

**P/17/0765/FP**

MR & MRS FREEMANTLE

**SARISBURY**

AGENT: BRYAN JEZEPH  
CONSULTANCY

ERECTION OF TWO 1-BED FLATS AND FIVE 2- BED FLATS WITH ASSOCIATED  
PARKING AND ACCESS FOLLOWING DEMOLITION OF EXISTING BUNGALOW

WILLOWS END 312 OLD SWANWICK LANE LOWER SWANWICK SOUTHAMPTON  
HAMPSHIRE SO31 7GS

***Report By***

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***Site Description***

This application relates to a site within the urban area which lies to the south of Old Swanwick Lane. The A27 bounds the site immediately to the south and Premier Marina lies on the opposite side of the road. The site abuts the flatted developed of Swanwick Quay to the west which occupies a corner position at the junction of Swanwick Lane with the A27. The application site also abuts the residential boundaries of Nos. 308 and 314 Old Swanwick Lane and Riverside to the north and east.

The application site is currently occupied by a detached bungalow which is set back from the Old Swanwick Lane frontage. The gravel driveway gives a narrow frontage to the plot and slopes upwards bending around the plot of No.314 Old Swanwick Lane before the site opens up into the car parking area to the front of the dwelling where there is also a detached garage. The property has a private amenity space to the rear of the dwelling. Levels on the site slope gently down towards the A27.

There are a number of trees on the application site which are mainly concentrated on the boundary with Riverside to the east but none are covered by a TPO. There is a high leylandi hedge along the rear garden boundary with the A27.

***Description of Proposal***

Planning permission is sought for the demolition of the existing bungalow and the erection of a building containing seven flats; two 1-bed and five 2-bed. The building would be part two storey and part three storey and finished largely with facing brickwork and light coloured render with a standing seam roof. Metal cladding (dark grey) and powder coated aluminum fascia would be used on certain features of the building to give visual interest. The building would have a high level of glazing to the rear elevation fronting the A27 and rear facing balconies with glass balustrades.

Eight car parking spaces would be provided to serve the development on an unallocated basis. A bin store would be provided close to the site access. Secure cycle parking would be provided within the building and visitor stands would also be provided.

The flats would have a shared amenity space to the rear measuring approx 400 sq m.

***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
- CS9 - Development in Western Wards and Whiteley
- CS17 - High Quality Design
- CS18 - Provision of Affordable Housing
- CS20 - Infrastructure and Development Contributions

**Development Sites and Policies**

- DSP3 - Impact on living conditions
- DSP13 - Nature Conservation
- DSP15 - Recreational Disturbance on the Solent Special Protection Areas

***Relevant Planning History***

Pre-application advice (Q/0365/16) was given in January 2017 for the development of this site by the erection of seven 2-Bed flats. Concerns were raised in respect of the impact of the building on the light and outlook to the nearest flats within Swanwick Quay. It was considered that the car parking layout was unsatisfactory and that landscaping needed to be incorporated to improve the design and visual appearance of the development. The bin store location was not considered acceptable to enable collection and this has been re-located closer to Old Swanwick Lane. Officers suggested that there may be a need to reduce the number of units sought to reduce the footprint of the building and reduce the car parking requirements. The subsequent planning application reduces bedroom numbers within two of the flats rather than reducing the overall number of units and has also reduced the footprint of the building adjacent to Swanwick Quay.

**P/04/1237/OA      Erection of Eight Flats following Demolition of Existing Dwelling (Outline Application)**

REFUSE	16/09/2004
APPEAL: DISMISSED	30/06/2005

**P/11/0973/FP      ALTERATIONS TO BUNGALOW TO CREATE FIRST AND SECOND FLOOR ACCOMMODATION AND EXTEND ITS FOOTPRINT**

APPROVE	02/02/2012
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**P/14/0545/FP      EXTENSION AND REFURBISHMENT OF EXISTING BUNGALOWS TO CREATE FIRST FLOOR ACCOMMODATION, GARAGE EXTENSION WITH HABITABLE ACCOMMODATION ABOVE**

APPROVE	19/08/2014
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***Representations***

Forty Seven letters have been received objecting on the following grounds;

- Overdevelopment;
- Excessive development is already being undertaken within the local area;
- Modern design and style out of keeping with surrounding area;

