

P/15/0716/FP

MR V. & MS S. SINANAN

FAREHAM EAST

AGENT: ROBERT TUTTON
TOWN PLANNING CO

PROPOSED ERECTION OF REPLACEMENT BOAT MAINTENANCE AND AMENITY BUILDING (RE-SUBMISSION).

PORTSMOUTH MARINE ENGINEERING LOWER QUAY FAREHAM HAMPSHIRE PO16 0RJ

Report By

Rachael Hebden - Direct dial 01329 824424

Introduction

The application has been submitted following the withdrawal of the previous application due to officer concerns regarding the design. The application has been submitted to the Planning Committee as five letters of objection have been received.

Site Description

The site is at the south end of Lower Quay and falls within the Town Quay Conservation Area.

The site comprises a boat maintenance/amenities building and a small portacabin office which are both located in the south of the site. Both the buildings are in a poor state of repair. The remainder of the site contains a large area of hardstanding for the parking of cars and the storage of boats. There is also an 'L' shaped pontoon with moorings for 135 boats that projects from the southeast corner of the site.

To the north of the site lie a number of listed buildings including the grade II listed sea scouts building to the immediate north of the site and the grade II listed Rope Walk Cottage to the north west of the site. There are residential properties to the west and south west of the site. No. 16 Lower Quay is immediately adjacent (south west) to the existing building.

The site occupies a prominent location within the historic waterside frontage of the conservation area and is visible from a number of locations including Gosport Road, Cams Peninsula footpath and Bath Lane Recreation Ground.

Description of Proposal

The application proposes to replace the existing boat maintenance/amenities building and portacabin office with one replacement building. The replacement building would comprise two sections: a single storey workshop and a two storey section containing facilities for use by staff and patrons. The two storey section would have a steep, pitched roof with the ridge running parallel to the south boundary of the site. The single storey, workshop section would also have a pitched roof, albeit with a shallower pitch than the partner section of the building. The ridge of the workshop would be perpendicular to the two storey section of the building.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

DSP19 - Boatyards

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS7 - Development in Fareham

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

Development Sites and Policies

DPS1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP5 - Protecting and enhancing the historic environment

DSP13 - Nature Conservation

DSP19 - Boatyards

Relevant Planning History

The following planning history is relevant:

P/14/0109/FP

**PROPOSED ERECTION OF REPLACEMENT BOAT MAINTENANCE
AND AMENITY BUILDING.**

WITHDRAWN 02/05/2014

Representations

Five objections to the proposal have been received which raise the following concerns:

-The replacement building is too large and would be out of keeping with the character of the area

-The south aspect of the building is too bulky and too close to the water and would dominate the backdrop of Fareham and the Creek

Consultations

Director of Planning and Development (Highways)

No objection subject to a condition to ensure that the car parking area within the north western part of the site should be maintained for that purpose only. A condition is also required to ensure that the details within the construction management plan are adhered to during the construction phase.

Director of Planning and Development (Ecology)

The submitted Construction Environment Management Plan (CEMP) addresses issues relating to pollution and noise generation. The site is in close proximity to the Portsmouth Harbour Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) therefore a condition is required to ensure that construction work does not take place within the overwintering period. Additional information is also required regarding the use of lighting to ensure that it is designed to minimize the impact on wildlife. This can be secured

prior to commencement by condition.

Director of Planning and Development (Conservation)

The proposal splits the development into two separately roofed elements. The form of the building pays appropriate attention to the historic context of the Town Quay Conservation Area and the setting of the nearby listed buildings and would not be harmful to their character, appearance or setting.

The building occupies a prominent location therefore it is crucial that appropriate materials are used. Handmade red clay roof tiles are required for the two storey element of the proposal. Round corrugated sheet roof would not be out of place on the lower pitch of the workshop. A good quality red brick with a range of colour is required and would benefit from being in a traditional bond. Square edged weatherboarding would be an appropriate choice for the workshop.

The detailed design of the fenestration and railings is also important. The proposed glazing bar should be simplified and set slightly into the reveals. Lintels should not be visible under the arches. The railings should be black.

Director of Community (Environmental Health - Contamination)

Due to the former industrial use the recommendation is that this application could be approved subject to conditions requiring investigative studies to be carried out prior to commencement to identify any contamination which needs to be mitigated.

