

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 12 February 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 meetings held on 22 January 2020 and 29 January 2020.

3. Chairman's Announcements

4. Declarations of Interest

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

5. Deputations

To receive any deputations of which notice has been lodged.

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

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

ZONE 2 - FAREHAM

(1) **P/19/1327/FP - 1A FAREHAM PARK ROAD PO15 6LA** (Pages 11 - 16)

(2) **P/19/1185/RM - LAND NORTH OF FUNTLEY ROAD FUNTLEY** (Pages 17 - 23)

ZONE 3 - EASTERN WARDS

(3) **P/19/0925/FP - TURRET HOUSE HOSPITAL LANE PORTCHESTER PO16 9LT** (Pages 25 - 49)

7. Planning Appeals (Pages 50 - 51)

8. Tree Preservation Orders

To consider the confirmation of the following Tree Preservation Order(s) which have been made by officers under delegated powers and to which no formal objections have been received.

Fareham Tree Preservation Order No. 761 2019 – Land between September Cottage & Homeland, Brook Avenue, Warsash.

Order served on 16 August 2019, covering ten individual trees (nine oak, one sycamore), three tree groups (G1 containing six oaks, G2 containing one sycamore and one oak, G3 containing two oaks) and one woodland (W1), and to which no

objections have been received. It is recommended for TPO 761 to be confirmed and served, with one modification to change W1 to a fourth group of oak trees (G4) as this reflects more correctly the trees which form a cohesive group.

A handwritten signature in black ink, appearing to read 'P Grimwood', written in a cursive style.

P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
04 February 2020

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
Tel:01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 22 January 2020

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

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

**Also
Present:**



1. APOLOGIES FOR ABSENCE

Apologies of absence was received from Councillors F Birkett and K D Evans.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 11 December 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				
Mr F Sykes (Agent)		15-17 MIDDLE ROAD PARK GATE SO31 7GH – CHANGE OF USE FROM CLASS A2 (ESTATE AGENT) TO CLASS A5 (HOT FOOD TAKEAWAY); SIDE AND REAR SINGLE-STOREY EXTENSIONS; INSTALLATION OF FIRST FLOOR DOOR; EXTERNAL STAIRCASE; INSTALLATION OF AIRCONDITIONING UNITS	Supporting	8 (1) P/19/1163/FP Pg 24
ZONE 2 – 2.30pm				

ZONE 3 – 2.30pm				
Mr B Middleton		48 EDWARD GROVE PORTCHESTER PO16 8JA – SIDE EXTENSION AND LOFT CONVERSION WITH LARGE REAR DORMER AND TWO FRONT FACING DORMERS, RAISED VERANDA AND STEPS	Supporting	8 (3) P/19/1203/FP Pg 51

6. SPENDING PLANS 2020/21

The Committee considered a report by the Deputy Chief Executive Officer on the spending plans for this Committee’s services for 2020/21.

RESOLVED that the Committee: -

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

7. ACTUAL REVENUE EXPENDITURE

The Committee considered a report by the Deputy Chief Executive Officer on the actual revenue expenditure for 2018/19 in respect of the services of which this Committee is responsible for.

During discussions on this report, it was highlighted that some of the information contained in Appendix A to the report was incorrect. It was agreed that an update version of the report would be circulated to the Committee, and a copy attached as Appendix A to these minutes.

RESOLVED that the Committee note the content of the report.

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

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

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

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

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

(Voting: 8 in favour; 0 against)

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

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

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

The application has been withdrawn from the agenda at the request of the Planning Agent.

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

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

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

(Voting: 8 in favour; 0 against)

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

(4) Planning Appeals

The Committee noted the information in the report.

(5) Update Report

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

(The meeting started at 2.30 pm
and ended at 3.46 pm).

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 29 January 2020

Venue: Collingwood Room - Civic Offices

PRESENT:

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 and Mrs K K Trott (deputising for R
H Price, JP)

**Also
Present:**



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor R H Price, JP.

2. CHAIRMAN'S ANNOUNCEMENTS

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

3. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct, Councillor T M Cartwright declared a non-pecuniary interest in Item 5 – Review of the Council's Pre-Application Planning Advice Service and Charges. This is due to him being the lead Member on Vanguard and has been involved with the pre-application charge service since its introduction in 2009.

4. DEPUTATIONS

There were no deputations made at this meeting.

5. REVIEW OF THE COUNCIL'S PRE-APPLICATION PLANNING ADVICE SERVICE AND CHARGES

Councillor T M Cartwright declared a non-pecuniary interest in this item. This is due to him being the lead Member on Vanguard and has been involved with the pre-application charge service since its introduction in 2009.

Members discussed this a length, especially in relation to the continued free service for household pre-application planning advice. Members felt that continuing to provide a free service for householder application was important as they felt that to try to charge for this would create more unnecessary work for Officers and would harm the Council's current service that they offer to residents.

Members expressed a concern over the proposed charges in relation to 10-49 dwellings as they felt that this may not be high enough and that the Council would still not be able to recoup the costs involved with the type of pre-application work required. They expressed a view that they would like officers to undertake further time recordings of these types of pre-application advice over a 12 month period in order to establish whether the proposed charges need to be revised.

RESOLVED that the Planning Committee:-

- (i) note and support the proposals the Director of Planning and Regeneration is making to the Executive in respect of pre-application advice and charges;
- (ii) asks that the Executive, at its meeting on 3 February 2020, considers the views of the Planning Committee in respect of the 10-49 dwellings in that they would like Officers to undertake more time

recordings of these pre-applications over a 12 month period and consider if the proposed charges need to be revised thereafter.

(The meeting started at 5.00 pm
and ended at 5.28 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date: 12 February 2020

Report of: Director of Planning and Regeneration

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.

ZONE 1 – WESTERN WARDS

Park Gate

Titchfield

Sarisbury

Locks Heath

Warsash

Titchfield Common

REFERENCE SITE ADDRESS & PROPOSAL
NUMBER &
WARD

ITEM NUMBER &
RECOMMENDATION

No items in this Zone

Agenda Annex

<p style="text-align: center;">ZONE 2 – FAREHAM</p> <p style="text-align: center;">Fareham North-West</p> <p style="text-align: center;">Fareham West</p> <p style="text-align: center;">Fareham North</p> <p style="text-align: center;">Fareham East</p> <p style="text-align: center;">Fareham South</p>

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/19/1327/FP FAREHAM NORTH-WEST	1A FAREHAM PARK ROAD FAREHAM PO15 6LA SINGLE STOREY SIDE EXTENSION & SUBDIVISION OF EXISTING UNIT TO FORM TWO UNITS, USE OF ADDITIONAL UNIT WITHIN USE CLASS A3 (CAFE/RESTAURANT) & INSTALLATION OF EXTRACTOR HOOD AT REAR	1 PERMISSION
P/19/1185/RM FAREHAM NORTH	LAND NORTH OF FUNTLEY ROAD FUNTLEY FAREHAM TWENTY-SEVEN DWELLINGS, INTERNAL ROADS AND PARKING (APPEARANCE, SCALE AND LANDSCAPING - RESERVED MATTERS)	2 APPROVE

OFFICER REPORT FOR COMMITTEE

DATE: 12/02/2020

P/19/1327/FP
MR T FERATI

FAREHAM NORTH WEST
AGENT: ROBERT TUTTON TOWN
PLANNING CONSULTANTS LTD

SINGLE STOREY SIDE EXTENSION & SUBDIVISION OF EXISTING UNIT TO FORM TWO UNITS, USE OF ADDITIONAL UNIT WITHIN USE CLASS A3 (CAFÉ/RESTAURANT) & INSTALLATION OF EXTRACTOR HOOD AT REAR

1A FAREHAM PARK ROAD, FAREHAM, PO15 6LA

Report By

Susannah Emery – direct dial 01329 824526

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 receipt of a representation signed by the residents from five households and the contents of this representation being contrary to the Officer recommendation.

2.0 Site Description

2.1 This application relates to a commercial unit which lies at the south-eastern end of a small parade of four units which lies within the urban area just outside of the Highlands Road local centre to the north side of Fareham Park Road.

2.2 The units within this parade currently include a fish and chip shop (Use Class A5), a florist (Use Class A1) and two hairdressers (Use Class A1).

3.0 Description of Proposal

3.1 Planning permission is sought for the erection of a single storey side extension to the south-east side of the building measuring 2.3m in width and 12.5m in depth. The extension is currently under construction having been permitted last year as an extension to the existing retail unit.