A two storey development would be a better transition between Swanwick Quay and neighbouring two storey dwellings;  
The flats would have significantly greater footprint, scale and mass than existing bungalow and would dwarf neighbouring properties;  
Adjacent flats occupy much larger plot and have ample car parking and access direct to Swanwick Lane;  
Overshadowing of Swanwick Quay;  
Three storey height would result in loss of light;  
Insufficient car parking;  
Lack of visitor car parking;  
Old Swanwick Lane congested with parked cars often blocking drives and causing obstruction;  
Limited width of lane causes difficulty in passing particularly for service or emergency service vehicles;  
Increased traffic movements hazardous to pedestrians as a result of lack of pavements;  
Difficulty of access to/from Swanwick Lane and on to A27;  
Obstruction of visibility splays by telegraph pole;  
Loss of privacy;  
Noise & disturbance from use of access/parking and fumes;  
Smells from bin store;  
Previous application for eight flats refused in 2005 and this should set a precedent;  
What would be within the plant room?  
Inaccurate and misleading artists impressions;  
Tree loss;  
Increased pressure on local services;  
Development purely for profit;  
Concerns over waste collection;  
Noise and inconvenience during construction works and damage to road;  
Impact on wildlife;  
Is there a demand for flats?  
Loss of property value;  
Lack of local employment opportunities;  
Poor public transport services;  
Increased surface water run-off as a result of hardsurfacing;  
Potential for structural damage to surrounding properties during construction;  
Covenant on the plot restricting what can be built;  
Impact on Sewage System;  
Loss of river views;  
Risk of flooding;  
Japanese Knotweed;  
Lack of sustainable and green technologies.

### ***Consultations***

Internal

Highways - This proposal is to demolish the existing bungalow and erect a block of seven flats with eight car parking spaces. Access is to be via the existing driveway from Old Swanwick Lane.

No highway objection is raised to this application, subject to conditions and to the following -

- The access width would need to be maintained at not less than 5m for the initial 8m of the driveway and the initial 5m surfaced in a bound material with drainage to prevent surface

water entering the highway.

- The access crossover is restricted on the north side and should be widened with the continuation of the entrance kerbing.
- The car parking provision is limited and would only be acceptable if retained as unallocated.
- Visibility splays of 2m by 35m will need to be retained at the access by clearing vegetation.

Environmental Health (Contaminated Land) - No objection

Trees - The impact of the proposal on trees and the effect of tree loss, pruning and other site operations on local tree cover, public amenity and local character has been considered. Provided that the recommendations of tree report are followed and that construction methods, as detailed within the arboricultural method statement, are followed when working near retained trees, then I consider the impact to be minimal and acceptable. Therefore no objections to the proposed development.

Ecology - No evidence of bats were found during the visual inspection. The building was assessed as presenting low roost suitability and a single evening visit was carried out to give confidence in the negative visual finding. This is appropriate and in line with the Bat Conservation Trust's good practice survey guidelines. No bats were seen to emerge from the house during this survey. In view of the survey findings the development is unlikely to result in a breach of the law protecting bats and no concerns are raised.

The survey work has identified the potential for birds to breed within the ornamental plants within the site and has confirmed the presence of foraging bats. Measures to avoid impacts on breeding birds and foraging bats have been proposed within the Ecological Assessment and this is supported. It is recommended that a condition is attached to any decision notice in order to secure them and the proposed bird nesting and feeding enhancement features should also be secured by planning condition

Refuse - The bin store position is better than the previous plan submitted with the pre-application enquiry; however as indicated it does not appear big enough to allow sufficient room for residents to use and the crew to manoeuvre the bins. There is also a risk that cars could park in front of the bin store and block in the bins. The road out of the development must be smooth, with drop-kerb to the bin store.

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

The main issues in the determination of this planning application are;

The Principle of the Development & Site History  
Impact on the Character and Appearance of the Surrounding Area  
Impact on the Living Conditions of Neighbouring Residential Properties  
Highways  
Affordable Housing  
Trees and Ecology  
Solent Recreation Mitigation Partnership

The Principle of the Development & Site History

Policies CS2 (Housing Provision) and CS6 (The Development Strategy) of the adopted Fareham Borough Core Strategy place priority on reusing previously developed land within the defined urban settlement boundaries to provide housing. The National Planning Policy

Framework (NPPF) excludes private residential gardens from being defined as previously developed land but sets out there should be a strong presumption in favour of sustainable development. It is recognized that garden sites can assist in meeting housing needs provided that the proposed development is acceptable in all other respects. The site is located within the defined settlement boundary such that the principle of re-development of the land is acceptable subject to an assessment of the impacts.