Planning Considerations - Key Issues

Principle of development

Policy DSP19 (Boatyards) states that existing boatyards within Lower Quay will be retained for marine related employment uses and that further marine-related development including extension and intensification will be permitted within the curtilages of existing boatyards where it relates to boat building, repair, maintenance, fitting out and other ancillary uses or is necessary to maintain an existing use and it does not adversely affect:

- the built character and historic significance of the area;
- traffic and parking problems;
- nature conservation and environmental interests in accordance with Policy DSP12 (Public Space allocations) and Policy CS4 (Green Infrastructure, Biodiversity and conservation);
- the special character of the coast when viewed from the land or water and;
- public access along or to the coast.

Policy DSP5 (Protecting and Enhancing the Historic Environment)states that development affecting a conservation area will be permitted where it preserves or enhances its character, setting and appearance, and:

- a)takes account of the relevant Conservation Area Character Appraisal and Management Strategy;
- b)does not involve the loss of important features of an individual building that contribute to character and appearance of the conservation area and/or its setting;
- c)its form, bulk, scale, height, massing, alignment, proportion, material, building form and use are appropriate, including having regard to the surrounding buildings, spaces and

views; and

d)it does not involve the demolition or partial demolition of a building or structure that positively contributes to the area, without clear and convincing justification.

The proposed building is to provide a purpose built replacement workshop with ancillary facilities for staff and patrons. The proposal is therefore acceptable in principle, subject to satisfying the criteria within Policies DSP5 and DSP19 relating to the detailed elements of the proposal and the requirements of other relevant planning policies (listed earlier in this report).

Effect on the character and appearance of the Town Quay Conservation Area

Buildings at Lower Quay range in scale from small cottages to larger warehouses and commercial buildings, including those beside the creek, the arrangement of which has changed little over time. The character of the conservation area and the aspects that are important to its character and appearance are set out in the adopted Town Quay Conservation Area Character Assessment (2005). The following points from the adopted Town Quay Conservation Area Character Assessment (2005) are particularly relevant;

- the mix of uses and continued presence of industry requiring a waterside location that is important to the maritime history of the town
- the arrangement, functional form, and materials of the historic commercial properties adjacent to the creek
- the continued presence of the large 19th century warehouse on the water front and the former flour mill as the dominant buildings at Lower Quay

The proposed building would be positioned in the south east of the site. The footprint of the proposed building would be larger than that of the existing building, however it would be located 4 metres to the east of the existing building.

The two storey part of the building would be similar in size and form to the older waterside buildings to the north and would be aligned so that it would be perpendicular to the river in a similar manner to the established pattern of development. The smaller, single storey workshop would be attached to the north of the two storey section with the ridge perpendicular to that of the two storey section. The ridge height of the two storey section would be 7.1 metres. The roof of the workshop would have a shallower pitch and at 5.4 metres, would be significantly lower in height than the two storey section.

The Conservation Officer has confirmed that the proposal is in his opinion appropriate to the character of the area and has no objection to the siting, scale, bulk and design subject to the use of appropriate materials including a good quality red brick with a range of colour for both parts of the building; handmade red clay roof tiles on the two storey section; square edged weatherboarding and a round profile corrugated sheet roof on the workshop. Details of the proposed fenestration and railings are important and can be secured by condition.

Policy DSP5 states that development affecting a conservation area will be permitted where it preserves or enhances its character, setting and appearance. Five letters of objection have been received raising concerns about the proposed scale of the building, in particular the two storey section and the impact it would have on the character of the conservation area. It is considered that the division of the development into two distinct sections breaks down the overall bulk of the proposal and results in a form that respects the scale of the neighbouring buildings and the pattern of development in the vicinity.

The concerns raised by residents regarding the size of the proposal, have been taken into consideration, however the scale of the proposed building has been significantly reduced compared to that proposed by the previous application and the proposed building is now considered to preserve and enhance the character, setting and appearance of the Conservation Area as required by Policies DSP5 and DSP19.

