

**P/15/1059/FP**

MS A. BARNES

**FAREHAM EAST**

AGENT: ROBERT TUTTON  
TOWN PLANNING CO

PROPOSED ERECTION OF A ONE-BEDROOMED DWELLING TO THE REAR OF NO. 147 WEST STREET (RESUBMISSION).

147 WEST STREET FAREHAM PO16 0DZ

***Report By***

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***Introduction***

The application has been submitted following the refusal of the previous application P/14/0616/FP. This refusal was for the following 2 reasons:

1. The proposed development is contrary to Policy CS17 of the Fareham Borough Local Plan, saved policy DG4 of the Fareham Borough Local Plan Review and policies DSP2, DSP4 of the emerging Local Plan Part 2: Development Sites and Policies and would represent an over-intensive form of development, demonstrated by the following aspects of poor quality design:

- (i) The narrow, un-welcoming access which does not benefit from natural surveillance and has a poor relationship with servicing areas for the commercial units would create a poor residential environment;
- (ii) The dwelling would be subject to overlooking from neighbouring development and would have poor outlook from habitable room windows;
- (iii) The quantity and quality of private and useable amenity space would be inadequate and also subject to overlooking from neighbouring development;
- (iv) The undercroft amenity area would be a poor form of design which would be out of keeping with the character of the area and would create opportunities for crime and antisocial behaviour.

2. In the absence of a mechanism to mitigate against the direct local impacts of the development, the proposal does not therefore satisfy the provisions of Policy CS4 of the Fareham Local Development Framework, Policy C18 of the Fareham Borough Local Plan Review and as supported by the Affordable Housing Supplementary Planning Document, in the following regards:

Given the site's proximity to a European designated site of ecological importance, the Solent and Southampton Water Special Protection Area and the Solent Maritime Special Area of Conservation, a financial contribution towards the mitigation measures recommended by the Solent Disturbance and Mitigation Project is required.

***Site Description***

The site is a small infill plot located within the urban area. The site currently contains a dilapidated single storey building previously used as a store with an area to the rear providing shared access to the retail units to the south and used for refuse storage. The site also provides access to the flat above number 147 West Street.

To the north and west of the site lies a private car park. To the immediate west of the site

there is a refuse store serving Connaught House (to the south west of the site). To the east of the site lies a single storey retail unit (Razmattazz). To the south of the site lies a row of 2 and 3 storey buildings. No. 147 which lies directly south of the site contains a fish monger at ground floor level with a flat above.

Access to the site is limited to pedestrian access only, via an alleyway between the rear of no's 145, 145a and 145b (the applicant does not have right of access over the car park to the north of the site).

### ***Description of Proposal***

The application seeks planning permission for a one bed dwelling. The majority of the building would be two storey with a single storey section on the south elevation.

The dwelling would be accessed via a gated alleyway from Osborne Road South and would have a communal garden to the rear.

The current application mainly differs from P/14/0616/FP in that:

- The design of the roof currently proposed is of a traditional hipped form with a number of rooflights serving a light well above the kitchen as opposed to the previously proposed gable roof design;
- The undercroft 'amenity' area previously proposed has been replaced with a store, utility room and cloakroom;
- The proposed bi-fold doors on the rear elevation are now proposed to be fitted with one way privacy glass;
- A short section of 1.8m fence would be positioned directly in front of the window in the west elevation of Razmatazz to prevent any overlooking of the proposed communal garden; The proposed bin storage has been positioned along the east boundary rather than the west.