Outline planning permission (P/04/1237/OA) was refused for the erection of eight flats on the site in 2004 and a subsequent appeal was dismissed. The application was for access and siting with all other matters including the design and scale of the building reserved. This application pre-dated the construction of Swanwick Quay and the building proposed was to be located closer to the A27 with a larger area of car parking to the front. The application was refused on the grounds that the building would have an unacceptable impact on the occupants of Riverside (272 Bridge Road) as a result of loss of outlook. It was also considered that the car parking arrangements would have an unacceptable impact on the residential amenity of the occupants of No.314 Old Swanwick Lane by virtue of noise and disturbance. There have subsequently been two planning applications granted to develop the existing dwelling including the incorporation of first floor accommodation.

### Impact on the Character and Appearance of the Surrounding Area

The proposed building would sit adjacent to the flatted development of Swanwick Quay which consists of fourteen flats within a two/three storey building constructed in red brick, with a slate effect roof and feature dark wood cladding to the elevations. The proposed building has been designed so that the three storey element of the building would sit adjacent to Swanwick Quay with the two storey element of the building positioned to the eastern side of the plot closer to the two storey detached residential properties which abut the site. Dividing the building into different elements and using mono-pitched roofs which would slope into the centre of the site serves to break up the height and bulk of the building so that in officers opinion it would sit comfortably with surrounding properties.

The design and materials proposed are more contemporary than Swanwick Quay but this does not necessarily make the proposed building unacceptable. The National Planning Policy Framework (NPPF) states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. There is a vast variety in the type, scale and appearance of both commercial buildings and dwellings within the surrounding area. The rear elevation of the building is designed to be more visually striking when viewed from the A27 but from the front would have a more traditional appearance so as to be more sympathetic to surrounding residential properties. Officers do not consider that the proposed building would be detrimental to the character or appearance of the area.

### Impact on the Living Conditions of Neighbouring Residential Properties

The previous application in 2004 for the development of the site for eight flats was considered to have an unacceptable impact on Riverside by virtue of loss of outlook. The building previously proposed would have sat much closer to the A27 and would have been sited only 13-14m from the principle elevation of the neighbouring property extending across much of the front elevation. Although this exceeded the minimum separation distance of 12.5m which would normally be sought between primary windows and a two storey flank wall it was not considered that this was sufficient level of separation in view of

the fact that this was the front elevation of Riverside and the likely two storey scale of the proposed building.

The current application is significantly different in this respect. The proposed building would not extend across the whole of the front of Riverside as previously proposed as it is set back further from the A27 to accord with the building line of Swanwick Quay. The three storey element of the building is set adjacent to Swanwick Quay on the opposite side of the plot to Riverside and at its closest point would be 22 metres away from the principle elevation. There would also be a reasonable amount of screening between Riverside and the proposed flats as a result of the positioning of boundary trees on the application site and protected trees which stand within the grounds of Riverside. It is not considered that the proposal would have a detrimental impact on Riverside in terms of loss of light or outlook.

It was considered that the previous application would harm the residential amenity of No.314 Old Swanwick Lane as six of the twelve proposed car parking spaces would have been positioned close to the boundary thereby having the potential to cause noise and disturbance. The appeal inspector considered that a reduced level of car parking and a less sensitive location should be sought for this car parking. The current application does include a reduced level of car parking provision, as parking standards have changed since 2004, and the location of the car parking has also been altered in part because of the re-siting of the building. Only two car parking spaces would be located close to the boundary with No.314 Old Swanwick Lane and its associated garden which extends to both the front and rear of the property. It is not considered that the vehicle movements associated with the parking area would be harmful to the residential amenity of the occupants of No.314 Old Swanwick Lane.

Concerns have been raised by the occupants of the ground floor flat within the nearest section of Swanwick Quay regarding loss of light to windows within the side elevation, overshadowing and loss of privacy. The nearest section of Swanwick Quay to the proposed building is two storey in height with a flat at both ground and first floor level. Each property has two windows within the side elevation which currently face on to the application site. The flank wall of the proposed flats would extend in front of these windows with a separation distance of 5.2 metres. Each flat has one secondary kitchen/living room window and an en-suite window. The Fareham Borough Design Guidance SPD sets out that a separation distance of 6 metres will be sought between a sole habitable room window and a two storey wall but that this distance may be reduced to 4 metres if the room is served by other windows. Bathrooms are not counted as habitable rooms and the open plan living space of the flats has its primary outlook to the rear towards the A27 and therefore this level of separation is considered acceptable.