Effect on the setting of the listed buildings to the north of the site

There are a number of listed buildings to the north of the site. The grade II listed Sea Scouts building is located to the immediate north of the site and the grade II listed Rope Walk Cottage is located to the north west of the site. To the north of the Sea Scouts building there are further listed buildings including: the grade II listed Fareham Motor Boat and Sailing Club House, and the grade II listed Old Mill.

The proposed building would be visible within the context of the listed buildings, particularly when viewed from the east, however the form and scale of the proposal has been sympathetically designed to complement the listed buildings and therefore would not have an adverse impact on the setting of the heritage assets.

Ecological considerations

The site is in close proximity to the Portsmouth Harbour Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI). Policy DSP13 states that development may be permitted where it can be demonstrated that designated sites and sites of nature conservation value are protected and where appropriate enhanced.

The application is supported by a Phase 1 Ecological Survey and an Outline Construction Environmental Management Plan (CEMP). The outline CEMP contains pollution prevention measures (including measures to limit noise disturbance) which can be secured by condition. The CEMP does not contain any information regarding light pollution or the timing of works, however a condition can be used to restrict work to outside of the sensitive overwintering period (October to March) and that details of proposed lighting can also be secured by condition. It is therefore considered that the proposal would not have a detrimental impact on the SPA, RAMSAR site or the SSSI.

Access and parking

The proposed building would be served by the existing access and parking arrangements. The application also proposes three 'Sheffield' type hoops for secure bike storage near the south west corner of the site. The Council's Highway Officer has raised no objection to the proposal provided the area for car parking is secured via condition and that the details of the construction management plan are adhered to during the construction phase.

Contamination

The site has previously been used for industrial purposes and is therefore potentially contaminated. It is therefore recommended that a condition is incorporated as advised by Environmental Health that requires the applicant to carry out an investigation of the site prior to the commencement of development to identify potential contaminants and secure any necessary mitigation measures.

Flood Risk

The site is within flood zones 2 and 3, however the proposed building is to replace an existing water compatible use and is accompanied by a detailed Flood Risk Assessment (FRA) that confirms that the building would be constructed to resistant and resilient standards. Level access to the workshop is required so that boats can easily be maneuvered therefore the FRA proposes the use of temporary flood barriers in the event of a flood. The FRA is therefore in accordance with the National Planning Policy Framework which seeks to minimize vulnerability and provide resilience, however it is recommended that the proposed site flood management plan that is referred to in the FRA is submitted to and approved in writing by the Local Planning Authority prior to the building being brought into use.

Summary

The proposed building would be of a high quality of design which would preserve the character and appearance of the Town Quay Conservation Area in line with Policy DSP 5 and would enable the existing marine related business to continue to operate within Lower Quay in line with the requirements of Policy DSP19.

Recommendation

PERMISSION subject to conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

REASON: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

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

Site location plan Drawing no. 13-926-PL101

Proposed street and river scenes Drawing no. 13-926-PL101 Rev D

Site plan with topographic data Drawing no. 13-926-PL102 Rev B

Existing elevations Drawing no. 13-926-PL13 Rev B

Proposed site plan Drawing no. 13-926-PL104 Rev C

Proposed site plan with ground floor layout Drawing no. 13-926-PL104.1 Rev C

Proposed elevations and materials Drawing no. 13-926-PL106

Proposed floor plans Drawing no. 13-926-PL107

Phase 1 Ecological Survey Dated September 2013 produced by Ecosupport Ltd

Outline construction Environmental Management Plan ref 15015/OCEMP produced by Soils Ltd

Construction Management Plan Drawing no. 13-926-PL108

Flood Risk Assessment Rev C produced by HJ concepts Ltd

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

3. The development hereby approved shall not be brought into use until details of the proposed windows (including sections and elevations at a minimum scale of 1:20) and the boundary railings have been submitted to and approved by the local planning authority in writing. The development shall thereafter be undertaken in accordance with the approved details.

REASON: To secure the satisfactory appearance of the development; in accordance with Policies CS17 of the Fareham Borough Core Strategy 2011, DSP5 of the Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

4. The parking area in the north west of the site as shown on the approved plan shall be kept available for the parking of cars at all times.

REASON: In the interests of highway safety; in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

5. The measures contained within the Outline Construction Environmental Management Plan (CEMP) (Soils Ltd, June 2015) shall be adhered to throughout the construction of the development hereby approved.

