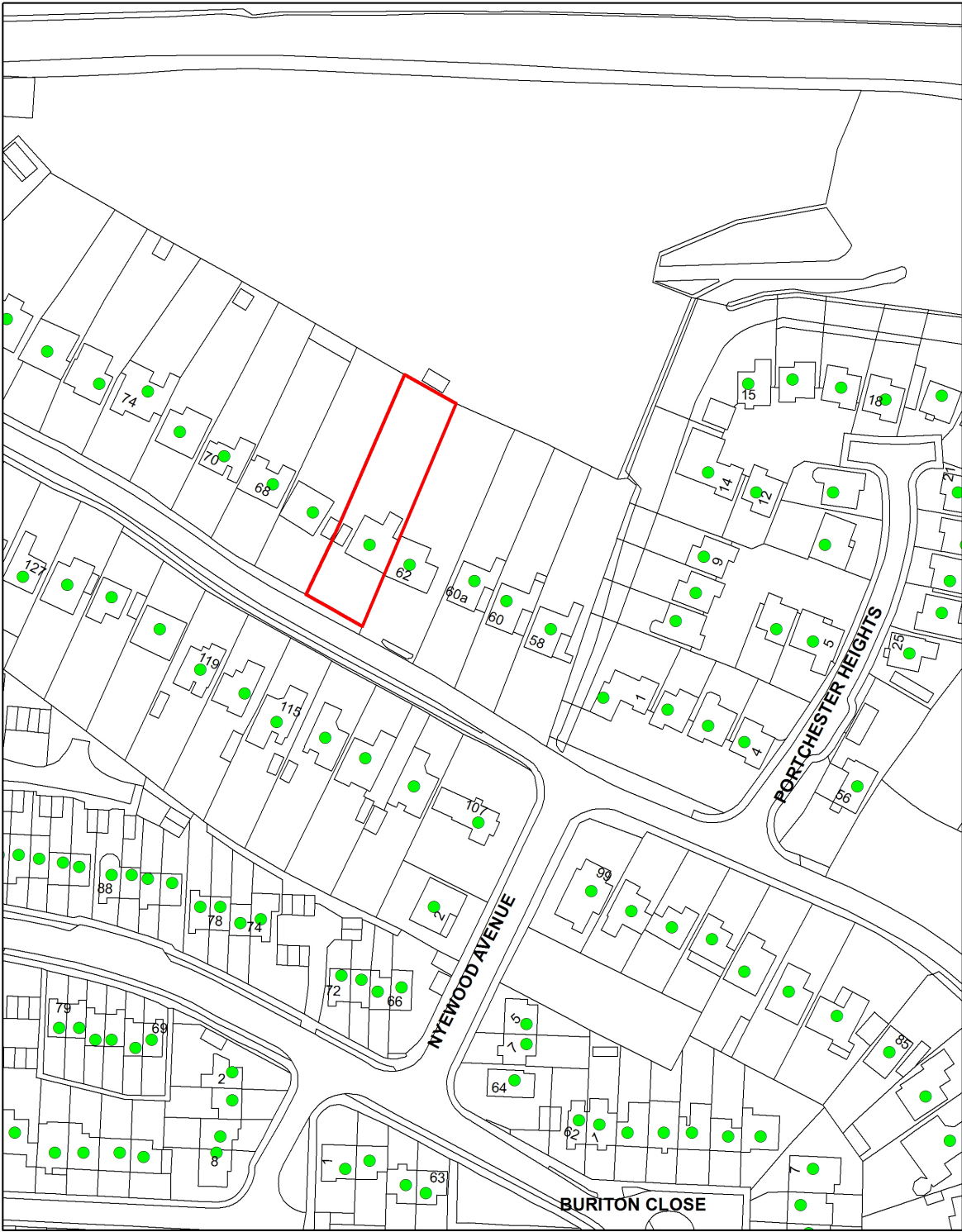
Informative to the applicant:

Bats are protected under the Wildlife & Countryside Act 1981 and subsequent legislation and it is an offence to deliberately or recklessly disturb them or damage their roosts.