The elevation of Swanwick Quay fronting the A27 is articulated so that the two storey section which sits adjacent to the application site is set further back from the road than the more prominent three storey part of the building. The proposed building would extend 1 metre forwards of the nearest part of Swanwick Quay with balconies at first and second floor level protruding an additional 1.8m. The proposed building would therefore not sit significantly further forward than Swanwick Quay and in light of the the level of separation it is not considered that the proposal would result in the unacceptable loss of light, outlook of overshadowing of the adjacent flats. Whilst the occupants of the proposed flats would have oblique views into adjacent garden areas from rear facing upper windows and balconies it is not considered that this would have a detrimental impact on the level of privacy currently afforded to the garden area of the adjacent ground floor flat. This garden area is already overlooked by the upper first floor flat and other properties within Swanwick Quay and

therefore does not benefit from a high level of privacy at present. Views towards Riverside would also be oblique and constrained by retained tree screening. All balconies would be fitted with 1.7m high obscure screens to the sides to limit views towards neighbouring properties and windows within the side elevations at first and second floor level would also be conditioned to be obscure glazed and fixed shut to 1.7m above internal floor level.

The occupants of No.308 Old Swanwick Lane which sits to the north-east of the application site adjacent to the proposed site access have raised concerns regarding loss of privacy. No.308 sits at a significantly higher level than the application site and is orientated towards Swanwick Quay which sits at the end of the rear garden. The nearest windows within the proposed building would be in excess of 18 metres from the garden boundary of No.308 and the orientation of No.308 is such that the rear windows do not directly face the proposed building. The proposed building would actually be more visible out of the secondary kitchen and dining room windows with the side elevation however there would be a separation distance in excess of 25 metres. A minimum separation distance of 11m would normally be sought for new windows to adjacent private garden windows and 22 metres between facing windows. Officers therefore do not consider that the proposal would result in a detrimental loss of privacy to the occupants of No.308 Old Swanwick Lane. In addition concerns are raised that car parking to serve the development has been relocated closer to No.308 to reduce noise disturbance to No.314 Old Swanwick Lane but this in turn would have a negative impact on No.308. In officers opinion as only one car parking space would abut the boundary of No.308 with the remainder of the spaces abutting the car parking area of Swanwick Quay it is not considered that this would have an unacceptable impact. The access would be a minimum of 3.5m from the flank wall of the property and would be separated from the dwelling by the properties own driveway. The bin store would be located adjacent to the boundary with No.308 Old Swanwick Lane but would not be visible over the boundary fence due to the difference in ground levels.

## Highways

The existing access to the site is considered acceptable to serve the development and no objections to the proposal have been raised by the Council's Highways Engineer. The access would be 5m in width for the initial 8m and the existing dropped kerb would be widened to enable two vehicle's to pass at the entrance of the site.

The proposal incorporates eight car parking spaces. It is proposed that the car parking would be provided on an unallocated basis. The Council's Residential Car Parking Standards require that a 2-bed property is provided with 1.25 unallocated spaces and a 1-bed property is provided with 0.75 un-allocated spaces. This equates to a total car parking requirement of 7.75 spaces which is met. Given that the car parking spaces are unallocated there is no requirement to provide on-site visitor car parking. Whilst the concerns of local residents regarding overspill car parking are noted it is considered that as parking standards are met a refusal on the basis of lack of on-site car parking would be difficult to substantiate.

Planning conditions would be imposed to ensure the car parking remains unallocated and that the required visibility splays would be provided and retained. The siting of a telegraph pole to the east of the site access within the visibility splay is not considered to be detrimental to highway safety as it is possible to see round either side of the pole and traffic on the Lane is slow moving. The location of the bin store is considered to be acceptable to enable refuse collection. Officers have discussed the design of the bin store with the council's representative for the refuse collection team and are currently awaiting an

amended plan to improve access to the bins. This will be available at the committee meeting.

It is not considered that the proposed development would generate significant vehicle movements which would have an adverse impact on the local highway network.

