

FAREHAM

BOROUGH COUNCIL

AGENDA PLANNING COMMITTEE

Date: Wednesday, 13 October 2021

Time: 2.30 pm

Venue: Collingwood Room - Civic Offices

Members:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

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

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



1. Apologies for Absence

2. Minutes of Previous Meeting (Pages 1 - 15)

To confirm as a correct record the minutes of the Planning Committee meetings held on 10 September 2021 and 15 September 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 16)

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/21/0770/FP - LAND ADJACENT TO 125 GREENAWAY LANE WARSASH SO31 9HT** (Pages 18 - 29)

(2) **P/21/1066/FP - 3 GAINSBOROUGH MEWS TITCHFIELD PO14 4EX** (Pages 30 - 34)

ZONE 2 - FAREHAM

(3) **P/0767/FP - LAND TO THE REAR OF 1-5 HILL DRIVE FAREHAM PO15 6JA** (Pages 36 - 49)

ZONE 3 - EASTERN WARDS

(4) **P/21/0988/FP - SPINNEY VIEW 35 PENTLAND RISE PORTCHESTER PO16 8JP** (Pages 52 - 57)

(5) **P/21/1242/FP - 10 OSBORNE VIEW ROAD FAREHAM PO14 3JN** (Pages 58 - 62)

(6) **P/21/1418/TC - 74 CASTLE STREET PORTCHESTER PO16 9JG** (Pages 63 - 65)

(7) **Planning Appeals** (Pages 66 - 74)

7. 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. 771 2021 – 100 &102 Mays Lane, Stubbington

Order served on 10 June 2021, and covers two individual oak trees, to which no formal objections have been received. It is recommended that TPO 771 be confirmed without modification as made and served.



P GRIMWOOD
Chief Executive Officer
Civic Offices
www.fareham.gov.uk
05 October 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: Friday, 10 September 2021

Venue: Council Chamber - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

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

Also Present: Councillor Mrs S M Walker (Item 6) and Councillor R H Price, JP (Item 6)



1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillor R H Price, JP.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meetings held on 14 July 2021 and 23 July 2021 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

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

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct Councillor Cllr N J Walker declared a non-pecuniary interest in item 6 – Land East of Downend Road in that he considers himself to be predetermined on this application.

He left the meeting and took no part in the discussion or vote on the application.

Councillor I Bastable, Vice-Chairman, Chaired the remainder of the meeting.

5. DEPUTATIONS

There were no deputations made at this meeting.

6. LAND EAST OF DOWNEND ROAD - PLANNING APPEAL REFERENCE APP/A1720/W/21/3272188

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

Inquiry restart 14th September

On 3rd September Officers wrote to the Planning Inspectorate to request that the adjourned inquiry be delayed to allow further time for members of the public to comment on the revised proposals from the Appellant.

A response was received on 6th September to say that the Planning Inspector considered the revised proposals to represent minor amendments to the appeal scheme. As such their consideration would not offend the so-called Wheatcroft principles in terms of prejudicing the interests of interested parties. The Inspector declined to delay the resumption of the Inquiry which remains scheduled to restart on 14th September.

Update on Appeal Submission

On 8th September the Appellant Miller Homes Ltd submitted the revised proposals described at paragraphs 16 & 17 of the Officer committee report to

the Planning Inspectorate and asked that these amendments be put before the Inspector for her consideration. The Appellant confirmed that they are willing to deliver these amendments to the scheme if they are considered, either by the Council or by the Inspector, to be necessary to address the issue of pedestrian safety relating to the crossing of Downend Road.

The submission to the Planning Inspectorate is the same as the earlier submission to the Council with accompanying drawings (including Appendix B to the Committee report and a tracking plan) and junction modelling information.

The Appellant has also provided the Inspector with an addendum Agreed Statement on Transport Matters (ASoTM) signed by the Appellant and highway authority Hampshire County Council which states that the original proposed improvement to Downend Road bridge remains acceptable and:

“the alternative improvement scheme...introducing pedestrian crossing facilities within the traffic signal junction is also acceptable, and would:

- Deliver safe and suitable access for all users of Downend Road; and*
- Operate acceptably and within capacity and would not create any unacceptable queuing and/or delay on the local highway network.”*

Representations

Local residents and other interested parties were notified in writing on 3rd September of the Appellant's proposed revisions to provide controlled pedestrian crossing points at the Downend Road bridge. They were invited to make any comments relating solely to the revised bridge proposals by 9th September.

In response 16 emails have been received. A number of these emails contain comments which are not related to the bridge proposals or relate to other planning matters raised previously. A summary of the points made in relation to the proposed amendments is below:

In relation to queuing and delay:

- The proposals will add to queuing and delay*
- Delays will lead to “rat running” in nearby roads*
- Temporary traffic lights recently caused queuing and delays in both directions*
- Hatched areas should be put at junctions to other side roads to prevent queuing across those roads*
- The impact will be compounded by development on the west side of Downend Road*
- The queuing and delay will also affect air quality*

In relation to the physical design of the bridge improvements:

- What is the height of the footpath above the carriageway/kerb height? Is this safe?*

- *A protective barrier at the edge of the new footpath including either side of the bridge should be installed*
- *The proposed drawing is very basic and confusing*
- *There is no run-off area for cars that meet in the middle of the proposed layout*
- *The width of the carriageway is only 3 metres*

In relation to the safety of cyclists:

- *Concern that a 'modicum of safety' for cyclists is considered adequate*
- *A knowledgeable body such as Cycling UK should be consulted*
- *The bridge is relatively safe for cyclists at present due to two way traffic movement discouraging overtaking*
- *Cyclists could be squeezed by traffic trying to pass them at the bridge if trying to beat a red light*

Other points:

- *Appellant has shown how an articulated goods vehicle would travel through the junction but the bridge should not be used by articulated goods vehicles*
- *This is not in accordance with the draft local plan which requires a new pedestrian footbridge*
- *Is HCC knowledge sufficient to make a judgement on the bridge improvements?*

Positive comments:

- *The provision of the controlled pedestrian crossings will add to the overall safety of pedestrians and in particular students making their way to Cams Hill School*
- *Removal of pedestrian refuge in centre of road is a good idea*
- *The proposed movement of the stop lines each side of the bridge to introduce pedestrian crossings may be safer but will lead to further delay*

The Chairman referred Members to the confidential Appendix to the Update report that had also been circulated to them and enquired as to whether there were any questions on this, as there were it was proposed to move the meeting into private session.

RESOLVED that the public and representatives of the press be temporarily excluded from the meeting on the grounds that the matters to be discussed involve the likely disclosure of exemption information. As defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

At the conclusion of the discussion on the confidential Appendix, the meeting moved back into open session.

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

At the invitation of the Chairman, Councillor R H Price, JP addressed the Committee on this item.

Upon being proposed and seconded, the officer recommendation that the Committee confirm that:

- a) Subject to the Appellant Miller Homes Ltd submitting amended proposals to the Planning Inspectorate showing the inclusion of - controlled pedestrian crossings as indicated in drawing no. ITB-GA-071B (or substantially similar to that drawing):
 - i) Those elements of the reason for refusal relating to unacceptable harm to the safety of users of the highway and the lack of acceptable pedestrian crossing provision for future residents be withdrawn;
 - ii) For the avoidance of any doubt, the reasons for refusal previously given are withdrawn in totality.

Was voted on and CARRIED.

(Voting: 7 in favour; 0 against; 1 abstention)

RESOLVED that the Committee CONFIRM that:

- a) Subject to the Appellant Miller Homes Ltd submitting amended proposals to the Planning Inspectorate showing the inclusion of - controlled pedestrian crossings as indicated in drawing no. ITB-GA-071B (or substantially similar to that drawing):
 - i) Those elements of the reason for refusal relating to unacceptable harm to the safety of users of the highway and the lack of acceptable pedestrian crossing provision for future residents be withdrawn;
 - ii) For the avoidance of any doubt, the reasons for refusal previously given are withdrawn in totality.

7. UPDATE REPORT

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

(The meeting started at 2.30 pm
and ended at 3.35 pm).

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 15 September 2021

Venue: Council Chamber - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

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

Also Present: Councillor Mrs K K Trott (Item 5 (6)) and Councillor
Mrs S M Bayford (Item 5 (3))



1. APOLOGIES FOR ABSENCE

There were no apologies of absence for this meeting.

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 Miss J Bull declared a Personal Interest in item 5(4) – Brookfield Community School as she has a child at this school.

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					
Mr R Marshall	The Fareham Society	LAND EAST OF SOUTHAMPTON ROAD TITCHFIELD – RESERVED MATTERS APPLICATION FOR 95 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE, LANDSCAPE, OPEN SPACE AND APPROVAL OF DETAILS PURSUANT TO CONDITIONS 11, 12 AND 18 FOLLOWING GRANTING OF OUTLINE PLANNING PERMISSION NO. P/18/0068/OA. MATTERS TO BE CONSIDERED: APPEARANCE, LANDSCAPING, LAYOUT AND SCALE	Opposing	5 (1) P/20/1584/RM Pg 5	Written

Ms L Wiltshire		-DITTO-	Supporting	-Ditto-	In Person
Mr J Gorrod		LOCKS HEATH SHOPPING CENTRE, CENTRE WAY LOCKS HEATH – RECONFIGURATION OF EXISTING CENTRE WAY ACCESS ROAD, BUS LANE & SHOPPING CENTRE CAR PARK LAYOUT TO PROVIDE: A NEW ROUNDABOUT JUNCTION ON CENTRE WAY TO PROVIDE ACCESS TO MAIN CAR PARKS, ALTERATION TO THE PUBLIC CAR PARK LAYOUT TO ALLOW THE FUTURE DEVELOPMENT OF AREAS 1 AND 2 AND THE REDUCTION OF PARKING SPACES, PROVISION OF A NEW BUS TURNING FACILITY PROVIDED ON CENTRE WAY AT THE WESTERN END OF THE SHOPPING CENTRE, PROVISION OF A DECKED CAR PARK WITHIN THE DTAFF PARKING AREA AND ASSOCIATED LANDSCAPING AND PUBLIC REALM IMPROVEMENTS CONNECTED WITH THE PROPOSALS.	Opposing	5 (3) P/21/0148/FP Pg 23	In Person
Mr R Marshall	The Fareham Society	-DITTO-	-Ditto-	-Ditto-	Written
Mr P Keenan (Agent)		-DITTO-	Supporting	-Ditto-	In Person
Mr P Lindsey		BROOKFIELD COMMUNITY SCHOOL SARISBURY GREEN SO31 7DU – CREATION OF 3G ARTIFICIAL GRASS PITCH (AGP) WITH PERIMETER FENCING,	Opposing	5 (4) P/21/0693/FP Pg 39	In person

		FLOODLIGHTING, MACADAM HARDSTANDING AREAS, STORAGE CONTAINER & SOIL BUNDS			
Ms M Lush		-DITTO-	-Ditto-	-Ditto-	In Person
Ms S Gillingham		-DITTO-	-Ditto-	-Ditto-	Written
Mr & Mrs Rennie		-DITTO-	-Ditto-	-Ditto-	Written
Mr M Lunn		-DITTO-	-Ditto-	-Ditto-	In Person
Mr T Dickenson		-DITTO-	-Ditto-	-Ditto-	
Ms E Kirby		-DITTO-	-Ditto-	-Ditto-	Video
Ms R Alinson		-DITTO-	-Ditto-	-Ditto-	Video
Mr & Mrs Fleming		8 LOWER CHURCH ROAD – TWO STOREY REAR AND SIDE EXTENSION	Opposing	5 (5) P/21/0942/FP Pg 58	Written
Mr G Reeder		-DITTO-	-Ditto-	-Ditto-	Written
Ms A Bradley		-DITTO-	-Ditto-	-Ditto-	Written
Mr M Line		-DITTO-	Supporting	-Ditto-	In Person
ZONE 2 – 2.30pm					
Mr I Donohue (Agent)		3 EARL GODWIN CLOSE FAREHAM – FIRST FLOOR REAR BALCONY	Supporting	5 (7) P/21/0950/FP Pg 69	In Person
ZONE 3 – 2.30pm					

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/20/1584/RM - LAND EAST OF SOUTHAMPTON ROAD PO14 4PR

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

Upon being proposed and seconded the officer recommendation to grant approval subject to:

- i) The applicant first providing revised plans to take account of two minor revisions to the shared surface layout to the satisfaction of Officers; 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 first providing revised plans to take account of two minor revisions to the shared surface layout to the satisfaction of Officers; and
- ii) The conditions in the report.

APPROVAL be granted.

(2) Q/1504/21 - LAND EAST OF SOUTHAMPTON ROAD

Upon being proposed and seconded the officer recommendation that Members authorise the deed of variation to the legal agreement be agreed along the following lines:

- a) To remove the obligation relating to the transfer of the public open space including play area and wildlife corridor to the Council;
- b) To secure details of robust and appropriate management and maintenance measures relating to the public open space including play area and wildlife corridor in lieu of the land being transferred to the Council, including details on the formation, funding and governance of the body responsible for doing so;
- c) To delegate to the Head of Development Management authority to agree suitable revised and additional obligations in respect of the above, and any other matters deemed necessary, in relation to Schedule Five of the legal agreement.

Was voted on and CARRIED.