REASON: To prevent any disturbance to overwintering birds in the adjacent environmentally sensitive area; in accordance with Policy CS4 of the Adopted Fareham Borough Core Strategy, Policy DSP13 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

6. Construction of the development hereby permitted shall be carried out only within the months of April to September (inclusive).

REASON: To prevent any disturbance to overwintering birds in the adjacent environmentally sensitive area; in accordance with Policies CS4 of the adopted Fareham Borough Core Strategy, DSP13 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

7. No development shall take place until, a scheme of lighting for the construction period and details of any external lighting for the operational use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. All lighting to be installed in accordance with the approved details.

REASON: To minimise the impact on wildlife; in accordance with Policy CS4 of the Adopted Fareham Borough Core Strategy, Policy DSP13 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

8. The details contained within the Construction Management Plan (Drawing no. 13-926-PL108) shall be adhered to throughout the construction of the development hereby approved.

REASON: In the interests of highway safety; in accordance with Policy CS5 of the adopted Fareham Borough Core Strategy.

9. No development (including any related site clearance) shall take place until there has been submitted to and approved in writing by the Local Planning Authority:

i)

a) A desk study investigation and site walkover of the site in accordance with BS 10175 + A1:2013, which investigates the current and former uses of the site and adjoining land and the potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should develop a conceptual model and identify potential contaminant - pathway - receptor linkages.

b) Should the above study reveal a potential for contamination, an intrusive site investigation in accordance with BS 10175 + A1:2013 and an assessment of the risks to human health, the building fabric and the wider environment including water resources should be carried out. This should be submitted to and approved in writing by the LPA.

c) Where the site investigation and risk assessment reveals a risk to receptors, a scheme of remedial measures to address identified risks shall be submitted to and approved in writing by the LPA.

ii)

Prior to the occupancy of the building the agreed scheme of remedial measures shall be

fully implemented and verified by an independent competent person and submitted to and approved in writing by the LPA. The verification shall include photographic evidence and as built drawings where appropriate.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

10. Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, work must stop. Investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the LPA. The remediation shall be fully implemented in accordance with the details approved by the LPA and validated in writing by an independent competent person.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

11. No development shall take place until, a method statement for piling works explaining the measures that will be employed to prevent contamination of vulnerable aquifers has been submitted to and approved in writing by the Local Planning Authority. All measures shall be fully implemented in accordance with the details approved by the LPA and validated in writing by an independent competent person.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

12. The use of the workshop and office hereby permitted shall not be used outside of the following times: 08.00 - 17.00 hours Monday to Friday and 07.30-12.00 hours on Saturday.

REASON: In order to protect the amenities of occupiers of nearby residential properties; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

13. Demolition, clearance, excavation, or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Fridays, 08.30 and 13.00 hours on Saturdays and not at all on Sundays and all recognized bank and public holidays.

REASON: In order to protect the amenities of occupiers of nearby residential properties; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

14. The premises shall be used for the storage and maintenance of boats and ancillary uses and for no other purpose.

REASON: In order to protect the marine related employment use and the amenities of occupiers of nearby residential properties; in accordance with Policies DSP2 and DSP19 of the adopted Local Plan Part 2: Development Sites and the National Planning Policy Framework 2012.

15. No power tools shall be operated outside of the workshop outside of the following times: 08.00 - 17.00 hours Monday to Friday and 07.30-12.00 hours on Saturday.

REASON: In order to protect the amenities of occupiers of nearby residential properties; in accordance with Policy DSP2 of the adopted Local Plan Part 2: Development Sites and Policies and the National Planning Policy Framework 2012.

16. The measures contained within the Flood Risk Assessment produced by HJ concepts

Ltd shall be implemented and adhered to thereafter.

REASON: To ensure the safety of the occupiers of the property against the risk of flooding and having regard to Policy CS15 of the adopted Fareham Borough Core Strategy and the National Planning Policy Framework.

