

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 21 April 2021

Time: 2.30 pm

Venue: Microsoft Teams Virtual Meeting

Members:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors F Birkett
T M Cartwright, MBE
P J Davies
M J Ford, JP
Mrs C L A Hockley
L Keeble
R H Price, JP

Deputies: K A Barton
J S Forrest
S Dugan
Mrs K Mandry
Mrs K K Trott



1. Apologies for Absence

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

To confirm as a correct record the minutes of the Planning Committee meeting held on 17 March 2021.

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

- (1) **P/21/0133/RM - LAND ADJOINING 79 GREENAWAY LANE, WARSASH**
(Pages 10 - 20)

ZONE 2 - FAREHAM

- (2) **P/21/0367/FP - 5 BRIARWOOD CLOSE FAREHAM PO16 0PS** (Pages 22 - 29)

ZONE 3 - EASTERN WARDS

7. Planning Appeals (Pages 31 - 34)



P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
13 April 2021

**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, 17 March 2021

Venue: Microsoft Teams Virtual Meeting

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors: F Birkett, T M Cartwright, MBE, P J Davies, M J Ford, JP,
Mrs C L A Hockley, L Keeble and J S Forrest (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

The Chairman used the Chairman's announcements to outline how intended to run the meeting.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

4. 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	Item No/ Application No/Page No	DEP Type
ZONE 1 – 2.30pm					
Mrs H Megginson (Lead Petitioner)		LAND BETWEEN AND TO THE REAR OF 56-66 GREENAWAY LANE – OUTLINE APPLICATION FOR UP TO 28 DWELLINGS TOGETHER WITH ASSOCIATED LANDSCAPING, AMENITY SPACE, PARKING AND A MEANS OF ACCESS FROM GREENAWAY LANE	Opposing	5 (1) P/18/0756/OA Pg 3	Video
Mr R Holford		-Ditto-	-Ditto-	-Ditto-	Written
Mr T Button		-Ditto-	-Ditto-	-Ditto-	Written
Mr R Megginson		-Ditto-	-Ditto-	-Ditto-	Video
Mrs V Wyatt		-Ditto-	-Ditto-	-Ditto-	Written
Mr S Brown (Agent)		-Ditto-	Supporting	-Ditto-	Written
Mr D Newell		68 TITCHFIELD	Supporting	5 (2)	Written

(Agent)		PARK ROAD TITCHFIELD PO15 5RN – CONVERSION & EXTENSION OF FORMER CARE HOME TO SIX 1- BED FLATS & THREE 2-BED FLATS		P/20/1137/FP Pg 29	
ZONE 2 – 2.30pm					
ZONE 3 – 2.30pm					
Ms J Hind		LAND TO WEST OF NORTHFIELD PARK, UPPER CORNAWAY LANE PORTCHESTER – USE OF LAND FOR STATIONING OF AGED PERSONS’ RESIDENTIAL PARK HOMES (WITH COMMUNITY UNIT)	Supporting	5 (3) P/18/1437/FP Pg 50	Video

5. 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/18/0756/OA - LAND BETWEEN AND TO THE REAR OF 56-66 GREENAWAY LANE WARSASH

The Committee received the deputations referred to in Minute 4 above.

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

1. *Since the publication of the Committee Report, a response from Natural England was received regarding the Council’s Appropriate Assessment. The response requested further additional information regarding the nitrogen budget calculation and clarification on the surface water drainage disposal.*

Following a review of the comments, and additional 0.75kg worth of mitigation credits has been agreed to be purchased by the applicant from the HIWWT scheme at Little Duxmore Farm to address the minor shortfall in mitigation based on proposed land uses.

Additionally, further details regarding concerns that surface water drainage (SuDS) could impact on local watercourses that feed into The Solent were provided to Natural England.

Natural England has subsequently responded raising no concerns with the additional information provided, subject to the drainage details being secured by the Council.

2. Additional Condition regarding securing the nitrate credits:

The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between FBC, IWC and HIWWT dated 30 September 2020 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.

REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

3. Nine additional third party letters have been received since the neighbour notifications that the application was going to committee were issued. No new substantive issues were raised that had not already been addressed in the main Committee Report.

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

(Voting: 6 in favour; 3 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposal would be contrary to Policies CS5, CS17, CS18 & CS20 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP15 and DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plan, and is unacceptable in that:

- i) the development would result in increased vehicle movements along Greenaway Lane, which has no footpaths and limited street lighting, and is well used by pedestrians. The increased vehicular use of the Lane is likely to adversely affect the safety of Greenaway Lane as a pedestrian route;
- ii) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;
- iii) in the absence of a legal agreement to secure such, the proposal would fail to provide a financial contribution towards education provision;

- iv) in the absence of a legal agreement to secure such, the development proposal would fail to secure provision of affordable housing at a level in accordance with the requirements of the Local Plan;
- v) in the absence of a legal agreement to secure such, the proposal would fail to secure the provision of highway improvements required to meet the needs of existing and future occupiers of Greenaway Lane; and,
- vi) in the absence of a legal agreement to secure such, the proposal would fail to secure appropriate pedestrian and cycle links to the adjoining residential developments.

(2) P/20/1137/FP - 68 TITCHFIELD PARK ROAD TITCHFIELD PO15 5RN

The Committee received the deputation referred to in Minute 4 above.

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

An amended site plan has been received (drwg No. 2021/101 Rev G). The Council's refuse team has attended the site with the refuse lorry and met with the planning agent. Consequently the proposed bin store has been relocated to the southern side of the existing access to ease collection for the operators.