### ***Policies***

The following Policies and Guidance apply to this application:

National Planning Policy Framework 2012 (NPPF)

### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS7 - Development in Fareham

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

### **Development Sites and Policies**

DPS1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP4 - Prejudice to adjacent land

## DSP15 - Recreational Disturbance on the Solent Special Protection Areas

### ***Relevant Planning History***

The following planning history is relevant:

<b><u>P/14/0616/FP</u></b>	<b>DEMOLISH EXISTING STORE CONSTRUCT NEW TWO STOREY TOWN HOUSE</b>
	REFUSE 25/09/2014
<b><u>P/14/0254/FP</u></b>	<b>DEMOLITION OF EXISTING STORE AND ERECTION OF A TWO STOREY TOWN HOUSE</b>
	WITHDRAWN 23/06/2014
<b><u>P/13/0880/FP</u></b>	<b>DEMOLITION OF EXISTING STORE AND ERECTION OF A TWO STOREY TOWN HOUSE</b>
	WITHDRAWN 15/11/2013

### ***Representations***

Thirteen representations in total (although some are multiple letters from the same address) have been received of which five object raising the following concerns:

- The applicant does not have access to the site over the car park.
- Access for construction purposes through the alleyway will cause a health and safety problem for pedestrians.
- The access via the alleyway poses a problem for the security of the businesses on West Street that back onto the site and also use the alleyway for access and have had problems with break ins.
- The lack of parking is unrealistic.
- The addition of another dwelling will put pressure on the car park to the north which is already oversubscribed.
- Construction could damage adjacent cars and property.
- It's not clear how the access door to the east of the dwelling will relate to the adjacent car park.
- The ground floor window in the east elevation would directly face onto the window in the adjacent building (Razzmattazz) leading to loss of privacy to the existing building and that proposed.
- Loss of light and privacy to 145 West Street
- The communal garden is not large enough to serve 3 properties
- The unit would result in overdevelopment of the area.
- Loss of light to 145a (Razzmattazz)
- The site is not suitable for a residential unit due to its location in between a car park and a fishmonger, given the likely issues with odour and noise disturbance.
- The application provides no details regarding surface water drainage, electricity, water supply or access to sewers.

Six letters of support were also received and raise the following points:

- The proposed house would provide much needed housing
- The proposed access is gated and would therefore be secure and enhance the safety of the site.
- The proposal would not restrict anyone's privacy or light

- Car parking is not needed for a central location
- The construction process could be very quick and wouldn't cause any disruption to neighbours
- Additional housing is needed

### ***Consultations***

Director of Planning and Regulation (Environmental Health - Contamination): No objection subject to the incorporation of a precautionary condition that requires development to cease if during any stage of the works materials which would suggest potential contamination are encountered. Work would not recommence before an investigation had been carried out any necessary mitigation measures approved by the LPA.

### ***Planning Considerations - Key Issues***

The key issues for consideration in the determination of the application are:

- Principle of development
- Appropriateness of design and effect on the character of the area
- Amenity
- Impact on neighbouring properties
- Parking provision
- Other issues

#### Principle of development

The site is located within the Defined Urban Settlement Boundary and comprises an area which previously contained a dilapidated brick store and refuse storage. Policy CS6 of the adopted Core Strategy states in identifying land for development the priority will be for the reuse of previously developed land, within the defined urban settlement boundaries taking into consideration [amongst other issues] the character and accessibility of the settlement.

Policy CS17 of the adopted Core Strategy states that all development will be of a high quality of design and be safe and easily accessed by all members of the community. Policy CS17 also states that new housing will be required to secure adequate internal and external space, privacy and sunlight and daylight to meet the requirements of future occupiers.

Policy DSP3 of the adopted Local Plan Part 2: Development Sites and Policies states that development proposals should ensure that there will be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy.

Given the location of the site within the settlement policy boundary, the proposed development is acceptable in principle subject to satisfying the requirements of Policies CS17 and DSP3, together with any other material considerations.

#### Appropriateness of design and effect on the character of the area

The site is located to the rear of the retail, commercial and flatted units that front onto West Street. West Street in the vicinity of the site is a mixture of 2,3 and sometimes 4 storey buildings of different ages, forms, architectural styles and materials. The areas to the rear are a mixture of open parking, private outdoor space, storage buildings and extensions largely associated with the commercial premises fronting West Street. The buildings are generally simple in form and subservient in scale to the West Street frontage. The proposed building would have a rectangular plan form and would be two storey with a single

storey section on the south elevation. The form of the building is not considered to be out of keeping with the character of the area.

