

P/13/0083/FR

PORTCHESTER WEST

MR & MRS J STURGESS

AGENT: MR STEVEN BARLOW

ERECTION OF TWO DETACHED DWELLINGS (FULL RENEWAL OF P/10/0029/FP TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION)

NYEWOOD AVENUE - LAND AT - PORTCHESTER FAREHAM HAMPSHIRE PO16 8DR

Report By

Susannah Emery Ext 2412

Site Description

This application relates to a site to the east of Nyewood Avenue which links Dore Avenue to Hill Road.

This site is currently unoccupied and has recently been cleared of low lying vegetation.

Nyewood Avenue is on a steep slope and therefore the properties to the north of the site are at a much higher level and the properties to the south are at a lower level.

Description of Proposal

A full renewal is sought of P/10/0029/FP which granted full planning permission to erect;

- One detached 3-bed chalet bungalow fronting onto Nyewood Avenue with basement accommodation (Unit A);
- One detached 3-bed bungalow with basement accommodation to the rear of the site (Unit B).

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

CS21 - Protection and Provision of Open Space

Approved SPG/SPD

RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document,

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

<u>P/10/0029/FP</u>	ERECTION OF TWO DETACHED BUNGALOWS (ALTERNATIVE TO P/08/0501/FP ALLOWED ON APPEAL - UNIT A - NEW BASEMENT ACCOMMODATION INCORPORATED, UNIT B - BASEMENT FLOOR AREA INCREASED IN SIZE)
	PERMISSION 05/03/2010
<u>P/08/0501/FP</u>	ERECTION OF TWO DETACHED BUNGALOWS.
	REFUSE 16/06/2008

Representations

One letter has been received objecting on the following grounds;

- Fear of structural damage to neighbouring property caused by excavation

Consultations

Director of Planning & Environment (Highways) - No highway objection is raised to this application, subject to any conditions and transport contribution commitments that were applicable to the permission under reference P/10/0029/FP.

Director of Regulatory & Democratic Services (Environmental Health) - no objection

Planning Considerations - Key Issues

This development was originally permitted on appeal in March 2009 (P/08/0501/FP). The appeal inspector considered that the development would not detract from the existing streetscene and that it would be in keeping with the character of the area. He considered that the impact of Unit A on No.99 Hill Road to the north would not be sufficient to result in significant additional material harm to the living conditions of the property. He also considered that the relationship of Unit B to neighbouring properties to the south would be acceptable.

A subsequent application in 2010 was permitted by the planning committee to amend the permitted scheme by extending the basement accommodation to Unit B at the rear of the plot and introducing basement accommodation to Unit A on the front of the plot. It was determined that this amendment would not alter the visual impact of the scheme and that there would also be no further impact to the amenities of neighbouring properties in terms of loss of light, outlook or privacy.

The current application seeks to extend the time limit for the commencement of the previously permitted development by an additional three years. Applications to extend the time limits for implementing planning permissions were introduced in order to make it easier for developers and Local Planning Authorities (LPA's) to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.

LPA's are encouraged to take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed has previously been judged to be acceptable in all respects. The advice is to focus on development plan policies and other material considerations (including national policies) which may have changed significantly since the original grant of permission.

In this instance the adoption of the Council's Core Strategy in August 2011 is of significance. Having considered the proposal against the relevant policies it is not considered that there are any grounds to resist the development and refuse the current planning application. However Policy CS15 of the Core Strategy does require that all new residential development achieves at least Level 4 of the Code for Sustainable Homes. The applicant has agreed and this would be secured by a planning condition.

Whilst it is acknowledged that the issue of subsidence resulting from the excavations will be of concern to local residents this is not a material planning consideration. If any damage were to occur this would be a private matter between the parties involved.

Subject to conditions officers consider the proposal complies with the relevant policies of the Fareham Borough Core Strategy and Fareham Borough Local Plan Review and the application is considered acceptable.

Reasons For Granting Permission

The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, or highway safety. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Recommendation

Subject to the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space and/ or facilities and highway infrastructure improvements by the 26 April 2013.

PERMISSION: Materials as agreed; Boundary Treatment as agreed; Parking; Levels as agreed; Remove PD roofslope Unit A & B; Obscure glaze and fix shut first floor landing window north elevation Unit A; Level 4 Code for Sustainable Homes; Construction Hours; No Burning on Site; Mud on Road measures as agreed

OR: In the event that the applicant/owner fails to complete the required Section 106 Agreement by 26 April 2013.

