

**P/17/0937/FP**

MR MILES DORAN

**TITCHFIELD**

AGENT: MARTIN CRITCHLEY,  
ARCHITECT

PROPOSED DWELLING (ALTERNATIVE TO PERMISSION GRANTED FOR NEW DWELLING UNDER REFERENCE P/17/0355/FP)

293B TITCHFIELD ROAD TITCHFIELD FAREHAM HAMPSHIRE PO14 3ER

***Report By***

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***Introduction***

The application site comprises a residential caravan site which was first granted planning permission on appeal in March 2013 (our ref P/11/1097/CU / Planning Inspectorate ref APP/A1720/A/12/2183866). A later planning permission in March 2014 granted permission for the extension of this site and the siting of an additional caravan (our ref P/13/1089/CU).

In September 2016 planning permission was granted to extend and alter the then existing day room/amenity building at the site to be used as a single dwellinghouse (our ref P/16/0691/FP). The applicant later explained that, when work began on site in the early part of 2017, the poor condition of the building led to it being demolished instead. Planning permission was subsequently granted in April 2017 for those demolition works and for the construction of a bungalow on the same part of the site with a slightly larger footprint than that previously approved (our ref P/17/0355/FP).

This current application has been submitted following reports that the construction of the bungalow granted planning permission earlier this year was not in accordance with the approved drawings. In July this year Officers visited the site and observed that the footprint of the dwelling as well as its height to roof eaves and overall height and design differed from that which was previously approved. On the advice of Officers construction work has now ceased whilst the applicant seeks planning permission for an alternative development which is the subject of this application.

***Site Description***

The site lies on the western side of Titchfield Road to the immediate north of a commercial nursery site and along a lane used to access around half a dozen houses (nos. 293, 293a, 295, 297-299, 301, 303) as well as the site itself. The site lies outside of the defined urban settlement boundaries and within the Meon Gap (strategic gap).

Except for a small patch of ground the site is entirely hardsurfaced with a mixture of tarmac and block paved finishes. There are two existing buildings on the site; a timber outbuilding which was erected in 2015 and for which retrospective planning consent is sought in a separate planning application (our ref P/16/0931/FP), and; the partially constructed dwelling for which planning permission is now sought. Previously a single storey building had stood on the land for a number of years and had most recently provided living accommodation for the family of the applicant Mr Doran as well as ancillary storage space.

***Description of Proposal***

Permission is sought for the construction of a new detached dwelling which is already partially constructed.

The proposed dwelling measures 10.2 by 14.9 metres in terms of its ground floor area when measured externally. In comparison, the permission granted earlier this year (our ref P/17/0355/FP) was for a dwelling in the same part of the site measuring 8.9 by 15.2 metres externally. The current proposal is therefore for a slightly narrower but deeper footprint to the building. The proposed and previously permitted dimensions are shown for ease of comparison on the submitted drawings (drawing no. 1322-410A).

The new proposal also differs from that previously approved in terms of its scale and design. The proposed dwelling would feature first floor accommodation in the form of two further bedrooms (making five in total). As a result its overall height is greater at 7.15 metres than the bungalow that was previously approved earlier this year which was to be 4.05 metres high (an increase in height of 3.1 metres). The submitted drawings enable easy comparison between what has been permitted previously and what is now proposed (drawing no. 1322-510A). As a result of the increase in overall height the pitch of the roof has also increased and it is proposed that the roof be fully hipped as opposed to having gable ends. It is important to note that, whilst the structure that has started to be constructed on site has gable roof ends, the applicant's application proposes amending that structure to form a fully hipped roof. The elevational drawings also demonstrate the difference in roof eaves heights between the permitted and proposed dwellings and that the ground floor level of the new house is higher than previously at approximately 550mm above external ground level.

As previously proposed, the roof would be covered in grey interlocking concrete tiles whilst the external facing walls of the dwelling would be clad in pre-finished mineral cladding boards in a cream finish.

