

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 22 January 2020

Time: 2.30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors F Birkett
T M Cartwright, MBE
P J Davies
K D Evans
M J Ford, JP
Mrs K Mandry
R H Price, JP

Deputies: S Dugan
Mrs C L A Hockley
Mrs K K Trott



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 7)

To confirm as a correct record the minutes of the Planning Committee meeting held on 11 December 2019.

3. Chairman's Announcements

4. Declarations of Interest

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

5. Deputations

To receive any deputations of which notice has been lodged.

6. Spending Plans 2020/21 (Pages 8 - 14)

To consider a report by the Deputy Chief Executive Officer on the Committee's spending plans for the financial year 2020/21.

7. Actual Revenue Expenditure (Pages 15 - 21)

To consider a report by the Deputy Chief Executive Officer on the Committee's actual revenue expenditure for 2019/20.

8. Planning applications and Miscellaneous Matters including an update on Planning Appeals (Page 22)

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

ZONE 1 - WESTERN WARDS

- (1) **P/19/1163/FP - 15-17 MIDDLE ROAD PARK GATE SOUTHAMPTON SO31 7GH (Pages 24 - 32)**

ZONE 2 - FAREHAM

ZONE 3 - EASTERN WARDS

- (2) **P/18/1437/FP - LAND TO WEST OF NORTHFIELD PARK UPPER CORNAWAY LANE PORTCHESTER PO16 8NF (Pages 35 - 50)**

- (3) **P/19/1203/FP - 48 EDWARD GROVE PORTCHESTER PO16 8JA (Pages 51 - 57)**

- (4) **Planning Appeals (Pages 58 - 60)**



P GRIMWOOD
Chief Executive Officer
Civic Offices
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14 January 2020

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FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 11 December 2019

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors: T M Cartwright, MBE, P J Davies, K D Evans, M J Ford, JP,
Mrs K Mandry, R H Price, JP and S Dugan (deputising for F
Birkett)

Also Present: Councillor Mrs L E Clubley (Item 6 (2))



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor Birkett.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 13 November 2019 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

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

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

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No
ZONE 1 – 2.30pm				
ZONE 2 – 2.30pm				
Mr R Carter		90 GUDGE HEATH LANE – ERECTION OF DETACHED 2-BED DWELLING (ALTERNATIVE TO P/16/1357/OA & P/17/0707/RM TO REGULARISE ALTERATIONS TO PLOT 1)	Opposing	6(1) P/19/0759/FP Pg 10
Mr R Tutton (Agent)		-Ditto-	Supporting	-Ditto-
Mr B Jones		-Ditto-	-Ditto-	-Ditto-
Mr A Munton		LAND NORTH OF FUNTLEY ROAD – TWENTY-SEVEN	Supporting	6 (2) P/19/0864/RM Pg 23

		DWELLINGS, INTERNAL ROADS AND PARKING (LAYOUT ONLY)		
ZONE 3 – 2.30pm				

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

The Committee noted a report by the Director of Planning and Regeneration on development control matters, including information regarding new appeals and decisions.

(1) P/19/0759/FP - 90 GUDGE HEATH LANE PO15 5AY

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

The Committee’s attention was drawn to the Update Report which contains the following information:-

Officers have consulted with Hampshire County Council (Flood Water Management) on the suitability of the French drain. HCC FWM have responded with the following advice:

“We have reviewed the documentation provided and summarised our views below. It should be noted that we would usually request more information if assessing a major planning application but given the size of the development, it is not felt appropriate for this situation.

Soakaways are shown to be unfeasible (as per the RGP report) due to the soil characteristics in the area and failure of the existing soakaways but this implies that the French drain will be ineffective as it is essentially a linear soakaway. While it should intercept overland flows successfully there remains the question over where the water will go from there. If there is no infiltration, the French drain will fill up with water and further overland flows will continue to flow towards the boundary.

Given the rest of the drainage system being provided within the housing area, this drain should only be taking overland flows from a very small area so there shouldn’t be a huge amount of water heading towards it. Water would have always flowed downhill towards the existing properties and the new development would effectively intercept a lot of the flows, particularly at the lower return period.

There does not appear to be considerable amount of water that would be routed in this direction if the permeable paving functions as designed and from the information on site topography, there appears to be only a very small section of verge between the permeable paving and existing housing.

Overland flows on this section of verge would be minimal and shouldn't lead to adverse flooding issues.

It may be that a more appropriate measure than the French drain would be a small bund along the boundary that would still allow water to escape over time with evapotranspiration effects."

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

- i) The conditions in the report; and
- ii) An additional condition requiring precise details of position, height and width of the bund to be agreed with the Local Planning Authority, and then constructed on site within one month of the date of the decision notice,

Was voted on and CARRIED.

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

RESOLVED that subject to:

- i) The conditions in the report; and
- ii) An additional condition requiring precise details of position, height and width of the bund to be agreed with the Local Planning Authority, and then constructed on site within one month of the date of the decision notice,

PLANNING PERMISSION be granted.

(2) P/19/0864/RM - LAND NORTH OF FUNTLEY ROAD FUNTLEY

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

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

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

The applicant has submitted revised plans to show minor amendments to the proposed layout including:

- *Repositioning of dwelling on Plot 4 and changes to car parking layout on that plot;*
- *Repositioning of Plots 6 – 8 and incorporation of verge on front of Plot 6.*

Final comments are awaiting from Hampshire County Council highways and as such the Officer recommendation is hereby amended to include an additional provision that it be subject to:

f) No objection being raised by the local highway authority Hampshire County Council.

Upon being proposed and seconded the Officer Recommendation to approve the reserved matter application subject to:

- a) The applicant providing a completed unilateral undertaking to the satisfaction of the solicitor to the Council pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the proposed nitrogen mitigation solution;
- b) Members delegating to Officers the making of an Appropriate Assessment under the habitat regulations and that assessment concluding the development would not adversely affect the integrity of the designated sites;
- c) Officers consulting Natural England as the appropriate nature conservation body in relation to that Appropriate Assessment;
- d) Members delegating to Officers to impose any additional planning conditions including those necessary for mitigation purposes following the making of an Appropriate Assessment;
- e) No objection being raised by the lead local flood authority Hampshire County Council in response to the additional information provided by the applicant in relation to surface water drainage;
- f) The additional condition in the Update Report; and
- g) A further condition stating that the parking spaces shown on the approved plans shall be retained and kept available for parking at all times; and remove permitted development rights so that no carports or garages can be erected over the approved parking spaces unless planning permission has first been obtained for them.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:

- a) The applicant providing a completed unilateral undertaking to the satisfaction of the solicitor to the Council pursuant to Section 016 of the Town and Country Planning Act 1990 to secure the proposed nitrogen mitigation solution;
- b) Members delegating to Officers the making of an Appropriate Assessment under the habitat regulations and that assessment concluding the development would not adversely affect the integrity of the designated sites;
- c) Officers consulting Natural England as the appropriate nature conservation body in relation to that Appropriate Assessment;
- d) Members delegating to Officers to impose any additional planning conditions including those necessary for mitigation purposes following the making of an Appropriate Assessment;
- e) No objection being raised by the lead flood authority Hampshire County Council in response to the additional information provided by the applicant in relation to surface water drainage;
- f) The additional condition in the Update Report; and
- g) A further condition stating that the parking spaces shown on the approved plans shall be retained and kept available for parking at all times; and remove permitted development rights so that no carports or garages can be erected over the approved parking spaces unless planning permission has first been obtained for them.

Reserved Matter application be APPROVED.

(3) P/19/1206/FP - 52 NORTH WALLINGTON FAREHAM PO16 8TE

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

RESOLVED that PLANNING PERMISSION be granted.

(4) P/15/0260/DP/F - LAND NORTH OF CRANLEIGH ROAD AND WEST OF WICOR PRIMARY SCHOOL

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

The application lies within the Portchester West ward.

Upon being proposed and seconded the Officer recommendation to approve the variation request in respect of the Section 106 legal agreement and discharge of condition 13 of P/15/0260/OA, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that the variation request in respect of the Section 106 legal agreement and the discharge of condition 13 of P/15/0260/OA be APPROVED.

(5) P/19/1096/TO - 4 CROFTON LANE FAREHAM PO14 3LR

Councillor Dugan addressed the Committee on this item and made a representation on behalf of the applicant. He left the room after he had made his representation and did not take part in the debate or vote on this item.

Upon being proposed and seconded the Officer recommendation to refuse the felling on one Monterey Pine tree was voted on and CARRIED.
(Voting: 5 in favour; 3 against)

RESOLVED that the felling of a Monterey Pine tree be REFUSED.

Reasons for Refusal

The felling of the Monterey pine would be harmful to the amenity and character of the area. No overriding arboricultural grounds have been provided to justify the removal of this healthy mature tree.

(6) P/19/1120/FP - 44 ANSON GROVE PORTCHESTER PO16 8JQ

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

RESOLVED that PLANNING PERMISSION be granted.

(7) Planning Appeals

The Committee noted the information in the report.

(8) UPDATE REPORT

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

7. TREE PRESERVATION ORDERS

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

Fareham Tree Preservation Order No.760 2019 – 41 Glen Road, Sarisbury Green.

Order served on 9 August 2019 for which there were no objections.

RESOLVED that Fareham TPO 760 is confirmed as made and served.

Fareham Tree Preservation Order 762 2019 – 8-10 Park Lane & 1 William Price Gardens, Fareham.

Order served on 13 September 2019 for which there were no objections.

RESOLVED that Fareham TPO 762 be confirmed as made and served.