3.2 It is now proposed to subdivide the enlarged unit into two units. One unit would remain as retail (Use Class A1) but the larger unit would be used as a café/restaurant (Use Class A3). The existing shopfront would be altered to provide each unit with a separate entrance.

3.3 An extraction system would be installed within the kitchen and an extractor hood would be fitted on the roof towards the rear of the A3 unit. The extraction hood would protrude 1m above the flat roof of the unit.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/19/0972/FP Side Extension to Existing Retail (Class A1) Unit
Permission 14 October 2019

P/17/1184/VC Variation of Condition 3 (Hours of Opening) to
P/17/0508/PC: (Part 3, Class C: Change Of Use From
Shop (A1) To Cafe/Restaurant (A3)
Permission 15 November 2017

P/17/0508/PC PART 3, CLASS C: CHANGE OF USE FROM SHOP
(A1) TO CAFE/RESTAURANT (A3)
Permission 22 June 2017

6.0 Representations

6.1 One representation has been received (signed by the occupants of five households) raising the following concerns;

- The unit should not be used as a fast food outlet
- Increased smells from extractor
- Visual appearance of extractor
- Traffic congestion on Fareham Park Road
- Limited size of unit suggests no seating will be provided and this will be a fast food outlet
- Where will waste bins be stored?

7.0 Consultations

INTERNAL

Environmental Health

- 7.1 No objection subject to the kitchen ventilation and extraction system being installed in accordance with details submitted. The hours of operation should be limited as described.

8.0 Planning Considerations

- 8.1 Planning permission (P/19/0972/FP) has previously been granted in 2019 for the erection of an extension to the existing retail unit of the same proportions as now sought. The enlarged unit could subsequently be sub-divided into two units without planning permission provided there was no change of use. Therefore it is the introduction of the A3 use within one of the subdivided units which results in the need for planning permission in this instance.
- 8.2 Prior approval (P/17/1184/VC) has previously been granted in 2017 for the use of the existing retail unit as a restaurant/café (Use Class A3). Prior approval was granted subject to a restriction on opening hours to between the hours of 16.30pm-22.00pm Monday-Thursday and 16.30pm-22.30pm Friday to Saturday. Details of an extraction system to be installed were also secured.
- 8.3 The A3 Use Class includes cafés and restaurants but not a hot food takeaway which has its own specific use class (A5). There is no permitted change from an A3 use to an A5 use without planning permission being sought. The concerns of the local resident in relation to a hot food takeaway are therefore not fully relevant to the current application. The submitted plans indicate the illustrative table layout within the unit, the provision of WC facilities and the location of the refuse bins within a timber store on the site frontage which were other matters raised.
- 8.4 The hours of use sought for the café/restaurant are as follows; 12.30pm - 22:00pm Monday to Friday and 12.30pm – 22:30pm Saturdays. This excludes opening on Sundays and Bank Holidays. It is not considered that the proposed café/restaurant use would have a significant impact on the living conditions of the occupants of neighbouring properties and the principle of an A3 use at this site has previously been accepted.
- 8.5 Roadside parking is currently evident along the northern side of Fareham Park Road in front of the commercial units which restricts the two way flow of traffic at this point. It is not considered that this proposal would significantly exacerbate the existing situation. There are double yellow lines on both sides of Fareham Park Road extending down from the application site to the Highlands Road junction and it not considered that the proposal would have any adverse impact on highway safety. There is ample car parking available at the Highlands Road local centre and there is a pedestrian link between the local centre and the application site. Given the proximity of the unit to the local centre Officers are of the view that it would be unreasonable to expect on site car parking provision, although the existing dropped kerb would enable two vehicles to pull on the frontage.

- 8.6 It is not considered that the extraction hood would be overly prominent within the streetscene or that it would have an adverse impact on the appearance of the surrounding area. It is not considered that the unit would produce the level of cooking smell associated with a hot food takeaway. In addition, the roof fitted hood is designed to eject air in an upwardly directed jet which avoids contaminating the air in the vicinity of the hood. It is stated that the ejection is so affective that you could install a fresh air inlet in the immediate vicinity of the hood. No concerns have been raised by Environment Health.
- 8.7 The proposal is considered to comply with the relevant local plan policies and is considered acceptable.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before within 3 years from the date of this 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 hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - i) Site Location Plan, Site Plan, Proposed Elevations & Floor Plans – drwg No. SD-1935-101 Rev E
 - ii) Proposed Extraction System Details (Filters:Jasun Envirocare PLC, Fan: S&P, Silencer: EMTEC)
 - iii) Details of Roof Hood (dated 24 September 2009, LINDAB)REASON: To avoid any doubt over what has been permitted.
3. The premises shall not be open for customers outside the following hours: -
12.30pm - 22:00pm Mondays – Friday
12.30pm - 22.30pm Saturdays
Not at all Sundays/Bank Holidays
REASON: To protect the occupiers of the nearby residential properties from possible disturbance.
4. The development hereby permitted shall be undertaken in accordance with the submitted details of the extraction system and hood. The extraction system and hood shall be retained in this condition for the lifetime of the use unless otherwise agreed in writing with the local planning authority.
REASON: To protect the living conditions of the occupiers of the nearby residential properties.

5. There shall be no tables and chairs placed outside the front of the premises for use by customers at any time, unless otherwise agreed in writing through the submission of a separate application to the Local Planning Authority.
REASON: To protect the living conditions of occupiers of the nearby residential properties.

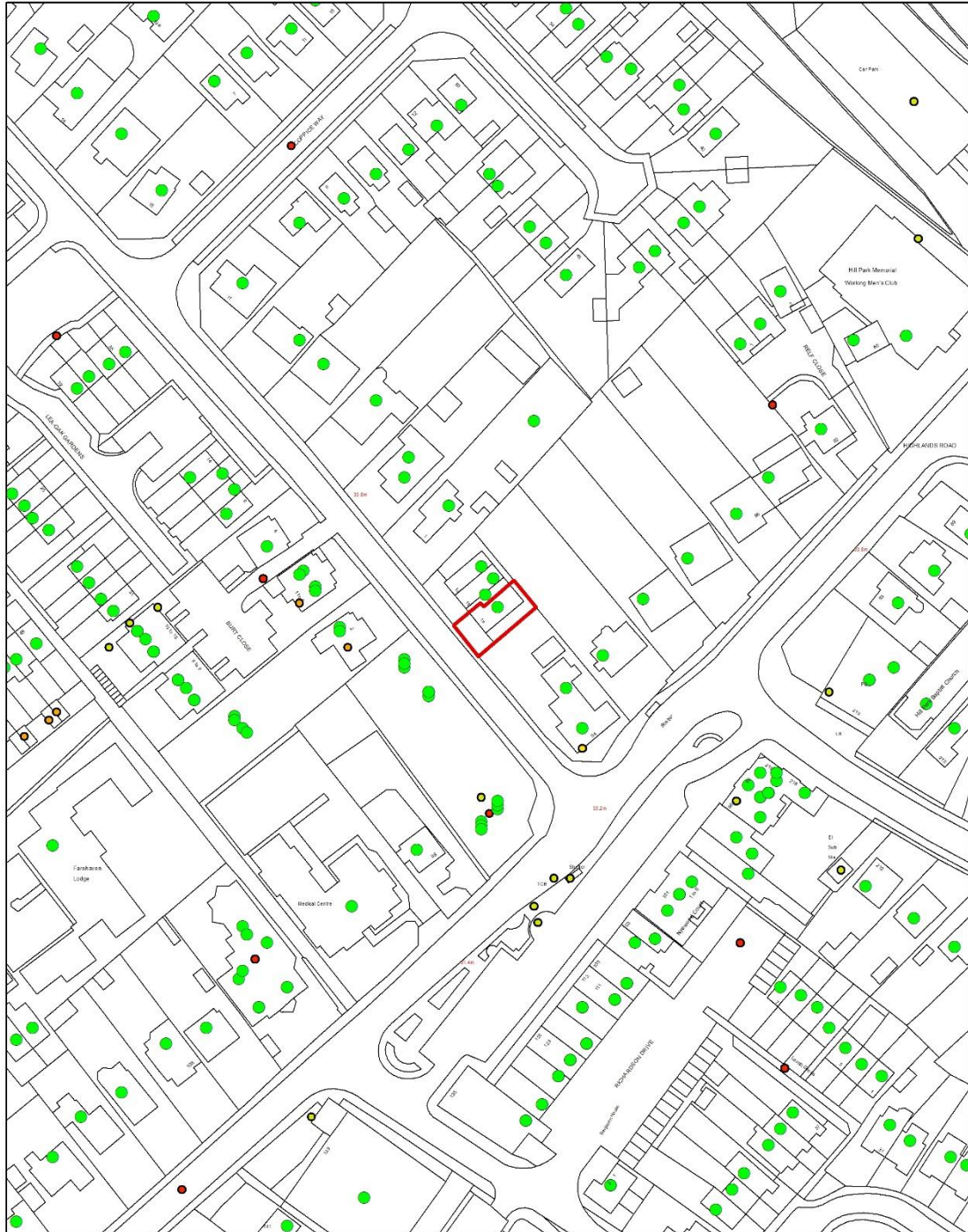
Note to applicant

All food businesses need to be registered with Environmental Health's Commercial Team a minimum of 28 days before trading.