### Affordable housing

Policy CS18 of the adopted Fareham Borough Core Strategy expects that development on sites that can accommodate a net increase in residential units of five or more should be subject to the requirement for a contribution towards off-site affordable housing provision. However, government guidance through the Planning Practice Guidance website advises that affordable housing obligations should not be sought from small scale development of 10-units or less and which have a maximum gross floorspace of no more than 1000m<sup>2</sup>.

Whilst the local plan policy requirement is for an affordable housing contribution, the PPG advice is an important material consideration which suggests otherwise. In this instance therefore it is considered that there should be no obligation for the developer to make some of these houses available as affordable units or to make an equivalent financial contribution towards off-site affordable housing provision.

### Trees and Ecology

Tree loss has been kept to a minimum, with the removal of two trees, and the Council's Arborist raises no concerns regarding the proposal subject to adequate tree protection measures being taken for the duration of construction. The Silver Birch tree on the boundary with No.314 Old Swanwick Lane close to the entrance of the site is required to be felled to ensure adequate provision of aisle widths and vehicle manoeuvring space. The existing hedgerow along the A27 would be retained but reduced in height.

The application is supported by an ecological report. The bungalow and garage were assessed as having low suitability to support roosting bats. A single dusk emergence survey was subsequently undertaken and no bats were recorded emerging from either of the buildings. Roosting bats are therefore considered to be absent from the site. Very low levels of foraging activity were recorded on site and the site is considered to offer low suitability for foraging or commuting bats. There was no evidence of badger, hazel dormouse, birds, reptiles or great crested newt during the site survey. The mitigation measure recommended include the creation of a wildflower meadow within the communal garden and the installation of two sparrow terraces on the proposed building. The measures set out to avoid impact to nesting birds and foraging bats and recommended ecological enhancements would be secured by planning condition.

### Other Matters

The site is within Flood Zone 1 and is therefore identified by the Environment Agency as being at very low risk of flooding.

Any deed which restricts development of the site is a separate legal matter which may need addressing but this is not relevant to the determination of the planning application.

There is no evidence to suggest that Japanese Knotweed is present on the application site.



An element of noise and disturbance during construction works is inevitable with any building works but this is not reason to withhold planning permission. A standard planning condition would be imposed to restrict working hours and details of a wheel wash facility and site set-up would also be sought by planning condition. Any structural damage which occurs to neighbouring properties as a result of the development would be a private legal matter.

Loss of private views and property value as a result of the development are not material planning considerations.

### Solent Recreation Mitigation Partnership

Through the work of the Solent Recreation Mitigation Partnership (SRMP) it has been concluded that any net increase in residential development will give rise to likely significant effects on the Solent Coastal Special Protection Areas (SPA's), either 'alone' or 'in combination' with other development proposals. In accordance with Policy DSP15 of the adopted Fareham Borough Local Plan Part 2 all development will be required to mitigate the negative impact. This is achieved via a commuted payment which would be secured under section 111 of the Local Government Act 1972 prior to planning permission being granted.

### Conclusion

The proposal accords with the relevant policies of the adopted Fareham Borough Core Strategy and Local Plan Part 2. Officers find the application acceptable in that it would provide additional housing within the urban area in a sustainable and accessible location without harming the character or appearance of the locality. Sufficient car parking provision is proposed along with adequate outdoor amenity space to meet the needs of future residents. It is not considered that the proposal would significantly impact on the living conditions of neighbouring properties in terms of loss of light, outlook or privacy nor by virtue of increased noise and disturbance.

### ***Recommendation***

PERMISSION; subject to;

i) receipt of a commuted payment towards the SRMP secured under section 111 of the Local Government Act 1972 by 25 August 2017

ii) the following conditions;

1. The development shall begin before the expiry of a period 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 after that time.

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

i) Location Plan - drwg No.L01 (1:1250)

ii) Site Layout - drwg No.01 Rev C

iii) Site Sections - drwg No.02

iv) Floor Plans - drwg No.03

v) Elevations - drwg No.04

vi) External Views - drwg No.05

vii) Ecological Assessment (Ecosa May 2017)

viii) Arboricultural Report (Johnston Tree Consultancy June 2017)

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

3. No development shall take place above damp proof course/slab level until details of all external materials and hard surfacing materials to be used in the construction of the flats hereby permitted, 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 above damp proof course (DPC) shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of residential amenity; in the interests of the visual amenity of the area.