(The meeting started at 2.30 pm
and ended at 4.58 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **22 January 2020**

Report of: **Deputy Chief Executive Officer**

Subject: **SPENDING PLANS 2020/21**

SUMMARY

This report sets out the overall level of revenue spending on this Committee's services and seeks agreement for the revised revenue budget for 2020/21 and the base budget for 2020/21 before being recommended to Full Council for approval.

RECOMMENDATION

That the Planning Committee: -

- (i) agrees the revised budget for 2019/20;
- (ii) agrees the base budget for 2020/21; and
- (iii) recommends the budget to Full Council for approval.

INTRODUCTION

1. The Council has a co-ordinated strategic service and financial planning process and this report allows the committee to consider in detail these plans for the provision of the Planning Committee services during the next financial year.
2. This report and the revenue budgets have been prepared in accordance with the Medium Term Finance Strategy that was approved by the Executive on 6 January 2020 and will cover the fees and charges and the revenue budget.

FEES AND CHARGES

3. The Planning Committee charges that are shown in the budget figures are mainly statutory and therefore not under the control of the committee.
4. The current level of Planning fees were set by Central Government and came into force on 17 January 2018.

REVENUE BUDGET

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

BASE BUDGET 2019/20

6. The base budgets for 2019/20 were considered by this committee in January 2019 and were confirmed by Full Council in February 2019. The base budget for 2019/20 amounted to £485,700

REVISED BUDGET 2020/21

7. The revised budget for 2020/21 is £666,900 which represents an increase of £181,200 or 37.3% from the base budget.
8. The main change to the revised budgets is as a result of higher legal and consultant payments due to high profile planning applications including Welborne. There has also been a large reduction in the budget for fee income from planning applications due to reductions in applications because of the ongoing nitrates issue.

BASE BUDGET 2020/21

9. The base budget for 2020/21 is £472,600 a decrease of £13,100 or 2.7% from the base budget.
10. Appendix A of this report shows the analysis of expenditure and income for individual services and the following paragraphs of this report set out issues affecting individual services that have arisen in the current year in order to explain the variations between base 2019/20 budgets and the 2020/21 base budget.

SERVICE ISSUES

11. In preparing the budget there have been changes to the way the employee budgets have been calculated which have reflected the national pay award. In addition to this there have been changes to the employer's costs of National Insurance and pensions.
12. These changes are reflected in the figures in this report and therefore have resulted in some variances across this committee.
13. Internal Recharges costs provided for this committee include ICT, HR, Finance and Audit, Customer Services and accommodation recharges.
14. In addition the recharges from various partnerships which support the committee include Southampton Legal Partnership, Environmental Health Partnership and Building Control Partnership are shown under Third Party Payments heading.
15. The changes to these two areas have been small when compared to the Base Budget for 2020/21.

PROCESSING APPLICATIONS

16. There has been an overall increase in the 2020/21 base budget for this service of £12,900. The majority of the increase is due to increases in employee costs along with increased legal costs and both have been offset by a reduction in internal recharges.

PLANNING ADVICE

17. There has been a reduction in the 2020/21 base budget for this service of £27,900. This is mainly due to reductions in employees budgets due to reduced pension costs and movement in time allocations.

PLANNING ENFORCEMENT

18. There has been a small increase in the 2020/21 base budget for this service of £1,300. This is mainly due to a small increase in the internal recharges budget.

PLANNING APPEALS

19. There has been a small increase in the 2020/21 base budget for this service of £600.

RISK ASSESSMENT

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

CONCLUSION

21. A number of Planning Committee services are partly funded from fees and charges and other types of income. After taking service income into account investment income and the Council's share of business rate income reduce the remainder of the overall cost of services is met by council tax payers.
22. These sources of income are generally outside the Council's control and do not reflect the changes in the overall level of spending on local services.
23. With these sources of income effectively "fixed", members need to be aware that, unless it can be matched by increased service income, additional spending on services has to be fully funded by council tax payers.
24. It follows that Members must give full weight of the Council's overall position and future council tax levels when the revenue budgets for 2020/21 are considered.

Appendix A – Revenue Budget 2019/20 revised and 2020/21 Base Budget.

Background Papers:

Reference Papers:

Enquiries:

For further information on this report please contact Neil Wood. (Ext 4506)

PLANNING COMMITTEE

ESTIMATE OF EXPENDITURE AND INCOME FOR THE COUNCIL TAX 2020/21

	Base Estimate 2019/20	Revised Estimate 2019/20	Base Estimate 2020/21
	£	£	£
PROCESSING APPLICATIONS	60,000	249,500	72,900
PLANNING ADVICE	243,300	235,700	215,400
PLANNING ENFORCEMENT	126,000	125,400	127,300
PLANNING APPEALS	56,400	56,400	57,000
	485,700	666,900	472,600

SUBJECTIVE ANALYSIS

	Base Estimate 2019/20	Revised Estimate 2019/20	Base Estimate 2020/21
	£	£	£
EMPLOYEES	787,100	792,200	766,400
TRANSPORT EXPENDITURE	11,600	11,600	11,500
SUPPLIES AND SERVICES	60,800	142,800	64,800
THIRD PARTY PAYMENTS	99,400	100,200	103,400
INTERNAL RECHARGES	172,800	166,100	172,500
GROSS EXPENDITURE	1,131,700	1,212,900	1,118,600
OTHER INCOME	-2,600	-2,600	-2,600
FEEES AND CHARGES	-643,400	-543,400	-643,400
GROSS INCOME	-646,000	-546,000	-646,000
NET EXPENDITURE	485,700	666,900	472,600

	Base Estimate 2019/20	Revised Estimate 2019/20	Base Estimate 2020/21
	£	£	£
<u>PROCESSING APPLICATIONS</u>			
EMPLOYEES	442,000	453,400	456,500
TRANSPORT EXPENDITURE	7,000	7,000	7,600
SUPPLIES AND SERVICES	32,900	114,900	32,900
THIRD PARTY PAYMENTS	80,700	81,200	83,200
INTERNAL RECHARGES	113,700	109,300	109,000
GROSS EXPENDITURE	676,300	765,800	689,200
OTHER INCOME	-2,600	-2,600	-2,600
FEES AND CHARGES	-613,700	-513,700	-613,700
GROSS INCOME	-616,300	-516,300	-616,300
NET EXPENDITURE	60,000	249,500	72,900

	Base Estimate 2019/20	Revised Estimate 2019/20	Base Estimate 2020/21
	£	£	£
<u>PLANNING ADVICE</u>			
EMPLOYEES	218,500	212,200	183,900
TRANSPORT EXPENDITURE	2,100	2,100	1,500
SUPPLIES AND SERVICES	2,000	2,000	6,000
THIRD PARTY PAYMENTS	13,000	13,200	13,900
INTERNAL RECHARGES	37,400	35,900	39,800
GROSS EXPENDITURE	273,000	265,400	245,100
FEES AND CHARGES	-29,700	-29,700	-29,700
GROSS INCOME	-29,700	-29,700	-29,700
NET EXPENDITURE	243,300	235,700	215,400

	Base Estimate 2019/20	Revised Estimate 2019/20	Base Estimate 2020/21
	£	£	£
<u>PLANNING ENFORCEMENT</u>			
EMPLOYEES	97,700	97,700	97,200
TRANSPORT EXPENDITURE	2,500	2,500	2,400
SUPPLIES AND SERVICES	3,000	3,000	3,000
THIRD PARTY PAYMENTS	5,700	5,800	6,300
INTERNAL RECHARGES	17,100	16,400	18,400
GROSS EXPENDITURE	126,000	125,400	127,300
NET EXPENDITURE	126,000	125,400	127,300

	Base Estimate 2019/20	Revised Estimate 2019/20	Base Estimate 2020/21
	£	£	£
<u>PLANNING APPEALS</u>			
EMPLOYEES	28,900	28,900	28,800
SUPPLIES AND SERVICES	22,900	22,900	22,900
INTERNAL RECHARGES	4,600	4,500	5,300
GROSS EXPENDITURE	56,400	56,400	57,000
NET EXPENDITURE	56,400	56,300	57,000

TOTAL PLANNING COMMITTEE	485,700	666,900	472,600
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FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **22 January 2020**

Report of: **Deputy Chief Executive Officer**

Subject: **ACTUAL REVENUE EXPENDITURE**

SUMMARY

This report sets out for the information of Members details of the actual revenue expenditure for 2018/19 in respect of the services for which this Committee is responsible.

RECOMMENDATION

The Committee is asked to note the content of the report.

INTRODUCTION

1. The final accounts for the financial year for this Committee shows that the actual expenditure of £973,185 was £375,385 (63%) above the revised budget of £597,800 which was agreed by this Committee in January 2019 and approved by Full Council in February 2019.
2. The actual totals of gross expenditure and income are set out in the table below.

	Revised Budget 2018/19	Actual 2018/19	Variance 2018/19
	£	£	£
Employees	753,800	835,919	82,119
Transport	11,600	14,803	3,203
Supplies & Services	242,800	467,550	224,750
Third Party Payments	93,900	93,149	-751
Internal Recharges	163,000	173,300	10,300
GROSS EXPENDITURE	1,265,100	1,584,721	319,621
Other Income	-2,600	-7,489	-4,889
Fees & Charges	-664,700	-604,047	60,653
GROSS INCOME	-667,300	-611,536	55,764
NET EXPENDITURE	597,800	973,185	375,385

3. The main reasons for the variance is due increased spend on consultants and legal costs in relation to planning applications and appeals. Income from fees and charges was lower than anticipated when compared to the budget. There was also more than anticipated spend on employee costs mainly due to additional pension costs that are removed from the overall council position.
4. The actual net revenue expenditure for the year analysed over the main services heading is shown in the following table:-

	Revised Budget 2018/19	Actual 2018/19	Variance 2018/19
	£	£	£
Planning Applications	14,900	236,084	221,184
Planning Advice	253,900	271,057	17,157
Planning Enforcement	124,400	129,892	5,492
Planning Appeals	204,600	336,152	131,552
	597,800	973,185	375,385

5. A detailed breakdown of the actual cost of the individual services is shown in Appendix A. The main variations which exceed £1,000 from the approved budgets are detailed below.