REFUSE: Contrary to policy; inadequate provision for public open space and highway infrastructure.

Background Papers

P/13/0083/FR; P/10/0029/FP

Updates

Amend Recommendation

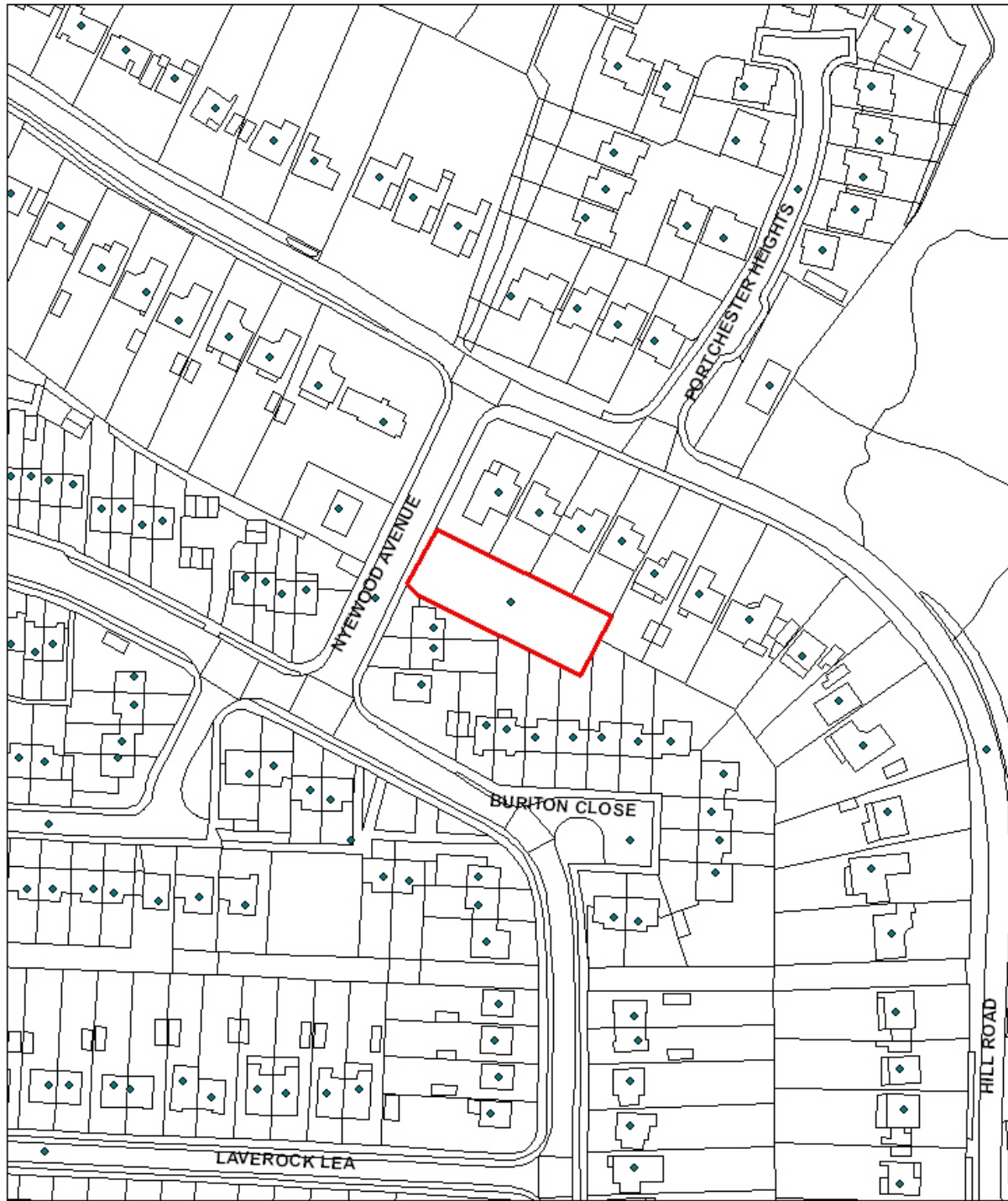
Subject to:

i) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to

secure a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.

FAREHAM

BOROUGH COUNCIL



NYEWOOD AVENUE
SCALE 1:1250

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