Amended condition 2 (schedule of approved plans/documents) and 13 (cycle store provision) accordingly with updated plan number.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report, and amended condition 2 as per the update report, was voted and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that subject to, the conditions in the report and the amended condition 2 in the update report, PLANNING PERMISSION be granted.

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

The Committee received the deputation referred to in Minute 4 above.

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

- i) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
 - a) To secure a financial contribution towards the Solent Recreational Mitigation Strategy (SRMS);

- b) To secure a financial contribution of £17,648 towards improvements to footpath 117;
 - c) To secure a financial contribution of £511,693 towards off-site affordable housing provision; and
- ii) The conditions in the report.
Was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that subject to: -

- i) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
 - a) To secure a financial contribution towards the Solent Recreational Mitigation Strategy (SRMS);
 - b) To secure a financial contribution of £17,648 towards improvements to footpath 117;
 - c) To secure a financial contribution of £511,693 towards off-site affordable housing provision; and
- ii) 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 circulated prior to the meeting and was considered along with the relevant agenda item.

6. TREE PRESERVATION ORDER 767 - 74, 80, 84 & 86 HOLLY HILL LANE, SARISBURY GREEN

The Committee considered a report by the Director of Planning and Regeneration on TPO No. 767 – 74, 80, 84 & 86 Holly Hill Lane, to which one objection to the making of a provisional order was raised.

RESOLVED that the Committee agreed that Tree Preservation Order No. 767 be confirmed.

7. TREE PRESERVATION ORDERS

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

Fareham Tree Preservation Order No. 766 2020 – Land North of Hazlebank, New Road, Swanwick, Sarisbury.

Order served on 13 November 2020 and covers one individual oak tree, to which no formal objection have been received.

RESOLVED that Fareham TPO 766 be confirmed, without modification, as made and served.

Fareham Tree Preservation Order No. 768 2020 – Kingfishers, Fishers Hill, Catisfield, Titchfield.

Order served on 4 December 2020 and covers six individual trees (2x oak, 2x walnut, 1x deodar, 1x tulip tree), to which no formal objections have been received.

RESOLVED that Fareham TPO 768 be confirmed, without modification, as made and served.

(The meeting started at 2.30 pm
and ended at 5.44 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date: 21 April 2021

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

All planning applications will be heard from 2.30 onwards.

ZONE 1 – WESTERN WARDS

Park Gate

Titchfield

Sarisbury

Locks Heath

Warsash

Titchfield Common

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/21/0133/RM WARSASH	LAND ADJOINING 79 GREENAWAY LANE WARSASH SO31 9HT RESERVED MATTER APPLICATION FOR THE LAYOUT, APPEARANCE, SCALE AND LANDSCAPING FOR PHASE 1-7 OF P/18/0107/OA (OUTLINE APPLICATION FOR THE ERECTION OF UP TO 30 RESIDENTIAL UNITS AND ASSOCIATED DETACHED GARAGES. REVISED SCHEME INCORPORATING ACCESS TO THE SOUTH) AND DISCHARGE OF CONDITION 9 (BIODIVERSITY ENHANCEMENT AND MITIGATION PLAN).	1 APPROVE

Agenda Item 6(1)

OFFICER REPORT FOR COMMITTEE

DATE: 21/04/2021

P/21/0133/RM
LORRAINE HANSLIP

WARSASH
AGENT: PAUL AIREY

RESERVED MATTER APPLICATION FOR THE LAYOUT, APPEARANCE, SCALE AND LANDSCAPING FOR PHASE 1-7 OF P/18/0107/OA (OUTLINE APPLICATION FOR THE ERECTION OF UP TO 30 RESIDENTIAL UNITS AND ASSOCIATED DETACHED GARAGES. REVISED SCHEME INCORPORATING ACCESS TO THE SOUTH) AND DISCHARGE OF CONDITION 9 (BIODIVERSITY ENHANCEMENT AND MITIGATION PLAN).

LAND ADJOINING 79 GREENAWAY LANE, WARSASH

Report By

Rachael Hebden – direct dial 01329 824424

1.0 Introduction

- 1.1 The application is being considered by the Planning Committee because the number of representations received exceeds the threshold which enables delegated decisions to be made.
- 1.2 The outline application (for up to thirty houses) was initially considered by the Planning Committee on 20th June 2018 where it was resolved to grant planning permission subject to conditions and the applicant entering into a Section 106 legal agreement.
- 1.3 An updated report was taken to the planning committee again on the 10th October 2018 and included (amongst other items) details of the Appropriate Assessment together with a consideration of the implications of the recent judgement of the Court of Justice of the European Union. The committee noted the contents of the report.
- 1.4 On 5th December 2019, full Council delegated authority to the Head of Development Management to determine planning applications where the application had already been considered by the Planning Committee, the Planning Committee had resolved to grant planning permission and an Appropriate Assessment had been carried out and concluded that the proposed development would not have an adverse effect on European designated sites subject to mitigation where identified. The outline application met these criteria and it was granted planning permission under this delegated authority on 20th January 2021.