(Voting: 7 in favour; 2 against)

RESOLVED that Members AUTHORISE the deed of variation to the legal agreement along the following lines:

- a) To remove the obligation relating to the transfer of the public open space including play area and wildlife corridor to the Council;
- b) To secure details of robust and appropriate management and maintenance measures relating to the public open space including play area and wildlife corridor in lieu of the land being transferred to the Council, including details on the formation, funding and governance of the body responsible for doing so;

- c) To delegate to the Head of Development Management authority to agree suitable revised and additional obligations in respect of the above, and any other matters deemed necessary, in relation to Schedule Five of the legal agreement.

(3) P/21/0148/FP - LOCKS HEATH SHOPPING CENTRE, CENTRE WAY SO31 6DX

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

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

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

An additional 123 objections have been received from local residents and 1 support comment has been received from Waitrose.

The representations received do not raise any new issues that have not already been addressed in the Officer's Committee Report.

Members raised concerns about the loss of the parking spaces, and how this could affect the vibrancy of the shopping centre. However, they welcomed to the redesign of the car park to allow better flow of traffic and easier parking.

A motion was proposed and seconded to defer the application, to allow officers the opportunity to discuss with the applicant the reconfiguration of the car park which does not result in the loss of any parking to ensure that the vitality and viability of the centre is retained. Further information is also requested regarding how this proposal relates to the future development of the area and was CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that the application be DEFERRED.

(4) P/21/0693/FP - BROOKFIELD COMMUNITY SCHOOL BROOK LANE SO31 7DU

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

The first of the video deputations unfortunately was not able to be fully played due to technical issues, however the depute confirmed that their points had been raised by other deputations and therefore had no issue with the Committee not being able to hear the whole of their deputation.

The Committee Manager read out a statement on behalf of Councillor S D Martin, Ward Councillor.

At the invitation of the Chairman, the Headmaster of Brookfield Community School addressed the Committee on this item to answer questions from members.

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

Representations:

One further letter has been received in response to the publication of the Committee agenda. The comments raised are:

- *It is disputed that there will not be an adverse impact in neighbours (para 8.49) as we can already hear sports activity on the pitches behind the site at less frequent hours of use.*
- *Changing operating hours clearly acknowledges that this will be a noisy venture.*
- *The construction schedule gives Brookfield Gardens residents far more consideration than the AGP.*
- *The pitch is too close to residential homes. There is so much room between this school and Sarisbury Infants.*
- *I have no objection if Everyone Active had made the application as no residents would be affected.*
- *Brookfield Gardens slopes down from the school so the site is actually higher than the neighbours. 2m high bunds will not offset the intrusive lighting on 5m tall stanchions or the noise from sport.*

Recommendation:

Within the applicants Noise Impact Assessment it is recommended that a Noise Management Plan is implemented as part of the development. This can be included with an adjustment to condition 11 in the main agenda to include "a noise management plan" as follows:

- 11. Prior to first use of the Artificial Grass Pitch a community use agreement prepared in consultation with Sport England must be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch, any ancillary accommodation and the car park, and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities, **a noise management plan** and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.*

REASON: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with development plan policy.

Councillor Miss J Bull declared a personal interest in this item as she has a child that attends this School.

Members expressed concern over the lack of consultation from the School with the neighbouring properties, and felt that many of the concerns raised in the objections to the application had not been addressed.

A motion was proposed and seconded to defer the application, to allow the school to undertake a public consultation on the plans and to try and resolve, by amendments to the application where appropriate, some of the concerns that have been raised to include:

- Noise impact and the accuracy of the assessment and conclusions within the submitted Noise Assessment;
- The use of micro plastic in the pitch construction, rubber crumb on its surface and the pitch lifecycle; and
- The siting of the pitch, and was CARRIED.

(Voting: 5 in favour; 4 against)

RESOLVED that the application be DEFERRED to allow the School to undertake a public consultation.

(5) P/21/0942/FP - 8 LOWER CHURCH ROAD PO14 4PN

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: -

Further Information Provided:

Further information has been provided by the applicant in response to a third-party comment received in relation to the proposed plans. The points raised are:

- *The proposed foundations have been assessed as suitable by the architect and have obtained building control approval.*
- *The proposed extension will be constructed wholly on the application property, and no part of the structure, including foundations or guttering, will project over the property boundary.*
- *As a result of building works at the adjoining property, the current structure has suffered from water ingress, which is causing damp in ground floor rooms.*
- *No access will be required across neighbouring properties in order to carry out any construction works.*

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

(Voting: 9 in favour; 0 against)

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

(6) P/21/1089/TO - 10 BRONTE GARDENS PO15 7LF

A motion was proposed and seconded to refuse this application as Members considered that the issues have arisen from poor construction of the building, with insufficient foundations, and that the loss of the trees proposed to be felled would be harmful to the visual amenity of the area, was voted on and CARRIED.

(Voting: 6 in favour; 1 against; 2 abstention)

RESOLVED that CONSENT be REFUSED.

(7) P/21/0950/FP - 3 EARL GODWIN CLOSE PO16 0DW

Councillor Mrs Hockley, left the room at the start of this item and took no part in the remainder of the meeting.

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

At the invitation of the Chairman, Councillor Mrs K K Trott, Ward Councillor, addressed the Committee on this item.

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

(Voting: 8 in favour; 0 against)

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

(8) P/21/1358/FP - STREETLIGHTING CASTLE STREET WATERSIDE LANE HOSPITAL LANE PORTCHESTER

Councillor P J Davies left the room at the start of this item and took no further part in the meeting.

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

Since the publication of the Committee Report, an additional consultation COMMENT FROM English Heritage has been received, stating:

Some of the works proposals are within the English Heritage Guardianship area of Portchester Castle and full consultation with an approval by English Heritage is required here. Archaeological monitoring and recording is likely to be required, tother with agreement on dates of access and works methodology. Replacement with as similar colour to the existing lampposts is likely to be preferred.

In addition, scheduled monument consent from Historic England for works within the scheduled monument area will be required.

Discussions are already underway with FBC officers and SSE on these aspects.

In addition, Historic England have updated their response to reflect the age of the existing columns. However, this amendment has not changed their view regarding the removal of the existing columns.

Further email correspondence has continued with SSEC and FBC since publication of the report, requesting the suitability of the root plated Norwich columns for fixing and the cost difference between the proposed Gainsborough and requested Norwich columns.

SSEC response to Norwich Column Option:

Following a contract review of the units to be replaced in Castle Street and Hospital Lane Portchester the view from the PFI responsibilities have been fulfilled with the proposal to replace the existing units with a standard tubular steel shaft and using one of two options of embellishment kit.

- 1. The Gainsborough embellishment kit, black or green in colour.*
- 2. The Chandler embellishment kit, black or green in colour. This kit has been used to replace one unit already in Castle Street as it had been RTC'd.*

SSE Contracting have investigated your suggestion of the Norwich unit, and we have given this suggestion our full consideration. However, we have already removed and replaced many cast columns within the Hampshire PFI using one of our two equivalent, and a higher standard column is not required. The previously replaced columns on the Hampshire PFI have been replaced with either the Gainsborough kit or Chandler kit which are both of the correct standard and specification set out within the Hampshire PFI contract with Hampshire County Council.

Please confirm which one of the two options you are happy to move forward with so that i may programme the units replacement.

If we do not hear from you by the 17th September 2021, we will proceed with the Chandler embellishment kit to match the unit 22 Castle Street that had been replaced under maintenance through the PFI.

RESOLVED that members agreed with officers that no evidence has been provided by SSEC to clarify why they are structurally unsafe and therefore at the end of their life. Without this information, members consider that the existing lighting columns should be retained.

In the event that evidence can be provided to support the opinion of SSEC regarding the state of the columns, SSEC and Hampshire County Council should seek to replace the columns with a higher quality alternative than those originally suggested.

(9) Planning Appeals

The Committee noted the information in the report.

(10) Update Report

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

(The meeting started at 2.30 pm
and ended at 8.50 pm).

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date: 13 October 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

The meeting will take place in the Council Chamber, Civic Offices, Civic Way, Fareham, PO16 7AZ.

Items for Zone 1 - (Locks Heath, Park Gate, Sarisbury, Titchfield, Titchfield Common and Warsash wards) will start at 2.30pm

Items for Zone 2 - (Fareham East, Fareham South, Fareham North, Fareham North-West and Fareham West wards), and Zone 3 - (Hill Head, Portchester East, Portchester West and Stubbington wards) will start no earlier than 3.30pm.

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

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/21/0770/FP WARSASH	LAND ADJACENT TO 125 GREENAWAY LANE WARSASH FAREHAM SO31 9HT TEMPORARY CONSTRUCTION ACCESS ONTO GREENAWAY LANE TO SERVE DEVELOPMENT PROPOSED UNDER P/19/0402/OA.	1 PERMISSION
P/21/1066/FP TITCHFIELD	3 GAINSBOROUGH MEWS TITCHFIELD FAREHAM HAMPSHIRE PO14 4EX RETAIN CONVERSION OF GARAGE INTO HABITABLE LIVING SPACE AND PROPOSED OFF ROAD PARKING.	2 PERMISSION

Agenda Item 6(1)

OFFICER REPORT FOR COMMITTEE

DATE: 13th October 2021

**P/21/0770/FP
BARGATE HOMES AND VESTAL
DEVELOPMENTS**

**WARSASH
AGENT: PEGASUS PLANNING**

TEMPORARY CONSTRUCTION ACCESS ONTO GREENAWAY LANE TO SERVE DEVELOPMENT PERMITTED UNDER P/19/0402/OA.

LAND ADJACENT TO 125 GREENAWAY LANE

Report By

Rachael Hebden – direct dial 01329 824424

1.0 *Introduction*

1.1 The application is reported to the planning committee for a decision as more than five third party letters of representation have been received.

2.0 *Site Description*

2.1 The site is broadly “T” shaped and located on the south side of Greenaway Lane to the east of number 125. The site comprises a strip of approximately 87m of highway verge with the remainder of the site comprising a second strip of land of approximately 11m by 30m that was part of the site for the approved outline application P/19/0402/OA for the construction of up to 100 dwellings.

3.0 *Description of Proposal*

3.1 The application proposes a temporary construction access onto Greenaway Lane to serve the development permitted under P/19/0402/OA. The purpose of the proposed access is to provide a separate access for construction vehicles in order to separate these vehicles from other visitors to the site who would use the access approved under P/19/0402/OA. The access would be removed following the construction process with the verges re-instated to their original condition.

3.2 The proposed access would be an 8m wide ‘vehicular verge crossover’ located to the east of the access approved under P/19/0402/OA. The proposed access would provide a western visibility splay of 2.4 x 33m and an eastern visibility splay of 2.4 x 43m. The area immediately next to the highway is proposed to be hard surfaced with a give-way line set back from the crossover.

3.3 The application proposes temporary signage, an alternative walking route and a commitment to provide a banksman /traffic marshal at the entrance to oversee delivery vehicles in order to protect pedestrians walking along Greenaway Lane

from construction traffic. The application also proposes a temporary footway, a temporary dropped kerb at the eastern end of the footway, a set-back give way line, secure and set-back site hoardings and a walking connection to the footway that will be provided at the approved residential vehicular access.

- 3.4 The location, type of access and visibility splays are proposed within this application. The technical design details including kerb heights, surface materials and gradients would be agreed with Hampshire County Council. The delivery of the temporary construction access would involve an initial inspection followed by additional inspections by Hampshire County Council under a highways licence or agreement to ensure it is constructed in accordance with the approved details.
- 3.5 The application is supported by a Construction Access Operational Management Plan (CAOMP) which sets out procedures relating to the design, delivery, management measures, operational management and decommissioning.
- 3.6 The outline planning permission (P/19/0402/OA) included a condition (number 5) requiring a construction traffic management plan to be submitted. This application is for the proposed construction traffic access only. The details required by condition no. 5 of the outline permission will be submitted within a separate 'approval of details required by condition' application.
- 3.7 The proposed access is only required for a temporary period during the construction process. Therefore, this type of access arrangement benefits from a deemed planning permission already under The Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 4, Class A (i.e. it is permitted development). The proposed development does not therefore require express planning permission. The applicant has, however, applied for planning permission to enable a process of community consultation to be carried out and to enable any concerns raised by consultees to be addressed prior to applying to Hampshire County Council for a highways license to implement the works. The Council is therefore obliged to determine the planning application.