If the presence of bats is suspected further advice will need to be sought from Natural England on 0300 060 3900 or from The Bat Conservation Trust (0345 1300 228)

# FAREHAM

BOROUGH COUNCIL



64 Hill Road  
1:1,250



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# Agenda Item 6(6)

**P/17/0807/CU**

**PORTCHESTER EAST**

CYAN POWER LIMITED

AGENT: CYAN POWER LIMITED

CHANGE OF USE OF SITE TO ALLOW PREMISES TO BE USED FOR ANY USE FALLING WITHIN CLASSES B1(B) AND B1(C) OR A MIXED USE COMPRISING OF STORAGE OF USED CARS, MECHANICAL REPAIRS AND VEHICLE VALETING.

LAKE WORKS CRANLEIGH ROAD FAREHAM PO16 9DR

## ***Report By***

Arleta Miszewska 01329 824666

## ***Site Description***

The application relates to an industrial unit located within an established commercial site accommodating business uses and marine related activities. To the north of the site lies open land whilst to the west are premises used by a bus transport preservation group beyond which lies Wicor Recreation Ground. To the east lies housing permitted in the late 1990s. The site is accessed from Cranleigh Road, which is narrow in places and has several bends along its course from Cornaway Lane to the north-east.

The site comprises a large industrial unit which has been extended beyond its original construction in the mid-twentieth century. Around the northern and western sides of the building is a hard-surfaced yard enclosed by high level mesh fencing.

Planning records indicate that since the mid-twentieth century the application site has been used for general industrial purposes (which would now most likely fall within Use Class B2). In July 2016 the Council served an enforcement notice concerning the unauthorised use of the site for a mixed use including as a coach depot. The notice was successfully appealed and in December last year the Planning Inspector granted planning permission for a mixed use of the site as a coach depot and vehicle repairs and graphic design and digital printing business. The permission was granted subject to conditions restricting opening hours and the number of vehicles stored within the yard. The appeal reference is APP/A1720/C/16/3156206.

## ***Description of Proposal***

Planning permission is sought for a change of use of the site to allow the premises to be used for any use falling within Use Classes B1(b), B1(c) or for a mixed use comprising of storage of used cars, mechanical repairs and vehicle valeting.

The application has been made in this way to enable the landlord flexibility when leasing the site both in the future and for a specific tenant who has already moved in to the premises. If planning permission was granted then, under the current provisions of the Town & Country Planning (General Permitted Development) Order 2015, for the next ten years the site could change between any of the permitted uses without the need for further consent from the Council.

Use Class B1(b) includes uses for the purposes of research and development of products and processes.

Use Class B1(c) includes uses for any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area.

The mixed use which is sought comprises of storage of used cars, mechanical repairs and vehicle valeting. This proposed use relates to a specific tenant who the landlord has allowed to occupy the site. The tenant operates a car sales business in Portsmouth a short distance from the boundary with Fareham Borough. The Lake Works site is proposed to be used to receive and prepare used cars for sale at the car lot in Portsmouth. Examples of works proposed to be carried out at Lake Works include warranty work, servicing, mechanical servicing and repair as well as valeting and cosmetic repairs. It is not proposed to use the site as a general garage for the public.

### ***Policies***

The following policies apply to this application:

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

CS5 - Transport Strategy and Infrastructure

#### **Development Sites and Policies**

DSP3 - Impact on living conditions

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

The following planning history is relevant:

#### **ENF/16/0048      **Change of use without permission****

APPEAL: ALLOWED

06/12/2016

### ***Representations***

A total of 11 letters of representation have been received, including 2 out of time comments and a representation from the site landlords. The following concerns have been raised:

- Unacceptable increase of traffic,
- Cranleigh Road is not suitable for HGV traffic,
- Opening hours not appropriate for a site located near residential properties,
- Air quality,
- Further clarification needed of the intended use,
- Character and nature preservation,
- Activity outside of approved hours,
- Noise impact,
- Highway safety, including drivers and pedestrians,
- The potential of the site to be used for selling of cars.

### ***Consultations***

INTERNAL

Highways - No objection.

This proposal is to change the use from sui generis (coach depot/maintenance and printing/graphic design) to light and general engineering as a car storage and maintenance facility. This use would be associated with an established car sales business in Portsmouth.

The application form indicates that 60 cars and 2 light goods/bus parking spaces would be provided on site. The car sales business displays 35 cars for sale and it would be expected that cars would either be driven to/from the site or carried on an articulated car transporter

visiting the site some four times per week on weekdays. The site would operate from 0830 to 2100 hours on Mondays to Saturdays, with reduced hours on Sundays.