- 1.5 The outline application proposed six houses fronting Greenaway Lane with access from Greenaway Lane. The remaining twenty-four houses were located in the southern portion of the site with access proposed from Lockswood Road. The application contained a phasing plan with phase 1 comprising the access from Greenaway Lane and phases 2-7 comprising the 6 houses fronting Greenaway Lane. This reserved matter application is for the first 7 phases, that is the access from Greenaway Lane and the 6 houses fronting Greenaway Lane.
- 1.6 Members will recall resolving to grant planning permission for a separate application (reference P/18/0884/FP) also for six houses fronting Greenaway Lane at planning committee on 24th June 2020, subject to conditions and the completion of a s106. The application was subsequently approved on the 11th August 2020.
- 1.7 Members will be aware that this planning permission reference P/18/0884/FP, granted in respect of part of this site, is currently subject to a judicial review challenge. A number of representations request that the determination of this reserved matters application be deferred until the outcome of this judicial review is known. The Council has already accepted the principle of development on this site by approving the outline application, which is not subject to challenge. The outline planning permission will not be quashed if the Council loses the judicial review in respect of the permission relating to part of this site, and therefore there is no need to defer determining this application when the Council is under a statutory duty to do so.
- 1.8 Phases 1-7 of the outline permission that are the subject of this application propose six houses using the same access from Greenaway Lane and in the same location as the dwellings approved under P/18/0884/FP. The only differences between the applications insofar as this part of the site is concerned are that P/18/0884/FP proposed mitigation to ensure nitrogen neutrality in the form of on-site reed beds, whereas this application relies on nitrate mitigation secured under the outline permission in the form of nitrate 'credits' purchased from the Hampshire and Isle of Wight Wildlife Trust's scheme that removes land from agricultural production on the Isle of Wight. The materials proposed for plot 2 also differ between the approved and proposed plans.

2.0 Site Description

- 2.1 The application site measures 0.820 hectares and is located to the south of Greenaway Lane. The site comprises an open field which is predominantly flat with a gentle slope from the north-east corner towards the south-west.
- 2.2 A row of substantial trees fronting Greenaway Lane in addition to a treed western boundary are covered by Tree Preservation Orders. A single detached

house with access direct from Greenaway Lane is located in the centre of the field but outside of the application site.

- 2.3 Residential dwellings are located to the east, west and north of the application site. To the immediate south east of the site is a private road which links Greenaway Lane to Warsash Road in the south. The Vero Industrial site is located to the south of the site.
- 2.4 The site is located outside of the defined urban settlement boundary and therefore for planning policy purposes is considered to be countryside. It is located in close proximity to Warsash local facilities.

3.0 *Description of Proposal*

- 3.1 The application is for those reserved matters relating to the appearance, landscaping, layout and scale of phases 1-7 of the approved outline application for up to 30 dwellings. Phases 1-7 comprise 6, two storey dwellings with parking and soft landscaping. Access to the dwellings (the only matter considered as part of the outline permission) would be via the existing access from Greenaway Lane to no. 79 as approved at the outline stage.
- 3.2 The application also seeks to discharge condition 9 (in relation to phases 1-7 only) of the outline permission which requires the submission of a biodiversity enhancement and mitigation plan.
- 3.3 The application is supported by a planning statement, a materials specification for plot 2 and an ecological assessment.

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
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
DSP4 - Prejudice to adjacent land
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:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Planning Obligation SPD for the Borough of Fareham (excluding Welborne) (April 2016)
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/18/0107/OA	Outline application for the erection of up to 30 residential units and associated detached garages. Revised scheme incorporating access to the south
APPROVED	20.1.21
P/18/0884/FP	6 detached residential units
APPROVED	11.8.20

6.0 Representations

6.1 20 representations have been received of which 4 support the application and raise the following points:

- The appropriate access
- Minimal increase in traffic
- Support for small, local construction businesses
- The dwellings are of a low density and a high quality of design
- Inclusion of wildlife corridors
- Provision of self-build houses to diversify the housing market and increase consumer choice
- The only objections that should be considered are those that relate to the layout, appearance, scale and landscaping of the first phase of development.

16 objections have been received which raise the following issues:

- Objection to the principle of development in this location
- Increased pollution
- Increased traffic
- Concerns regarding the access
- The site does not have permission for dual access
- Request the installation of a footpath next to the new road to the south of the site
- What is the purpose of the connecting road to land to the south required by the s106?
- Concerns re site traffic trying to use the track to the south as access to Warsash Road
- It is not clear where construction traffic will enter and leave the site.
- The site is visible from within the public realm
- The documents submitted only refer to the houses fronting Greenaway Lane
- The application should be deferred until the outcome of the judicial review is known.

7.0 Consultations

INTERNAL

Ecology

- 7.1 No objection subject to conditions requiring the measures in the ecological assessment to be implemented and for a lighting scheme to be submitted and approved to ensure minimal impact on the wildlife buffers.

8.0 Planning Considerations

- 8.1 The principle of residential development with access from Greenaway Lane has already been established in the granting of permission for six houses under application reference P/18/0884/FP and under the outline application.

- 8.2 The following matters represent the remaining planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Layout;
- b) Appearance;
- c) Scale;
- d) Landscaping;
- e) Ecology

- a) Layout

8.3 The proposed layout comprises six detached dwellings which would front Greenaway Lane and is identical to that approved under P/18/0884/FP. The position and orientation of the buildings would be consistent with both 79 Greenaway Lane and the properties to the immediate east and west of the site. Car parking is provided in line with the adopted standards and laid out in an attractive manner that would not dominate the frontage.