4.0 Policies

- 4.1 The following policies apply to this application:

National Planning Policy Framework 2021

Adopted Fareham Borough Core Strategy

CS5 Transport Strategy and Infrastructure

CS6 The Development Strategy

Adopted Development Sites and Policies

DSP1 Sustainable Development

DSP3 Impact on Living Conditions

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/19/0402/OA	Outline application with all matters reserved (except for access) for the construction of up to 100 residential dwellings, access from Greenaway Lane, landscaping, open space and associated works
--------------	---

Approved	22.4.21
----------	---------

P/19/0402/DP/A	Partial discharge of condition 9 of P/19/0402/OA Outline application with all matters reserved (except for access) for the construction of up to 100 residential dwellings, access from Greenaway Lane, Landscaping, open space and associated works
----------------	--

Not yet determined

6.0 Representations

6.1 Objections have been received from 14 households raising the following concerns:

- Impact on safety of road users
- Articulated vehicles accessing the site will overhang the driveway opposite and on exiting they will overrun the kerbed radius and tactile paving
- Warning signage is not sufficient
- The access should come from the south
- There is no pavement for pedestrians to use to avoid construction traffic
- The development will result in mud on the road
- The approved access should be re-designed
- Construction vehicles will have to straddle both lanes of the road
- Residents conducted a traffic survey in May 2019 which shows an increase of 116% over the numbers in i-Transport's survey
- Will the new access be capable of taking the load of construction vehicles?
- Residents in Greenaway Lane will be trapped waiting while construction traffic is entering the site

- The proposed alternative walkway is overgrown and not suitable for wheelchair users.
- The Road Safety Audit is inadequate
- The access will impact traffic flow
- The footpath between Greenaway Lane and Brook Lane should be upgraded to 3m
- It was resolved that the entrance to Greenaway Lane from Brook Lane would be modified by HCC to a bellmouth junction prior to the commencement of work
- The vehicular paths shown are not accurate
- Lack of information regarding wheel washing
- Three banksmen will be required
- How will surface water be disposed of?
- Impact on gas pipes in the road
- Impact on health and well-being of owner of no. 110 Greenaway Lane
- Impact on person with disability at no. 125 Greenaway Lane

7.0 Consultations

EXTERNAL

Hampshire County Council - Highways

7.1 No objection subject to conditions:

-Construction in accordance with the Construction Access Operational Management Plan

-Details to be secured by a s278 agreement prior to commencement

The temporary access has been redesigned to be a vehicle crossover giving a clearer priority to pedestrians wishing to cross. The give way line has also been set back to allow for greater visibility for existing vehicles as well as giving a clear route for pedestrians across the frontage of the access. A temporary east-west pedestrian footway with a crossing facility is also to be provided.

Visibility from the construction access is slightly hindered for drivers having to look at an oblique angle, but it is noted that this will be managed by a banksman (details provided within the Construction Access Operational Management Plan.)

Appropriate design, remedial and reinstatement measures would be secured by the Highway Authority within the s278 agreement.

8.0 Planning Considerations

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

- a) Principle for development
- b) Impact on the adjacent highway
- c) Impact on neighbouring properties
- d) Other Issues

a) Principle for development

8.2 As described above, this type of access could be undertaken under permitted development. The principle for the development is considered acceptable and the fallback position that the works could be undertaken in any event without an express planning permission must be afforded significant weight in the decision making on this application.

8.3 b) Impact on the adjacent highway

Greenaway Lane is 5m wide next to both the approved and proposed access points and increases in width at the junction to Brook Lane. The width of the road at the narrower points (5m) means that 2 cars can pass each other at the same time, however it is not possible for 2 larger vehicles such as articulated lorries to pass each other. Residents are concerned that the proposed access would increase the number of larger vehicles using this part of Greenaway Lane which would have an adverse impact on the safety of the road, in particular for pedestrians and cyclists. The majority of the objections submitted raised concerns about the use of Greenaway Lane for construction traffic because of its limited width and absence of pavement. Concerns have also been raised about the impact of the proposed access on traffic flow.

8.4 The application is supported by plans containing swept path analysis for different traffic scenarios together with various different vehicles including articulated lorries, draw bar trucks and box vans. These plans demonstrate that articulated lorries wanting to enter or exit the approved site entrance would overhang the pavement next to 112 Greenaway Lane. The proposed access, however, has been designed at an angle to enable articulated lorries to enter and exit the site without the need to encroach the pavement and therefore provides a preferable solution.

8.5 The plans provided with the application also demonstrate that the width of Greenaway Lane at the junction with Brook Lane is wide enough to allow an articulated lorry to enter or exit Greenaway Lane with a box van on the other side, however it is not large enough for 2 articulated lorries to pass each other. As the lane narrows to 5m there is also insufficient width to enable a lorry and a box van to pass each other which means that one of the vehicles would have to stop to enable the other to pass unobstructed. Residents have raised concerns that in situations where there are vehicles entering Greenaway Lane from Brook Lane that are faced with oncoming vehicles exiting Greenaway Lane

that are too wide to pass each other, one of them would have to reverse to enable the other to pass.

- 8.6 The plans provided with the application demonstrate that there is unobstructed inter-visibility between the junction with Brook Lane and the proposed access to the site, such that when vehicles enter Greenaway Lane from Brook Lane they will be able to see if there are any oncoming vehicles that would prevent them from continuing along Greenaway Lane to the proposed access. In this scenario one of the vehicles would have to give way to allow the other vehicle to pass, for example a vehicle entering Greenaway Lane from Brook Lane would stop and allow the other vehicle to continue and pass safely next to them if the junction is wide enough. If a vehicle is driving westwards along Greenaway Lane and sees a construction vehicle entering from the junction with Brook Lane they could stop east of the construction access to allow the construction vehicle to enter the proposed access and then continue once the construction vehicle had entered the site.
- 8.7 Vehicles entering Greenaway Lane from Brook Lane have to slow down to make the turn and vehicles driving along Greenaway Lane itself will generally be driving at fairly low speeds given the informal nature of the lane. The speed of vehicles in this location, combined with the unobstructed visibility means that there will be adequate time for oncoming vehicles that are too large to pass each other at this narrow point in the lane to stop to enable the other to pass safely. It is not anticipated that there will be many occasions when vehicles have to reverse however the Construction Access Operational Management Plan confirms that a banksman/traffic marshal will be employed to assist with managing construction traffic entering and exiting the site. If there are occasions where vehicles are required to reverse the banksman will be able to ensure that it is done in a safe and appropriate manner.
- 8.7 The Construction Access Operational Management Plan also contains additional measures designed to ensure that the proposed access does not have an adverse impact on the safety of Greenaway Lane for example management measures including signage, hoardings, wheel washing, hard surfacing and road cleaning measures and operational management measures including the provision of sufficient turning space provided within the site to enable traffic to leave in a forward gear, dust suppression measures and sheeting of vehicles transporting materials to and from the site.
- 8.8 Hampshire County Council have been consulted and have confirmed that they raise no objection to the proposal subject to conditions to secure both the measures contained within the Construction Access Operational Management Plan and details of the technical design which in any event would be secured to be secured by a s278 agreement prior to commencement. The applicant has a duty to submit technical details to the Highways Authority under s278 of the Highways Act therefore to include a planning condition requiring these details to be submitted would be unnecessary and would fail the requirement for planning conditions to be necessary.

- 8.9 The Health and Safety Executive provides guidance relating to construction sites which states that 'The majority of construction transport accidents result from the inadequate separation of pedestrians and vehicles.' The HSE guidance document also covers housing construction sites and provides further specific advice on deliveries and the many positive precautions that can be taken to ensure people outside the site are protected including: 'Providing specific 'drive-in' loading areas for safer movement of goods on to site' and 'Exclude the public from the work area whenever possible.' The proposed temporary access would prevent the need for articulated lorries to have to encroach onto the pavement and would therefore provide a more appropriate access for construction traffic than the access approved under the outline application. The proposed access would also enable construction traffic to be separated from other visitors to the site in accordance with best practice guidance.
- 8.10 The Construction Access Operational Management Plan also contains several measures designed to aid pedestrians, cyclists and other vehicles using this section of Greenaway Lane. The implementation of the measures contained within the Construction Access Operational Management Plan are secured by planning condition.
- 8.11 Policy CS5 states that the Council will permit development which does not adversely affect the safety and operation of the strategic and local road network or pedestrian or cycle routes. There is an approved access that could be used by construction traffic to enter and exit the site however it would require articulated lorries to encroach onto the pavement. The proposed access has been designed to enable articulated lorries to be able to enter and exit the site without having to encroach onto the pavement. The proposed temporary access would also enable construction vehicles to be separated from other visitors to the site in accordance with the HSE guidance. Furthermore, as explained earlier in this report, the proposed access does not require express planning permission however this application contains a number of measures designed to enhance the safety of pedestrians, cyclists, and other vehicles in this section of Greenaway Lane. The proposed access and the associated safety measures are considered to comply with the requirement of policy CS5.
- c) Impact on neighbouring properties
- 8.12 The parents of a man with a disability who lives at no. 125 Greenaway Lane have raised concerns about the impact of the proposed access on the access to no. 125 in particular.
- 8.13 With reference to the Public Sector Equality Duty contained in the Equality Act 2010 (the EA 2010), Officers have had due regard under Section 149 of the EA 2010 to the requirement to take steps to meet the needs of persons who share a protected characteristic. The EA 2010 defines disability as one such characteristic. The application contains several measures designed to protect users of the Lane whether they are in cars or travelling by other means including the provision of a traffic marshal and a temporary pedestrian route. Notwithstanding concerns that the proposed pedestrian route may not be wide

enough to allow 2 wheelchairs to pass, given that wheelchair users are currently obliged to use the road with no provision for pedestrians, the proposed route combined with assistance from the traffic marshal/banksman would make adequate provision for their safety.

- 8.14 With regard to access to vehicles, it is noted that no. 125 has a large driveway. As such there appears to be no requirement for wheelchair users to access vehicles parked in the lane from within the lane itself. It is therefore considered that if Members approve the application, the needs of disabled residents would not be prejudiced in any way.
- 8.15 The owner of no. 110 Greenaway Lane has objected on the ground that the proposed access will have an adverse impact on her health and well-being and that the additional stress would exacerbate her condition as she has a degenerative illness. With reference to the Public Sector Equality Duty contained in the Equality Act 2010 (the EA 2010), Officers have had due regard under Section 149 of the EA 2010 to the requirement to take steps to meet the needs of persons who share a protected characteristic. It is acknowledged that construction activities can result in disturbance to neighbouring properties, however the proposed development contains a number of measures designed to minimise the impact on neighbouring properties such that it would have less impact than if the access was constructed as 'permitted development' without the additional measures that can be secured by planning condition for example the use of dust suppression measures and the cleaning of vehicles and the road to prevent mud deposition. The impact of the proposed development on neighbours' amenities is therefore not considered to prejudice the needs of any disabled residents or to constitute a reason for refusing the application.

d) Other Issues

- 8.16 Some of the representations submitted have suggested that it would be more appropriate to provide a construction access to the site from the south. Again, it is re-emphasised that the proposal could be undertaken as permitted development. Furthermore. Members will be aware that the Local Planning Authority has a duty to consider the acceptability of the proposed development not to assess the appropriateness of other potential options. However, in order to understand the rationale behind the location of the proposed access the issue was raised with the planning agent and the following explanation was provided regarding why an access to the site from the south would not be viable:
- 8.17 **Timing (1)** – *The residential development sites to the south of Greenaway Lane will not necessarily have a detailed planning permission for a scheme with a road in it from Brook Lane to the southern Greenaway Lane site boundary at the time when construction shall be commencing on the Greenaway Lane site. Indeed, the former Land and Partners site immediately to the south of the Greenaway Lane site does not yet benefit from planning permission;*

- 8.18 **Timing (2)** – *Even if detailed planning permission for a scheme with a road in it from Brook Lane to the southern Greenaway Lane site boundary was achieved, it may not be possible to build the road in time to start using it as a construction access when construction is ready to commence on the Greenaway Lane site;*
- 8.19 **Safety** - *A route through the Brook Lane site would result in construction traffic routing through a newly created residential area with many more homes affected than on Greenaway Lane itself. The Greenaway Lane construction access option that is proposed in this application has been designed to avoid this and follows the advice of the Health and Safety Executive by routing construction accesses in a way which avoids using plant and equipment on the same roads as new occupiers. It is of course accepted that there will be impacts upon existing residents of Greenaway Lane, however, the proposals have sought to minimise these impacts as far as possible, and Hampshire County Council acknowledge this position, with no objection raised;*
- 8.20 **Ecology** – *Reptile mitigation works have yet to be undertaken on the Land and Partners site. This, as with the delivery timeline issues outlined above, is a timing constraint, were the construction access to be routed from the south; and*
- 8.21 **Unnecessary** – *The Greenaway Lane site could be accessed for construction purposes via the main Greenaway Lane access as was granted by the outline planning permission. However, it has been recognised that this approach would be sub-optimal. The construction access proposed is a safer/better solution which is a marked improvement over using Greenaway Lane residential access.*
- 8.22 Residents conducted a traffic survey in May 2019 which shows an increase of 116% over the numbers in i-Transport’s survey. The survey undertaken by the residents has been considered in conjunction with the survey produced by i-Transport and submitted as part of the application. Although the survey submitted by residents shows an increase in traffic when compared to the survey produced by i-transport this is not considered to constitute a reason for refusal given the proposed safety measures that have been endorsed by Hampshire County Council. Furthermore, as already stated elsewhere in this report, the proposed access can be constructed as permitted development in any event.
- 8.23 One of the objections asks how the access would drain. The drainage would be designed to prevent flooding of the highway. The detailed design including drainage of the road would be assessed by Hampshire County Council as part of the s278 technical package.
- 8.24 Concerns have also been raised regarding the impact of construction vehicles on gas pipes within the road. The impact of construction vehicles on the gas pipes will have been taken into consideration by Hampshire County Council when assessing the application and therefore does not constitute a reason for refusal.