11.0 Background Papers

FAREHAM

BOROUGH COUNCIL



1A Fareham Park Road

Scale 1:1,250



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OFFICER REPORT FOR COMMITTEE

DATE: 12/02/2020

**P/19/1185/RM
RESIDE DEVELOPMENTS LIMITED
AND ATHERFOLD INVESTMENTS
LTD**

**FAREHAM NORTH
AGENT: JAMES POTTER
ASSOCIATES**

TWENTY-SEVEN DWELLINGS, INTERNAL ROADS AND PARKING
(APPEARANCE, SCALE AND LANDSCAPING)

LAND NORTH OF FUNTLEY ROAD, FUNTLEY

Report By

Richard Wright – direct dial 01329 824758.

1.0 *Introduction*

- 1.1 This application has been reported to the Planning Committee for a decision to be made due to the number of third party comments received in response to publicity.
- 1.2 Outline planning permission was granted in November 2018 for up to twenty-seven dwellings on this site along with associated infrastructure, means of access and demolition of existing agricultural building (reference P/17/1135/OA). A Section 106 agreement secured, amongst other things, the provision of a permissive footpath from Funtley Road to Thames Drive and associated works to upgrade the existing bridge over the M27 motorway.
- 1.3 At the Planning Committee meeting held on 11th December 2019 Members resolved to approve the proposed layout of the site under the first of the reserved matters that were submitted (reference P/19/0864/RM).

2.0 *Site Description*

- 2.1 The site measures 0.96 hectares (2.4 acres) in area and is situated immediately to the north of Funtley Road.
- 2.2 To the north and east the site adjoins housing development on the site of the former Funtley Abattoir. To the north west of the site is a designated area of public open space. To the west of the site are a small number of frontage dwellings with long rear gardens.
- 2.3 The site is relatively flat, falling gently to the north. It currently comprises horse paddocks.

- 2.4 There is an existing access to the site in the south eastern corner and an unmade track runs diagonally across the site to an agricultural storage building/stables located in the north west corner.
- 2.5 The existing southern boundary to Funtley Road is marked by a hedgerow containing some trees towards its eastern end. The western boundary is largely defined by an evergreen hedgerow, with the eastern and northern boundaries formed with varying types and sizes of planting.
- 2.6 The site lies outside of the urban settlement boundary.

3.0 Description of Proposal

- 3.1 This application follows the committee's resolution to approve the layout of the scheme with details of the remaining reserved matters of appearance, scale and landscaping of the development. The means of access to the site was a matter agreed at the outline stage.
- 3.2 The submitted details show that the proposed houses would be two storey in scale throughout, traditional in style and design with dual pitched roofs. The landscaping scheme proposed comprises a mixture of predominantly herbaceous soft landscaping with mainly asphalt hard surfacing throughout.

4.0 Policies

- 4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

- CS2 – Housing Provision
- CS4 – Green Infrastructure, Biodiversity and Geological Conservation
- CS6 – The Development Strategy
- CS14 – Development Outside Settlements
- CS15 – Sustainable Development and Climate Change
- CS16 – Natural Resources and Renewable Energy
- CS17 – High Quality Design

Adopted Development Sites and Policies

- DSP1 – Sustainable Development
- DSP2 – Environmental Impact
- DSP3 – Impact on Living Conditions
- DSP13 – Nature Conservation
- DSP15 – Recreational Disturbance on the Solent Special Protection Areas
- DSP40 – Housing Allocations

Other Documents:

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/17/1135/OA OUTLINE PLANNING PERMISSION WITH ALL
MATTERS RESERVED (EXCEPT FOR ACCESS),
FOR RESIDENTIAL DEVELOPMENT OF UP TO 27
DWELLINGS (USE CLASS C3) WITH ASSOCIATED
INFRASTRUCTURE, MEANS OF ACCESS AND
DEMOLITION OF AGRICULTURAL BUILDING
PERMISSION 27/11/2018

P/19/0864/RM TWENTY-SEVEN DWELLINGS, INTERNAL ROADS
AND PARKING (LAYOUT ONLY)
RESOLVED TO GRANT PERMISSION

6.0 Representations

6.1 Five letters have been received in response to the application, including one from The Fareham Society, objecting on the following grounds:

- Distribution of affordable rented housing not fair
- Design should consist of more 4/5 bedroom properties to reflect surrounding area
- Increased noise and disturbance
- Loss of privacy
- Density of development is too high
- Lack of visitor parking and inadequate parking provision in general
- Eastern boundary of site should be a brick wall for privacy purposes
- Drainage concerns
- Concern over extent of asphalt surfacing proposed

7.0 Consultations

INTERNAL

Trees

7.1 No objection

Horticultural Development Officer

7.2 Landscape management plan

This is concise and in the main well considered, appropriate to the planting chosen and aims to be of a high standard. It is a good model document.

Soft Landscaping surrounding properties

The planting design, species and cultivars chosen are actually quiet refreshing for housing development and have obviously been put together by those with the appropriate knowledge so all credit here.

The mixes are a predominantly herbaceous with a mix of seasonal flowering species, grasses and scented leaved plants that will be very much appropriate to the developments location being semi-rural, urban edge. They are very much reminiscent of 'a cottage garden feel' are nectar and pollen rich proving beneficial for the local biodiversity of the area.

Meadow

The proposed meadow seed mix from Emorsgate comprises native grown and collected seed and is again quiet fitting to the location. Establishment of such meadows is not easy so careful observation and intervention through the establishment period will be required to achieve the desired outcome. Reference is made to this within the year 1 – 5 establishment period of the MP.

There is mention of plug planting 'within existing areas of informal grassland' which although a nice idea is unlikely to succeed due to its rich and ornamental dense nature. Either leave as is or prepare as new meadow as proposed above.

8.0 Planning Considerations

- 8.1 The principle of residential development on this site has already been established in the granting of outline consent by this Council (reference P/17/1135/OA). The proposed layout has already received a resolution to grant permission from this committee (reference P/19/0864/RM). The remaining reserved matters of appearance, scale and landscaping as submitted in this current application are discussed below.
- 8.2 The site lies in the countryside beyond the urban settlement boundaries. However, it is bound on its western, eastern and much of its northern side by built form and residential properties. The adjacent housing development of Roebuck Avenue, Deer Leap and Stag Way abuts the site's northern and eastern boundaries. The houses on this estate, which was granted planning permission in the late 1990s on the site of an abattoir, are predominantly two storey in scale in a traditional architectural style similar to that hereby proposed on the application site. The proposed housing would therefore respond positively to the existing surrounding built form.

- 8.3 When previously considering the proposed layout Officers were satisfied that there was sufficient space for appropriate landscaping to be carried out within the site to achieve a satisfactory appearance to the development as a whole. There is a generous landscaping buffer along the southern boundary of the site punctuated only by the vehicular and pedestrian accesses. The proposed landscaping scheme, which consists of mainly herbaceous planting reminiscent of a 'cottage garden feel' and a small number of appropriately selected tree species, is considered acceptable. The applicant has provided details confirming that the roads, footpaths and landscaping areas (including the frontages of some plots) would be managed by a private management company.
- 8.4 Sufficient distance is retained between existing and proposed houses to ensure there would be no materially harmful effect on the light to, outlook from and privacy currently enjoyed by neighbouring properties. Subject to a condition requiring some windows to be obscure glazed and fixed shut up to a certain height, there would be no adverse overlooking of neighbouring properties.
- 8.5 There are a number of issues raised by third parties during the consultation period for this application which have already been considered either at the outline stage or first reserved matters concerning layout. These include issues relating to sufficient car parking, affordable housing, density and drainage.
- 8.6 Finally, in accordance with the habitat regulations, before deciding to grant planning permission the Council (as the competent authority under the regulations) must make an appropriate assessment. Officers have carried out an appropriate assessment which has concluded that the likely significant effects to European protected sites arising can be mitigated to ensure no adverse effects on the integrity of those sites. This is principally in light of the requirements of the Section 106 agreement and unilateral undertaking secured with the previously approved outline application and reserved matters application to make a financial contribution towards the Solent Recreation Mitigation Strategy and to take land currently used for grazing out of agricultural use in perpetuity.
- 8.7 In summary, Officers consider that the details submitted relating to the appearance, scale and landscaping of the proposed development should be approved.