On the basis of the above details, it is considered the proposed use would be acceptable in highways terms. The only concern, therefore, is that the site could then, without recourse to planning, be operated as a higher turnover car storage facility with more frequent vehicles, cars and transporters, on the access route. Whilst restricting vehicle movements associated with the site would not be practical, it is considered this could be regularised if any permission was made personal to the applicant.

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

The main issues in considering this proposal are:

- the effect of the proposed use on highway safety;
- the effect on the living conditions of residents living nearby.

#### **i) Recent planning appeal decision - ref. APP/A1720/C/16/3156206**

The planning appeal decision issued in December 2016 is an important material consideration. It allowed the use of the premises for a mixed use comprising a coach depot, vehicle repairs and a graphic design and digital printing business.

Earlier this year the Council was informed that the coach company occupying the site had vacated the premises. Notwithstanding, the lawful use of the site remains the mixed use granted on appeal and so any new prospective tenants of the unit would need to seek planning permission for any other proposed use.

The permission granted on appeal allowed the operation of a fleet of up to 13 large commercial coach vehicles whose movements on and off the site were restricted to between 7.00am to 7.00pm. A key factor in the Inspector granting permission was the history of the site and an acknowledgement that the premises had until relatively recently been in use for general industrial purposes (Use Class B2).

#### **ii) Highway safety**

When granting planning permission in 2016, the Planning Inspector accepted that:

"the geometry of Crangleigh Road results in larger vehicles (...) swinging over to the wrong side of the road to negotiate the tighter bends" which, at times "prevents or restricts the free flow of traffic along this highway." She also acknowledged the existence of the recreation ground and the associated vehicular and pedestrian movement alongside the road when football matches take place, often resulting in a large number of cars being parked on street nearby the site.

As a result the Inspector concluded that the use as a coach and minibus depot would exacerbate the already difficult road conditions and would cause some harm to the highway safety and the living conditions of the residents living nearby. However, the historical B2 (General Industrial) use of the site reportedly involved use by HGVs and boat transporters and so in light of the traffic generated by such uses, in comparison, the proposed use involving coach and minibus movements appeared less detrimental. The use was subsequently allowed by the Inspector.

Turning to the current proposal, the proposed mixed use associated with the current tenant would involve the transportation of used cars to and from the premises for servicing, cleaning, valeting prior to being sold at the company's Portsmouth site. Details of type and frequency of vehicle movements generated by this mixed use are included with the application and the Council's Transport Planner has raised no objection based on those details. The use is unlikely to generate large amounts of HGV traffic given that the repairs undertaken on site would mainly be mechanical servicing, repairs and minor cosmetic repairs. There would be four transporter trips and on average approximately 10 individual car trips per week. Taking into account the comments and reasoning of the Planning Inspector in the recent appeal, the use that appeal allowed and the historical use of the site, it would be difficult to argue that the proposal should be resisted on highway safety grounds when it is clear that its impacts would be less harmful.

Turning to the alternative uses, it is considered unlikely that a use falling within Use Class B1(b) or B1(c) would generate a significantly greater amount of traffic or that with substantially different impacts than the existing use.

### iii) Living conditions

In determining the 2016 appeal the Inspector noted the disturbance to residents through the movement of coaches and minibuses late in the evening and early each morning. She did not feel that the vehicle repair use caused a nuisance and remarked that "Lake Works is well separated from residential property and thus any potential disturbance to residents arises primarily from vehicles travelling along Cranleigh Road and does not result from the operation of the vehicle repair facility." In granting permission the Inspector imposed a condition limiting vehicle movements to only between 7.00am and 7.00pm to address this issue.

It is not considered that the proposed mixed use and indeed that of a use falling within use class B1(b) or B1(c) would be harmful to the living conditions of neighbours. There would not be the same need to restrict hours of operation to between 7.00am and 7.00pm since the proposal does not entail the movement of commercial coaches. Notwithstanding, the applicant has agreed to a condition limiting the hours of operation to 8.30am to 9.00pm.

### iv) Other matters

Concerns have been raised over the potential of the site to be used for selling of cars. The proposed mixed use does not include any retail element to it. Notwithstanding the application has confirmed they would be happy with a condition which prevented ancillary retail sales from the site.