PLANNING APPLICATIONS

6. The service was overspent by just over £221,000. The main reason for variance was an increase use of consultants for providing specialist advice for larger applications including the Welborne application.
7. In addition the employee budget was overspent by £68,000 mainly due to additional pension costs and use of agency workers.
8. There was also a reduction in income from applications of over £55,000 during the year.

PLANNING ADVICE

9. The overall overspend for this service was just over £17,000. The main reason for this was an overspend in the employee budget due to pension costs.

PLANNING ENFORCEMENT

10. The overall overspend for this service was just over £5,000. The main reason for this was an increased use of consultants for work on court cases.

PLANNING APPEALS

11. The overall underspend for this service was over £131,000. The main reason for this was an increased use of consultants and legal advise on appeals. There were a number of high profile appeals during the year including Posbrook Lane (£136,000), Old Street (£82,000), Sopwith Way (£40,000) and Saw Mills Appeal (£28,000).

RISK ASSESSMENT

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

CONCLUSION

13. The cost of the services provided by this Committee was £375,385 higher than anticipated when the revised budgets were prepared and the reasons for this are set out in this report.
14. Any overspends against the overall budget will have to be offset by corresponding underspends within other committees or portfolio budgets. Where this is not possible then reserves will have to be used to balance the council's accounts.

Background Papers:

Reference Papers:

Enquiries:

For further information on this report please contact Neil Wood. (Ext 4506)

PLANNING COMMITTEE**ACTUAL OF EXPENDITURE AND INCOME 2018/19**

	Revised Budget 2018/19 £	Actual 2018/19 £	Variance 2018/19 £
Processing Applications	14,900	236,084	221,184
Planning Advice	253,900	271,057	17,157
Planning Enforcement	124,400	129,892	5,492
Planning Appeals	204,600	336,152	131,552
NET EXPENDITURE	597,800	973,185	375,385

	Revised Budget 2018/19 £	Actual 2018/19 £	Variance 2018/19 £
<u>SUBJECTIVE ANALYSIS</u>			
Employees	753,800	835,919	82,119
Transport Expenditure	11,600	14,802	3,202
Supplies & Services	242,800	467,550	224,750
Third Party Payments	93,900	93,149	-751
Internal Recharges	163,000	173,301	10,301
GROSS EXPENDITURE	1,265,100	1,584,721	319,621
Other Income	-2,600	-7,489	-4,889
Fees & Charges	-568,700	-604,047	60,653
GROSS INCOME	-667,300	-611,536	55,764
NET EXPENDITURE	597,800	973,185	375,385

	Revised		
	Budget	Actual	Variance
	2018/19	2018/19	2018/19
<u>PROCESSING APPLICATIONS</u>	£	£	£
EMPLOYEES	423,800	484,373	60,573
TRANSPORT EXPENDITURE	7,700	10,480	2,780
SUPPLIES AND SERVICES	112,900	132,386	19,486
THIRD PARTY PAYMENTS	77,200	70,161	-7,039
INTERNAL RECHARGES	101,200	104,517	3,317
GROSS EXPENDITURE	722,800	801,917	79,117
OTHER INCOME	-2,600	0	2,600
FEES AND CHARGES	-537,000	-624,604	-87,604
GROSS INCOME	-539,600	-624,604	-85,004
NET EXPENDITURE	183,200	177,312	-5,888

	Revised		
	Budget	Actual	Variance
	2018/19	2018/19	2018/19
<u>PLANNING ADVICE</u>	£	£	£
EMPLOYEES	211,900	224,569	12,669
TRANSPORT EXPENDITURE	2,100	1,799	-301
SUPPLIES AND SERVICES	2,000	1,926	-74
THIRD PARTY PAYMENTS	12,000	10,864	-1,136
INTERNAL RECHARGES	36,800	38,173	1,373
GROSS EXPENDITURE	245,600	277,331	12,531
FEES AND CHARGES	-31,700	-36,914	-5,214
GROSS INCOME	-31,700	-36,914	-5,214
NET EXPENDITURE	233,100	240,417	7,317

	Revised Budget 2018/19	Actual 2018/19	Variance 2018/19
	£	£	£
<u>PLANNING ENFORCEMENT</u>			
EMPLOYEES	81,800	81,842	42
TRANSPORT EXPENDITURE	2,500	2,439	-61
SUPPLIES AND SERVICES	3,000	16,156	13,156
THIRD PARTY PAYMENTS	5,100	3,800	-1,300
INTERNAL RECHARGES	16,900	17,631	731
GROSS EXPENDITURE	109,300	121,868	12,568
FEES AND CHARGES	0	-45	-45
GROSS INCOME	0	-45	-45
NET EXPENDITURE	109,300	121,823	12,523

	Revised Budget 2018/19	Actual 2018/19	Variance 2018/19
	£	£	£
<u>PLANNING APPEALS</u>			
EMPLOYEES	24,000	26,543	2,543
TRANSPORT EXPENDITURE	0	229	229
SUPPLIES AND SERVICES	173,900	166,044	-7,856
INTERNAL RECHARGES	4,600	4,810	210
GROSS EXPENDITURE	202,500	197,626	-4,874
NET EXPENDITURE	202,500	197,626	-4,874
TOTAL PLANNING COMMITTEE	597,800	973,185	375,385

FAREHAM

BOROUGH COUNCIL

<p>Report to</p> <p>Planning Committee</p>
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Date: 22 January 2020

Report of: Director of Planning and Regulation

Subject: PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS

SUMMARY

This report recommends action on various planning applications.

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.
All items will be heard from 2.30pm.

<p>ZONE 1 – WESTERN WARDS</p> <p>Park Gate</p> <p>Titchfield</p> <p>Sarisbury</p> <p>Locks Heath</p> <p>Warsash</p> <p>Titchfield Common</p>

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/19/1163/FP PARK GATE	15-17 MIDDLE ROAD PARK GATE SOUTHAMPTON SO31 7GH CHANGE OF USE FROM CLASS A2 (ESTATE AGENT) TO CLASS A5 (HOT FOOD TAKEAWAY); SIDE AND REAR SINGLE-STOREY EXTENSIONS; INSTALLATION OF EXTRACTION AND VENTILATION SYSTEM; REPLACEMENT SHOP FRONT; INSTALLATION OF FIRST FLOOR DOOR; EXTERNAL STAIRCASE; INSTALLATION OF AIR CONDITIONING UNITS	1 PERMISSION

Agenda Item 8(1)

OFFICER REPORT FOR COMMITTEE

DATE: 22/01/2020

P/19/1163/FP
HALA PROPERTIES LIMITED

WARD: PARK GATE
AGENT: Mr F SYKES

CHANGE OF USE FROM CLASS A2 (ESTATE AGENT) TO CLASS A5 (HOT FOOD TAKEAWAY); SIDE AND REAR SINGLE-STOREY EXTENSIONS; INSTALLATION OF EXTRACTION AND VENTILATION SYSTEM; REPLACEMENT SHOP FRONT; INSTALLATION OF FIRST FLOOR DOOR; EXTERNAL STAIRCASE; INSTALLATION OF AIR CONDITIONING UNITS

15-17 MIDDLE ROAD, PARK GATE, SOUTHAMPTON, SO31 7GH

Report By

Katherine Alger-direct dial 01329 824666

1.0 Introduction

1.1 This application is reported to the Planning Committee due to the number of third party letters that have been received.

2.0 Site Description

2.1 This application relates to a two-storey unit located on the western side of Middle Road, Park Gate. The premises are currently vacant and were formerly occupied by an estate agency. The site lies within Park Gate Local Centre and is designated employment land. The surrounding area is varied in the nature of uses and character with an estate agency located to the north and a hot-food takeaway to the south.

3.0 Description of Proposal

3.1 The proposal is for the change of use from an estate agent (Class A2) to a hot-food takeaway (Class A5).

3.2 A single storey rear extension would be constructed which would serve a lobby/wash up area. A single storey side extension would also be constructed to serve a cold room. The extensions would have flat roofs and would be constructed of brickwork to match the existing building.

3.3 A replacement aluminium glazed shop front would be installed on the front elevation.

3.4 The first-floor area would be used for storage. The existing internal staircase would be removed, and a steel external staircase would be constructed to provide access to the first-floor storage area. A new external door would also be installed following the removal of the first-floor window on the southern elevation.

Extraction and ventilation equipment would be installed on the rear elevation.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS1: Employment Provision

CS3: Vitality and Viability of Centres

CS5: Transport Strategy and Infrastructure

CS17: High Quality Design

Adopted Development Sites and Policies

DSP2: Environmental Impact

DSP3: Impact on Living conditions

DSP17: Existing Employment Site Areas

DSP34: Development in District Centres, Local Centres, and Local Parades

DSP39: Hot Food Shops

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

Non-Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 There is no relevant planning history for the application site.

6.0 Representations

6.1 Seven representations have been received which raise objection on the following grounds:

- The stairwell to the rear will hinder parking
- No first-floor details submitted and why the staircase is required
- Impact on other local businesses within Middle Road
- Anti-social behaviour, littering, noise and disturbance
- Impact on parking
- Impact on drainage and sewage
- Impact on right of way to rear of site
- No indication of where rubbish will be kept

7.0 Consultations

7.1 Environmental Health

The Environmental Health Officer raises no objection to the proposal subject to the development being undertaken in accordance with the submitted odour and noise mitigation details and the hours of operation being limited to those described in the application.