8.4 The proposed layout would therefore respond to the local character and would be in accordance with policy CS17.

b) Appearance

8.5 The proposed houses consist of variations of two different designs. Design A has a pitched roof and an open sided, oak framed porch and design B which has a partially hipped roof together with a gable end and two gablets on the front elevation. The materials palette consists of traditional materials including red brick, black timber cladding and cream render together with oak framed porches. The use of 2 house types together with a simple palette of high quality materials ensures that each house is different, however there is a sufficient degree of uniformity to ensure that there is enough coherence and they sit comfortably together within the street scene.

8.6 Overall, the appearance is considered to respond to the local character and would therefore be in accordance with policy CS17.

c) Scale

8.7 The proposed dwellings are two storeys and considered to be of an appropriate scale that relates well to existing dwellings in the immediate locality and would be in accordance with policy CS17. The dwellings exceed the National Minimum Space Standards.

d) Landscaping

8.8 The layout proposes the retention of the existing mature trees that front Greenaway Lane together with wildlife buffers along the north, east, south and west boundaries. There is also hedging around the perimeter of each of the six plots. The retention of the existing mature trees together with the areas of proposed soft landscaping will ensure that the proposed houses respect the verdant character of the area. Specific details regarding the additional soft and hard landscaping can be secured by condition.

e) Ecology

- 8.9 The application seeks to discharge condition 9 (in relation to phases 1-7 only) of the outline permission which requires the submission of a biodiversity enhancement and mitigation plan. Policy CS4 requires green infrastructure networks which buffer and link established sites to be maintained and enhanced and Policy DSP13 states that development may be permitted where it can be demonstrated that protected species and their habitat are protected and the proposal would not prejudice or result in the fragmentation of the biodiversity network.
- 8.10 The application proposes wildlife buffers along the north, east and west boundaries in accordance with the ecology strategy approved at the outline stage. The application is accompanied by an ecological appraisal that contains several measures designed to protect wildlife within the site and ensure that provision is made for suitable habitat to be retained and provided. The ecologist has confirmed that the proposed measures contained in the ecological appraisal are appropriate and in accordance with Policies CS4 and DSP13. The measures contained within the ecological appraisal can be secured by condition.

Other Issues

- 8.11 A number of concerns have been raised relating to issues that are not of relevance to this application including the principle of development in this location and concerns regarding traffic generation and the impact of the development on the safety of the highway. These concerns relate to issues that were previously considered and judged acceptable at the outline application stage and therefore are not able to be revisited as part of this application.

Conclusion

- 8.13 The appearance, landscaping, layout and scale of the proposed dwellings together with the ecological appraisal are considered to be appropriate and in accordance with planning policy.

9.0 Recommendation

- 9.1 APPROVE RESERVED MATTERS, subject to the following Conditions:

1. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a. Location plan Drawing no. 170809/MP4/OS rev C
 - b. Site plan Drawing no. 18.079.101

- c. Plans and elevations Plot 1 Drawing no. Green001
- d. Plans and elevations House type A – plot 2 Drawing no. 200A
- e. Plans and elevations House type B – plot 3 Drawing no. 201
- f. Plans and elevations House type A1 – plot 4 Drawing no. 202
- g. Plans and elevations House Type A2 – plot 5 Drawing no. 204
- h. Plans and elevations House Type B1 – plot 6 Drawing no. 203
- i. Garages plans and elevations Drawing no. 206
- j. Plot 1 garage Drawing no. Green004
- k. Plot 2 Materials specification
- l. Ecological Assessment and Reptile Survey Report no. 0035 Dated 17th September 2020

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

- 2. No development hereby permitted of plots 1 and 3-6 shall proceed beyond damp proof course level (of the plot to which the materials relate) until details (including samples) of all proposed external facing (and hardsurfacing) materials for plots 1 and 3-6 have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development.

- 3. The development of plot 2 shall be undertaken in accordance with the plot 2 materials schedule unless otherwise agreed in writing with the Local Planning Authority.

REASON: To secure the satisfactory appearance of the development.

- 4. No dwelling, hereby approved, shall be first occupied until the approved parking and turning areas (where appropriate) for that property have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.

REASON: In the interests of highway safety.

- 5. None of the dwellings hereby permitted shall be first occupied until the bicycle storage relating to them, as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

REASON: To encourage cycling as an alternative mode of transport.

6. No development hereby permitted shall proceed beyond damp proof course (dpc) level until details of how 1 electric vehicle charging point will be provided for each dwelling. The development shall be carried out in accordance with the approved details.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

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

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

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

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

9. No development shall take place on site until a scheme of lighting designed to minimise impacts on wildlife and habitats has been submitted to and approved in writing by the local planning authority. Construction stage elements of the approved lighting scheme shall be implemented as agreed during the construction period. Prior to the first occupation of the development hereby permitted the operational stage elements of the approved lighting scheme shall be implemented in accordance with the approved details and those elements shall be permanently retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise impacts of lighting on the ecological interests of the site. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