Conclusion

- 8.25 The proposed temporary access is considered to be permitted development. However, the applicant has sought to apply for an express planning permission for the work. The proposal has been specifically designed for use by large construction vehicles and would enable construction traffic to be separated from other visitors to the site (who would use the access approved under the outline application) in line with guidance produced by the Health and Safety Executive.
- 8.26 The temporary access does not require planning permission although the technical details and the implementation require Hampshire County Council's approval under the requirements of the Highways Act. Notwithstanding the applicant's ability to construct the proposed access (during the construction process) without the need to apply for Planning Permission, this application has been submitted and contains several measures designed in consultation with Hampshire County Council to protect both users of Greenaway Lane and future residents living within the site. The implementation of the proposed safety measures can be secured by planning condition.
- 8.27 For the reasons outlined above it is recommended that planning permission is approved.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall begin before the expiry of three years of the date of this decision.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - Site location plan Drawing no. ITB13162-GA-034 Rev A
 - Temporary construction access arrangement ITB13162-GA-030 Rev C
 - Site access visibility splays ITB13162-GA-035 Rev A
 - Construction Access Operational Management Plan produced by i-Transport and dated 31st August 2021.REASON: To avoid any doubt over what has been permitted.
3. No work on site relating to the construction of any of the development hereby permitted shall take place until details of the proposed pedestrian

route have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure the safety of users of the highway.

4. The development shall be undertaken strictly in accordance with the measures specified in the Construction Access Operational Management Plan produced by i-Transport and dated 31st August 2021.

REASON: To ensure the safety of users of the highway.

5. On or before 31st December 2026, or upon the occupation of the final dwellinghouse permitted at the site, whichever is the sooner, the use of the access hereby permitted shall cease and any development carried out in pursuance of this permission shall be demolished, materials removed from the site, and the land restored to its former condition.

REASON: To retain planning control over the development hereby permitted and to enable the circumstances leading to the grant of permission to be reviewed

6. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

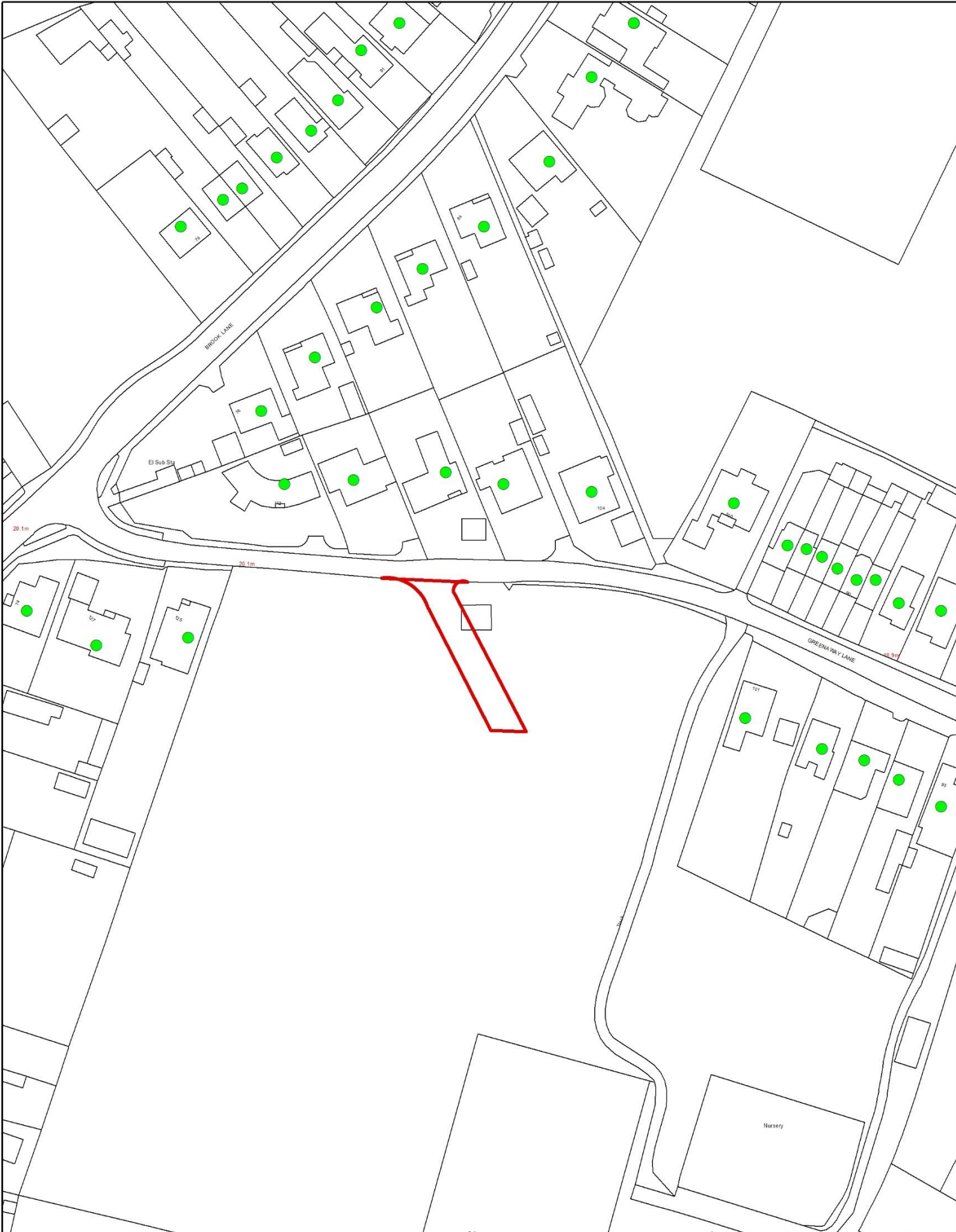
REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

10.0 Background Papers

P/21/0770/FP

FAREHAM

BOROUGH COUNCIL



Land Adjacent to
125 Greenaway Lane
Scale: 1:1,250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2018

Agenda Item 6(2)

OFFICER REPORT FOR COMMITTEE

DATE: 13/10/2021

P/21/1066/FP

TITCHFIELD

MR ALAN TRUSLER

RETAIN CONVERSION OF GARAGE INTO HABITABLE LIVING SPACE AND PROPOSED OFF ROAD PARKING.

3 GAINSBOROUGH MEWS, FAREHAM, PO14 4EX

Report By

Jenna Flanagan – direct dial 4815

1.0 Introduction

1.1 This application is reported to the Planning Committee due to the number of third-party letters received meeting the five letter threshold and their content being contrary to the Officer recommendation.

2.0 Site Description

2.1 The site consists of an east facing, mid-terraced dwellinghouse, located on the west side of Gainsborough Mews with a small front garden which adjoins the block paved cul-de-sac. Until recently the property benefitted from an integral garage with a brown up and over garage door and a single off-road parking space in front of the garage on the south side of the front elevation.

3.0 Description of Proposal

3.1 The planning application seeks permission to retain the conversion of the garage into a habitable living space, with the creation of an additional off road parking space.

3.2 In many cases the addition of a window on the ground floor of a dwelling and the conversion of an integral garage to a habitable space would not require planning permission from the Council as the works would be Permitted Development. However, on this occasion, planning permission is required due to a condition on the original planning permission for the development of Gainsborough Mews (P/91/1141/FP) which prevents the use of the garage changing from its intended use of parking vehicles. The reason for this condition being imposed was to ensure that each property had appropriate off-road car parking spaces available.

3.3 The conversion of the garage into a habitable living space is mostly completed. The brown garage door has been replaced with a similar size, dark framed, tinted window.

3.4 To replace the parking space lost by the garage conversion, the applicant proposes to block pave the front garden to create an additional parking space making a total of two off road parking spaces at the front of the property.

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

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 The following planning history is relevant:

P/91/1141/FP	Twenty One Houses With Garages Car Parking and Access Road.
Approve	03/03/1992
Permission	09/04/1998

6.0 Representations

6.1 During the 21-day consultation period, five representations were received in relation to this application, raising the following main grounds:

- Up and over garage door replaced with a window of the same size which significantly changes the character of the area.
- Prefer to see garage door replaced with combination of brick and window.
- Large window at odds with surrounding area.
- Window the size of the garage door is not in keeping with the design characteristics of the Mews.
- Large window provides unsightly view of activity within the habitable living space for neighbours opposite the property.
- Car parking will restrict pedestrian access to the front door, as well as bin storage and refuse collection problems.

- Proposed parking will restrict access to the alleyway into the rear garden.
- Second car parking space can only be utilised when no vehicle is parked in front of the former garage.
- Deeds state "...not to vary the general colour scheme of the exterior of the dwellinghouse and garage from that approved by the Local Planning Authority save from the front door..."
- Deeds state "...to preserve all existing trees and shrubs and not to fell mutilate or otherwise damage destroy or remove any existing or future trees or shrubs..."
- No objection to conversion of garage into a room.

7.0 Consultations

None

8.0 Planning Considerations

- 8.1 Gainsborough Mews benefits from a block paved highway and variety of terraced houses finished with different materials so each dwellinghouse has a slightly different appearance. The finishes include red brick, rendering and red clay hanging tiles. Some properties benefit from having integral garages, linked garages and others have no garage. The garage doors are mostly dark brown, surrounded by a white frame.
- 8.2 The principal elevations of the properties within Gainsborough Mews are staggered, the application property is set back approximately 2.6 metres from the property to the south, so the garage conversion is not immediately visible when entering Gainsborough Mews.
- 8.3 The garage conversion is visible from the highway and it is recognised that the installation of one large window to replace a garage door is an uncommon approach. However, the development to install the window to create the habitable room has retained the original brickwork feature above the garage door and the window benefits some of the characteristics of the garage door due to its overall size and dark tinted glazing giving the window a darker appearance.
- 8.4 On balance, whilst acknowledging the comments that have been received from residents about the window's unsightly appearance, and the changes in appearance of the principal elevation, Officers consider that the window does not materially harm the character or appearance of the street.
- 8.5 The loss of a parking space due to the garage conversion has been compensated for by the proposed block paving of the front garden to provide

off-road parking for a total of two vehicles. This additional car parking space will result in the loss of some planting upon the frontage, but its loss would not be unacceptably harmful. The provision of this additional car parking space could be carried out without the need for planning permission under Permitted Development Rights.

8.6 Notwithstanding the objections received, the development is not considered to have a unacceptable impact upon the character and appearance of the area and is compliant with the Council's adopted planning policies.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development shall be carried out in accordance with the following approved documents:
 - a. Floor Plans
 - b. Proposed Off Road Parking
 - c. Site Plan
 - d. Location Plan
2. Within three months of the date of this decision the additional parking space (as shown on the approved plan "Proposed Off Road Parking") shall be constructed in accordance with the approved plans and made available for use. This parking space shall thereafter be kept available for the parking of vehicles at all times unless otherwise first agreed in writing by the Local Planning Authority following the submission of a planning application for that purpose.

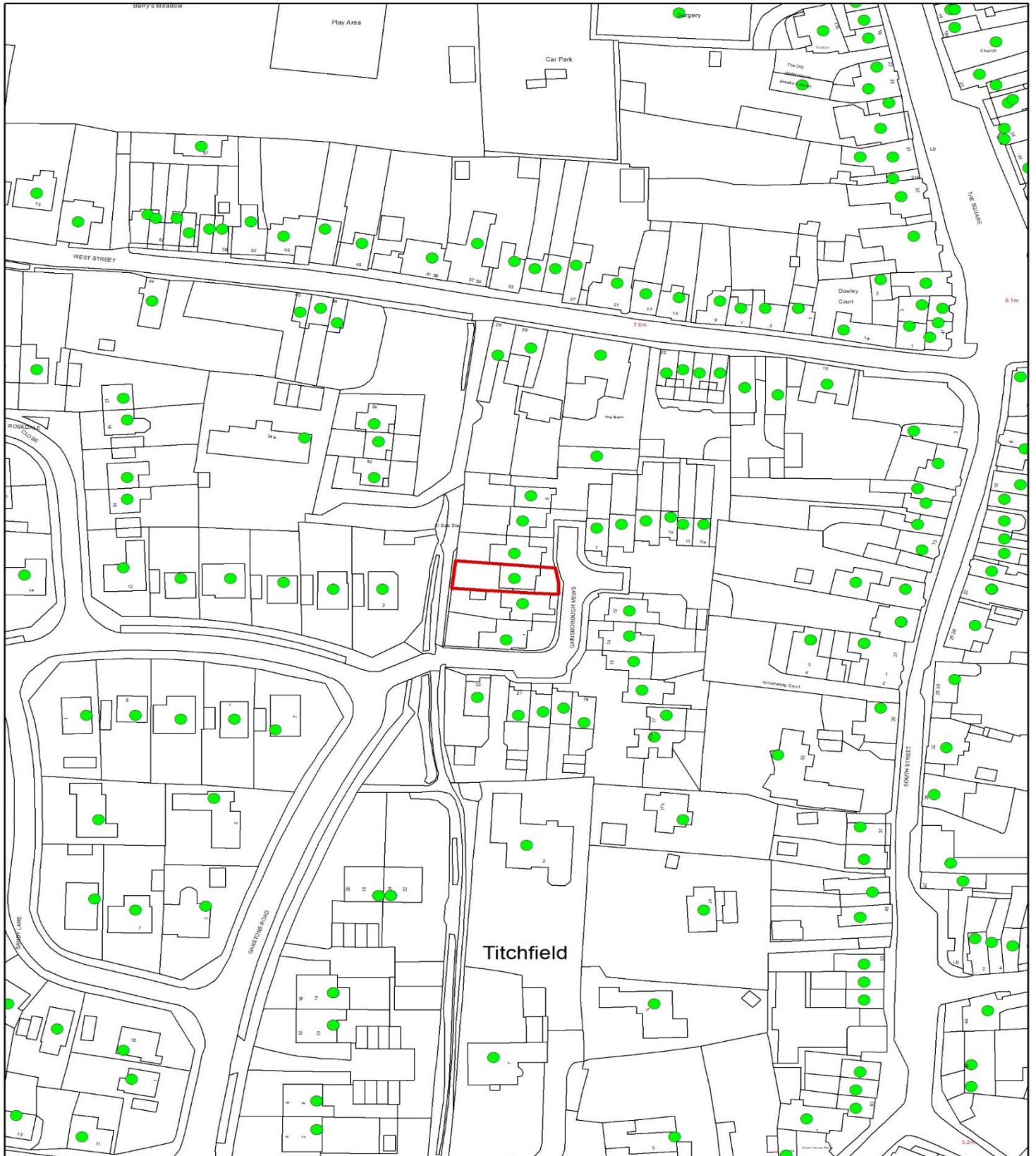
REASON: In the interests of highway safety.