7.2 Trees

The Tree Officer raises no objection to proposal.

8.0 Planning Considerations

8.1 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:

- a) Principle of change of use
- b) Design
- c) Impact on residential amenity
- d) Parking
- e) Trees
- f) Other matters

- a) Principle of change of use

8.2 The site is located within Middle Road which is a designated employment site and Local Centre.

8.3 Policy CS1 supports employment provision where employment is safeguarded, and proposals contribute to economic development. Policy CS3 supports proposals which strengthen the character, vitality and viability of centres and maintain the hierarchy of retail centres.

8.4 Policy DSP17 states that existing employment sites will be protected for economic development uses. Re-development, extensions and intensification in these areas that would result in additional economic development floorspace will be supported provided that:

- i) It would not have unacceptable amenity or traffic implications;
- ii) It would not have an unacceptable impact on neighbouring uses;
- iii) An appropriate size and range of units are provided;
- iv) Appropriate levels of parking are provided.

8.5 The policy goes on to state that changes of use between the different uses that contribute towards economic development will be permitted provided that the proposed use will supply employment opportunities.

8.6 The site would have an internal floor area of 92m² which is considered to be an appropriate unit size. Having regard to the varied character of the area, it

is considered that there are a range of units provided within Middle Road and that the proposed change of use would contribute towards economic development in accordance with Policy DSP17.

- 8.7 Policy DSP34 of the Local Plan Part 2 states that town centre uses will be permitted in the Borough's Centres and Parades where they are of an appropriate scale and maintain the current hierarchy of retail centres and will need to ensure an adequate provision of car parking within the designated centre.
- 8.8 The unit is of an appropriate scale and would not conflict with the retail hierarchy of the centre as it would not result in the loss of an A1 unit. There are a number of A1 retail uses within close proximity to the site. Therefore, the proposal would not result in an unacceptable continuous group of non-retail uses on the same side of the street and would accord with Policy DSP34.
- 8.9 Policy DSP39 relates to hot food shops. It states that proposals for shops for the sale of hot food (Class A5) will be permitted provided that they would not:
- i) Damage the vitality and viability of the centre or area
 - ii) Adversely affect the character of the area
 - iii) Have an unacceptable environmental, amenity or traffic implications
- 8.10 There are a number of centre uses including hot food takeaways within the surrounding area. It is considered that the proposed takeaway use would be appropriate within this location, would have regard to the prevailing character and would not damage the vitality and viability of the local centre. The proposal therefore is in accordance with Policy DSP39.
- 8.11 The amenity, traffic and parking implications will be addressed later in this report.
- b) Design
- 8.12 The proposed side and rear extensions would be set back from the front elevation and off the boundary with the neighbouring building. The flat roof would match other extensions within the surrounding area. The extensions would be constructed of brick to match the existing property.
- 8.13 The proposed staircase would be constructed of steel which would be an appropriate material and would have regard to the host building.
- 8.14 The extract systems have a utilitarian appearance however, they would be located to the rear of the building and would not be visible from the front elevation.
- 8.15 The replacement shop front would have an appropriate appearance and would be similar to other shop fronts within Middle Road.
- 8.16 The proposal is therefore in accordance with Policy CS17.

c) Impact on residential amenity

- 8.17 The site is located within a Local Centre with a car park to the rear. The area already has a degree of background noise throughout the day as it is commercial in character with other sources of plant noise.
- 8.18 The air conditioning and cold room condensers would be mounted at ground level adjacent to the rear elevation of the proposed rear extension. There are numerous examples of plant at the rear of the units, furthermore, the rear elevation overlooks the car park. The cold room condenser would run for 24 hours a day with the air conditioning condensers only running during the opening hours.
- 8.19 The Environmental Health Officer has considered the submitted documentation regarding the extraction system and is satisfied that it would not adversely impact on the surrounding occupiers in terms of noise or odour.
- 8.20 The opening hours of the premises would be between 10am and 11pm which the Environmental Health Officer considers acceptable. A condition will be imposed to ensure that the premises do not operate outside of these hours.
- 8.21 In terms of the impact of the single storey side extension, it would be constructed off the boundary between the application site and the neighbouring building, No 13. No 13 has a large flat roof single storey extension constructed up to its boundary along with a large outbuilding within the rear courtyard. It is therefore considered that the proposed extension would not result in any significant impact on the amenities of No 13 in terms of increased sense of enclosure, loss of light or overshadowing.
- 8.22 In terms of the impact of the single storey rear extension, there would be a large separation distance between the application site and the neighbouring building No 13. Therefore, it is not considered to impact the occupiers at No 13.
- 8.23 In terms of the impact on the adjoining unit at No 19 Middle Road, this is also a commercial unit, the proposal would not amount to any significant impact in terms of loss of light, increased sense of enclosure and overshadowing.
- 8.24 The proposed external staircase would provide an entrance/exit from the first-floor storage area. As the staircase would provide a means of access only, it is considered that the staircase would not result in any loss of privacy to the first floor flat at No 13.
- 8.25 The proposal is therefore in accordance with Policy DSP2.

d) Parking/Highways

- 8.26 The Council's Non-Residential Parking Standards SPD sets out the minimum parking standards for Class A5 uses. It requires that a minimum of 1 car parking space per member of staff is provided plus 1 space per delivery vehicle. There is a car park to the rear of the site which would provide parking for staff.
- 8.27 Additionally, due to the site's location within the Local Centre it is within easy reach of public transport services. Swanwick train station is an 8-minute walk away and there are a number of buses serving the local centre. There are a number of public parking spaces within the immediate area. All parking spaces on Middle Road are restricted to a 1-hour stay between 08:00 and 18:00 Monday- Saturday and unrestricted thereafter. Therefore, it is considered that there is sufficient parking for both customers and staff. The proposal therefore complies with the Non-residential car parking standards SPD.

e) Trees

- 8.28 There are a group of trees located to the south of the site between the application site and the No 13. The tree officer has considered the impact of the proposal to these trees and concludes that there are no arboricultural grounds for refusal and therefore raises no objection to the proposal.

f) Other Matters

- 8.29 The concern relating to the potential impact of anti-social behaviour and littering is noted, however, this would be a police matter.
- 8.30 In respect of the concern over the impact on other local business, as set out in the 'principle of change of use' section of this report, officers consider that the proposed use is acceptable in this location and would not undermine the retail function of the local centre.
- 8.31 Drainage implications would be a Building Control matter. The impact on rights of way would be a civil matter.
- 8.32 There is adequate space at the rear of the unit to provide rubbish bins. The majority of units within Middle Road have rubbish bins located to the rear of premises.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development shall begin before 23rd January 2023.
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 approved documents:
 - a) Site Location Plan- DB466-LP01
 - b) Block Site Plan-DB366-BP09
 - c) Existing Plan Ground and First Floors- DB466-A5-01
 - d) Plans as Proposed- DB466-A5-03
 - e) Existing Elevations- DB466-A5-02
 - f) Elevations as Proposed- DB466-A5-04 Rev A
 - g) Planning, Design and Access Statement- P19-0132
 - h) Air Handling Units Specification
 - i) Supporting Annex B Document for Proposed Ventilation System
 - j) Jason Filtration PLC Model GF-Mesh Grease Filters
 - k) Jason Filtration PLC- Type 90 Panel Filter
 - l) Vent Axia Specification
 - m) Plant Noise Assessment- Report 19/0590/R1
3. The development shall not be brought into use until the extraction, ventilation and noise system has been installed and implemented and this shall be permanently retained whilst the unit is in use as a hot food takeaway.
REASON: In order to protect the amenities of occupiers of nearby residential properties.
4. The premises shall not be open for customers other than between the hours of 10:00 to 23:00 Monday-Sunday.
REASON: In order to protect the amenities of occupiers of nearby residential properties.
5. No deliveries shall be taken at or despatched from the site outside the hours of 10:00 to 23:00 Monday-Sunday.
REASON: In order to protect the amenities of occupiers of nearby residential properties.
6. An active shop window display shall be maintained at all times at the front of the premises adjacent to Middle Road.

REASON: In the interests of vitality, viability and character of Middle Road Local Centre in accordance with Policy DSP34 of the Local Plan Part 2: Development Sites and Policies.

7. The premises shall be used for a hot food takeaway and for no other purpose including any other purpose in Class A5 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 (General Permitted Development) Order 2015 (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 occupiers of the nearby residential properties from possible disturbance from permitted uses other than that specifically granted through this permission.

10.0 Notes for Information

11.0 Background Papers

FAREHAM

BOROUGH COUNCIL



15-17 Middle Road
Scale 1:1250



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ZONE 2 – FAREHAM

Fareham North-West

Fareham West

Fareham North

Fareham East

Fareham South

REFERENCE SITE ADDRESS & PROPOSAL
NUMBER &
WARD

ITEM NUMBER &
RECOMMENDATION

No items in this Zone

Agenda Annex

ZONE 3 – EASTERN WARDS

Portchester West

Hill Head

Stubbington

Portchester East

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/18/1437/FP PORTCHESTER WEST	LAND TO WEST OF NORTHFIELD PARK UPPER CORNAWAY LANE PORTCHESTER FAREHAM PO16 8NF USE OF LAND FOR STATIONING OF AGED PERSONS' RESIDENTIAL PARK HOMES (WITH COMMUNITY UNIT)	2 REFUSE
P/19/1203/FP PORTCHESTER EAST	48 EDWARD GROVE PORTCHESTER FAREHAM PO16 8JA SIDE EXTENSION & LOFT CONVERSION WITH LARGE REAR DORMER AND TWO FRONT FACING DORMERS, RAISED VERANDAH AND STEPS	3 PERMISSION

OFFICER REPORT FOR COMMITTEE

DATE: 22/01/2020

P/18/1437/FP
MR & MRS A TRIMMINGS

PORTCHESTER EAST
AGENT: ROBERT TUTTON TOWN
PLANNING CONSULTANTS LTD

USE OF LAND FOR STATIONING OF AGED PERSONS' RESIDENTIAL PARK HOMES (WITH COMMUNITY UNIT)

LAND TO WEST OF NORTHFIELD PARK, UPPER CORNAWAY LANE,
PORTCHESTER, FAREHAM

Report By

Richard Wright – direct dial 01329 824758

1.0 Introduction

1.1 This application has received a total of seven representations from six different households. The representations comprise a mixture of objection and support for the proposals.