### ***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

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS22 - Development in Strategic Gaps

#### **Approved SPG/SPD**

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

#### **Design Guidance Supplementary Planning Document (Dec 2015)**

EXD - Fareham Borough Design Guidance Supplementary Planning Document

#### **Development Sites and Policies**

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

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

The following planning history is relevant:

<b><u>P/17/0355/FP</u></b>	<b>Proposed bungalow (alternative to permission granted for new dwelling under reference P/16/0691/FP) and new entrance gates, brick walls and piers</b>	
	APPROVE	26/04/2017
<b><u>P/16/0691/FP</u></b>	<b>ALTERATIONS TO ROOF AND ELEVATIONS, AND EXTENSION OF EXISTING AMENITY BUILDING/DAY ROOM TO CREATE A SINGLE DWELLINGHOUSE (USE CLASS C3)</b>	
	APPROVE	15/09/2016
<b><u>P/16/0931/FP</u></b>	<b>Storage shed - (Retrospective application)</b>	
	APPROVE	16/12/2016
<b><u>P/13/1089/CU</u></b>	<b>CHANGE OF USE OF LAND TO FORM AN EXTENSION TO AN EXISTING RESIDENTIAL GYPSY CARAVAN SITE, INCLUDING THE SITING OF ONE ADDITIONAL TOURING CARAVAN</b>	
	APPROVE	06/03/2014
<b><u>P/11/1097/CU</u></b>	<b>CHANGE OF USE OF LAND AND PREMISES TO USE AS A RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY WITH TWO CARAVANS, INCLUDING NO MORE THAN ONE STATIC MOBILE HOME AND USE OF EXISTING BUILDING ON SITE AS ANCILLARY ACCOMMODATION FOR FAMILY UNIT</b>	
	REFUSE	22/06/2012
	APPEAL: ALLOWED	14/03/2013
<b><u>P/08/0063/CU</u></b>	<b>USE OF FORMER CATTERY BUILDING AS ARTISTS WORKING STUDIO (RETROSPECTIVE APPLICATION)</b>	
	RETAIN DEVLPMT	20/03/2008

### ***Representations***

Comments have been received from two separate households. In addition another set of comments from a group named "Residents of Titchfield Road" has been received including those same two households plus a further five nearby properties. The following points of objection have been raised:

- Application is not valid due to a misleading description, no application fee having been paid and inaccurate information having been submitted
- Inadequate / unclear drainage proposals regarding foul water and surface water drainage including run-off from the roof of the dwelling
- Over development in such a small irregular shaped site
- Size, bulk and siting is visually intrusive in countryside location and strategic gap and therefore contrary to policy
- Severe effects on enjoyment of adjacent neighbouring property

- Entrance gates are too narrow for large vehicles owned by applicant
- The local planning authority has failed to take action for breaches of conditions
- Enforcement action should be taken

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

#### i) Validation of application

Under the relevant regulations on application fees any application that follows within twelve months of an earlier grant of planning permission is exempt from the requirement to pay a fee provided the local planning authority are satisfied the development proposed is of the same character as before. In this instance, whilst there are clear differences in the previous permitted dwelling and that for which permission is now sought, Officers are satisfied the character of the development is the same and so no application fee is required.

When the application was first received Officers assessed the description of the proposed development as stated on the submitted application form. The government's Planning Practice Guidance (PPG) explains that local planning authorities should be satisfied that the description of development provided by the applicant is accurate. If necessary the authority can amend the description accordingly. It was considered appropriate to describe the application as for a "proposed bungalow" whilst also making it clear that the proposal was an alternative to the previous permission granted for a new dwelling. When the application was publicised it's description was considered appropriate however that description has since been amended to replace the word "bungalow" with "dwelling" as it is considered a more accurate description of the building proposed. New entrance gates, brick walls and piers were originally proposed as part of the application however the applicant has chosen to withdraw those particular elements from the submission.

Residents have raised concerns that various pieces of information contained within the application form are missing or incorrect. The information contained in the form is sufficient for Officers to assess the proposal however where necessary clarification has been sought from the applicant's agent, for example on the issue of surface water drainage.

In summary of this particular point of concern raised by residents, Officers consider the application is valid.