10.0 Background Papers

P/21/1066/FP

FAREHAM

BOROUGH COUNCIL



3 Gainsborough Mews

Scale: 1:1,250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110, 2018

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

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/21/0767/FP FAREHAM NORTH-WEST	LAND TO THE REAR OF 1-5 HILL DRIVE FAREHAM PO15 6JA DETACHED BUNGALOW, ASSOCIATED PARKING AND LANDSCAPING AND ACCESS ONTO HIGHLANDS ROAD.	3 PERMISSION

Agenda Item 6(3)

OFFICER REPORT FOR COMMITTEE

DATE: 13 October 2021

P/21/0767/FP

FAREHAM NORTH-WEST

MS E EMERY

AGENT: MR B KELLY

DETACHED BUNGALOW, ASSOCIATED PARKING AND LANDSCAPING AND ACCESS ONTO HIGHLANDS ROAD

LAND TO THE REAR OF 1-5 HILL DRIVE, FAREHAM, PO15 6JA

Report By

Katherine Alger – direct dial 01329 824666

1.0 Introduction

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

2.0 Site Description

2.1 This application relates to an area of land to the rear of 1-5 Hill Drive. The site is on the south east side of Highlands Road and is set down below Highlands Road. The site itself is covered in mature vegetation and some mature trees to the periphery. The surrounding area is predominantly characterised by residential dwellings of varying styles and types.

3.0 Description of Proposal

3.1 The proposal seeks full planning permission for the construction of a detached bungalow, associated parking and landscaping. As the site is situated below Highlands Road, engineering works need to be undertaken on site to enable vehicles to enter and leave the site directly from Highlands Road.

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

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

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document
(excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 Relevant Planning History

5.1 The following planning history is relevant:

5.2 In April 2019 planning permission was refused for the construction of a detached bungalow, associated parking and landscaping with access onto Highlands Road (Ref P/19/0062/FP). The reasons for refusal were as follows:

The development would be contrary to Policy CS17 of the Adopted Fareham Borough Core Strategy 2011, Policies DSP3, DSP13, and DSP15 of the Adopted Local Plan Part 2: Development Site and Policies Plan and the Adopted Design Guidance SPD and is unacceptable in that:

- a) the provision of the access driveway ground levels and associated boundary wall would represent an unacceptable overbearing and oppressive impact on the use of the adjoining gardens along Hill Drive harmful to the outlook from these gardens and to the detriment of the living condition of the occupants;*
- b) the proposed dwelling would provide an inadequate area of private outdoor living space, below the minimum standard sought within the Borough for a family sized dwelling. The area of space provided would be largely overshadowed by surrounding buildings and vegetation resulting in a limited level of sunlight entering the garden;*
- c) insufficient evidence has been provided to adequately address the potential impact of the development on protected species which may be present on the site;*
- d) in the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the ‘in combination’ effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the European designated Solent Special Protection Areas.*

5.3 In November 2019 a similar planning permission was submitted for a detached bungalow, associated parking and landscaping with access onto Highlands Road (Ref P/19/1247/FP), which sought to address the above-mentioned reasons for refusal. This proposal including changes to the design and layout of the driveway in order to address the concerns relating to the overbearing impact on the adjoining gardens. Furthermore, it provided increased private outdoor living space which met the requirements of the Fareham Borough Design Guidance and provided additional ecological surveys to assess the impact upon any protected species on the site. However, whilst the amended scheme addressed the overarching reasons for refusal the proposal failed to address the issues relating to impact on protected sites and failed to provide satisfactory nitrate mitigation. In February 2021 the application was refused for the following reasons:

The development would be contrary to Policy CS4 of the Adopted Fareham Borough Core Strategy 2011, Policies DSP13, and DSP15 of the Adopted Local Plan Part 2: Development Site and Policies Plan and is unacceptable in that:

- (i) 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 Protected Sites around The Solent; and,*
- (ii) 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 the Protected Sites around The Solent which, in combination with other development, would arise due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.*

6.0 Representations

6.1 Seven representations have been received objecting on the following grounds:

- a) Loss of privacy
- b) Highway safety
- c) Drainage
- d) Subsidence
- e) Unsustainable development
- f) Increase in traffic
- g) Disruption from construction vehicles
- h) Impact on air quality

- i) Impact on wildlife
- j) Incorrect plans
- k) Covenant on site to prevent development
- l) Inappropriate location
- m) overbearing

7.0 Consultations

EXTERNAL

Highways

- 7.1 No objection subject to conditions

Natural England

- 7.2 No Objection subject to appropriate mitigation being secured.

Ecology

- 7.3 No Objection subject to conditions

8.0 Planning Considerations

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

- a) Principle of development
- b) Design
- c) Impact on residential amenity
- d) Highways
- e) Ecology
- f) Impact on Protected Sites
- g) Other issues raised in objections

a) Principle of development

- 8.2 The application site is located within the urban area; the principle of residential development here is considered to be acceptable and in accordance with Policies CS2 and CS6 of the adopted Core Strategy.

b) Design

- 8.3 Policy CS17 of the Core Strategy states that all development will be designed to respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form and spaciousness and use of external materials.

- 8.4 The Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) highlights the importance of new dwellings having regard to the scale and character of the surrounding area. Hill Drive, which lies directly to the northeast of the site is a cul-de-sac of bungalows; the addition of a bungalow to the rear of this cul-de-sac is considered by Officers to be acceptable.
- 8.5 Highlands Road is varied in character with a variety of bungalows and two-storey properties along its length. As the site is set below the level of Highlands Road, the proposed bungalow would not be prominent in the street. Officers consider that the proposal would not harm the character or appearance of the area.
- 8.6 In terms of design, the proposed bungalow is of an appropriate scale and would be constructed of appropriate materials which would have regard to the existing character.
- 8.7 The dwelling would achieve a garden depth of at least 11metres which would comply with the guidance specified in the Design Guidance SPD. There are a number of mature trees on the site which would be located a suitable distance away from the proposed bungalow and its rear garden. The trees would not result in unacceptable overshadowing of the bungalow and garden.
- 8.8 The proposal would include a large amount of landscaping in the front garden as well as a number of existing mature trees which are located around the site.
- 8.9 It is therefore considered that the design of the proposal would be acceptable and would have regard to the key characteristics of the surrounding area, in accordance with Policy CS17.

c) Impact on Residential Amenity

- 8.10 The bungalow itself would be located directly behind the properties of 3 and 4 Hill Drive and the rear garden would be located behind numbers 5 and 7 Hill Drive. The bungalow would be set away from the northern boundary by approximately 1.2 metres. There would be a separation distance of approximately 23 metres between the application site and the rear of numbers 3 and 4 Hill Drive. This level of separation would significantly exceed the minimum distances the Council seeks through its Design Guidance SPD to preserve the outlook of adjoining properties.
- 8.11 A large area of landscaping including new trees and high hedging would be located within the front garden. This would offer sufficient screening between the proposal and properties 1 and 2 Hill Drive. Due to the large separation distance it is not considered that the proposal would result in any significant adverse impact on these properties.

- 8.12 There would be windows located on the northern side of the bungalow, serving secondary bedroom three and living rooms, and the main window for bedroom two. There would be a high hedge separating the proposal from the properties to the north. Officers are satisfied that the privacy of adjoining properties would be preserved.
- 8.13 The development has been assessed against the Nationally Described Space Standards. The Nationally Described Space Standards set out acceptable minimum standards for property sizes based on the number of bedrooms and intended number of occupants and contains minimum standards for single and double bedroom sizes. The proposal is fully compliant with the Space Standards.
- 8.14 The development proposal is considered to accord with the requirements of the Design Guidance SPD and would not result in an unacceptable adverse impact on the living conditions of neighbouring occupiers or future residents, in accordance with Policy DSP3.

d) Highways/Parking

- 8.15 The Highway Authority is satisfied that there is no direct or indirect impact upon the operation or safety of the local highway network and raises no objection to the proposal subject to three conditions. These conditions include the requirement for a S278 agreement with the Highway Authority, access construction provision, parking provision and a Construction Method Statement.

e) Ecology

- 8.16 The Ecologist has considered the Preliminary Ecological Appraisal which stated that the majority of habitats on site have been cleared, resulting in only areas of ruderal vegetation and a number of trees present. Two of the trees on the site have been confirmed to have low potential for bats and therefore a soft-felling method has been recommended. Whilst badger hair was recorded at an entrance hole, the camera trap surveys only recorded evidence of foxes. Therefore, a pre-works excavation of holes (if badgers have been confirmed to be absent) can only be carried out outside the breeding season which extends from March to May. A planning condition will be imposed to ensure that an updated survey for the presence of badgers is submitted prior to commencement of any on site works.
- 8.17 The Phase II Reptile Survey confirms the likely absence of reptiles on site.
- 8.18 The works carried out on site to date have resulted in the removal of large areas of scrub and the proposals will result in the loss of a number of trees. However, it is noted that a 1.6m and 2.1m high hedge is proposed along the north-eastern boundary, with a small number of existing trees being retained. Furthermore, a small number of new trees are proposed along with north-

eastern boundary. It is therefore recommended that the area of native tree planting on site is increased to ensure no net loss in biodiversity. These will be required and secured by a planning condition.

f) Impact on Protected Sites

- 8.19 The site lies within 5.6km of The Solent and Southampton Water SPA and Ramsar Site, Solent and Dorset Coast SPA, Portsmouth Harbour SPA and Ramsar Site and the Solent Maritime SAC, for which it is important to ensure that new residential developments, in combination with other developments, do not have a significant effect on the integrity of these sites as a result of increased recreational disturbance and increased nitrogen loading from water sources and air pollution.
- 8.20 The applicant has paid the necessary habitat mitigation contribution to address the likely significant effect of the development from increased recreational disturbance on the Protected Sites.
- 8.21 In addition, the provision of additional dwellings within the Borough will have a detrimental impact on air and water quality on the Protected Sites around The Solent. Natural England has also advised that the effects of emissions from increased traffic along roads within 200 metres of the Protected Sites have the potential to cause a likely significant effect. The Council's Air Quality Habitat Regulations Assessment highlights that developments in the Borough would not, in combination with other plans and proposals, have a likely significant effect on air quality on the Protected Sites up to 2023, subject to appropriate mitigation.
- 8.22 In respect of water quality, a calculation of the nitrogen loading from the development demonstrates that the scheme will generate 0.7 TN/year. Due to the uncertainty of the effect of the nitrogen from the development on the Protected Sites, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before permission can be granted.
- 8.23 The nitrogen budget assumes an occupancy rate for the new development of 2.4 people. Natural England recommends that, as a starting point, local planning authorities should consider using the average national occupancy rate of 2.4 persons per dwelling as calculated by the Office for National Statistics (ONS), as this can be consistently applied across all affected areas. However, competent authorities may choose to adopt bespoke calculations where they are satisfied that there is sufficient evidence to support this approach. In this case, there is no evidence to justify adopting a bespoke occupancy rate, and no representations suggest that an alternative rate should be used, and therefore a rate of 2.4 persons is appropriate.