2.0 Site Description

2.1 The application site comprises a parcel of land located to the immediate west of the existing residential park site of Northfield Park and to the immediate north of the Portchester Memorial Gardens. Whilst the existing residential park lies within the urban settlement area as defined in the adopted local plan, the application site lies within the countryside for planning purposes.

2.2 Vehicular access to the existing residential park is via Upper Cornaway Lane which continues northward to form public footpath 117.

2.3 To the immediate west of the site lies agricultural land at Winnham Farm which was the site of a recently refused application for 350 dwellings by Miller Homes which was subsequently dismissed on appeal (reference P/18/0005/OA). That land is part of the North of Downend Strategic Growth Area proposed in the Supplement to the Fareham Draft Local Plan 2036 which is currently being consulted on by this Council.

3.0 Description of Proposal

3.1 Permission is sought to use the land for the stationing of residential park homes. The stationing of mobile homes on the land would constitute a material change of use not operational development.

- 3.2 It is proposed that the site would be used for the stationing of 22 new residential park homes. The site would extend the existing residential park of Northfield Park which, together with the adjacent park of Eleanor's Wood, already comprises 71 residential park homes.
- 3.3 As well as new park homes a community unit is proposed. Described in the application in places as a "community lodge" this unit would be a bespoke park home approximately 60 ft x 20 ft used to facilitate residents' meetings, activities and services.
- 3.4 Submitted with the application is a proposed site plan indicating an ecology buffer zone around much of the eastern and southern perimeter of the site. Also shown on the proposed site plan is an indicative internal road layout arranged in a loop and the location of the proposed community unit. However, this application being for a change of use of the land, the precise location of the new park homes and community unit would be controlled through the site licence required from Fareham Borough Council.
- 3.5 The proposal also includes a new pedestrian footpath link between the existing Northfield Park residential park site and public footpath 117 as well as providing a financial contribution towards resurfacing and improvement of a short section of the public footpath to connect with Lancaster Close.

4.0 Policies

- 4.1 The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS18 - Provision of Affordable Housing

CS20 - Infrastructure and Development Contributions

CS22 – Development in Strategic Gaps

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

DSP40 - Housing Allocations

5.0 Relevant Planning History

5.1 The following planning history is relevant:

Land west of Northfield Park (application site)

P/98/0866/CU Extension to the Gardens of Remembrance
Permission 22 September 1998

Northfield Park

FBC.1963/7 Use of part of site for equestrian centre/riding school
and mobile home site on remainder
Deemed Consent 27 September 1984

Eleanor's Wood

P/96/0845/CU Change of use of land for siting of residential mobile
homes
Permission 12 April 2000

6.0 Representations

6.1 Six representations have been received from five households in objection to, or raising concerns about, the application. The following material planning considerations were raised:

- Loss of green space
- Impact on physical and mental health of existing residents affected by increased disruption, noise and traffic
- Increased frequency and speed of traffic
- A one-way system for internal traffic would be a good idea
- Inadequate drainage
- Inadequate street lighting

6.2 One representation in support of the application has been received:

- A community hall would be an added bonus
- Traffic through Northfield Park would not increase that much

7.0 Consultations

EXTERNAL

Highways

- 7.1 The site would be served by a two-way access road leading into a one-way loop arrangement. No footways are proposed in the layout and none are available in the existing development.
- 7.2 The existing development is served by a 4.1m wide road network restricted to an advisory 10mph speed restriction and the current proposals include a more formal one-way traffic arrangement which would be satisfactory.
- 7.3 There is a concern that, beyond the existing site boundary where more general public access is available, there are no satisfactory pedestrian provisions. Upper Cornaway Lane, which serves the crematorium car park and memorial gardens has no footways whilst there is only an unsurfaced path connection to Dore Avenue shops and bus stops. Consequently, a highway objection is raised to the application until satisfactory off-site pedestrian provisions are made.

INTERNAL

Environmental Health

- 7.4 No objection. The applicant should note however that prior to occupation any new units will require a site licence from Fareham Borough Council's Environmental Health department.

Ecology

- 7.5 No objection subject to conditions in relation to mitigation measures and sensitive lighting scheme.

8.0 Planning Considerations

- 8.1 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:

- a) Implication of Fareham's current 5-year housing land supply position;
- b) Principle of development in the countryside;
- c) Policy DSP40(i) & (iv);
- d) Policy DSP40(ii);
- e) Policy DSP40(iii) – including design and visual impact;
- f) Policy DSP40(v) – including highways, ecology and flood risk;
- g) Other matters;
- h) The planning balance.

- a) Implication of Fareham's current 5-year housing land supply position

- 8.2 A report titled "Five year housing land supply position" was reported for Members' information on the agenda for the Planning Committee meeting held on Wednesday 24th April last year. The report concluded that at the time this Council had 4.66 years of housing supply against its five year housing land supply (5YHLS) requirement.
- 8.3 During the latter part of 2019 several appeal decisions were received in which Planning Inspector's considered the Council's 5YHLS position, including the appeal by Miller Homes on the adjacent land at Winnham Farm (appeal reference APP/A1720/W/19/3230015). In that appeal decision the Inspector was of the view that the Council's claimed supply figure of 4.66 years was too optimistic and that the appellant's figure of 2.4 years better represented the situation at that time.
- 8.4 Officers will shortly be presenting an updated 5YHLS report to the Planning Committee. Members attention is drawn to the last such report presented in April 2019 and views of the Planning Inspector who considered the Winnham Farm appeal. Officers accept that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites.
- 8.5 The starting point for the determination of this planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004:
- "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".*
- 8.6 In determining planning applications there is a presumption in favour of the policies of the extant Development Plan, unless material considerations indicate otherwise. Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).
- 8.7 Paragraph 59 of the NPPF seeks to significantly boost the supply of housing.
- 8.8 Paragraph 73 of the NPPF states that local planning authorities should identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement including a buffer. Where a local planning authority cannot do so, and when faced with applications involving the provision of housing, the policies of the local plan which are most important for determining the application are considered out-of-date.

8.9 Paragraph 11 of the NPPF then clarifies what is meant by the presumption in favour of sustainable development for decision-taking, including where relevant policies are "out-of-date". It states:

“For decision-taking this means:

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:*
 - i. The application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

8.10 Should Paragraph 11 of the NPPF be engaged, a key judgement for Members would be whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies taken as a whole.

8.11 Notwithstanding, Members will be mindful of Paragraph 177 of the NPPF which states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

8.12 The following sections of the report assesses the application proposals against national planning policy and this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

- b) Principle of development in the countryside

- 8.13 Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of previously developed land within the urban area. The land is not previously developed land and the site is not within the urban area. The proposal does not comply with this policy.
- 8.14 Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. The application site lies within an area which is outside of the defined urban settlement boundary.

- 8.15 Policy CS14 of the Core Strategy states that:

“Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure.”

- 8.16 Policy DSP6 of the Local Plan Part 2: Development Sites and Policies states - there will be a presumption against new residential development outside of the defined urban settlement boundary (as identified on the Policies Map).

- 8.17 The site is clearly outside of the defined urban settlement boundary and the proposal is therefore contrary to Policies CS2, CS6, and CS14 of the adopted Core Strategy and Policy DSP6 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

c) Policy DSP40(i) & (iv)

- 8.18 In the absence of a five year supply of deliverable housing sites, Officers consider that policy DSP40 is the principal development plan policy that guides whether schemes will be considered acceptable.

- 8.19 Policy DSP40: Housing Allocations, of Local Plan Part 2, states that:

“Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

- i. *The proposal is relative in scale to the demonstrated 5 year housing land supply shortfall;*
- ii. *The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;*

- iii. *The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;*
- iv. *It can be demonstrated that the proposal is deliverable in the short term; and*
- v. *The proposal would not have any unacceptable environmental, amenity or traffic implications”.*

8.20 Firstly, in relation to the first of these criteria at Policy DSP40(i), the proposal is for a change of use of the land to allow the stationing of residential park homes. Whilst the exact number of units to be stationed on the site could vary depending on site licence provisions, this planning application has been assessed on the basis of 22 homes being created which is relative in scale to the current shortfall.

8.21 In relation to Policy DSP40(iv), Officers have no concerns that the proposed development could not be delivered in the short term.

8.22 The remaining three bullet points from Policy DSP40 are worked through in turn below.

d) Policy DSP40(ii)

8.23 The application site lies adjacent to the existing urban settlement boundary which abuts its eastern boundary. Officers consider that the proposed development would be capable of being well integrated with the adjacent urban area by forming a logical extension to the existing residential park.

8.24 At present no dedicated pedestrian footway exists between Dore Avenue and the existing residential park site. Pedestrians are required to walk in the carriageway of Upper Cornaway Lane and/or to use an unmade path across an adjacent area of public open space.

