

UPDATES

for Committee Meeting to be held on 22 April 2015

ZONE 1 - WESTERN WARDS

- (2) **P/15/0207/FP** **LOCKS HEATH**
67 CHURCH ROAD - PLOT 4 - LOCKS HEATH FAREHAM HAMPSHIRE SO31 6LS

Amended plans were received 14th April 2015 removing the proposed south facing balcony and replacing it with a dormer window only.

As such Condition 02 is updated to reflect the amended plans received:

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

Location Plan
1693-01a - Site Layout
0299/15 - Hedge Survey Plan
X01 Revision G - Proposed Elevations
X02 Revision I - Proposed Floor and Roof Plans
Ecological Survey - Roslyne Ecological (Nov.2013)
Hedge Method Statement - N J Trowell (20th February 2015)
Planning Design and Access Statement January 2015

Reason: For the avoidance of doubt and in the interests of proper planning.

ZONE 2 - FAREHAM

- (4) **P/14/1127/FP** **FAREHAM SOUTH**
13 LONGFIELD AVENUE FAREHAM PO14 1DA

5 letters of support from neighbours in Longfield Avenue have been received.

- (6) **P/15/0191/FP** **FAREHAM NORTH**
94 ARUNDEL DRIVE FAREHAM HAMPSHIRE PO16 7NU

6 further objections received from 3 households raising similar issues to those already reported but adding:

- concern that food scraps could encourage vermin
- with schools nearby Fareham should be promoting healthy eating
- possible increase in early morning deliveries with consequent disturbance
- Adverse impact on improved recreation park to the rear

The applicant has requested that the application be amended to be for a takeaway use specifically for Chinese food only and has indicated that a planning condition could be imposed to this effect. The applicant also advises that the submitted extraction equipment would be adequate for the

cooking of oriental food and that customers using Chinese takeaways are less likely to linger around the site and cause a nuisance to local residents as a result of the type of packaging of the food generally used being less suitable for facilitating instant consumption. The applicant has further provided details of acoustic insulation between the unit and the flat above.

It is considered that the Use Classes have been defined by Government to allow free movement of users within specified Classes; Government advice in the Planning Practice Guidance is that freedoms granted by statute should be constrained by condition only in 'exceptional circumstances'. Officers are not only of the view that the circumstances at the application site are not sufficiently 'exceptional' to consider granting permission with such a restriction but also that insufficient evidence has been provided to demonstrate that the proposed extraction equipment would indeed be adequate to prevent unacceptable nuisance by reason of smells even for the single specified food type. In short, it is considered that if the site is unsuitable for a takeaway use then it is unsuitable for all takeaway food types.

The applicant's views concerning the likely habits of customers of different types of takeaway food outlet is moot if Members agree with the Officers view concerning a restriction of the type of food sold; further, the 2002 Appeal inspector did not consider there to be any difference and did not propose to grant permission subject to conditions but rather to dismiss the appeal.

Noise disturbance between the unit and the flat above has not been highlighted by the Director of Community(Environmental Health) as an issue in this case; it would be expected that the internal acoustic insulation with the flat above would be a matter for the Building Regulations.

ZONE 3 - EASTERN WARDS

(8) **P/15/0201/FP** **HILL HEAD**
32A SOLENT ROAD FAREHAM HAMPSHIRE PO14 3LD

Four further letters have been received following the receipt of revised drawings on the 2nd April.

The letters are from residents of Osborne View Road who previously wrote in to object to the application. The residents remain concerned over the appearance of the rear dormer window, the potential for obscure glazing to be replaced at some point in the future with clear glass and the precedent that the development might set.