9.0 Recommendation

- 9.1 APPROVE, subject to the following conditions:

1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a) 19019-Funtley-Planning HT Pack v1
 - b) 19019-2-12 RevA – Site Layout – Building Materials
 - c) 19019-PL-2-13 RevC – Site Layout – Boundary Materials
 - d) 19019-PL-2-14-RevA – Site Layout – Parking_Bins
 - e) DD365L01A_Hardworks Plan
 - f) DD365L02A Detailed Planting Plan 1 of 2
 - g) DD365L03A Detailed Planting Plan 2 of 2 and schedule
 - h) DD365R01A Soft LMP
 - i) Materials Schedule

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

2. The first floor windows proposed to be inserted into the south elevation of the dwelling hereby approved on plot 3, the east elevation of the dwelling hereby approved on plot 13, the west elevation of the dwelling hereby approved on plot 19 and the east elevation of the dwelling hereby approved on plot 27 shall first be:
 - a) Obscure-glazed; and
 - b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;

and shall thereafter be retained in that condition at all times.

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

10.0 Notes for Information

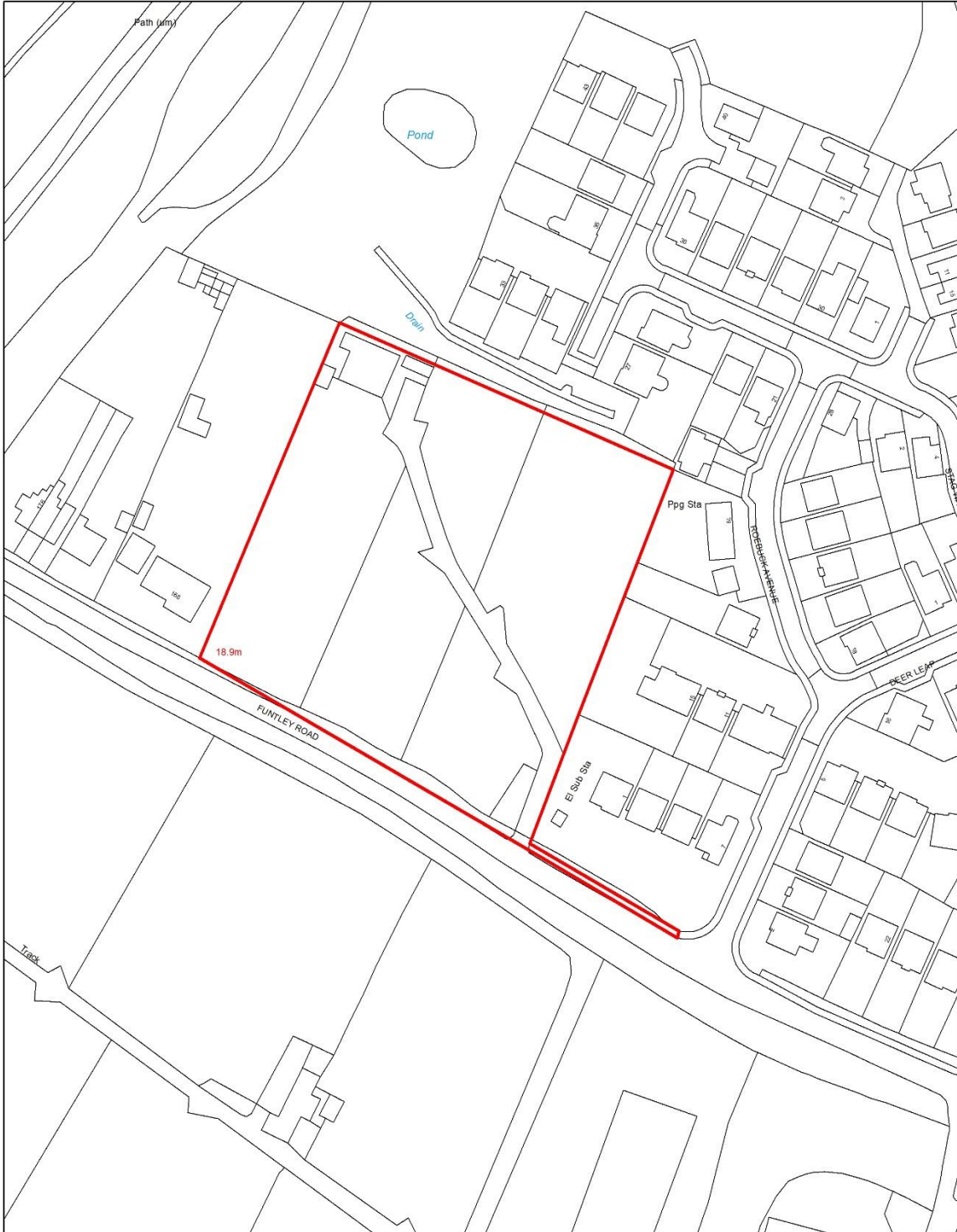
None.

11.0 Background Papers

P/17/1135/OA; P/19/0864/RM; P/19/1185/RM

FAREHAM

BOROUGH COUNCIL



Land North of Funtley Road
Scale: 1:2,500



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Agenda Annex

ZONE 3 – EASTERN WARDS

Portchester West

Hill Head

Stubbington

Portchester East

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/19/0925/FP PORTCHESTER EAST	TURRET HOUSE HOSPITAL LANE PORTCHESTER FAREHAM PO16 9LT DETACHED DWELLING WITH PARKING & ACCESS FROM HOSPITAL LANE AND ASSOCIATED LANDSCAPING & DRAINAGE WORKS	3 REFUSE

OFFICER REPORT FOR COMMITTEE

DATE: 12/02/2020

P/19/0925/FP

MR T LAWRENCE & MS A DEWEY

PORTCHESTER EAST

AGENT: A D P ARCHITECTS LTD

DETACHED DWELLING WITH PARKING & ACCESS FROM HOSPITAL LANE
AND ASSOCIATED LANDSCAPING & DRAINAGE WORKS

TURRET HOUSE, HOSPITAL LANE, PORTCHESTER

Report By

Richard Wright – direct dial 01329 824758

1.0 Introduction

- 1.1 The application site comprises land owned by Councillors Walker and Bell. As a result this application is reported to the Planning Committee for a decision as opposed to being determined under Officer delegated powers.
- 1.2 The application has received a total of seven letters of representation comprising a mixture of objection and support for the proposals.

2.0 Site Description

- 2.1 The application site comprises a paddock located just north of the private access track leading to Turret House. That track, which also forms part of the red-edged application site, leads westwards from the end of Hospital Lane with a timber post and rail fence along much of its southern edge. The track measures approximately 300 metres in length. Where the track abuts the paddock the fence turns into a block and brick wall and a set of metal entrance gates and brick piers are positioned at this point.
- 2.2 Southwards, beyond the fence and wall which lines the track, is a public footpath which runs along the length of the harbour shoreline. Portsmouth Harbour is a designated site under international law - a Special Protection Area (SPA) and Ramsar site. The harbour is also part of the Solent and Dorset Coast Special Protection Area (SPA) and a Site of Special Scientific Interest (SSSI).
- 2.3 The paddock, the site of the new dwelling and its garden, is approximately 0.35 ha in size and is bound by trees and vegetation on its northern, southern and eastern boundaries. The most notable mature trees are along the northern boundary between the application site and the Council owned Roman Grove allotments. In the north-western corner of the paddock stands a stable building positioned along the boundary wall to Turret House.

- 2.4 The site is located within a stretch of largely undeveloped coastline which, for planning purposes having regard to the adopted local plan, lies within the countryside and outside of the urban settlement boundaries.
- 2.5 To the west of the application site lies Turret House surrounded by a boundary wall, to the west of which is Kenwood Road play area. To the immediate east of the site is another paddock beyond which lies the western edge of the Portchester Castle Street Conservation Area. Between there and the urban area around Castle Street lies an area of open land important to the character and setting of the Conservation Area and Portchester Castle itself which lies a short distance further eastwards.
- 2.6 The Environment Agency (EA) flood maps show the majority of the site is located in Flood Zone 3. A small area of the northern part of the site is in Flood Zone 2 and the northernmost part in Flood Zone 1. Correspondence from the Environment Agency included in the applicant's Flood Risk Assessment indicates that the EA consider the proposed dwelling would lie within Flood Zone 2.