- 8.24 The existing use of the land has been classified as urban (0.06ha) as it is used as a residential dwelling.
- 8.25 The nitrogen budget shows a surplus of 2.8kg/TN/year that would enter The Solent via the wastewater treatment works. The applicant has entered into a contract and purchased 3.00kg of nitrate mitigation 'credits' from the Hampshire and Isle of Wight Wildlife Trust (HIWWT). Through the operation of a legal agreement between the HIWWT, Isle of Wight Council and Fareham Borough Council dated 30 September 2020, the purchase of the credits will result in a corresponding parcel of agricultural land at Little Duxmore Farm on the Isle of Wight being removed from intensive agricultural use, and therefore providing a corresponding reduction in nitrogen entering The Solent marine environment. A condition would be imposed to ensure the Building Regulations Optional requirement of a maximum of 110 litres of water per person per day is complied with, in order to accord with the nitrates loading calculation and the Appropriate Assessment.
- 8.26 The Council has carried out an appropriate assessment and concluded that the proposed mitigation and condition will be adequate for the proposed development and ensure no adverse effect on the integrity of the Protected Sites either alone or in combination with other plans or projects. The difference between the credits and the output will result in a small annual net reduction of nitrogen entering The Solent.
- 8.27 Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings.
- 8.28 It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4, DSP13 and DSP15.

g) Other issues raised in objections

- 8.29 **Drainage and subsidence-** The impact of subsidence is not a material planning consideration and will be assessed by Building Control during the construction of the development. Details of surface and foul water drainage would be subject to a planning condition.
- 8.30 **Construction disturbance-** Any development is likely to result in a minor level of disturbance and disruption to the local area during the course of the construction period. The application would be subject to a condition requiring the submission of a Construction Management Plan in order to ensure that any impact is minimised. The disturbance would only be for a limited time period, during the construction period.
- 8.31 **Air quality-** It is not considered that the addition of one dwelling would have a detrimental impact on the air quality of the surrounding area. Wider

implications for air quality, and its impact on the Protected Sites have been considered above.

8.32 Covenant on site to prevent development- This is not a material planning consideration and is dealt with by legislation separate to planning.

Summary

8.33 A planning application for this development was refused under delegated powers earlier this year. The refusal related solely to the absence of mitigation upon the Protected Sites within The Solent. Mitigation for any impacts upon these Protected sites has now been identified and secured. Officers consider that their earlier concerns have now been fully addressed.

8.34 Notwithstanding the objections received, Officers consider the proposal fully accords with the Council's adopted planning policies and Supplementary Planning Documents and that subject to the imposition of appropriate planning conditions, planning permission should be granted.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

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

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

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

- a) Location Plan 18-041 001 P2
- b) Existing Block Plan 18-041 002 Rev P2
- c) Existing Site Sections 1-2 18-041 004 Rev P2
- d) Existing Site Sections 3-5 18-041 005 Rev P2
- e) Proposed Site Sections 1-2 18-041 015 Rev P7
- f) Proposed Site Section 3-5 18-041 016 Rev P7
- g) Proposed Visibility Splay Plan 18-041 017 Rev P6
- h) Proposed Block Plan 18-041 012 Rev P8
- i) Proposed Floor Plans and Roof Plan 18-041 013 Rev P5
- j) Proposed Elevations 18-041 014 Rev P5
- k) Planning Statement
- l) Preliminary Ecological Appraisal (PEA)

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

3. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing (and hardsurfacing) materials 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.
4. No development shall start on site until the access, including the footway and/or verge crossing has been constructed and lines of sight of 2.4 metres by 43.0 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metres in height above the adjacent carriageway and shall be subsequently maintained so thereafter.
REASON: To provide satisfactory access and in the interests of highway safety.
5. Before use of the development is commenced provision for parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.
REASON: To ensure adequate on-site car parking provision for the approved development.
7. No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The Construction Management Plan shall address the following matters:
 - a) How provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
 - b) the measures the developer will be implementing to ensure that operatives'/contractors'/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
 - c) the measures for cleaning the wheels and underside of all vehicles leaving the site;
 - d) a scheme for the suppression of any dust arising during construction or clearance works;
 - e) the measures for cleaning Highlands Road to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and

f) the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development.

The development shall be carried out in accordance with the approved CMP and areas identified in the approved CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA. No construction vehicles shall leave the site unless the measures for cleaning the wheels and underside of construction vehicles are in place and operational, and the wheels and undersides of vehicles have been cleaned.

REASON: In the interests of highway safety and to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period. 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.

8. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

REASON: to enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

9. Prior to the commencement of any site works, an updated survey for the presence of badgers on the site with associated mitigation/compensation measures for badgers or foxes, shall be submitted to and approved in writing by the local planning authority.

REASON: To protect badgers in line with the Badgers Act 1991 and/or protect foxes under the Animal Welfare Act 2006.

10. Development shall proceed in accordance with the measures detailed in Sections 6.3.2, 6.3.7 & 6.4.2 of the Preliminary Ecological Appraisal by Ecosupport (November 2019).

REASON: To ensure the protection of bats, nesting birds and badgers in line with the Wildlife and Countryside Act 1981 (as amended).

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

in writing with the Local Planning Authority. If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any 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 protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

12. 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 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.
13. The landscaping scheme, submitted under Condition 12, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.
REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.
14. The dwelling shall not be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per person per day has been complied with.
REASON: In the interests of preserving water quality and resources
15. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

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

16. No development hereby permitted shall commence until details of the means of surface water and foul water drainage from the site 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 unless otherwise agreed with the local planning authority in writing.

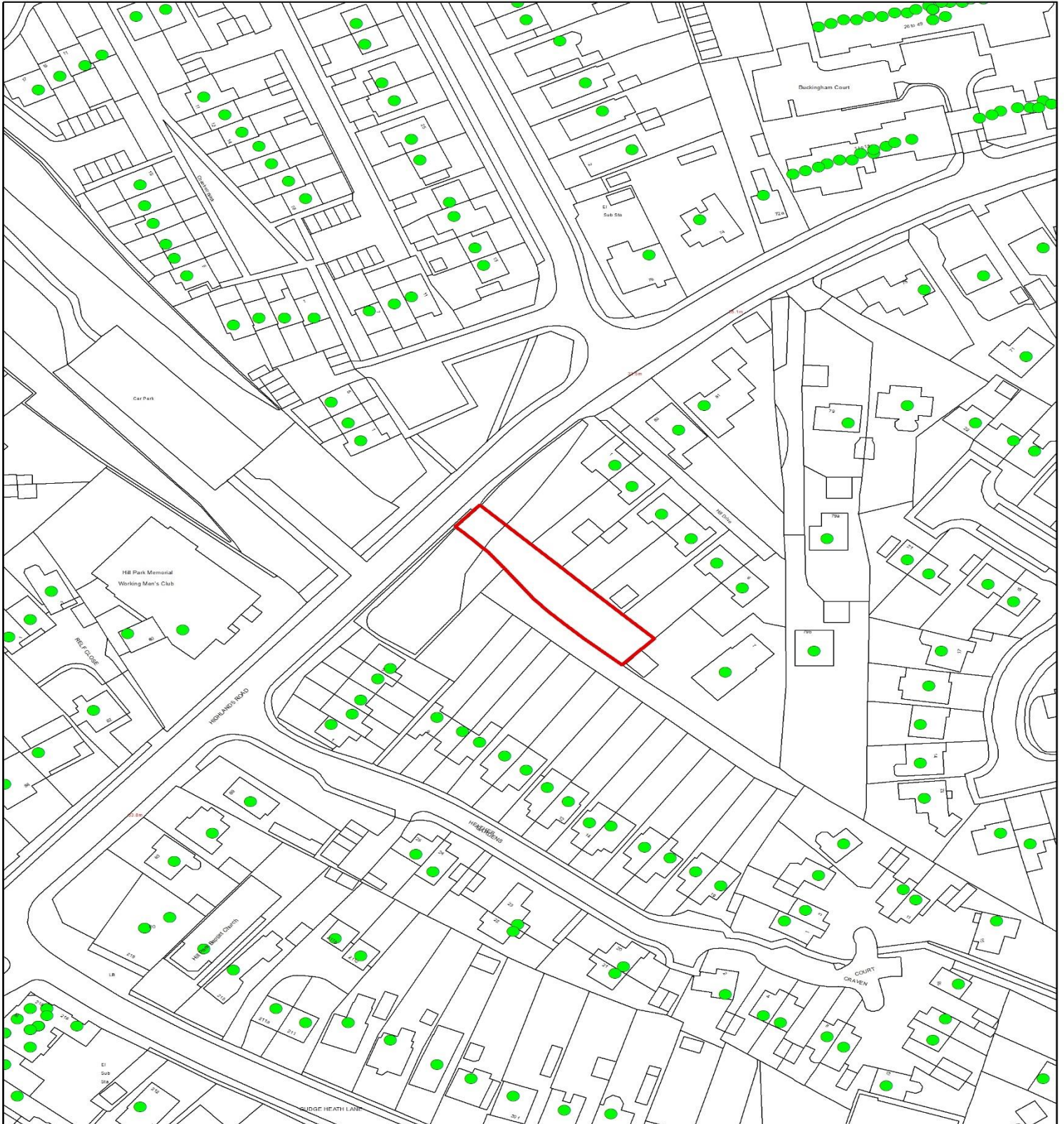
REASON: To ensure satisfactory disposal of surface and foul water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

10.0 *Background Papers*

P/21/0767/FP

FAREHAM

BOROUGH COUNCIL



Land to the rear of
1-5 Hill Drive
Scale: 1:1,250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2018

Agenda Annex

<p>ZONE 3 – EASTERN WARDS</p> <p>Portchester West</p> <p>Hill Head</p> <p>Stubbington</p> <p>Portchester East</p>
--

REFERENCE NUMBER & WARD	SITE ADDRESS & PROPOSAL	ITEM NUMBER & RECOMMENDATION
P/21/0988/FP PORTCHESTER EAST	SPINNEY VIEW 35 PENTLAND RISE PORTCHESTER FAREHAM PO16 8JP SINGLE STOREY REAR EXTENSION, LOFT EXTENSION (INCLUDING RAISING THE RIDGE LEVEL, CHANGING FLAT ROOFS TO PITCHED ROOFS, SIDE DORMERS AND REAR GABLE), ALTERATIONS TO FENESTRATION	4 PERMISSION
P/21/1242/FP HILL HEAD	10 OSBORNE VIEW ROAD FAREHAM PO14 3JN SINGLE STOREY FRONT, SIDE AND REAR EXTENSIONS, LOFT EXTENSION (INCLUDING FRONT AND REAR DORMERS AND RAISING THE RIDGE HEIGHT), EXTERNAL ALTERATIONS (INCLUDING NEW RENDER, ALTERATIONS TO FENESTRATION, REPLACEMENT ROOF TO GARAGE ETC)	5 PERMISSION
P/21/1418/TC	74 CASTLE STREET PORTCHESTER FAREHAM PO16 9QG	6 CONSENT

PORTCHESTER EAST CASTLE STREET CONSERVATION AREA: 2
X CEDAR: REDUCE HEIGHT BY UP TO 4
METRES AND REBALANCE CROWN BY
REDUCING LATERAL BRANCHES BY UP
TO 2 METRES.

Agenda Item 6(4)

OFFICER REPORT FOR COMMITTEE

DATE: 15/09/2021

P/21/0988/FP/O
MR SAM CLARK

PORTCHESTER EAST
AGENT: MR PAUL GOSLING

SINGLE STOREY REAR EXTENSION, LOFT EXTENSION (INCLUDING RAISING THE RIDGE LEVEL, CHANGING FLAT ROOFS TO PITCHED ROOFS, SIDE DORMERS AND REAR GABLE), ALTERATIONS TO FENESTRATION

SPINNEY VIEW, 35 PENTLAND RISE, PORTCHESTER, PO16 8JP

Report By

Lucy Knight – direct dial 01329 824579

1.0 Introduction

1.1 This application is reported to the Planning Committee as it has been submitted by an employee of Fareham Borough Council.

2.0 Site Description

2.1 The application site comprises the residential curtilage of a two-storey detached dwelling located on the north side of Pentland Rise.

3.0 Description of Proposal

3.1 Permission is sought for a single storey rear extension, changes to the fenestration and a loft conversion to include a raise in the ridge of the roof, a new front facing second floor gable window, changing existing flat roofs to pitched roofs, side dormer windows and a rear gable.

4.0 Policies

4.1 The following policies apply to this application:

National Planning Policy Framework (NPPF)

Adopted Fareham Borough Core Strategy
CS17 High Quality Design

Adopted Development Sites and Policies
DSP3 Impact upon neighbouring properties

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 None

7.0 Consultations

Ecology

7.1 No objections with suggested condition.

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 upon neighbouring properties;
- c) Ecology

a) Impact on the character and appearance of the area

8.2 Number 35 Pentland Rise is one of 5 detached properties which were built around the same period in approximately the 1930's or 1940's.

8.3 The properties have had additions over time including the application property which has two storey front and side extensions with flat parapet roofs. Other properties in this row have been altered with additions such as cladding, render or a different fenestration style. It is also noted that the immediate neighbour to the west (number 33) benefits from a planning permission (P/20/1069/FP) for a two storey side extension with loft alterations and a front facing, dormer window.

8.4 Much of the proposal will be visible from within the street scene. A new gable ended pitched roof is proposed over the existing flat roofed front extension, extending up into the roof space and a hipped roof over the existing flat roof side extension.

8.5 The front facing gable referred to is considered to be an acceptable addition although the design could have been further refined by a reduction in the eaves height of this feature to be consistent with the eaves of the house. The roof extension over the current flat roof side of the dwelling is considered to improve the appearance of the property, creating a roof shape that better reflects the original roof than the existing flat roof and parapet wall finish.

8.6 The increase in the ridge height is approximately 0.2 metres and this is considered to be minimal and not considered to result in a negative impact upon the character and appearance of the area especially given that the land is falling west to east such that the two neighbours to the application site are on different levels. The roof increase would not be conspicuous as a result of these relationships. Even with this level fall across the site the rear roof

alterations (changing from a hip to gable) whilst visible between properties is not considered to be demonstrably harmful to the character of the area.