5. 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.

6. The approved landscaping scheme shall be implemented and completed within the first planting season following the written approval 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: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality.

7. None of the flats hereby permitted shall be occupied until car parking spaces have been provided in accordance with the approved plans. These parking spaces shall thereafter be retained and kept available at all times for the use of residents and visitors only on an unallocated basis.

REASON: To ensure adequate parking provision within the site; in the interests of highway safety.

8. The flats shall not be occupied until the bin and cycle stores have been made available in accordance with the approved plans. These designated areas shall thereafter be kept available and retained at all times for the purpose of bin and cycle storage.

REASON: In the interests of visual amenity; in order to facilitate modes of transport alternative to the motorcar; in accordance with Policies CS5, CS15 and CS17 of the Fareham Borough Core Strategy.

9. The building shall not be occupied until 2m by 35m visibility splays have been provided at the site access junction with Old Swanwick Lane. These visibility splays shall thereafter be kept free of obstruction at all times.

REASON: In the interests of highway safety; in accordance with Policies CS5 and CS17 of the Fareham Borough Core Strategy.

10. The development shall be carried out in accordance with the approved arboricultural report and method statement (Johnston Tree Consultancy June 2017) unless otherwise agreed in writing with the local planning authority.

REASON: To avoid impacts to protected trees.

11. The development shall be carried out in accordance with the measures set out in section 6.2 of Ecological Assessment (ECOSA, May 2017) unless otherwise approved in writing by the Local Planning Authority.

REASON: In order to avoid impacts on breeding birds and foraging bats.

12. Prior to occupation of the flats the measures as detailed in section 6.3 of the ecology update report (ECOSA, May 2017) shall be implemented in full, unless otherwise approved in writing by the local planning authority. Thereafter, the enhancement measures shall be permanently maintained and retained in accordance with the approved details.

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

13. The first and second floor windows as marked with a '#' on the approved floor plan (drwg No.03) shall be glazed with obscure glass and be of a non opening design and construction to a height of 1.7 metres above internal finished floor and shall thereafter be retained in that condition at all times.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent properties.

14. None of the flats hereby approved shall be occupied until 1.7m high obscure side screens have been installed to the rear facing balconies as shown on the approved plan. The obscure screening shall subsequently be retained at all times unless otherwise agreed in writing with the local planning authority.

REASON: To protect the amenities of the occupiers of the neighbouring properties and to prevent overlooking.

15. No development shall take place until details of the measures to be taken to prevent spoil and mud being deposited on the public highway by vehicles leaving the site during the construction works have been submitted to and approved by the local planning authority in writing. The approved measures shall be fully implemented upon the commencement of development and shall be retained for the duration of construction of the development.

REASON: In the interests of highway safety and the amenity of the area in accordance with Policies CS15 and CS17 of the Fareham Borough Core Strategy.

16. No development shall take place until the local planning authority have approved details of how provision is to be made on site for the parking and turning of operatives vehicles and the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the permitted development. The areas and facilities approved in pursuance to this condition shall be made available before construction works commence on site (other than construction of the site access) and shall thereafter be kept available at all times during the construction period, unless otherwise

agreed in writing with the local planning authority.

REASON: In the interests of highway safety; in order to secure the health and wellbeing of the trees and vegetation which are to be retained at the site; and to ensure that the residential amenities of the occupiers of nearby residential properties is maintained during the

construction period; in accordance with Policies CS15, CS16 and CS17 of the Fareham Borough Core Strategy.

17. No work relating to 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 public holidays, unless otherwise first agreed in writing with the Local planning authority.

REASON: To protect the amenities of the occupiers of nearby residential properties; in accordance Policy DSP3 of the Development Sites and Policies Plan.

#### Further Information

Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

Applicants should be aware that, prior to the commencement of development, contact must be made with Hampshire County Council, the Highway Authority. Approval of this planning application does not give approval for the construction of a vehicular access, which can only be given by the Highway Authority. Further details regarding the application process can be read online via <http://www3.hants.gov.uk/roads/apply-droppedkerb.htm> Contact can be made either via the website or telephone 0300 555 1388.

#### ***Background Papers***

P/17/0765/FP

# FAREHAM

BOROUGH COUNCIL



Willows End, 312 Old Swanwick Lane  
Scale 1:1,250



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