3.0 *Description of Proposal*

- 3.1 Full planning permission is sought for a detached dwelling with parking, access from Hospital Lane and associated landscaping and drainage works.
- 3.2 The application proposes a three-bedroom single storey dwelling on raised ground towards the northern site boundary. The submitted site plan indicates that an area of ground approximately 19 metres x 30 metres would be raised resulting in the finished floor level of the dwelling standing around 1.6 - 1.8 metres higher than existing ground levels. The applicant's submission explains that the raising of the land on which the dwelling is proposed to be built is due to the potential risk of flooding.
- 3.3 The dwelling is described by the applicant as having a low contemporary form. The submitted drawings show the dwelling as having a flat sedum roof between 4.2 and 5.4 metres above existing ground level with the tallest parapet feature standing approximately 5.9 metres above existing ground level. The proposed materials consist of a mixture of stonework, grey metal fascias and soffits and timber effect cladding.
- 3.4 The existing stable building is intended to be converted for storage purposes incidental to the new dwelling. The site plan also shows three parking spaces, an external platform lift, raised path for emergency escape in the event of flooding and a ground frame solar PV system.

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

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP5 – Protecting and Enhancing the Historic Environment

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

Other Documents

Residential Car and Cycle Parking Standards Supplementary Planning Document (November 2009)

Design Guidance Supplementary Planning Document excluding Welborne (Dec 2015)

5.0 Relevant Planning History

5.1 No relevant planning history.

6.0 Representations

6.1 Three representations of objection have been received, including one from the Portchester Society and one written on behalf of the residents of four houses on Hospital Lane. The letters raise the following material planning considerations:

- Modern design not in keeping with area.
- Greenfield site.

- Will set a precedent if allowed.
- Site on edge of conservation area.
- Building on flood plain.
- Access is via a single track road, Hospital Lane, which has retained a rural character and is not suitable for construction traffic.
- Safety of pedestrians using Hospital Lane.

6.2 Four representations of support have been received, one of those from the Portchester Civic Society on the proviso that “the legal position to build a house on this paddock is satisfied”. The following points are also made:

- Well planned/thought out project involving a quality architect.
- Traffic is minimal.
- Tree surveys and flood surveys have been completed.
- Problems with sat nav directing vehicles down Hospital Lane by mistake.

7.0 Consultations

EXTERNAL

Historic England

7.1 No comment. Historic England suggest that the Council seeks the views of their own specialist conservation and archaeological advisers, as appropriate.

Highways

7.2 No objection. The proposed development will generate additional traffic along Hospital Lane which is predominately single width along its length. The increase of one dwelling accessing via this route is not considered to be detrimental to highway safety. Hospital Lane serves a minimal quantum of dwellings and the nature of the road tends to low speeds. It should be noted that passing places are infrequent and of minimal standard. Notwithstanding this, the event of two vehicles meeting is considered to be an unlikely event and required reversing to passing points will not cause any safety concerns or undue highway impact.

After reviewing the proposals, the Highway Authority is satisfied that there is no direct or indirect impact upon the operation or safety of the local highway network.

Environment Agency

7.3 No objection subject to conditions relating to the void beneath the proposed dwelling and ensuring compliance with the submitted flood risk assessment.

Natural England

- 7.4 No objection. In the case of this application, the applicant proposes to create a new public sewer connection for both the proposed dwelling and the existing adjacent dwelling at Turret House, which is currently served by a septic tank. The applicant has submitted information stating that the existing septic tank at Turret House currently discharges basically treated effluent to the ground within the site. In their assessment the applicant has demonstrated that by removing the septic tank at Turret House there would be a reduction in the amount of nitrogen being discharged to the water environment, even when allowing for the connection of the existing dwelling and the proposed new house to the public sewer. Natural England have been consulted on the proposals and have responded to say that in light of this information they are satisfied that this approach will ensure the proposed development achieves nutrient neutrality. This is provided the removal of the septic tank and connection of both properties to the mains sewer can be secured with the necessary parties, for example by way of a legal agreement.

HCC Archaeology

- 7.5 No objection.

INTERNAL

Ecology

- 7.6 No objection in respect of protected species on the application site. There is a requirement for the Council to undertake a habitat regulations assessment; as such the applicant is required to submit a nitrogen budget for the development and a Construction Environmental Management Plan (CEMP) is required [both documents have subsequently been provided by the applicant].

Contaminated Land

- 7.7 No objection.

Conservation

- 7.8 The site is located close to, but outside of the designated conservation area, adjacent to Turret House which is a substantial dwelling of distinctive design accessed via a long private driveway adjacent to the coastal footpath.
- 7.9 The conservation area appraisal notes that Hospital Lane has retained its rural character with limited development. The appraisal also notes that the wider setting comprises Portsmouth Harbour and Portchester Castle in the exposed location. The open space surrounding the settlement contains areas of land of great importance to the setting of the village and the castle and are designated as countryside in the local plan. It is significant to note that the

conservation area appraisal states that further development on this open land would harm the character of the conservation area and the setting of the castle. Whilst the site of the proposed building is not within the designated conservation area, it does have a similar open character and significant open views and there are glimpses of the castle from the coastal path which forms part of the wider setting of the conservation area.

- 7.10 The introduction of a residential dwelling in this sensitive rural and coastal location, close to the designated conservation area and Portchester Castle, would not provide any public heritage benefit and could adversely affect the long-term character and setting of the locality. The proposal would be intrusive and would not accord the established character and the wider setting of the designated conservation area and the open character of this locality. Whilst it is appreciated that each proposal is judged on its own merits the introduction of residential development in this sensitive area could encourage further proposals for development in this sensitive area.
- 7.11 In relation to NPPF Paragraph 196, this proposal would be considered to cause less than substantial harm and should therefore be weighed against any public benefit. In this case a single dwelling in this location would not be considered to provide any significant heritage or public benefit.

Trees

- 7.12 No objection.

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) The site's status as previously developed land;
- c) The principle of development in the countryside;
- d) Policy DSP40(i) & (iv);
- e) Policy DSP40(ii);
- f) Policy DSP40(iii) – including design and visual impact;
- g) Policy DSP40(v) – including highways, ecology and flood risk;
- h) Effect on heritage assets;
- i) 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 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:

- a) Approving development proposals that accord with an up-to-date development plan without delay; or*
- b) 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 proposed⁶; 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 Footnote 6 to Paragraph 11 reads:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”

8.11 Paragraph 177 of the NPPF 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) The site's status as previously developed land

8.13 The applicant has submitted counsel opinion on the application site comprising previously developed land (PDL). They contend that the site is PDL since it falls within the curtilage of the existing stables, and arguably the curtilage of Turret House itself.

8.14 The National Planning Policy Framework (NPPF) defines PDL as follows:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

8.15 Officers have also sought legal advice from this Council’s Solicitors, and following receipt of that advice agree that there is sufficient evidence in this case to demonstrate that the site is PDL.

8.16 Paragraph 117 of the NPPF states that:

“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land⁴⁴”.

8.17 Footnote 44 to paragraph 117 reads:

“Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity”.

8.18 The site lies outside of the existing urban settlement boundaries. In addition, although the land could be classified as PDL by virtue of constituting the curtilage of a building, the NPPF definition makes it clear that *“it should not be assumed that the whole of the curtilage should be developed”*. With the exception of the stables located to a small area along the boundary with the garden of Turret House at the far western extent of the site, the land is not built upon and contains no other permanent structures. Officers do not

consider that residential development on the site would make effective use of the land while safeguarding and improving the environment in which it sits as expected by NPPF paragraph 117. Furthermore, the site's development would conflict with several other NPPF policies including those designed to avoid flood risk and protect heritage assets. These are discussed later in this report.

c) The principle of development in the countryside

8.19 Policy CS2 (Housing Provision) of the adopted Core Strategy states that priority should be given to the reuse of PDL within the urban areas. Whilst the land is considered PDL it is not within the urban area and so the proposal does not comply with this policy.

8.20 Policy CS6 (The Development Strategy) goes on to say that development will be permitted within the settlement boundaries. As already mentioned, the application site lies within an area which is outside of the defined urban settlement boundary.

8.21 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.”

The construction of a new dwelling here would not represent an ‘acceptable form of development’ as envisaged by this policy. As set out later in this report, Officers consider the proposal would adversely affect the landscape character and appearance of the land.