- 8.7 The side dormer windows, whilst of a flat roofed design, are set back from the front elevation of the property by approximately 4.3 metres and are set down from the main ridge of the roof, giving them a subservient appearance. Whilst not a high quality design solution, certain additions to the existing roof could be undertaken under permitted development that could result in a similar flat roofed roofscape without the need for an express planning permission.
- 8.8 Furthermore, there are also a number of dormer windows present within the immediate vicinity of the application site, some with flat roofs. The planning permission for number 33 (the immediate neighbour to the west) also includes a front facing dormer window.
- 8.9 On balance, whilst the design solution for the proposed roof is not of the highest architectural quality and design; it is accepted that there are certain permitted development works that could be undertaken to the property which could have similar design solutions. This permitted development falls back coupled with the valid permission on the immediate neighbour plus the variety of house types and alterations described in the immediate surroundings is such that the proposals are considered to accord with Policy CS17 of the Local Plan Part 1: Core Strategy.

b) Impact upon neighbouring properties

- 8.10 The proposed single storey rear extension measures 4.5 metres deep and is finished with a flat roof at 3 metres high.
- 8.11 The properties on either side both extend further backwards than the application property as existing in excess of 2 metres. This stagger results in approximately half of the proposed extension being absorbed by the neighbouring properties.
- 8.12 A gable ended roof is proposed to the rear of the property which includes a Juliette balcony. The property to the rear is set at an angle to the application property and is in excess of 50 metres away. The proposed windows and balcony will be in excess of 20 metres away from the boundary that they look towards.
- 8.13 Fareham's Design Guidance SPD states that first floor windows should be a minimum of 11 metres away from the boundary that they look towards. Therefore, the gable end with windows and Juliette balcony are not considered to result in an unacceptable adverse impact upon the neighbouring properties.
- 8.14 The dormer window proposed on the western side has one side facing window within it which will serve the en-suite bathroom and be obscure glazed with a top opener only. This window will face onto the neighbouring roof. The application property also has an existing window at first floor within this side

elevation.

- 8.15 The roof extension proposed to the eastern side does not have any side facing windows only a glazed panel facing into the rear garden.
- 8.16 For the reasons given above, the proposals are not considered to result in an unacceptable adverse impact upon the neighbouring properties by way of a loss of light, outlook and/ or privacy and comply with Policy DSP3 of the Local Plan Part 2: Development Sites and Policies.

c) Ecology

- 8.17 A Phase 1 Ecology report was submitted with the application that confirms that the site is of low ecological value and the property is of negligible potential for roosting bats.
- 8.18 The Councils Ecologist was consulted during the course of the application and raised no objections and suggested that a condition be added to ensure the recommendations and enhancements stated in the report are carried out.

Summary

- 8.19 The proposal will not result in an unacceptable adverse impact upon any of 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: 001 rev A – Existing Plans
 - b) Drawing No: 002 rev A – Proposed Plans
 - c) Drawing No: 003 rev A – Proposed Section
 - d) Drawing No: 004 rev A – Proposed Details
 - e) Drawing No: 005 rev A – Proposed DetailsREASON: To avoid any doubt over what has been permitted.
3. No development hereby permitted shall proceed beyond damp proof course level until details of all proposed external facing materials 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.

4. The development hereby approved shall be carried out in full accordance with the recommendations and enhancements set out in the approved Ecological Report by Ecosupport dated June 2021 submitted as part of the application. None of the development hereby approved shall be first occupied until the approved ecological enhancements have been fully implemented. These enhancement measures shall be subsequently retained.
REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

FAREHAM BOROUGH COUNCIL



Spinney View
35 Pentland Rise
Scale: 1:1,250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2018

Agenda Item 6(5)

OFFICER REPORT FOR COMMITTEE

DATE: 13/10/2021

P/21/1242/FP/O
MR ROY FRAMPTON

HILL HEAD
PMG BUILDING
DESIGN&CONSULTANCY

SINGLE STOREY FRONT, SIDE AND REAR EXTENSIONS, LOFT EXTENSION (INCLUDING FRONT AND REAR DORMERS AND RAISING THE RIDGE HEIGHT), EXTERNAL ALTERATIONS (INCLUDING NEW RENDER, ALTERATIONS TO FENESTRATION, REPLACEMENT ROOF TO GARAGE)

10 OSBORNE VIEW ROAD, FAREHAM

Report By

Emma Marks – direct dial 01329 824756

1.0 Introduction

1.1 This application is reported to the Planning Committee due to the applicant being related to a member of staff employed by the council.

2.0 Site Description

2.1 This application relates to a detached dwelling on the east side of Osborne View Road which is to the north of Hill Head Road.

2.2 The property is within the designated urban area.

3.0 Description of Proposal

3.1 Planning permission is sought for different extensions/alterations to be carried out to the property consisting of front, side and rear extensions and a loft conversion which includes increasing the height of the dwelling by 1.4 metres with front and rear dormer windows.

3.2 The application also includes new render to the property's elevations, alterations to the fenestration and replacement roof to an existing garage.

4.0 Policies

4.1 The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS17 - High Quality Design

Adopted Development Sites and Policies

DSP3 - Impact on living conditions

5.0 Relevant Planning History

5.1 None

6.0 Representations

6.1 Two letters of representation have been received raising the following concerns:

- Considerably overshadow our garden and the new windows on the top floor will look straight down onto our garden
- The proposed design intrudes unnecessarily into the rear blocking out light and evading privacy

7.0 Consultations

None

8.0 Planning Considerations

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

- a) Impact on neighbouring properties
- b) Impact on the character and appearance of the area

a) Impact on neighbouring properties

8.2 The application property is positioned on the site further back than both the neighbours to the north and south. Concern has been raised by one neighbour that the rear extension to the property and the proposed increase of ridge height by 1.4 metres would create overshadowing to their garden.

8.3 To the south of the site is a two-storey dwelling which has a rear conservatory closest to the boundary with the application site. The proposed rear extension will be approximately 9 metres away from the main part of the neighbouring house. The element comprising the increased ridge height is at a distance of 7 metres away from the neighbouring property. As the neighbour benefits from light and outlook from the conservatory and given the distance from the development, Officers are of the view that no unacceptable adverse impact would be created on the neighbouring property.

8.4 Concern has also been raised by the neighbour to the south that the extension and raised ridge height would overshadow their garden. The development is to the north of the neighbour and therefore there would not be any adverse impact on direct sunlight. Whilst more built form will be visible

from within their garden, that garden enjoys extensive openness to the east and south. Officers are of the view that the increased amount of built form to their north would not be materially harmful to the enjoyment of the neighbouring property.

- 8.5 The neighbour property to the north is a two-storey dwelling which has a sitting room at ground floor closest to the application site. This room benefits from several large windows/doors on three elevations, including the front and rear elevations. The proposed alterations to the property would be 7 metres away from the closest part of the neighbour's property which is considered acceptable.
- 8.6 Concern was raised that the first-floor windows will create overlooking. There are no side facing first floor windows proposed in the development. The front and rear first floor windows all meet the recommended distance of 11 metres to the boundary and 22 metres to a neighbour's windows to retain an acceptable level of privacy.
- 8.7 The front, side extensions and alterations to the garage roof have also been assessed and no neighbour impacts would arise from these parts of the development.
- 8.8 Officers are of the view that the proposed extension and alterations will not create an unacceptable adverse impact any of the neighbouring properties with regards to loss of light, outlook or privacy and are in accordance with Policy DSP3.

b) Impact on the character and appearance of the area

- 8.9 Osborne View Road consists of many different house types with single and two storey dwellings, semi and detached properties. Whilst the proposal involves increasing the ridge height by 1.4 metres, the building is set 14.6 metres back from the front boundary of the site and would not be prominent within the street. The building would also remain lower than other neighbouring two storey dwellings, maintaining the variety of architectural form along the street.
- 8.10 Taking into account the design of the proposal in its setting, Officers are of the view that development is acceptable and would not have a detrimental impact on the character street scene or area.

Summary

- 8.11 Notwithstanding the representations received, Officers are satisfied that the extensions would not harm the character or appearance of the area , nor would they have an unacceptable adverse impact upon neighbouring properties. The development complies with the Council's adopted planning policies and Design Guidance.

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) Proposed Plans – Drawing Number: 002 rev A
 - b) Proposed Elevations and Sections – Drawing Number: 003 rev AREASON: To avoid any doubt over what has been permitted.

10.0 Background Papers

P/21/1242/FP

FAREHAM

BOROUGH COUNCIL



10 Osborne View Road
Scale: 1:1,250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2018

OFFICER REPORT FOR COMMITTEE

DATE: 13 OCTOBER 2021

P/21/1418/TC/O
MRS CHRISTINE CALLABY

PORTCHESTER EAST

TWO WESTERN RED CEDARS - REDUCE HEIGHT BY 4 METRES AND SPREAD BY 2 METRES

74 CASTLE STREET, PORTCHESTER, PO16 9QG

Report By

Paul Johnston – direct dial 01329 824451

1.0 Introduction

1.1 This proposal is reported to the Planning Committee as the applicant is an employee of Fareham Borough Council.

2.0 Site Description

2.1 74 Castle Street is an end of terrace property situated on the corner of Cow Lane, fronting onto Castle Street.

2.2 The property is within the designated Portchester Castle Street Conservation Area.

3.0 Description of Proposal

3.1 The proposal relates to two western red cedars situated in the front garden – the works proposed involve reducing their height by 4 metres and spread by 2 metres.

4.0 Relevant Planning History

4.1 The following planning history is relevant:

P/10/0716/TC - carry out works to western red cedars. Consent 3rd September 2010

5.0 Representations

5.1 None received.

6.0 Planning Considerations

6.1 Tree owners must give the Council six weeks' notice before carrying out work on trees which are located in a Conservation Area but are not the subject of a tree preservation order. This allows the Council an opportunity to consider whether a tree preservation order should be made to protect the trees.

If the Council considers the trees are not worthy of an order, or that the works are acceptable in any event, it can allow the works to proceed without objection.

In this particular case the proposal is to reduce two western red cedar trees by 4 metres in height and 2 metres radial spread.

The trees are growing close the dwelling and the proposed pruning is to maintain the trees at reasonable dimensions relative their position. The proposed tree work will have no significant negative impact on the character of the Conservation Area or on public amenity.

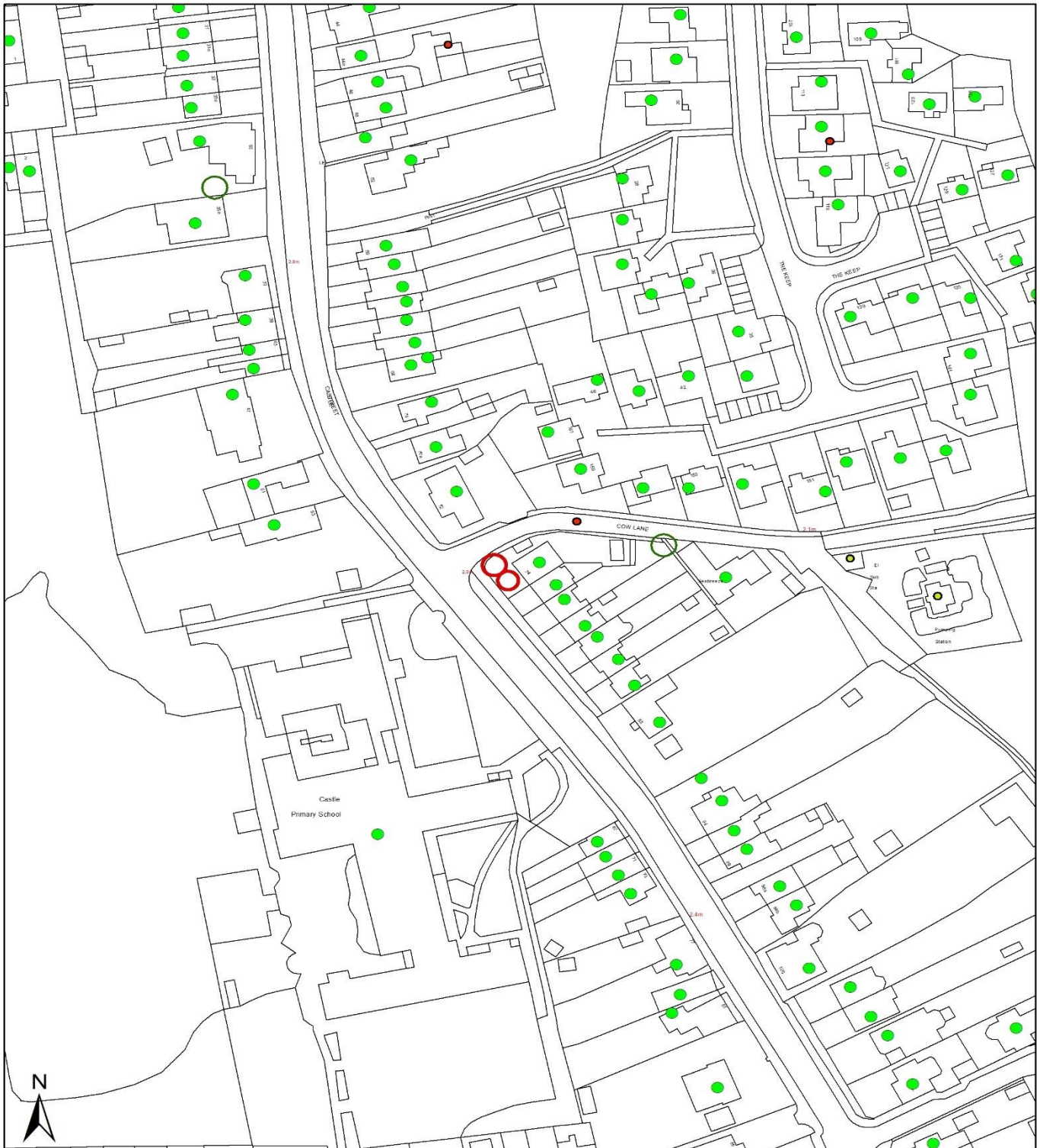
Therefore, no objection is raised to the proposal.