8.25 Policy CS5 (Transport Strategy and Infrastructure) of the adopted Fareham Borough Core Strategy states that development will be permitted which “is designed and implemented to prioritise and encourage safe and reliable journeys by walking, cycling and public transport”. Policy CS17 (High Quality Design) meanwhile expects development to “ensure permeable movement patterns and connections to local services, community facilities, jobs and shops”.

8.26 In order to improve pedestrian connectivity the proposal includes the creation of a new pedestrian footpath link between the existing Northfield Park residential park site and public footpath 117. The applicant has also indicated

they would be willing to make a financial contribution towards the resurfacing and improvement of a short section of the public footpath to connect the new link footpath with Lancaster Close.

8.27 Using the proposed new footpath connection the nearest bus stop would lie on Dore Avenue close to the junction with Jute Close approximately 250 metres from the site. From that stop regular bus services run to Fareham and Portchester centres. A number of other services and facilities would be located within a reasonable walking distance from the site. Red Barn Primary School would be located 650 metres away and the nearby convenience store on Linden Lea 750 metres away.

8.28 Subject to the new pedestrian footpath link being created and the applicant making the required financial contribution towards improvement of footpath 117, the proposal would accord with Policy DSP40(ii) in that it would be sustainably located. However, in the absence of a financial contribution the proposal fails to provide suitable improvements to pedestrian accessibility and is not considered to be sustainably located. Pedestrian connectivity to local services and facilities would be poor and the proposal would not provide, prioritise or encourage safe and reliable journeys on foot.

e) Policy DSP40(iii)

8.29 The third test of Policy DSP40(iii) is that the proposal is “*sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps*”. The application site is not located within a Strategic Gap.

8.30 Policy CS17 of the adopted Fareham Borough Core Strategy sets out a similar, but separate policy test that, amongst other things, “*development will be designed to: respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials*”. Core Strategy Policy CS14 meanwhile seeks to protect the landscape character, appearance and function of the countryside as explained earlier in this report.

8.31 As referred to already in this report, this proposal seeks permission for the change of use of the land for the stationing of residential park homes. Because of this it is not possible to be precise over the visual appearance of the park homes or indeed how they may change over time as mobile homes are replaced within their individual pitches. The units will however be single storey in nature in order to comply with site licensing requirements. When viewed from the adjacent farmland to the west these homes will be seen against the backdrop of the existing urban area with the existing park homes

of Northfield Park and the two-storey scale housing of nearby streets beyond. That land at Winnham Farm comprises part of the proposed North of Downend Strategic Growth Area. It is also noted that the proposed development of 350 houses on that land, which was the subject of the recent dismissed appeal, was not refused planning permission by this Council on the basis of adverse landscape character or visual impact.

- 8.32 Officers are satisfied that the proposed stationing of park homes on the site would sensitively reflect the character of the existing residential park and, subject to details of any proposed level changes on the site and a suitable landscaping scheme for the western and northern site boundaries, would minimise the adverse impact on the countryside. Notwithstanding there would be compliance with Policy DSP40(iii), there would still be a limited degree of harm in visual and landscape terms contrary to Policies CS14 & CS17.

f) Policy DSP40(v) – including highways, ecology and flood risk

- 8.33 The final test of Policy DSP40: "The proposal would not have any unacceptable environmental, amenity or traffic implications" is discussed below.

Ecology

- 8.34 In terms of protected species which may be present on the site itself, the Council's ecologist has raised no concerns following consideration of the ecological appraisal submitted with the application which proposes appropriate ecological buffers around the perimeter of the site. The proposal will however have likely significant effects on protected habitats nearby as explained in the following paragraphs.
- 8.35 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within the Solent which are of both national and international importance.
- 8.36 In light of their importance, areas within the Solent have been specially designated under UK/European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'European Protected Sites'(EPS). The application site lies approximately 1.3km from Portsmouth Harbour SPA and Ramsar site and the Solent and Dorset Coast pSPA. Other European protected sites would also potentially be impacted by the development proposal including Solent and Southampton Water SPA,

Chichester and Langstone Harbours SPA and Solent Maritime SAC. The Council has a legal duty to consider whether any impact from new developments are likely to have a significant effect upon EPS. Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality.

- 8.37 The following paragraphs of this report set out potential impacts arising from the increased wastewater from these new homes entering the water environment and the increased recreational disturbance generated by new residents visiting the coastline.
- 8.38 Natural England has recently highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering the Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the EPS. In the case of this application, Officers consider that the development would result in an increase in total nitrogen output into the water environment by increased wastewater discharge from the new residential park homes stationed on the land. The uncertainty over increased levels of nitrogen and phosphorous in the Solent means that Officers have not been able to conclude the development would not have likely adverse effects on the European protected sites resulting from that increased waste water.
- 8.39 The applicant has proposed several ways in which mitigation might be provided to offset the adverse effects on protected sites. This has included using land outside the Borough currently in a more intensive use for the grazing of horses being turned to meadow. In principle such measures may address the issue through a reduction in the amount of nitrogen being deposited on the land and in turn the amounts of nitrates entering The Solent.
- 8.40 Natural England have been consulted on the applicant's proposals and have advised that as currently submitted they do not address the likely significant effects upon European Protected sites. Natural England have further provided technical advice on what further information and clarification is still required from the applicant to demonstrate that the impacts could be mitigated.
- 8.41 The applicant has been invited to submit the required further information and clarification. To date the applicant has not provided the required information and clarification and has been reluctant to extend the determination period for the application any further. The application is therefore presented to the Planning Committee for determination based on the information presently submitted.

- 8.42 In the absence of appropriate and appropriately secured mitigation, the adverse effects arising through increased wastewater output on European designated sites is contrary to Policies CS4 and CS6 of the Core Strategy and Policy DSP13 of the Local Plan Part 2: Development Sites & Policies.
- 8.43 Policy DSP15 (Recreational Disturbance on the Solent Protection Areas) of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies explains that planning permission for proposals resulting in a net increase in residential units may be permitted where the 'in combination' effects of recreation on the Special Protection Areas are satisfactorily mitigated through the provision of a financial contribution to the Solent Recreation Mitigation Project (SRMP). The applicant has indicated they would be willing to make this financial contribution however since this application is being recommended for refusal principally as a result of the lack of appropriate nitrate mitigation, that contribution has not been sought or secured. In the absence therefore of a financial contribution towards the SRMP the proposal fails to provide adequate mitigation of these in-combination effects contrary to Policy DSP15 of the Local Plan Part 2.
- 8.44 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' (in this case the Local Planning Authority) if it can be shown that the proposed development will either not have a likely significant effect on designated European sites or, if it is likely to have a significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated European sites. However, Officers have found that the proposal would not appropriately mitigate the impact of increased wastewater from the development and principally for that reason are recommending that planning permission be refused. As a result no Appropriate Assessment is required and one has not been carried out by the Local Planning Authority under the 'habitat regulations' on this occasion.

Amenity

- 8.45 Officers are satisfied that the development would not be harmful to the living conditions of neighbouring residents. As referred to already, since the proposal is for a change of use of the land for the stationing of residential park homes, the layout and positioning of the individual park homes would not be a matter to be considered through this application but instead addressed through the relevant site licence.

Highways

- 8.46 The highway authority Hampshire County Council have raised the issue of the currently poor pedestrian accessibility to the site. This is discussed earlier in this report with regards to Policy DSP40(ii) as well as Policies CS5 & CS17.

g) Other matters

8.47 The proposal to use the land to station residential park homes attracts a requirement for affordable housing provision under Policy CS18 of the adopted Fareham Borough Core Strategy. The applicant has provided a viability assessment which has been independently reviewed by the Council's own consultants. That review has revealed that the development is considered able to viably provide an off-site contribution of £529,341 towards affordable housing provision. The applicant has indicated that they would be willing to enter into a Section 106 legal agreement to secure the payment of that contribution.

h) The planning balance

8.48 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

"If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

8.49 As set out in paragraph 8.10 above, the effect of Paragraph 177 of the NPPF is that:

"The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats sites (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

8.50 In this instance Officers have identified likely significant effects on European Protected sites and no Appropriate Assessment has been carried out. With that in mind the so called 'tilted balance' of Paragraph 11 of the NPPF is not engaged.

8.51 The site is outside of the defined urban settlement boundary and the proposal does not relate to agricultural, forestry, horticulture and required infrastructure. The principle of the proposed development of the site would be contrary to Policies CS2, CS6 and CS14 of the Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Sites and Policies Plan.

- 8.52 Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations, which is engaged as this Council cannot demonstrate a 5YHLS. The proposal relies on mitigation of key impacts in order to pass the policy tests. It is proposed to create a new pedestrian footpath link and to provide a financial contribution towards resurfacing an existing public footpath in order to improve accessibility in order to satisfy the test at DSP40(ii). However, in the absence of a legal agreement to secure such a contribution the proposal fails to deliver those improvements and without them the development site is not considered to be sustainably located. The visual impact of the development of the countryside meanwhile could be minimised to accord with DSP40(iii) by appropriate planning conditions to control any proposed level changes on site and to secure an appropriate landscaping scheme. The development would have some limited harm on the character and appearance of the countryside, contrary to Policies CS14 & CS17, however this needs to be balanced in the context of the adjacent proposed draft housing allocation at Winnham Farm which the Council previously did not resist on the basis of adverse visual impact. Finally, in relation to Policy DSP40(v), the development would generate additional wastewater containing nutrients which would adversely affect the integrity of the Solent's European Protected sites. Furthermore, the proposal would, in combination with other development, generate recreational disturbance on protected habitat sites. The applicant has failed to provide any mitigation of these adverse effects.
- 8.53 Officers have given due regard to the Council's lack of a five year supply of deliverable housing sites and the Government steer in respect of housing delivery. Officers note that the proposal would make a reasonable contribution towards addressing the shortfall of new homes in the Borough and would provide an appropriate financial contribution towards off-site provision of affordable housing. The benefits of granting planning permission would however not outweigh the harm identified to European Protected sites. Furthermore no means to secure the affordable housing contribution or pedestrian improvements has been provided.
- 8.54 In light of this assessment, and taking into account all other material planning considerations, Officers recommend that planning permission should be refused. A recommendation for refusal is set out below at paragraph 9.1.
- 8.55 In the event that the applicant demonstrates that the likely significant effects of the development on European Protected sites had been addressed and an Appropriate Assessment had concluded no adverse effects on the integrity of the habitats sites, Officers consider that any harm arising would not significantly and demonstrably outweigh the benefits of granting permission and would have recommended to the Planning Committee that the proposal be permitted. This would have been subject to a legal agreement securing the

affordable housing contributions and the pedestrian footway improvements, and the imposition of appropriate planning conditions.