8.22 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). However, new residential development will be permitted in instances where either it has been demonstrated that there is an essential need for a rural worker to live there permanently, it involves a conversion of an existing non-residential building or it comprises one or two new dwellings which infill a continuous built-up residential frontage. Officers can confirm that none of these exceptions apply to the application proposal.

8.23 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.

- 8.24 Further assessment of the degree of harm to the landscape character and appearance of the countryside and to what extent that harm is mitigated follows later in this report under Policy DSP40(iii).
- 8.25 In summary, when considering the principle of development, it is clear that there is conflict with various aims and objectives set out in national and local planning policy.

d) Policy DSP40(i) & (iv)

- 8.26 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.
- 8.27 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".*
- 8.28 Firstly, in relation to the first of these criteria at Policy DSP40(i), the proposal is for a single dwellinghouse which is relative in scale to the current shortfall.
- 8.29 In relation to Policy DSP40(iv), Officers have no concerns that the proposed dwelling could not be delivered in the short term.

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

e) Policy DSP40(ii)

8.31 The application site does not lie adjacent to the existing urban settlement boundary which, at its nearest point, is located approximately 125 metres north-west as the crow flies. There is a clear physical and visual separation between the site and the urban area. Officers are of the view therefore that housing development on the site would not relate well to, or be well integrated with, the existing urban area.

8.32 The nearest public house (The Cormorant on Castle Street) lies a relatively short distance away (650 metres) but down a long private driveway and single-track rural lane (Hospital Lane) without a pedestrian footway and with no street lighting along its whole length. Other local services and facilities accessed via this route are beyond what is considered a reasonable walking distance - Castle Primary School (1.2km), Portchester Community School (1.5km), Westlands Medical Centre (2.2km), Portchester District centre (1.7km) and Portchester railway station (1.9km). The nearest bus stop is on White Hart Lane approximately 1.1km from the application site. Officers consider the proposal does not accord with Policy DSP40(ii).

8.33 In addition the proposal is considered to be contrary to Policy CS5 (Transport Strategy and Infrastructure) of the adopted Fareham Borough Core Strategy which 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”*, and Policy CS17 (High Quality Design) which expects development to *“ensure permeable movement patterns and connections to local services, community facilities, jobs and shops”*.

8.34 In their submission, the applicant refers to the recent appeal decision at Land east of Down End Road (planning reference P/18/0005/OA; appeal reference APP/A1720/W/19/3230015). The applicant contends that the Inspector’s findings in that case, which dealt with a proposed scheme of 350 homes, are material to their own proposal for a single dwellinghouse insofar as the relative accessibility of the site is concerned.

8.35 In that appeal decision at paragraph 79 the Inspector found that:

“The development would fall short of being particularly accessible by transportation modes other than private motor vehicles... That said this development would be close to many other dwellings in Portchester and the accessibility to local services and facilities would be similar to that for many of

the existing residents of the area. Given the existing pattern of development in the area, I consider there would be few opportunities for new housing to be built in Portchester on sites that would be significantly more accessible than the appeal site... In that regard it is of note that the Council is considering allocating this site for development in connection with the preparation of its new local plan”.

8.36 The Inspector’s views on this issue therefore were given in the context of him considering whether it was realistic that large scale major development of that many dwellings could be accommodated in a more accessible location than the appeal site. Those views are in a different context to this current application which proposes one single house on a site which Officers have found not to be well located in terms of access by walking or public transport to local services and facilities.

f) Policy DSP40(iii) – including design and visual impact

8.37 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.

8.38 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. It also expects that *“In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from the land or water”*.

8.39 The application site is part of an area of largely undeveloped coastline and countryside located outside of the urban settlement areas of Portchester. The open character of this area can be appreciated from a number of viewpoints, including the coastal footpath which runs alongside the southern site boundary and more long distance views from within the harbour itself.

8.40 The dwelling proposed in this application comprises a single storey dwelling albeit raised out of the ground by around 1.6 – 1.8 metres as described earlier in this report. Taking account of the slight variance of ground levels as shown by the survey levels on the submitted plans, the dwelling would stand approximately 4.2 metres above existing ground level at its lowest point and

around 5.9 metres tall at its highest points (two parapet walls set in the centre of the front and eastern side elevations).

- 8.41 At these heights, and despite being set back in the plot away from the southern site boundary, the upper parts of the dwelling would be visible over the current enclosure of boundary vegetation from the public footpath which runs along the harbour shoreline and from the water itself. The dwelling would also be seen through gaps in the mature tree coverage running along the northern site boundary. The applicant has emphasised that existing boundary vegetation would remain; however the site's waterfront location and large picture windows set in the south facing elevations mean that the occupants of the dwelling would naturally wish to keep such boundary planting to a minimum to allow views out over the harbour. Officers consider it unlikely that future occupants would wish to retain boundary planting, especially along the southern boundary, at a height where it fully or substantially screened views of the dwelling.
- 8.42 Applying the various policy tests set out above; it is clear from the submission that the applicant has given careful consideration through the design to how the building would be viewed within its countryside context and how to minimise the adverse visual impact on the countryside. The materials proposed to be used, including a small amount of stonework, and the installation of a sedum roof, would assist in blending the dwelling into the surrounding landscaping. However, the dwelling would still result in a degree of visual intrusion into this countryside and coastal setting.
- 8.43 The applicant has provided a Landscape and Visual Impact Appraisal which concludes that there would be a Minor Adverse effect on the landscape character of the coastal fringe. They say views from the coastal footpath and Roman Grove cemetery would result in a Minor to Moderate Adverse visual effects. This appraisal would appear to broadly concur with Officers' own assessment of the landscape and visual impacts of the development. However, albeit at the lower end of the spectrum, the harm in visual and landscape terms is considered contrary to Policies CS14 & CS17 respectively.

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

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

Ecology

- 8.45 In relation to the effect of the development on protected species or habitats on the application site itself, the Council's ecologist has raised no objections

following consideration of the ecological appraisal submitted with the application.

- 8.46 The site is in very close proximity to the shoreline of The Solent. 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.
- 8.47 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).
- 8.48 The application site lies immediately adjacent the harbour shoreline and Portsmouth Harbour SPA and Ramsar site and the Solent and Dorset Coast SPA. In addition, there are other European protected sites which potentially would also 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.
- 8.49 The following paragraphs of this report set out potential impacts arising from recreational disturbance and increased wastewater.
- 8.50 In relation to recreational disturbance, 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 unilaterally made a payment towards the SRMP in order to provide this mitigation.
- 8.51 Turning to the increase in wastewater, 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.

- 8.52 In the case of this application, the applicant proposes to create a new public sewer connection for both the proposed dwelling and the existing adjacent dwelling at Turret House, which is currently served by a septic tank. The applicant has submitted information stating that the existing septic tank at Turret House currently discharges basically treated effluent to the ground within the site. In their assessment the applicant has demonstrated that by removing the septic tank at Turret House there would be a reduction in the amount of nitrogen being discharged to the water environment, even when allowing for the connection of the existing dwelling and the proposed new house to the public sewer. Natural England have been consulted on the proposals and have responded to say that in light of this information they are satisfied that this approach will ensure the proposed development achieves nutrient neutrality. This is provided the removal of the septic tank and connection of both properties to the mains sewer can be secured with the necessary parties, for example by way of a legal agreement.
- 8.53 In summary, Officers are satisfied on the basis of the submitted information, that European Protected Sites would not be adversely affected by increased wastewater resulting from the development. This is on the basis of the existing septic tank at Turret House being removed and both the existing house and proposed new house being connected to the public sewer. Had Officers been minded to grant planning permission, it would have been necessary to undertake an Appropriate Assessment and formally consult Natural England upon it. Mitigation such as that proposed by the applicant would ultimately be secured by way of a legal agreement with the relevant parties. In the absence of a legal agreement in place to secure this mitigation, the proposal would be contrary to Policies CS4 and CS6 of the Core Strategy and Policy DSP13 of the Local Plan Part 2: Development Sites & Policies.
- 8.54 In this particular case no Appropriate Assessment has been carried out by the Local Planning Authority under the 'habitat regulations'. 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 since the application is being recommended for refusal by Officers for other reasons, there is no requirement to carry out an Appropriate Assessment.