7.0 Recommendation

7.1 RAISE NO OBJECTION

FAREHAM

BOROUGH COUNCIL



74 Castle Street

Scale 1:1,250

© Crown copyright and database rights 2021 OS 100019110. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 05/10/2021

Report of Director of Planning and Regeneration

Subject PLANNING APPEALS

SUMMARY

The following report provides details of all current planning appeals, in particular the procedures under which the appeal will be considered and details of any planning appeal decisions received since the previous Planning Committee meeting.

RECOMMENDATION

That the Committee note the content of the report.

CURRENT PLANNING APPEALS

The following details set out all current planning related appeals and the procedures under which they will be dealt with

WRITTEN REPRESENTATIONS & HOUSEHOLDER

Fareham Borough Council Reference: [P/18/0363/OA](#)

Appeal site address: 84 Fareham Park Road Fareham PO15 6LW

Ward: Fareham North-West

The appellant: T Ware Developments Limited

Description of proposal: Residential development of up to 28 units including the provision of 8 affordable homes, along with parking, landscaping and access road.

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 26/08/2021

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/18/0756/OA](#)

Appeal site address: Land between and to the rear of 56-66 Greenaway Lane Warsash Southampton SO31 9HS

Ward: Warsash

The appellant: G R Dimmick, C D Dimmick & A W Williams

Description of proposal: Outline application for up to 28 dwellings together with associated landscaping, amenity space, parking and a means of access from Greenaway Lane

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 08/09/2021

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/20/0506/OA](#)

Appeal site address: Land at Eysersdown Farm Quarantine Kennels 285 Botley Road BurrIDGE SO31 1ZJ

Ward: Sarisbury

The appellant: Workham European Property Ltd

Description of proposal: Demolition of agricultural buildings and erection of up to 38 dwellings with associated landscaping and access.

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 31/08/2021

Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/20/0778/FP](#)

Appeal site address: THE TITHE BARN MILL LANE TITCHFIELD FAREHAM PO15 5RB

Ward: Titchfield

The appellant: TITCHFIELD FESTIVAL THEATRE

Description of proposal: Laying of a top surface to the existing tarmac surface consisting of a top layer of a thin coat of bitumen rolled with 6mm grit.

Council decision: REFUSE
Decision maker: Officer Delegated Powers
Date appeal lodged: 07/07/2021
Reason for Appeal: Appeal against refusal of planning permission

Fareham Borough Council Reference: [P/20/1007/FP](#)

Appeal site address: 21 Burridge Road Burridge Southampton SO31 1BY
Ward: Sarisbury
The appellant: RGOM
Description of proposal: Residential development of 4 self-build dwellings, amenity areas with access off Burridge Road (Amended Scheme to P/18/1252/FP)
Council decision: NONE
Decision maker: Non Determined
Date appeal lodged: 24/03/2021
Reason for Appeal: No formal decision within determination period

Fareham Borough Council Reference: [P/21/0713/CU](#)

Appeal site address: 42 Pennycress Locks Heath Southampton SO31 6SY
Ward: Park Gate
The appellant: Miss Emma Harding
Description of proposal: Change of Use of Garage to Hair and Beauty salon
Council decision: REFUSE
Decision maker: Officer Delegated Powers
Date appeal lodged: 31/08/2021
Reason for Appeal: Appeal against refusal of planning permission

INFORMAL HEARING

Fareham Borough Council Reference: [P/19/0419/DA](#)

Appeal site address: 137 Newgate Lane Fareham PO14 1BA
Ward: Stubbington
The appellant: Mr Patrick Cash
Description of proposal: Unlawful development of two structures
Date appeal lodged: 11/05/2020
Reason for Appeal: Against serving of planning enforcement notice
Date scheduled for Informal Hearing to start and duration: 12/10/2021 for 1 day

Fareham Borough Council Reference: [P/21/1614/DA](#)

Appeal site address: Newlands Farm Stroud Green Lane Fareham PO14 2HT
Ward: Stubbington
The appellant: Mr Ashley Barlow
Description of proposal: Landscaping business not operating in accordance with the approved plans
Date appeal lodged: 29/09/2021
Reason for Appeal: Against serving of planning enforcement notice

PUBLIC LOCAL INQUIRY

Fareham Borough Council Reference: [P/18/1073/FP](#)

Appeal site address: Land to the South of Romsey Avenue Fareham

Ward: Portchester West

The appellant: Foreman Homes Ltd

Description of proposal: 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

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 07/04/2021

Reason for Appeal: Appeal against refusal of planning permission

Date scheduled for Public Local Inquiry to start and duration: 10/08/2021 for 6 days

Fareham Borough Council Reference: [P/18/1212/LU](#)

Appeal site address: Borderland Fencing New Road Swanwick Southampton SO31 7HE

Ward: Sarisbury

The appellant: Borderland Fencing Ltd

Description of proposal: Lawful Development Certificate for mixed use of the glasshouse for storage & manufacturing (Use Class B8 & B2)

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Date appeal lodged: 13/08/2019

Reason for Appeal: Appeal against refusal of planning permission

Date scheduled for Public Local Inquiry to start and duration: 01/09/2021 for 3 days

Fareham Borough Council Reference: [P/19/1193/OA](#)

Appeal site address: Land East of Posbrook Lane Titchfield Fareham

Ward: Titchfield

The appellant: Foreman Homes

Description of proposal: Outline planning application for the erection of up to 57 dwellings, together with associated parking, landscaping and access from Posbrook Lane

Council decision: NONE

Decision maker: Non Determined

Date appeal lodged: 29/01/2021

Reason for Appeal: No formal decision within determination period

Date scheduled for Public Local Inquiry to start and duration: 07/12/2021 for 4 days

Fareham Borough Council Reference: [P/20/0009/DA](#)

Appeal site address: Borderland Fencing New Road Swanwick Southampton SO31 7HE

Ward: Sarisbury

The appellant: Borderland Fencing Ltd

Description of proposal: Unauthorised expansion of site and breach of conditions

Council decision: NONE

Date appeal lodged: 17/07/2019

Reason for Appeal: Against serving of planning enforcement notice

Date scheduled for Public Local Inquiry to start and duration: 01/09/2021 for 3 days

Fareham Borough Council Reference: [P/20/0522/FP](#)

Appeal site address: Land East of Crofton Cemetery and West of Peak Lane, Stubbington Fareham

Ward: Stubbington

The appellant: Persimmon Homes Ltd

Description of proposal: Development comprising 206 dwellings, access road from Peak Lane maintaining link to Oakcroft Lane, stopping up of a section of Oakcroft Lane (from Old Peak Lane to access road), with car parking, landscaping, substation, public open space and associated works.

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 15/06/2021

Reason for Appeal: Appeal against refusal of planning permission

Date scheduled for Public Local Inquiry to start and duration: 19/10/2021 for 8 days

Fareham Borough Council Reference: [P/20/0912/OA](#)

Appeal site address: Land to the East of Down End Road Fareham

Ward: Portchester West

The appellant: Miller Homes Ltd

Description of proposal: Outline planning application with all matters reserved (except the means of access) for residential development, demolition of existing agricultural buildings and the construction of new buildings providing up to 350 dwellings, the creation of new vehicular access with footways and cycleways, provision of landscaped communal amenity space, including children's play space, creation of public open space, together with associated highways, landscaping, drainage and utilities.

Council decision: REFUSE

Decision maker: Committee

Date appeal lodged: 22/04/2021

Reason for Appeal: Appeal against refusal of planning permission

Date scheduled for Public Local Inquiry to start and duration: 14/09/2021 for 4 days

DECIDED PLANNING APPEALS

Fareham Borough Council Reference: [P/20/1078/FP](#)

Appeal site address: 34 Warsash Road Warsash Southampton SO31 9HX

Ward: Warsash

The appellant: Mr Christopher Davison

Description of proposal: Detached Garage and Front Boundary Wall

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 28/09/2021

Fareham Borough Council Reference: [P/20/1399/FP](#)

Appeal site address: Yale Cottage Duncan Road Park Gate Southampton SO31 1BD

Ward: Park Gate

The appellant: Mr Richard Becheley

Description of proposal: Detached games room within rear garden

Council decision: REFUSE

Decision maker: Committee

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: ALLOWED

Appeal decision date: 30/09/2021

Fareham Borough Council Reference: [P/21/0029/FP](#)

Appeal site address: 99 Crofton Lane Fareham Hampshire PO14 3QE

Ward: Hill Head

The appellant: Mrs Lesley Henderson

Description of proposal: Timber Frame Car Port

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 01/10/2021

Fareham Borough Council Reference: [P/21/0190/FP](#)

Appeal site address: 54 Mays Lane Fareham PO14 2EL

Ward: Stubbington

The appellant: Mr & Mrs Josh Harris

Description of proposal: First Floor Extension Over Existing Garage

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 04/10/2021

Fareham Borough Council Reference: [P/21/0437/FP](#)

Appeal site address: 106 Funtley Road Fareham PO17 5EF

Ward: Fareham North

The appellant: Mr Paul MacDonald

Description of proposal: Detached timber garage

Council decision: REFUSE

Decision maker: Officer Delegated Powers

Reason for Appeal: Appeal against refusal of planning permission

Appeal decision: DISMISSED

Appeal decision date: 01/10/2021

Further information about Planning Appeals

Introduction

Under the English planning system, only the applicant has a right of appeal. There is currently no right of appeal for third parties. Planning decisions can only be challenged by third parties through the Courts. The Courts can examine whether the decision was lawfully made- the Courts' role is not to consider whether they agree with the decision itself.

When are planning appeals lodged?

A very small proportion of all planning decisions made by this Council end up being considered through the planning appeal system. When planning applications are refused, Government advice is that applicants should firstly contact the Council to see if their proposal can be modified to address the Council's concerns.

The most common type of planning appeal is against the refusal of a planning application. Planning appeals can also be made against specific conditions that have been imposed on a planning permission or where a Council has not made a decision within prescribed time periods.

Who decides planning appeals?

Planning appeals are handled and decided by the Planning Inspectorate. The Planning Inspectorate is an executive agency of the Ministry of Housing, Communities and Local Government.

Nearly all appeals are decided by Planning Inspectors from the Planning Inspectorate and in each case the Inspectors are solely responsible for their decisions. A very small percentage are decided by the Secretary of State - these tend to be the very largest or most contentious schemes.

The different types of appeal procedures

There are different types of procedures for different types of planning appeals, often depending on the complexity of the issues. The Planning Inspectorate decide which type of procedure will be used for any given appeal.

There is an 'expedited procedure' for Householder appeals, with most other appeals being determined through the written representations' procedure. Larger scale and/ or more controversial planning appeals may be dealt with by way of an Informal Hearing or by a Public Local Inquiry.

With all planning appeals, the Planning Inspector will visit the site and will notify the outcome of the planning appeal by way of a written decision. A summary of the three main procedures are set out below:

Appeal by Written Representations

Under this procedure, the Planning Inspector will decide the appeal on the basis of the written material provided by all interested parties and following a visit to the appeal site.

The key aspect of this procedure is that submissions made by the Council, the applicant or interested parties, can only be made in writing for the Planning Inspector to consider.

Appeal by Informal Hearing

The hearing is an inquisitorial process led by the Planning Inspector who identifies the issues for discussion based on the evidence received and any representations made. The hearing may include a discussion at the site.

Interested parties including residents, amenity groups and councillors can normally attend and take part in the discussion. Most hearings last a day, but more complex cases may continue over several days.

Appeal by Public Local Inquiry

Public Local inquiries are the most formal procedure and are used for complex cases where legal issues may need to be considered, or evidence needs to be taken under oath.

An Inquiry is open to the public and provides for the investigation into, and formal testing of, evidence, usually through the questioning ("cross examination") of expert witnesses and other witnesses. Parties may be formally represented by advocates.

Interested parties including residents, amenity groups and councillors can normally attend and speak if they would like to do so.

The length of an inquiry depends on the complexity of the case and can range between a day and several weeks.

Further reading

You can find out more details about the planning appeal process on the [Planning Portal](#)

A [detailed procedural guide on planning appeals](#) can be viewed on the Government website.

You can look at planning appeal decisions made by the Planning Inspectorate across England [via their website](#)