### v) Conclusion

For the reasons set out above, the proposed use would comply with the aims of Policy CS5 of the Fareham Core Strategy which, amongst other matters, promotes development which does not adversely affect the safety and operation of the local road network.

There are no adverse impacts expected on the living conditions of the nearby residents as safeguarded by Policy DSP2 of the Fareham Local Plan Part 2.

Consequently, it is recommended that planning permission be granted subject to conditions.



**Recommendation**

PLANNING PERMISSION subject to the following conditions:

1. The development shall begin before the expiry of a period of three years from the date of this decision.

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) Location plan, 1:1250;

b) Design Access Statement.

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

3. The uses hereby permitted shall not take place other than between the hours of 0830 - 2100 hrs Monday to Saturday and 1000 - 1600 on Sundays and Bank Holidays.

REASON: To protect the amenities of the occupiers of the nearby residential properties.

4. No retail use shall take place at the site whatsoever and at no time shall any vehicles at the site be displayed for sale.

REASON: To protect the amenities of the occupiers of the nearby residential properties; in the interests of highway safety.

5. The premises shall be used for purposes falling within Use Class B1(b) or B1(c) or as a mixed use comprising of storage of used cars, mechanical repairs and vehicle valeting and for no other purpose including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987) (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification, or as may be permitted by any Class within Schedule 2, Part 3 of the Town and Country Planning (Use Classes) Order 1987) (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification.

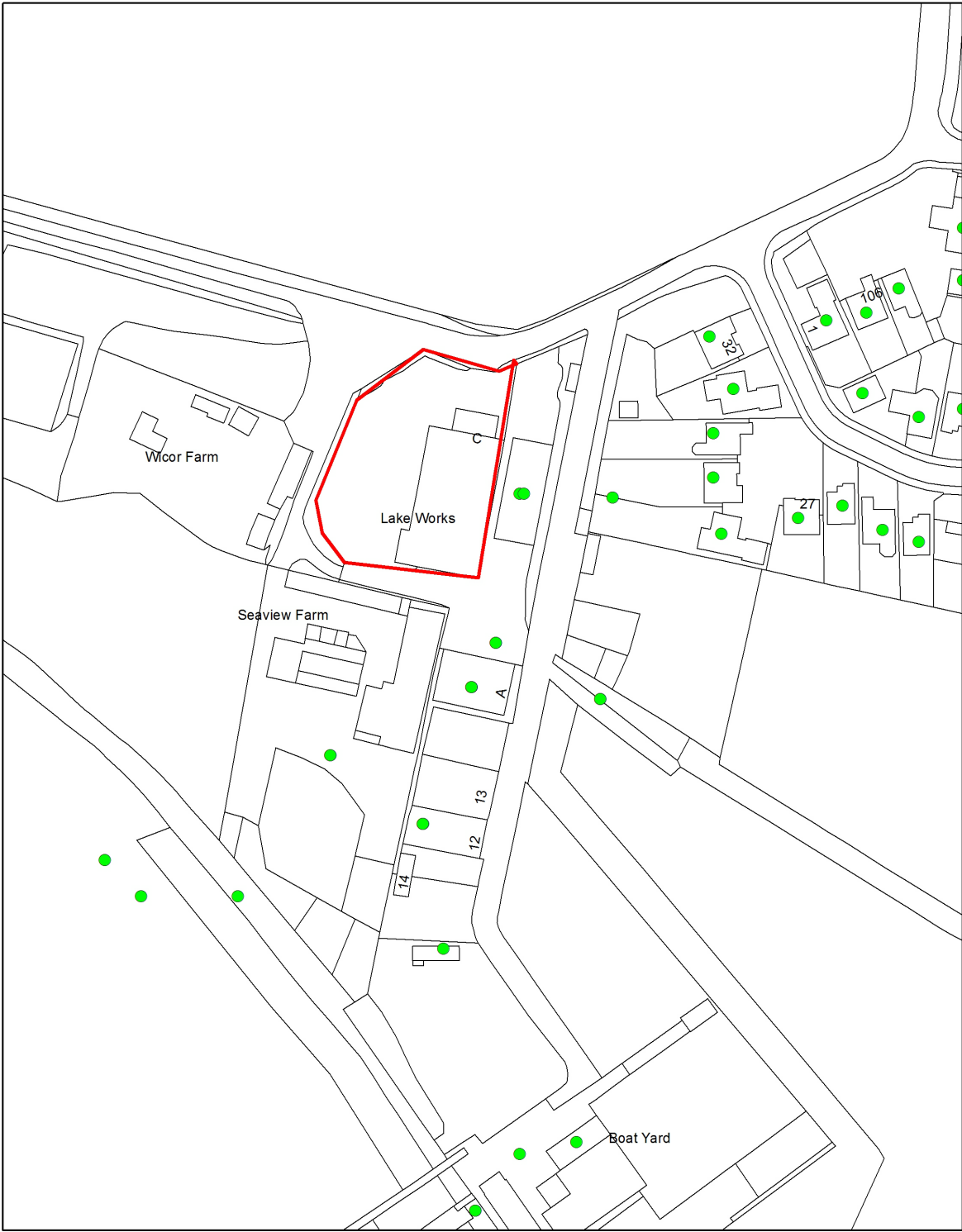
REASON: To protect the amenities of the occupiers of the nearby residential properties; in the interests of highway safety.