Flood risk

- 8.55 Paragraph 157 of the NPPF sets out a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate changes – so as to avoid, where possible, flood risk to people and property.
- 8.56 Paragraph 158 of the NPPF explains that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 8.57 The government's Planning Practice Guidance (PPG) sets out how the sequential, risk-based approach to the location of development should work in practice. This application of the sequential approach is known as the sequential test. It states that this general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.
- 8.58 The Environment Agency advise that the site is situated within Flood Zone 2 where the land is considered to have between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (medium probability of flooding).
- 8.59 When it comes to considering individual planning applications, the PPG advises that it is not normally necessary to apply the sequential test to development proposals in Flood Zone 1 (land with a low probability of flooding) or on sites which have been allocated in development plans through the local plan-making sequential test.
- 8.60 Having regard to the advice contained in the NPPF and PPG the proposed development should be subject to the sequential, risk-based approach to the location of development in relation to flooding. The PPG explains that it is for local planning authorities to consider the extent to which sequential test considerations have been satisfied, taking into account the particular circumstances in any given case.
- 8.61 No sequential test has been provided by the applicant. In the Flood Risk Assessment submitted with this application, instead of a sequential test the applicant has stated that the proposed elevated finished floor levels of the dwelling mean that the building is defined as falling within Flood Zone 1 and so inherently meets the sequential test. Officers do not believe that this is the correct approach which departs entirely from the sequential risk-based

approach set out in the NPPF and PPG. The principle of the sequential test is to locate development, as far as possible, away from the risk of flooding. Officers consider the correct approach would have been to carry out a sequential test to demonstrate that no other suitable sites are reasonably available in an area with the lowest probability of flooding. The application fails to demonstrate this through applying the sequential test and is contrary to those relevant parts of the NPPF and PPG described above.

- 8.62 Officers note that the Environment Agency (EA) have raised no objection to the application. Officers must stress however that this advice is in relation to the technical aspects of the applicant's proposal to raise the internal finished floor level of the dwelling. The EA have not commented on the application of the sequential test. Proposals such as raising floor levels to manage and mitigate the potential impact of flooding should only be considered when it has been successfully demonstrated that it is not possible to locate the development elsewhere away from the risk of flooding. As already mentioned, it is for the local planning authority to consider the extent to which the sequential test considerations have been satisfied.
- 8.63 In summary of the flood risk issue, the proposed development is contrary to NPPF paragraph 158 which clearly states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The applicant has failed to provide a sequential test to satisfy this matter.

Amenity

- 8.64 Officers are satisfied that the development would not be harmful to the living conditions of neighbouring residents.

Highways

- 8.65 The highway authority Hampshire County Council have raised no concerns over the proposal. Officers note that several of the letters from third parties in response to this application being publicised have raised concerns over increased traffic along Hospital Lane, however the increase in traffic movements arising from a single dwelling would not be so significant to be harmful to the safety of users of the highway.

h) Effect on heritage assets

- 8.66 The plot on which the proposed dwelling would stand lies approximately 30 metres from the south-western edge of Portchester Castle Street Conservation Area. The plot is around 325 metres south-west of Portchester Castle itself which is a Grade I Listed building and Scheduled Ancient

Monument. The conservation area and castle are therefore important designated heritage assets.

8.67 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty that local planning authorities shall, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.68 Section 72 of the Act meanwhile sets out a similar statutory duty with respect to any buildings or other land in a conservation area that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

8.69 Paragraph 193 of the NPPF sets out that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

8.70 NPPF paragraph 194 continues that:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.”

8.71 NPPF paragraph 196 adds that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

8.72 Policy DSP5 of the adopted Fareham Borough Local Plan Part 2 is the main development plan policy relating to protecting and enhancing the historic environment. Taking the pertinent points relevant to this proposal, it says that:

“...In considering the impacts of proposals that affect the Borough’s designated heritage assets, the Council will give great weight to their conservation (including those that are most at risk through neglect, decay, or other threats). Harm or loss will require clear and convincing justification in

accordance with national guidance. Substantial harm or loss to a heritage asset will only be permitted in exceptional circumstances.

Listed buildings will be conserved by...

a)...

b)...

c) ensuring that development does not harm, and if desirable, enhances their settings.

Development affecting a conservation area will be permitted where it preserves or enhances its character, setting and appearance, and

a) takes account of the relevant Conservation Area Character Appraisal and Management Strategy;

b) does not involve the loss of important features of an individual building that contribute to character and appearance of the conservation area and/or its setting;

c) its form, bulk, scale, height, massing, alignment, proportion, material, building form and use are appropriate, including having regard to the surrounding buildings, spaces and views;...

The Council will conserve Scheduled Monuments, and archaeological sites that are demonstrably of national significance, by supporting proposals that sustain and where appropriate enhance their heritage significance. Proposals that unacceptably harm their heritage significance, including their setting, will not be permitted..."

8.73 The Portchester Castle Street Conservation Area Appraisal and Management Strategy (January 2014) is an important material planning consideration. Whilst the site of the proposed dwelling does not lie within the conservation area, the effect of the development on the setting of the conservation area and Portchester Castle as designated heritage assets is material. The conservation area appraisal refers to the land between the proposed plot and Hospital Lane as "open land surrounding the settlement" (plan on page 26).

8.74 At page 16 the appraisal and management strategy says:

"The conservation area contains large areas of land that are of great importance to the setting of the village and the castle. These areas are designated as countryside in the Fareham Borough Local Plan and are outside the urban area. Further development on this open land would harm the character of the conservation area and the setting of the castle."

8.75 It continues that:

“To the west of the castle Hospital Lane marks the start of a large area of open land that is rural in character, with hedgerows and other planting. This land is important in defining the older settlement and contributes to the wider setting of the castle.”

8.76 *“The open land, gardens and allotments which provide a setting for the castle and the historic settlement”* are identified as key features to conserve and enhance (page 23).

8.77 The Council’s conservation consultant has raised concerns over the effect of the proposed dwelling would have on the character and setting of the conservation area and castle. Whilst the proposed dwelling would not be within the boundary of the conservation area, the site comprises part of the setting and has a similar open character to the open land surrounding the settlement within which the conservation character appraisal states further development would be harmful. The conservation consultant notes that across this land there are significant open views and glimpses of the castle from the coastal path. The visual intrusion into this landscape of the proposed dwelling would harm the character and setting of both the conservation area and the appreciation of the significance of Portchester Castle, although the level of harm would be at the lower end of less than substantial.

8.78 NPPF paragraph 196 requires that less than substantial harm be weighed against the public benefits of a proposed development. However Officers do not consider the very modest contribution towards addressing the Council’s shortfall in housing supply to amount to such a public benefit and there are no other benefits, for example in terms of enhancing or making a significant positive contribution towards the protection of the heritage assets in question.

8.79 For the above reasons the proposal is found to be contrary to local plan policy DSP5.

i) The planning balance

8.80 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”.

8.81 As set out in paragraph 8.11 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”.

8.82 In this instance Officers have identified likely significant effects on habitats sites. Officers acknowledge that the likely significant effects could be addressed by securing appropriate mitigation of the impacts from wastewater. It is also noted that the applicant has made a payment towards the SRMS to mitigate the impact of recreational disturbance. In light of the overriding reasons for refusal Officers have not undertaken an Appropriate Assessment. Accordingly the presumption in favour of sustainable development set out at Paragraph 11 of the NPPF does not apply.

8.83 The site is outside of the defined urban settlement boundary and the proposal does not relate to agricultural, forestry, horticulture or 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.

8.84 Officers have carefully assessed the proposals against Policy DSP40: Housing Allocations, which is engaged as this Council cannot demonstrate a 5YHLS. The proposal does not satisfy key tests set out in points (ii), (iii) and (v) of that policy. The site is not sustainably located adjacent to the urban area. The development would have a harmful effect on the character and appearance of the countryside and in doing so would be contrary to Policies CS14 & CS17 also. In addition, the proposal does not demonstrate that there are no other reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

8.85 The proposal has been found to result in less than substantial harm to designated heritage assets, a matter which should still be given great weight in the decision making process as set out in NPPF paragraph 193.

8.86 Officers have also given due regard to the updated 5YHLS position report presented to the Planning Committee in April 2019 and the Government steer in respect of housing delivery. Officers consider that the proposal would make a very limited contribution towards addressing the shortfall of houses in the Borough. The benefits of granting planning permission for granting a single house would not outweigh the harm identified above.