17. The development hereby approved shall not be brought into use until a Flood Management and Evacuation Plan has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

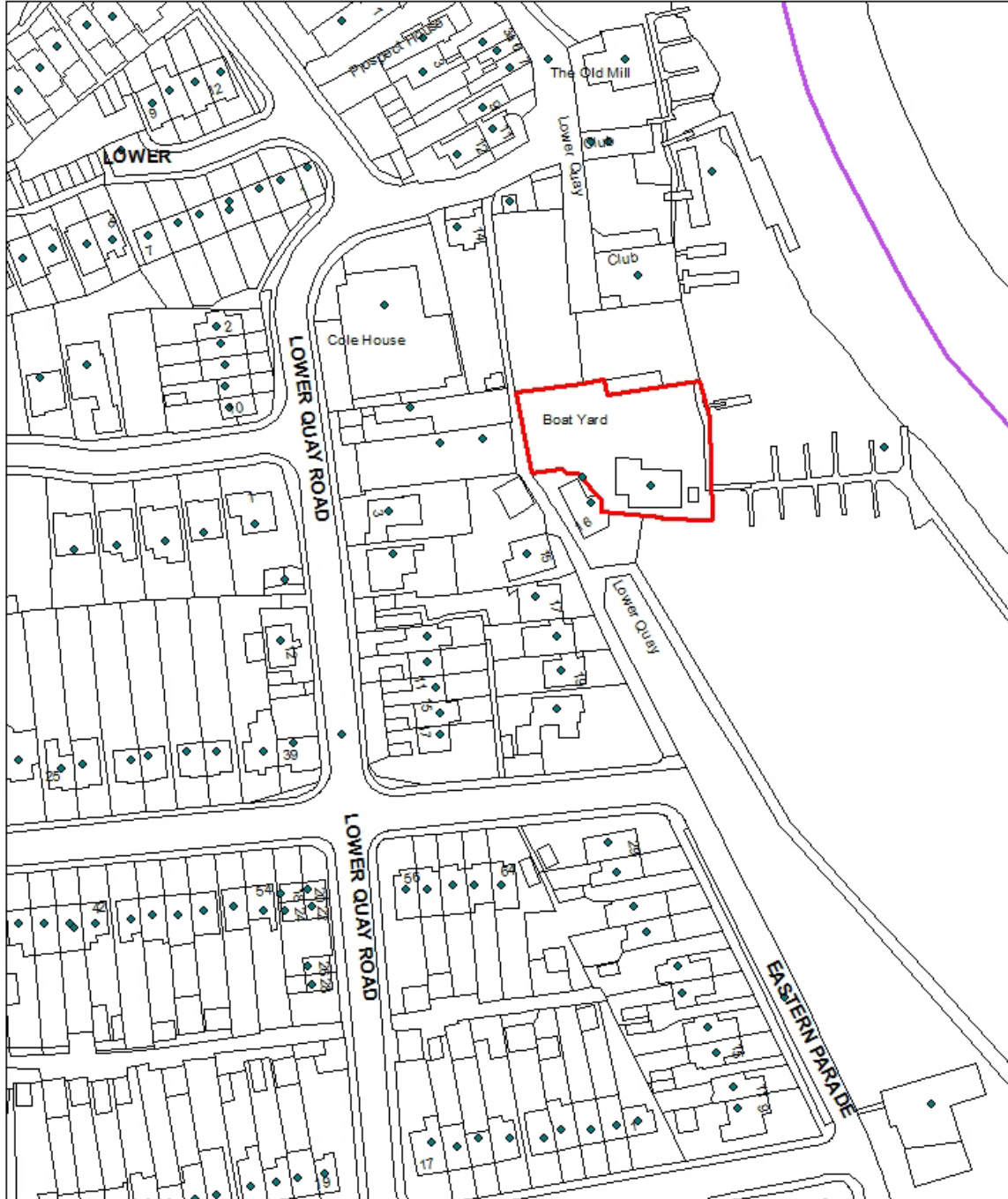
REASON: To ensure the safety of the occupiers of the property against the risk of flooding and having regard to Policy CS15 of the adopted Fareham Borough Core Strategy and the National Planning Policy Framework.

18. No development shall take place above damp proof course level (dpc) until samples of all external materials to be used in the construction of the development hereby permitted (including a sample panel to demonstrate the brick bond, mortar mix and dispersal of colour if more than one brick type is used), 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 ensure that appropriate materials are selected and to secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

FAREHAM

BOROUGH COUNCIL



PORTSMOUTH MARINE ENGINEERING
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. 2015