## Amenity

The proposed internal space would be 57 square metres which is above the generally accepted minimum of 50 square metres. The internal layout is acceptable in terms of size, however the constraints of the site have resulted in a design which would negatively impact the quality of the internal space provided. It is noted that one of the windows (north) serving the proposed bedroom at first floor level would be obscure glazed and the second (east facing) has a limited outlook towards the side of 145A approximately 3m away. This would result in a bedroom with no outlook or limited outlook. The adopted Residential Design Guide classifies bedrooms as habitable rooms which require a reasonable outlook, therefore the proposed bedroom fenestration is not considered to be of an acceptable standard.

The proposed kitchen window is considered to have an inadequate outlook as the proposed window in the east elevation would be separated from the side elevation of the adjacent retail shop by a distance of less than one metre; resulting in an outlook of a brick wall. The proposed ground floor living room would have a window in the east elevation which, like the kitchen, would look directly onto the side elevation of the adjacent retail unit. The living room is additionally proposed to have bi-fold doors in the rear (south) elevation. To address the previous reason for refusal with regard to overlooking between the site and the properties to the south (147 West Street) it is proposed that these doors would be installed with one way privacy glass to prevent any overlooking to and from neighbouring properties. This glass is proposed given that the two buildings (the proposal and the rear of 147 West Street) are only 13.2m apart which is some way short of the Council's normal expected standards. While one-way privacy glass provides a degree of visibility that isn't provided by the use of obscure glazing, it does not provide the same degree of open outlook that would be experienced by the occupants of the proposed building by the use of traditional clear glazing. The use of the one-way privacy glass is not considered to provide for an acceptable level of outlook from the proposed living room. In any event the bi-fold door is openable such that the overlooking issue previously raised as a reason for refusal is not fully addressed with the one-way privacy glass being negated when the door is open. Given the layout of the proposal and the fact that the bi-fold door is designed to open out to the proposed amenity space (a matter considered later in this report) it is not reasonable to require this door to be fixed closed. As such the impact upon the amenity of the occupants of the proposed building and the existing residential neighbours remains.

The application proposes a communal rear garden which would be shared with the occupiers of the flat above number 147 West Street. Given the site's central location, the garden is considered to be adequate in terms of size. However the quality of the outdoor space would be severely compromised. The submitted plans indicate that the refuse bins serving the proposed dwelling are to be sited on the east boundary. The refuse bins serving the ground floor retail unit at 147 West Street (most recently containing a fish monger) are shown on the southern edge of the communal garden and refuse bins serving Connaught House are shown immediately adjacent to the west boundary. The garden area would also be enclosed by the application proposal to the north, the retail unit to the east, the properties along West Street to the south of the site, together with Connaught House positioned along approximately half of the west boundary. The proximity of the buildings on all sides of the garden would limit the amount of sunlight and create a sense of enclosure to the detriment of the quality of the outside space.

Given the close relationship of this garden area to the surrounding buildings, the proposed garden would also be subject to overlooking from adjacent properties and potential disturbance both from users of the adjacent car park and employees accessing the rear of the adjacent retail units. This further detracts from the quality and therefore the usability of the external amenity space.

The owner of the site does not have right of access across the car park to the north, therefore the only access to the proposed unit would be pedestrian access via an alleyway from Osborne Road South. The alleyway access was previously included as a reason for refusal for its unwelcoming nature and use by the commercial premises' as a service area. The alleyway is gated and would therefore be relatively secure, however it is dark, enclosed and generally uninviting due to its location at the rear of the properties on West Street and the proximity to the West Street retail units trade refuse area. The application proposes lighting in this area, however the incorporation of lighting would not create a pleasant or inviting entrance to the proposed property and the previous reason for refusal is not considered to have been overcome.