10.0 Notes for Information

1. The development hereby permitted is subject to The Community Infrastructure Levy (CIL). The payment is due before development commences and the parties liable to pay the charge will receive a Liability Notice shortly to explain the amount due and the process thereafter. Further details about CIL can be found on the Council's website on the following link:

http://www.fareham.gov.uk/planning/local_plan/ciladopt.aspx

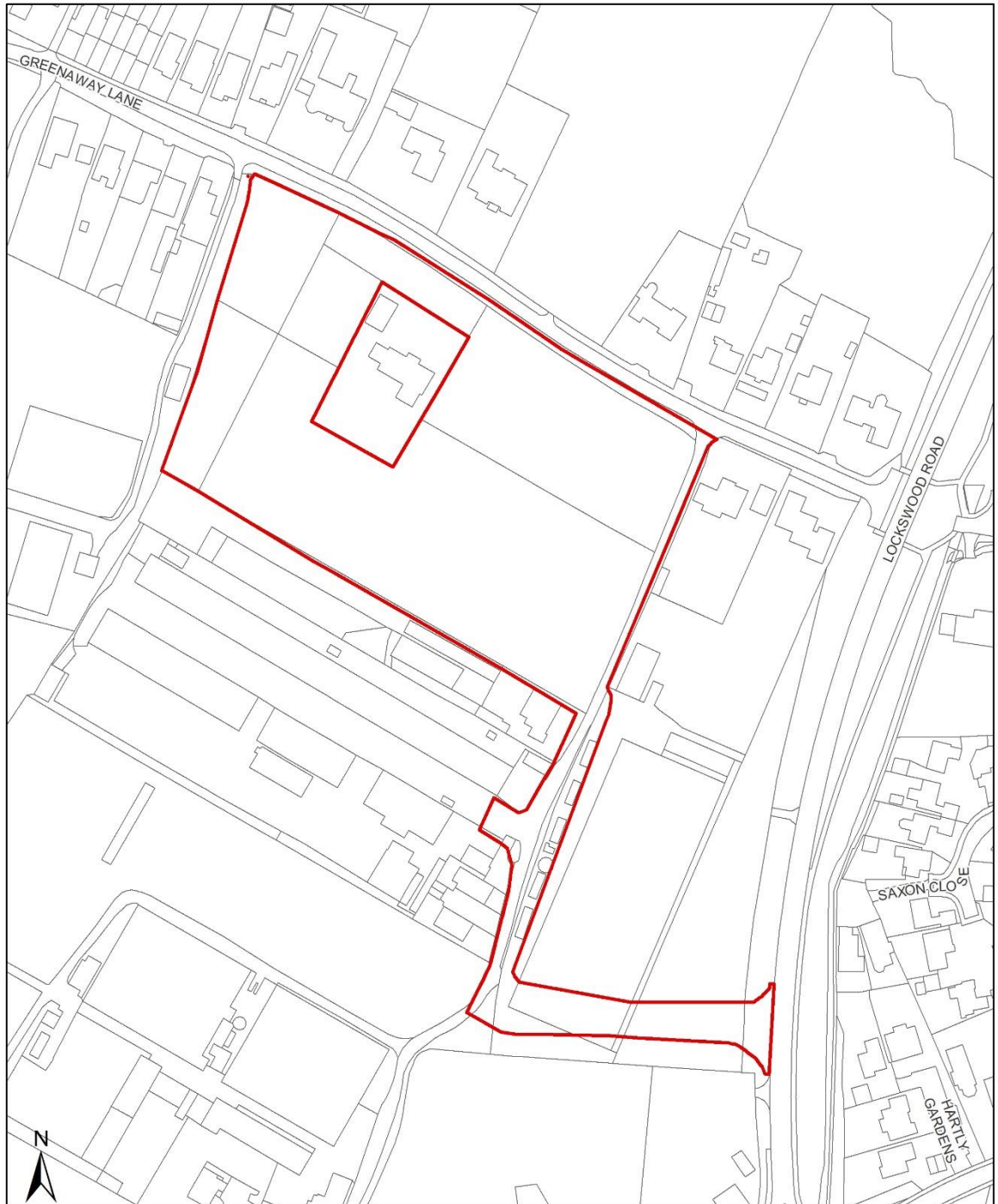
2. Notwithstanding the results of the ecological survey submitted with this application special care must still be taken not to disturb wild animals and plants protected by the Wildlife and Countryside Act 1981 (as amended). This includes birds and bats that nest or roost in trees. Should specimens of any protected species be discovered during building operations you should contact Natural England for further advice - 0300 060 3900 www.naturalengland.org.uk.

11.0 Background Papers

P/18/0107/OA; P/21/0133/RM.

FAREHAM

BOROUGH COUNCIL



Land Adjoining 79 Greenaway Lane

Scale 1:1,750

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<p style="text-align: center;">ZONE 2 – FAREHAM Fareham North-West Fareham West Fareham North Fareham East Fareham South</p>
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REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/21/0367/FP FAREHAM SOUTH	5 BRIARWOOD CLOSE FAREHAM PO16 0PS GROUND FLOOR REAR EXTENSION, FIRST FLOOR ROOF TERRACE AND BALCONY	2 PERMISSION

Agenda Item 6(2)

OFFICER REPORT FOR COMMITTEE

DATE: 21/04/2021

P/21/0367/FP
MRS KAY DAWKINS

FAREHAM SOUTH
AGENT: MS RACHAEL SMITH

GROUND FLOOR REAR EXTENSION, FIRST FLOOR ROOF TERRACE AND
BALCONY

5 BRIARWOOD CLOSE, FAREHAM, PO16 0PS

Report By

Lucy Knight – direct dial 01329 824579

1.0 Introduction

1.1 This application is reported to the Planning Committee due to the number of third party letters received and the issues raised are contrary to the Officer recommendation.

2.0 Site Description

2.1 The application site comprises the residential curtilage of a two-storey detached dwelling located on the south-western side of Briarwood Close with a field to the rear.