- 8.56 The applicant is however not currently able to demonstrate that the likely adverse effects upon the integrity of the European Protected sites can be satisfactorily addressed and as a result Officers must recommend that the application be refused.

9.0 Recommendation

9.1 REFUSE PERMISSION for the following reasons:

The development is contrary to Policies CS4, CS5, CS15, CS17 & CS18 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP13, DSP15 & DSP40 of the Adopted Local Plan Part 2: Development Site and Policies Plan and is unacceptable in that:

- a) The proposal would have likely adverse effects on the integrity of European Protected Sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.
- b) In the absence of a legal agreement to secure such, the proposal fails to provide a financial contribution towards the widening and resurfacing a section of public footpath 117 between nearby Lancaster Close and the new footpath link to Northfield Park. As a result the proposal fails to provide for, prioritise and encourage safe and reliable journeys by walking;
- c) In the absence of a legal agreement to secure such, the development would fail to provide affordable housing at a level in accordance with the adopted local plan or an equivalent financial contribution towards off-site provision;
- d) In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

10.0 Notes

1. Had the proposal been found to be acceptable in all other respects, the local planning authority would have sought to address reasons for refusal b) – d) by inviting the applicant to enter into a legal agreement pursuant to Section 106 of The Town and Country Planning Act 1990.

11.0 Background Papers

FAREHAM

BOROUGH COUNCIL



Northfield Park
Scale 1:3750



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OFFICER REPORT FOR COMMITTEE

DATE: 22/01/20

P/19/1203/FP
BRIAN MIDDLETON

PORTCHESTER EAST
AGENT: MR ASHLEY COX

SIDE EXTENSION AND LOFT CONVERSION WITH LARGE REAR DORMER AND TWO FRONT FACING DORMERS, RAISED VERANDA AND STEPS

48 EDWARD GROVE, PORTCHESTER, FAREHAM, PO16 8JA

Report By

Lucy Knight – direct dial 01329 824579

1.0 Introduction

1.1 This application is reported to the Planning Committee in accordance with the Council's Scheme of Delegation due to the number of third-party letters received meeting the five letter threshold and their content being contrary to the Officer recommendation.

1.2 It is noted that these representations were in response to the application as originally submitted. The applicant has since submitted amended plans to address a number of Officer concerns as well as the concerns expressed in some of the representations however objections have not been formally withdrawn.

2.0 Site Description

2.1 Edward Grove slopes upwards to the north and the application property is a semi-detached bungalow with a south facing rear garden located towards the top of the road on a corner plot.

3.0 Description of Proposal

3.1 This application seeks permission for extensions to the roof to create first floor accommodation, a single storey side extension to increase the living area at ground floor level and a raised veranda to the rear.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS17 – High Quality Design

CS5 – Transport

Adopted Development Sites and Policies

DSP3 – Impact on Living Conditions

Other Documents:

Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/10/0072/FP	Erection of Single Storey Rear Extension
PERMISSION	29-03-10

6.0 Representations

6.1 Five representations have been received which raise objection on the following grounds:

- Out of keeping with character of the area
- Impact upon parking
- Impact upon the structural safety of the joint chimney stack
- Loss of privacy

7.0 Planning Considerations

7.1 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:

- a) Impact upon the character and appearance of the area;
- b) Impact upon the living conditions of neighbouring properties;
- c) Impact upon parking and highway safety
- d) Other Matters

a) Impact upon the character and appearance of the area

7.2 The property sits in a prominent position towards the top of Edward Grove and is on a corner plot. All 4 corner plots within Edward Grove are designed to have a spacious outer edge. The area in which the side extension is proposed has an open character to it and is highly visible when looking both up Edward Grove towards the north and down towards the south. The plans as originally submitted proposed a one and a half storey side extension to the property into this side garden area. It was considered that building in this gap at such a height would not be respectful of the spacious character and would have a detrimental unacceptable impact upon the spacious character and appearance of the area.

7.3 The concerns relating to the character and appearance of the area were relayed to the agent and amended plans have since been received. It is noted that the re-consultation on the amended plans did not generate any additional third-party comments.

- 7.4 The amended plans, those now before the Committee, reduce the bulk of the side extension by removing the first-floor element. The side extension is now designed to be just single storey with a flat roof finish which will tie in with the height of the existing flat roofed rear extension. This amendment will ensure that the space around the property and the layout of Edward Grove is preserved.
- 7.5 Whilst a flat roof finish to the side extension is not the most pleasing architectural treatment, it relates well to the other alterations on the application property and this design solution ensures that the key space at first floor level to the side of the property is retained.
- 7.6 The original hipped roof of the application property is now proposed to be built up to a gable end with a rear flat roof dormer window and two front dormers which are to be finished with a pitched roof. The hip to gable change to the bungalow is considered acceptable and would, as a result of not extending the first floor any further to the side (east) of the existing dwelling, be respectful of the previously defined character.
- 7.7 The rear dormer is large and will be visible from within the street scene, however, this could in fact be developed without an express planning permission under permitted development (PD) rights. This PD fallback position is a material consideration.
- 7.8 The front dormers have been adjusted so that they now relate better to the existing windows at ground floor level. Proportionately this improves the appearance of the works in the street scene. It is noted that elsewhere in the vicinity there are other dormer windows present such that the inclusion of dormer windows, both with pitched and flat roof finishes are considered to be acceptable without harm to the visual amenity of the area.
- 7.9 For the reasons given above it is considered that the proposals are now compliant with Policy CS17.

b) Impact upon the living conditions of neighbouring properties

- 7.10 The adjacent neighbour has raised concerns relating to a loss of privacy from both the raised veranda and also the rear dormer window. As is noted above, the rear dormer could be constructed without the need for an express planning permission under permitted development rights. As such there would be, and already is elsewhere in the area, some degree of overlooking of adjacent gardens from first floor windows and this is a common feature of many residential areas. Notwithstanding this, however, the openings in the rear dormer are to serve two bedrooms. Given the size of the windows taken together with the relative infrequency with which residents would usually stand looking out of bedroom windows it is not considered that the construction of this rear dormer window would cause such a degree of harm to the

surrounding occupiers by overlooking and loss of privacy as to justify refusal of the application.

- 7.11 Officers initially expressed concern that there would likely be an unacceptable loss of privacy as a result of the raised veranda. This can be overcome by the addition of a privacy screen extending for the length of the veranda at a minimum height of 1.7 metres. This is shown on the amended plans and the provision of the screen is secured by planning condition.
- 7.12 The neighbour opposite the site was visited, and an assessment made from within their front bedrooms and their rear garden. Given the level change from south to north, this neighbour had concerns at overlooking from the new first floor, front facing dormer windows, to the ground floor rooms of this neighbouring dwelling. The proposed front dormer windows are approximately 22 metres away from the front windows in number 21 across a public highway. Furthermore, it is noted that the eastern most of the two dormer windows (the one closest to this affected neighbour) is to serve a bathroom and the second is to serve a study. A distance of 22 metres is normally considered acceptable between first floor windows that look onto each other. Given the use of the rooms and the separation distance across the public realm, it is considered that the proposed dormers will not result in an unacceptable loss of privacy. For this same reason it is not considered that there will be an unacceptable loss of privacy to the rear garden of 21.
- 7.13 For the reasons given above it is considered that the proposal is now compliant with Policy DSP3 of the Local Plan Part 2: Development Sites and Policies provided that a condition relating to privacy screening is attached to the permission.

c) Impact upon parking and highway safety

- 7.14 It is proposed, as a result of the works, to create an extra bedroom making the application property a 4 bedroom home. Therefore, one more off road parking space is required in order to meet the requirements of the Fareham Borough Residential Car & Cycle Parking Standards.
- 7.15 There is adequate space on the application site to provide the necessary parking and this can be addressed by a condition requiring one further off-road parking space to be provided.

d) Other matters

- 7.16 The occupier of the neighbouring property has made comments about the lack of previous work by the applicant to the joint chimney stack. No works are proposed to the existing chimney stack and therefore this is not something that can be considered as a part of this application. Furthermore, this appears to be a civil matter between the two parties. Any structural issues would need to be dealt with by a Buildings Surveyor at the Building

Regulations approval stage. As such no weight can be afforded to this representation.

Conclusion:

- 7.17 The proposed amended plans address both the Officer and third-party comments regarding the impact of a first-floor side extension upon the character of the area. The proposals as now submitted are considered to be respectful of the visual amenity of the area and will not result in any adverse harm to the amenity of neighbours. The proposal is now considered to be acceptable for permission and is recommended to the Committee accordingly.