It is considered that the cumulative impact of the limited outlook from the dwelling together with the poor quality amenity space and unpleasant entrance via the alleyway would result in an undesirable living environment which would be contrary to policy CS17 which requires new housing to secure adequate internal and external space, privacy and sunlight to meet the requirements of future occupiers and Policy DSP3 which requires there to be no unacceptable adverse impact upon living conditions on the site or neighbouring development, by way of the loss of sunlight, daylight, outlook and/or privacy.

#### Impact on neighbouring properties

The application proposes the addition of a 1.8 metre high close boarded fence directly in front of the window in the side elevation of the adjacent retail unit to prevent any overlooking of the proposed garden area from this unit. The window does not serve a habitable room, therefore it is not considered to be inappropriate.

The proposed dwelling would require future occupiers to use the existing alleyway to access the site. Owners of the adjacent retail units have raised concerns regarding the impact that the use of the alleyway would have on the security of their units, however as the alleyway is gated, it is not considered that the proposed use of the access would pose a threat to the security of the adjacent units.

Owners of the adjacent retail units have also raised concerns regarding the impact the proposed unit would have on their premises in terms of privacy and available light. The property would be visible from adjacent retail units, however it's location is such that it would not result in a loss of privacy or light to adjacent retail units which are not generally afforded the same levels of privacy as residential units.

#### Parking Provision

Objections received have raised concerns about the lack of parking provision, however the site is in a highly accessible town centre location. Significantly reduced parking provision is considered to be acceptable in such sustainable locations. In this case the provision of a car-free scheme is acceptable. It is noted that there was previously no reason for refusal on the lack of parking provision.

## Other issues

Objections received raised concerns about access to the car park via the door in the side elevation. The door is shown to provide access to the proposed cycle store. The proposed elevations indicate a 1.8m high fence across the northern boundary adjacent to this door such that the occupants would use the already discussed alleyway.

One of the objections received raised concerns regarding the absence of details regarding regarding surface water drainage, electricity, water supply or access to sewers, however the application states that foul sewage would be disposed of via connection to the mains sewer and the surface water is to discharge to a soakaway. Should any additional information be required in regard to the services it could be secured by condition if the scheme had been found acceptable in other respects and Planning Permission was granted.

The applicant has provided the necessary financial contribution required towards the Solent Recreation Mitigation Project. The application therefore addresses the second reason for refusal from P/14/0616/FP.

## Conclusion

The proposal would result in a dwelling with a poor quality indoor and outdoor environment contrary to Policies CS17 of the adopted Core Strategy and DSP3 of the Local Plan Part 2. The application fails to address all of the previous issues contained within the first reason for refusal therefore it is recommended that the application is refused.