- 8.87 The applicant's assertion that the application site is previously developed land by virtue of being part of a curtilage is noted. Even accepting that the application site is previously developed land, it is essentially devoid of permanent structures. Officers do not consider that either national or local planning policies encourage the development of such sites especially where other harm is caused to national or local planning policies. Officers do not believe that the fact that the site is previously developed land is of such importance that it outweighs the harm identified. On the specific circumstances of this particular case, Officers consider that the fact the application site is previously developed land carries limited weight in the planning balance.
- 8.88 In light of this assessment, and taking into account all other material planning considerations, Officers recommend that planning permission should not be granted for this application. A recommendation for refusal is set out below at paragraph 9.1.
- 8.89 This balancing exercise has been made under Section 38(6) of the 2004 Act as set out above, however if the likely significant effects of the development on habitats sites had been addressed and an Appropriate Assessment had concluded no adverse effects on the integrity of the habitats sites, the presumption in favour of sustainable development, as set out in NPPF paragraph 11, would apply. The proposal does not accord with the development plan and the report above has shown how the proposal is contrary to two separate NPPF policies which provide clear reasons for refusing the development. In relation to flood risk, NPPF paragraph 158 states that development should not be permitted if there are other reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding and the applicant has failed to provide a sequential assessment in this regard. In relation to heritage assets meanwhile and NPPF paragraph 196, the proposal is found to result in less than substantial harm which is not considered to be outweighed by any public benefits of granting permission.
- 8.90 Finally, even if those reasons for refusal were not in place, Officers consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

9.0 Recommendation

- 9.1 REFUSE PERMISSION for the following reasons:

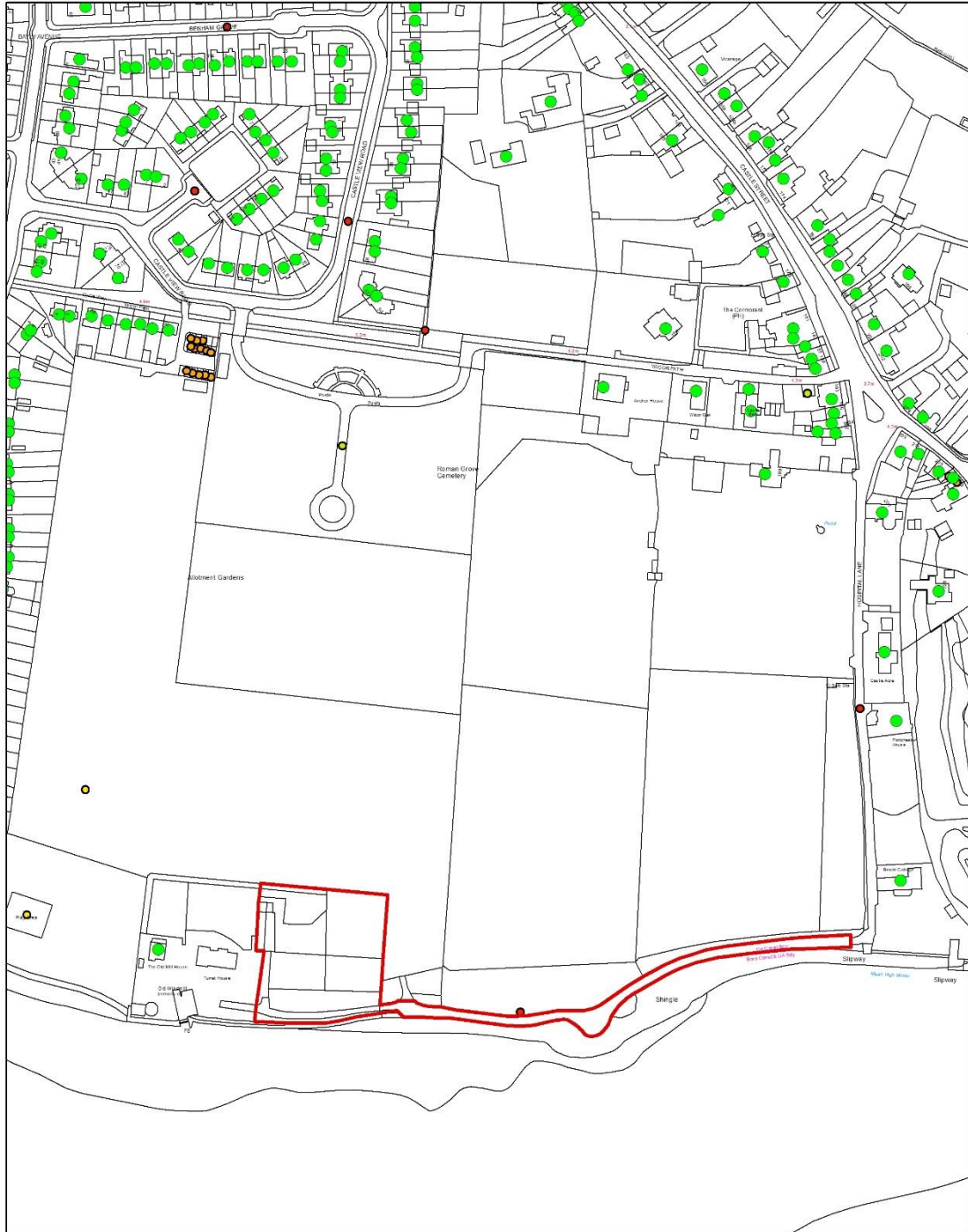
The development is contrary to Policies CS2, CS4, CS5, CS6, CS14, CS15 & CS17 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP5, DSP6, DSP13 & DSP40 of the Adopted Local Plan Part 2: Development Site and Policies Plan and is unacceptable in that:

- a) The provision of a dwelling in this location would be contrary to adopted Local Plan policies which seek to prevent additional residential development in the countryside;
- b) The proposed dwelling fails to respond positively to and be respectful of the key characteristics of the area and would be harmful to the character and appearance of the countryside;
- c) The application site is not sustainably located adjacent to, well related to or well integrated with the existing urban settlement boundaries;
- d) The proposal fails to provide a sequential test to demonstrate that there are no other reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding;
- e) The proposed dwelling would intrude into the area of open land west of Hospital Lane resulting in less than substantial harm to the significance of the setting of the Grade I Listed Scheduled Ancient Monument Portchester Castle and the Portchester Castle Street Conservation Area.
- f) In the absence of a legal agreement to secure such, the proposal fails to appropriately secure mitigation of the likely adverse effects on the integrity of European Protected Sites which, in combination with other developments, would arise due to the additional generation of nutrients entering the water environment;

10.0 Background Papers

P/19/0925/FP

FAREHAM BOROUGH COUNCIL



Turret House, Hospital Lane

Scale 1:2,500



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Agenda Item 7

PLANNING APPEALS

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

CURRENT	P/18/0376/FP Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	WRITTEN REPS Reilly Development Ltd Land to the rear of September Cottage Brook Avenue Warsash Committee REFUSE REFUSE 28 January 2020 AGAINST REFUSAL Four detached dwellings with associated garages, parking and landscaping following the demolition of existing industrial and storage buildings
CURRENT	P/18/1252/FP Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	WRITTEN REPS RGOM 21 Burr ridge Road Burr ridge Southampton Committee REFUSE REFUSE 2 October 2019 AGAINST REFUSAL Six 4-bedroom detached dwellings, amenity areas and a means of access from Burr ridge 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/19/0659/FP Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	HH APPEAL SERVICE Mr & Mrs Alistair Austin Abshot Cottage Hook Lane Warsash Southampton Officer Delegated Powers REFUSE REFUSE 15 January 2020 AGAINST REFUSAL Detached oak framed 2 bay open fronted garage
CURRENT	P/19/0793/FP Appellant: Site:	HH APPEAL SERVICE Mr & Mrs Fronda 14 Sumar Close Fareham

Decision Maker: Committee
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 1 November 2019
Reason for Appeal: **AGAINST REFUSAL**
Two storey rear extension and front porch extension

CURRENT **P/19/1073/TO** **HH APPEAL SERVICE**
Appellant: **Mr Moon**
Site: 6 Alum Way Fareham
Decision Maker: Officer Delegated Powers
Recommendation: REFUSE
Council's Decision: REFUSE
Date Lodged: 4 December 2019
Reason for Appeal: **AGAINST REFUSAL**
T14 Lime: Fell due to excessive shading and replant an Acer in its place.

HEARING **P/18/1212/LU** **PUBLIC INQUIRY**
Appellant: **Borderland Fencing Ltd**
Site: Borderland Fencing New Road Swanwick Southampton
Decision Maker: 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** **PUBLIC INQUIRY**
Appellant: **Borderland Fencing Ltd**
Site: **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/18/1093/TO** **HH APPEAL SERVICE**
Appellant: **Mr Norman Matthew**
Site: 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**