3.0 Description of Proposal

3.1 Permission is sought for a ground floor rear extension with a roof terrace above.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS17 High Quality Design

Adopted Development Sites and Policies

DSP2 Environmental Impact

DSP3 Impact on Living Conditions

Other Documents:

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

5.0 Relevant Planning History

5.1 There are no relevant previous applications

6.0 Representations

6.1 Twelve third party letters of objection have been received from nine separate addresses within Briarwood Close and two addresses from outside of the Borough. The main reasons for the objections are set out below:

- Loss of privacy
- Overlooking of school field
- Noise
- Setting a precedent
- Loss of property value
- Out of character
- Dominant and overbearing privacy wall
- Loss of light
- Loss of outlook
- Impact on ecology
- Increase risk of flooding
- Inaccuracies of plans

7.0 Consultations

EXTERNAL

Hampshire County Council – Estates

7.1 No response

Hampshire County Council - Children's Services

7.2 Consultation passed to Redlands Primary school who stated a reservation that the balcony will overlook the school playing field.

INTERNAL

Environmental Health

7.3 Comments awaited.

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) Impact on the character and appearance of the area;
- b) Impact on neighbouring properties;
- c) Other matters.

a) Impact on the character and appearance of the area

- 8.2 The proposal will be to the rear of the property and is concentrated on the south eastern side of the property meaning that it will not be visible from within the street scene. Therefore, although there are no other extensions with roof terraces over the top within the immediate vicinity, the proposal is not considered to result in a negative impact upon the character and appearance of the area.
- 8.3 The rear of the properties within Briarwood Close are of varying design, many with extensions and conservatories to the rear. This results in a diverse character to the rear of the properties and therefore, the proposal is considered to respect the varied characteristics of the area and comply with Policy CS17 of the Local Plan Part 1: Core Strategy.

b) Impact on neighbouring properties

- 8.4 The single storey extension as a stand alone proposal could be constructed under permitted development rights without the need for a planning permission. This fall-back position is a material planning consideration. Furthermore, the received objections do not relate to this element of the proposal and in fact a number of representations stated that they would be in support of the extension without the roof terrace

Privacy

- 8.5 The assessment needed is therefore on the addition of the roof terrace. The roof terrace has been designed in a way to mitigate against any potential loss of privacy to the neighbouring properties. This has been achieved by setting the terrace back from the rear, outer most edge of the proposed extension by 1 metre but includes a privacy wall and obscure glazed screening being the full depth as the ground floor extension.
- 8.6 This results in the ground floor extension and the privacy screening being 3.6 metres deep from the existing rear of the property and the terrace being 2.6 metres deep from the rear of the property. This design concentrates any views from the terrace towards the rear boundary and the north west of the property and mitigates against any sideways views over the rear balustrade towards the immediate neighbour.
- 8.7 The privacy wall and obscure glazing is shown to be a height of 1.7 metres high from the floor level of the terrace and this is considered acceptable and necessary in order to protect the privacy of the neighbour to the south east, number 3 Briarwood Close. It is recommended that this screening be

conditioned to be constructed prior to the first use of the terrace and to be retained going forward to ensure the immediate neighbour's privacy is protected.

- 8.8 Many of the comments relate to overlooking the field to the rear which is used by school children on occasion. However, as existing this field is overlooked from the first floor windows of a number of properties which back onto the field not just the application site.
- 8.9 It is important to note that should the applicants wish to construct a Juliette balcony at first floor level at the rear of the property, express planning permission would not be required for this. A two-storey extension as deep as the proposed terrace with first floor windows could also be constructed without the need for an express planning permission provided that it was 2 metres away from the boundaries on either side. In terms of assessing the impact upon the field to the rear, these fall-back Permitted Development positions are material planning considerations afforded weight.
- 8.10 As such, taking this into account and given that the roof terrace remains an acceptable distance from the rear site boundary, and the screening wall is secured the proposal is considered to accord with the policy requirements of policy DSP3 and there is no demonstrable adverse impact to the amenity of neighbouring properties or the users of the adjacent playing field.

Loss of light and outlook

- 8.11 Comments were received which relate to the impact upon the amenity of the immediate neighbour, number 3. Number 3 is set further back into its site than number 5 and so approximately half of the proposal will be absorbed by the house at number 3. This stagger to the properties results in an impact of the extension extending beyond the rear of the neighbouring property by approximately 1.9 metres rather than the full 3.6m referred to above. Furthermore the design of the screen at first floor to this neighbour is to be a mix of a plinth wall and obscure glass such that this change in material helps break up any large extent of facing brickwork in the extension and reduces the overbearing impact to the neighbour.
- 8.12 Fareham's Design Guidance SPD states that proposals should be clear of a 45 degree angle when drawn from the centre of a neighbouring window to ensure that the proposal does not result in an unacceptable adverse impact by way of a loss of light to neighbouring rooms or a loss of outlook from them. The plans submitted with the application show that this is achieved and therefore the proposal is considered to comply with the Design Guidance

SPD.

- 8.13 For the reasons given above, the proposal is not considered to result in an unacceptable adverse impact upon the neighbouring property by way of a loss of light, outlook and/ or privacy and is therefore, compliant with Policy DSP3 of the Local Plan Part 2: Development Sites and Policies.