6. At no time shall the site be open to visiting customers in association with any of the uses carried out on site.

REASON: To protect the amenities of the occupiers of the nearby residential properties; in the interests of highway safety.

# FAREHAM

BOROUGH COUNCIL



Lake Works, Cranleigh Road  
1:1,250



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# Agenda Item 6(7)

## PLANNING APPEALS

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

### **CURRENT**

#### **P/16/0873/OA**

**Appellant:** The Estate of Patrick Michael Deceased  
**Site:** Meon View Farm Old Street Fareham PO14 3HQ  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 16 June 2017  
**Reason for Appeal:** Outline planning permission with access & layout to be approved for four detached four-bedroomed chalet-style dwellings, following demolition of agricultural buildings, removal telecommunication mast & cessation of the existing commercial vehicle storage use.

#### **P/16/1049/OA**

**Appellant:** Taylor Wimpey UK Ltd  
**Site:** Land To The East Of Brook Lane & South Of Brookside Drive Warsash  
**Decision Maker:** Committee  
**Recommendation:** REFUSE  
**Council's Decision:** REFUSE  
**Date Lodged:** 13 July 2017  
**Reason for Appeal:** Outline planning permission with all matters reserved (except for access), for residential development of up to 85 dwellings with public open space, access from Brook Lane, landscaping works, including demolition of existing redundant nursery buildings.

### **DECISIONS**

## **PLANNING APPEALS**

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

### **DECISIONS**

**P/15/0260/OA**                      **PUBLIC INQUIRY**  
**Appellant:**                      **PERSIMMON HOMES SOUTH COAST**  
**Site:**                              Land North Of Cranleigh Road/ West Of Wicor Primary School  
Portchester Fareham Hampshire  
**Decision Maker:**              Committee  
**Recommendation:**          REFUSE  
**Council's Decision:**        REFUSE  
**Date Lodged:**                 16 September 2016  
**Reason for Appeal:**        OUTLINE PLANNING PERMISSION WITH ALL MATTERS  
RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL  
DEVELOPMENT FOR UP TO 120 DWELLINGS, TOGETHER WITH  
A NEW VEHICLE ACCESS FROM CRANLEIGH ROAD, PUBLIC  
OPEN SPACE INCLUDING A LOCALLY EQUIPPED AREA OF PLAY  
(LEAP), PEDESTRIAN LINKS TO PUBLIC OPEN SPACE, SURFACE  
WATER DRAINAGE AND LANDSCAPING  
**Decision:**                      ALLOWED  
**Decision Date:**              14 August 2017

**P/17/0209/FP**  
**Appellant:**                      **Mr Phillip Glead**  
**Site:**                              78 Blackbrook Park Avenue Fareham Hampshire PO15 5JW  
**Decision Maker:**              Officers Delegated Powers  
**Recommendation:**          REFUSE  
**Council's Decision:**        REFUSE  
**Date Lodged:**                 04 July 2017  
**Reason for Appeal:**        Extensions and alterations to existing bungalow to convert property  
into a 2-storey dwelling  
**Decision:**                      DISMISSED  
**Decision Date:**              24 August 2017