8.0 Recommendation

8.1 PLANNING PERMISSION, subject to conditions:

1. The development shall begin within 3 years of the date on 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. Drawing No: 19.48EG.design.01 – Existing Elevations
 - b. Drawing No: 19.48EG.design.02 – Existing Floor Plan
 - c. Drawing No: 19.48EG.design.03 – Proposed Ground Floor Plan
 - d. Drawing No: 19.48EG.design.04 – Proposed First Floor Plan
 - e. Drawing No: 19.48EG.design.05 – Proposed Elevations
 - f. Drawing No: 19.48EG.design.06 – Proposed Elevation
 - g. Drawing No: 19.48EG.design.07 – Proposed Elevations
 - h. Drawing No: 19.MIDDLETON.B-SLP – Site Location PlanREASON: To avoid any doubt over what has been permitted.
3. The materials to be used in the construction of the development hereby permitted shall match as closely as possible those used on the existing building unless otherwise agreed in writing with the Local Planning Authority.
REASON: To secure the satisfactory appearance of the development.
4. The fourth bedroom, hereby approved, shall not be first occupied until one further off-road parking space measuring a minimum of 4.8 metres x 2.4 metres has been constructed within the application site and made available for use. This parking space shall thereafter be kept available for the parking of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.
REASON: In the interests of highway safety.

5. No development shall take place above damp-proof course level (dpc) until details of the proposed privacy screen have been submitted to and approved in writing by the local planning authority. The proposed new veranda hereby approved shall not be brought into use until the privacy screen has been erected at a minimum height of 1.7 metres above the finished veranda level in accordance with the approved details. The screening shall subsequently be retained at all times.

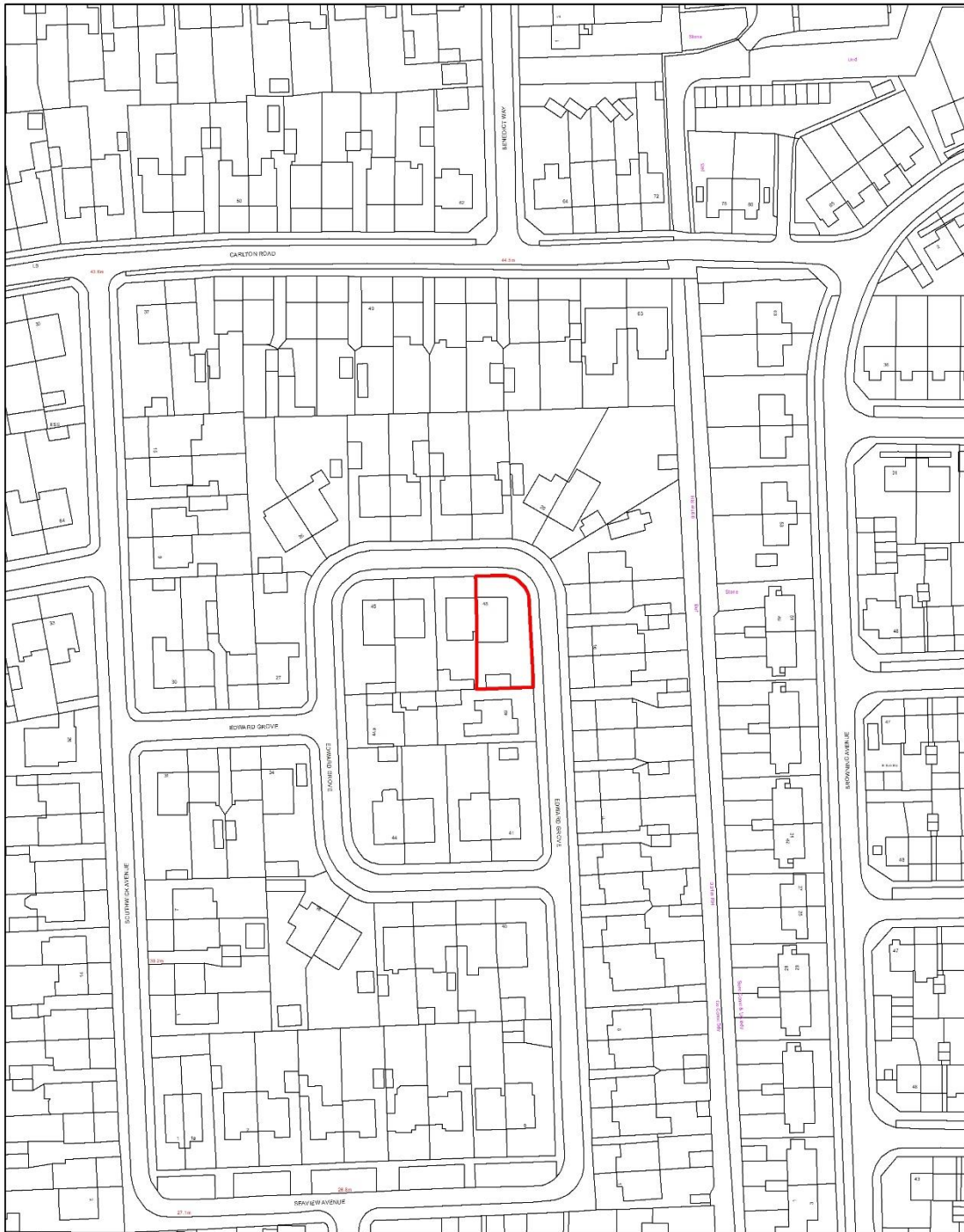
REASON: To protect the privacy of the occupiers of the neighbouring property and to prevent overlooking.

9.0 Notes for Information

10.0 Background Papers

FAREHAM

BOROUGH COUNCIL



48 Edward Grove
Scale 1:1250



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Agenda Item 8(4)

PLANNING APPEALS

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

CURRENT	P/18/1252/FP Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	WRITTEN REPS RGOM 21 Burridge Road Burridge Southampton Committee REFUSE REFUSE 2 October 2019 AGAINST REFUSAL Six 4-bedroom detached dwellings, amenity areas and a means of access from Burridge Road
CURRENT	P/19/0458/FP Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	WRITTEN REPS Bentley Slade Ltd Whittington Court 65 High Street Fareham Officer Delegated Powers REFUSE 18 November 2019 AGAINST REFUSAL Erection of Four 3-Bed Dwellings to Rear with Vehicular Access from High Street
CURRENT	P/19/0793/FP Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	HH APPEAL SERVICE Mr & Mrs Fronda 14 Sumar Close Fareham Committee REFUSE REFUSE 1 November 2019 AGAINST REFUSAL Two storey rear extension and front porch extension
CURRENT	P/19/1073/TO Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	HH APPEAL SERVICE Mr Moon 6 Alum Way Fareham Officer Delegated Powers REFUSE REFUSE 4 December 2019 AGAINST REFUSAL T14 Lime: Fell due to excessive shading and replant an Acer in its place.
HEARING	P/18/1212/LU Appellant: Site: Decision Maker:	PUBLIC INQUIRY Borderland Fencing Ltd Borderland Fencing New Road Swanwick Southampton Officer Delegated Powers

Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 13 August 2019
Reason for Appeal: **AGAINST REFUSAL**
Lawful Development Certificate for mixed use of the glasshouse for storage & manufacturing (Use Class B8 & B2)

HEARINGS **ENF/56/17**
Appellant: **PUBLIC INQUIRY**
Site: **Borderland Fencing Ltd**
BORDERLAND FENCING NEW ROAD SWANWICK
SOUTHAMPTON SO31 7HE

Decision Maker:
Recommendation:
Council's Decision:
Date Lodged: 17 July 2019
Reason for Appeal: **AGAINST ENFORCE**
Unauthorised expansion of site and breach of conditions

DECISION **P/17/1514/FP**
Appellant: **HEARING**
Site: **Mrs Anita Barney**
Land to the rear of 77 Burr ridge Road Burr ridge
SOUTHAMPTON

Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 10 April 2019
Reason for Appeal: **AGAINST REFUSAL**
1no. Four bedroom detached dwelling and garage

Decision: **DISMISSED**
Decision Date: **18 November 2019**

DECISION **P/18/0482/OA**
Appellant: **HEARING**
Site: **Bargate Homes Ltd**
Land adjacent to 125 Greenaway Lane Warsash
Southampton

Decision Maker: Non Determined
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 20 August 2019
Reason for Appeal: **NON DETERMINED**
Outline application with all matters reserved (except for access) for the construction of up to 100 residential dwellings, access from Greenaway Lane, landscaping, open space and associated works'

Decision: **DISMISSED**
Decision Date: **11 December 2019**

DECISION **P/18/1093/TO**
Appellant: **HH APPEAL SERVICE**
Site: **Mr Norman Matthew**
9 Rannoch Close Fareham

Decision Maker: Officer Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 14 November 2018
Reason for Appeal: **AGAINST REFUSAL**
Fell one oak protected by TPO 10(W1).

Decision: **DISMISSED**

Decision Date: 8 January 2020

DECISION

P/18/1331/FP

Appellant:

Site:

Decision Maker:

Recommendation:

Council's Decision:

Date Lodged:

Reason for Appeal:

WRITTEN REPS

Mr Kim Rose

35 Burrige Road Burrige Southampton

Officer Delegated Powers

REFUSE

REFUSE

2 August 2019

AGAINST REFUSAL

Subterranean 5-bedroomed dwelling to the rear of 35 Burrige Road, accessed from Green Lane

Decision:

Decision Date:

DISMISSED

11 December 2019

DECISION

P/19/0307/FP

Appellant:

Site:

Decision Maker:

Recommendation:

Council's Decision:

Date Lodged:

Reason for Appeal:

HH APPEAL SERVICE

Mr & Mrs Juma

15 Owen Close Fareham

Officer Delegated Powers

REFUSE

REFUSE

21 August 2019

AGAINST REFUSAL

Two storey rear infill extension

Decision:

Decision Date:

DISMISSED

19 December 2019