### ***Recommendation***

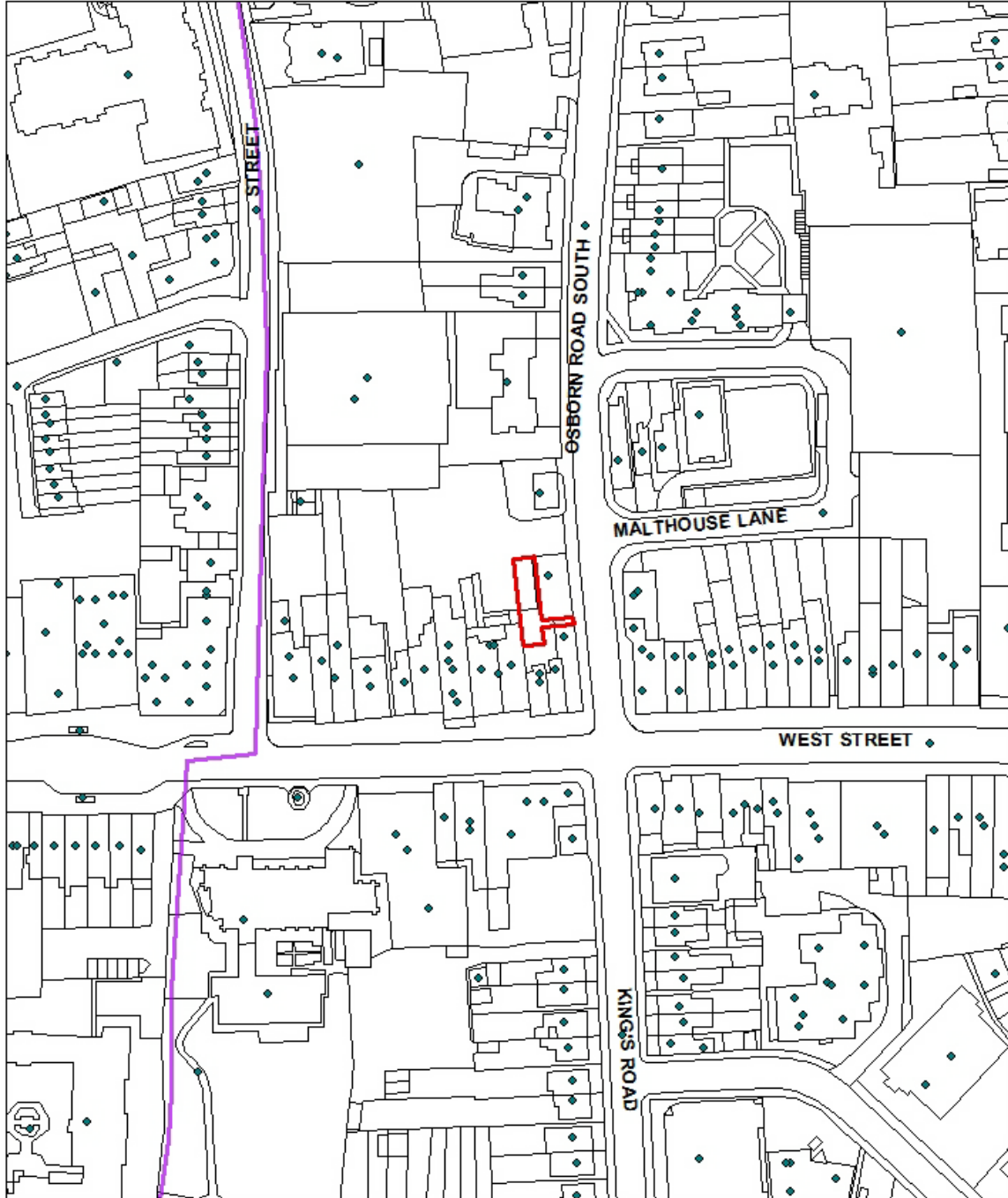
REFUSE for the reasons:

The proposed development is contrary to Policy CS17 of the Fareham Borough Local Plan, and Policy DSP3 of the adopted Local Plan Part 2: Development Sites and Policies and would represent an over-intensive form of development, demonstrated by the following aspects of poor quality design:

- (i) The narrow, un-welcoming access which does not benefit from natural surveillance and has a poor relationship with servicing areas for the commercial units would create a poor residential environment;
- (ii) The dwelling would, by virtue of the poor internal layout, arrangement of fenestration and use of one way privacy glass create a poor outlook from habitable room windows of the proposed building to the detriment of the amenity to be enjoyed by the future occupants;
- (iii) The relationship of the proposed communal garden to refuse areas, the proximity of the surrounding built environment which would be overbearing and oppressive and also the presence of windows in neighbouring properties resulting in overlooking would result in the quality and usability of the private amenity space being inadequate to the detriment of residential amenity

# FAREHAM

## BOROUGH COUNCIL



147 West Street  
Fareham  
SCALE: 1:1,250

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