Noise

- 8.14 Many of the representations received related to noise from the proposed roof terrace and the fact that given its elevated position noise that would normally be contained by garden fencing will travel to the detriment of the amenity of neighbours. The proposal is in excess of 20 metres away from the property to the north west and there are no properties to the rear. Therefore, the immediate neighbour to the south east, number 3 is the most impacted by the proposal.
- 8.15 There is no change of use of the dwelling proposed and so the property is to remain in a residential use and will remain a single planning unit. The privacy screening on the south eastern boundary of the roof terrace is considered to be a similar treatment to a residential garden with fencing or a wall around. The noise produced from such a roof terrace is unlikely to be any more significant than that of a residential garden.
- 8.16 The proposal is therefore, not considered to result in a significant adverse impact upon the neighbouring properties by way of noise and is compliant with Policy DSP2 of the Local Plan Part 2: Development Sites and Policies. However, if noise did become a regular issue then the department of Environmental Health can be contacted to investigate the situation.

c) Other matters

- 8.17 The majority of the third party comments received made reference to the addition of a roof terrace setting a precedent for future development. When considering planning applications, each application is assessed on its own merits and so whilst a roof terrace is considered to be acceptable in this instance it does not set a precedent for the consideration of any future planning applications.
- 8.18 A couple of the comments related to the impact upon wildlife within the area. There are no trees or hedgerows being removed as a part of the proposal and there is nothing on the property that could potentially result in an impact upon protected species. Therefore, the proposal is not considered to result in any

impact upon ecology.

- 8.19 The neighbour at number 3 has raised concerns relating to an increase in flood risk. The application site is not within an area identified by the Environment Agency as being at a risk of flooding and so no Flood Risk Assessment has been carried out as a part of the application. The plans show that surface water run-off will be directed into a hopper and down pipe and then into a soakaway within the site. This solution to surface water run-off is considered to be acceptable and the detail of the soakaway will be assessed during the Building Regulations process.
- 8.20 A number of the representations raised concerns relating to the loss of value of their property. This is not a material planning consideration and so has not been assessed as a part of this application.
- 8.21 Comments were made relating to the plans being inaccurate as they do not show an existing shed which is close to the boundary with number 3 or an existing tree within the neighbouring garden. Having visited both the application site and the neighbour at number 3, the plans do not show these elements, however, they do not relate directly to the proposal and the fact that are not shown on the plans does not alter the assessment made on site.
- 8.22 For the reasons given above, the proposal is not considered to result in an unacceptable impact upon the neighbouring properties or the character and appearance of the area and is compliant with Local Plan Policies.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of a period of three 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 shall be carried out in accordance with the following approved documents:
 - a) Drawing No: 20014_001 Rev A – Location Plan
 - b) Drawing No: 20014_002 Rev A – Existing Site Plan
 - c) Drawing No: 20014_003 Rev B – Proposed Site Plan
 - d) Drawing No: 20014_004 Rev A – Existing Topographical Survey
 - e) Drawing No: 20014_010 Rev A – Existing Ground Floor Plan

- f) Drawing No: 20014_011 Rev A – Existing First Floor Plan
- g) Drawing No: 20014_020 Rev A – Existing Elevations
- h) Drawing No: 20014_030 Rev A – Existing Sections
- i) Drawing No: 20014_100 Rev B – Proposed Ground Floor Plan
- j) Drawing No: 20014_100 Rev B - Proposed Ground Floor Plan – with 45 degree
- k) Drawing No: 20014_102 Rev B – Proposed First Floor Plan
- l) Drawing No: 20014_200 Rev B – Proposed Elevations
- m) Drawing No: 20014_300 Rev B – Proposed Sections
- n) Drawing No: 20014_103 Rev B – Proposed Roof Plan

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

3. The roof terrace hereby approved shall not be brought into use until the 1.7 metre high privacy screening indicated on the approved plans has been erected. The screening shall subsequently be retained at all times.

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

4. The materials to be used in the construction of the development hereby permitted shall match as closely as possible those used on the existing building unless otherwise agreed in writing with the Local Planning Authority.

REASON: To secure the satisfactory appearance of the development.

10.0 Background Papers

P/21/0367/FP

FAREHAM

BOROUGH COUNCIL



5 Briarwood Close
Scale 1:1,250

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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

No items in this Zone

Agenda Item 7

PLANNING APPEALS

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

3 PUBLIC INQUIRY

ENF/40/19

Appellant:

Site:

Decision Maker:

Recommendation:

Council's Decision:

Date Lodged:

Reason for Appeal:

3 PUBLIC INQUIRY

MR KEVIN FRASER

The Tithe Barn Mill Lane Fareham PO15 5RB

16 June 2020

Appeal against enforcement

Resurfacing of car park with tarmac

3 PUBLIC INQUIRY

P/18/1073/FP

Appellant:

Site:

Decision Maker:

Recommendation:

Council's Decision:

Date Lodged:

Reason for Appeal:

3 PUBLIC INQUIRY

Foreman Homes Ltd

Land to the South of Romsey Avenue Fareham

Committee

REFUSE

REFUSE

7 April 2021

Appeal against refusal of planning permission

Outline planning application for residential development of 225 dwellings, bird conservation area and area of public open space with all matters reserved except for access

3 PUBLIC INQUIRY

P/18/1118/OA

Appellant:

Site:

Decision Maker:

Recommendation:

Council's Decision:

Date Lodged:

Reason for Appeal:

3 PUBLIC INQUIRY

Fareham Land LP

Land at Newgate Lane (North) Fareham

Non Determined

REFUSE

PENDING PLANNING INSPECTORATE DECISION

2 June 2020

Non Determined

Outline Planning Permission for the demolition of existing buildings and development of up to 75 dwellings, open space, vehicular access point from Newgate Lane and associated and ancillary infrastructure, with all matters except access to be reserved.

3 PUBLIC INQUIRY

P/19/0316/FP

Appellant:

Site:

Decision Maker:

Recommendation:

Council's Decision:

Date Lodged:

Reason for Appeal:

3 PUBLIC INQUIRY

MR K FRASER

The Tithe Barn Mill Lane Titchfield Fareham PO15 5RB

NAC

REFUSE

REFUSE

16 June 2020

Appeal against refusal of planning permission

Re-surface car park area with tarmac (retrospective application)

3 PUBLIC

P/19/0460/OA

3 PUBLIC INQUIRY

INQUIRY	Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	Bargate Homes Ltd Land at Newgate Lane (South) Fareham Non Determined REFUSE PENDING PLANNING INSPECTORATE DECISION 2 June 2020 Non Determined Outline planning permission for the demolition of existing buildings and development of up to 115 dwellings, open space, vehicular access point from Newgate Lane and associated and ancillary infrastructure, with all matters except access to be reserved.
2 INFORMAL HEARING	P/19/1193/OA Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	2 INFORMAL HEARING Foreman Homes Land East of Posbrook Lane Titchfield Fareham Non Determined REFUSE PENDING PLANNING INSPECTORATE DECISION 29 January 2021 Non Determined Outline planning application for the erection of up to 57 dwellings, together with associated parking, landscaping and access from Posbrook Lane
2 INFORMAL HEARING	P/19/1260/OA Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	2 INFORMAL HEARING Bargate Homes Limited Land East of Newgate Lane East Fareham REFUSE 25 February 2021 Non Determined Cross boundary outline application, with all matters reserved except for access, for the construction of up to 99 residential dwellings, landscaping, open space and associated works, with access from Brookers Lane (Gosport Borough Council to only determine part of the application relating to part of access in Gosport Borough)
1 WRITTEN REPRESENTATIONS	P/20/0654/OA Appellant: Site: Decision Maker: Recommendation: Council's Decision: Date Lodged: Reason for Appeal:	1 WRITTEN REPRESENTATIONS Mr Bell 50 Paxton Road Fareham PO14 1AD Officer Delegated Powers REFUSE REFUSE 29 October 2020 Appeal against refusal of planning permission Outline application for 2x 3-bed dwellings to the rear of 50-52 Paxton Road
1 WRITTEN REPRESENTATIONS	P/20/0811/CU Appellant: Site: Decision Maker: Recommendation:	1 WRITTEN REPRESENTATIONS Mr & Mrs A Wells 84 Merton Avenue Portchester Fareham PO16 9NH NAC APPROVE

Council's Decision: REFUSE
Date Lodged: 16 March 2021
Reason for Appeal: **Appeal against refusal of planning permission**
Temporary consent for a takeaway coffee shop.

1 WRITTEN REPRESENTATIONS P/20/1007/FP
Appellant:
Site:
Decision Maker:
Recommendation:
Council's Decision:
Date Lodged:
Reason for Appeal:

1 WRITTEN REPRESENTATIONS
RGOM
21 Burr ridge Road Burr ridge Southampton SO31 1BY
Non Determined
REFUSE
PENDING PLANNING INSPECTORATE DECISION
24 March 2021
Non Determined
Residential development of 4 self-build dwellings, amenity areas with access off Burr ridge Road (Amended Scheme to P/18/1252/FP)

3 PUBLIC INQUIRY P/18/1212/LU
Appellant:
Site:
Decision Maker:
Recommendation:
Council's Decision:
Date Lodged:
Reason for Appeal:

3 PUBLIC INQUIRY
Borderland Fencing Ltd
Borderland Fencing New Road Swanwick Southampton SO31 7HE
Officer Delegated Powers
REFUSE
REFUSE
13 August 2019
Appeal against refusal of planning permission
Lawful Development Certificate for mixed use of the glasshouse for storage & manufacturing (Use Class B8 & B2)

2 INFORMAL HEARING P/19/0419/DA
Appellant:
Site:
Decision Maker:
Recommendation:
Council's Decision:
Date Lodged:
Reason for Appeal:

2 INFORMAL HEARING
Mr Patrick Cash
137 Newgate Lane Fareham PO14 1BA
11 May 2020
Appeal against enforcement
Unlawful development of two structures

3 PUBLIC INQUIRY P/20/0009/DA
Appellant:
Site:
Decision Maker:
Recommendation:
Council's Decision:
Date Lodged:
Reason for Appeal:

3 PUBLIC INQUIRY
Borderland Fencing Ltd
Borderland Fencing New Road Swanwick Southampton SO31 7HE
PENDING PLANNING INSPECTORATE DECISION
17 July 2019
Appeal against enforcement
Unauthorised expansion of site and breach of conditions

4 HOUSEHOLDER APPEAL P/20/0826/FP
Appellant:
Site:

4 HOUSEHOLDER APPEAL SERVICE
Miss Nicola Gill
1 Beverley Close Park Gate Southampton SO31 6QU

SERVICE

Decision Maker:	Officer Delegated Powers
Recommendation:	REFUSE
Council's Decision:	REFUSE
Date Lodged:	14 January 2021
Reason for Appeal:	Appeal against refusal of planning permission Proposed timber fence above existing boundary wall
Decision:	DISMISSED
Decision Date:	12 March 2021