#### ii) Visual appearance and impact on countryside and strategic gap

The increased size and bulk of the proposed dwelling compared to that which was previously proposed needs to be assessed with regards to the relevant policies of the adopted local plan and in the context of the lane and surrounding area.

Policy CS14 of the adopted Fareham Borough Core Strategy seeks to strictly control development outside of the defined urban settlement boundaries to protect the countryside from development which would adversely affect its landscape character, appearance and function.

Policy CS17 of the Core Strategy is also relevant in that it expects development to respond positively to and be respectful of the key characteristics of the area including its landscape, scale, form and spaciousness.

Policy CS22 of the Core Strategy seeks to resist development which would significantly affect the integrity of a strategic gap and the physical and visual separation of settlements.

To the east of the application site is the adjacent dwelling at 293 Titchfield Road, itself a chalet bungalow with first floor accommodation and a fully hipped roof. To the east of that neighbouring property is a mature hedgerow along the boundary with the main road itself. To the south of the application site is a large nursery site with a glasshouse of a considerable size and height only a short distance from the party boundary. To the west of the site lies another building associated with the nursery with a high dual pitched roof and alongside it a storage silo.

It has not been possible to provide a precise comparison between the exact size and heights of those surrounding buildings and the proposed dwelling. It is clear however that the site, whilst in the countryside and strategic gap, has built development on several sides adjacent to it meaning that the appearance of the dwelling would be seen against the backdrop and within the context of these other buildings. The proposed dwelling is 3.1 metres higher and its roof bulkier in appearance than that previously proposed. However, it's overall appearance would not be disproportionate to or appear out of keeping with the surrounding structures on adjacent sites or for that matter other dwellings in the immediate surrounding area and further down the lane.

Brief and limited views of the roof of the dwelling would be possible from certain points on Titchfield Road. However the only prominent views of the dwelling would be provided from the private access lane itself. On the other side of the private lane is a row of trees and mature hedgerow behind which a public right of way runs parallel to the lane. Views into the site and of the dwelling may be possible from this right of way however such views would still be limited.

Officers do not consider that the visual impact of the proposed dwelling would have a materially harmful effect on the appearance or character of the countryside in which the site sits. Furthermore the dwelling would not significantly affect the separation of settlements which the strategic gap is intended to preserve. The scale, design and proposed use of materials are not considered out of keeping with the key characteristics of the surrounding area. As a result the proposal is found to accord with Core Strategy Policies CS14, CS17 & CS22.

### iii) Living conditions

The effect on the living conditions of the occupiers of the neighbouring property at 293 Titchfield Road is an important planning consideration.

Policy DSP3 of the adopted Fareham Borough 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".

The eastern flank of the proposed dwelling would be located approximately 1.0 - 1.4 metres from the party boundary with the adjacent rear garden of no. 293 and would measure 10.2 metres long. The previous permission granted earlier this year allowed a flank elevation 8.9 metres long however the roof in that instance was lower than now proposed and was in effect little different to the flat roofed day/amenity building which stood on the site previously. Drawing no. 1322-510A submitted by the applicant shows a comparison of the proposed dwelling with that previously approved (shown as a dashed line). The roof of the dwelling is clearly higher and so too are the roof eaves heights.

The effect would be that the neighbouring garden at 293 could be expected to receive less direct sunlight at certain times later in the day according to how high the sun was in the sky. With their letter of objection the neighbour has included several photographs to show the current effect the structure has on light to their property. The photos include views of the garden and also from windows to habitable rooms within the southern and western facing elevations of the house (the submitted site plan shows the distance between the eastern flank of the new dwelling and the windows in the western facing elevation of no. 293 to be around 12.5 metres). It should be noted however that these photos show the existing unauthorised roof which has been constructed with a gable end. The proposal is, as explained above, to install a fully hipped roof which would reduce the impact on the adjacent property since above roof eaves height the structure would be sloping away from the boundary.

Officers have considered the impact of the proposed dwelling taking into account the neighbours' concerns as well as factors such as the orientation of the affected garden (south facing with the development to its west), the garden's overall size, the distance and orientation of windows in no. 293 and of course the height and bulk of the proposal compared to the day/amenity building that was there previously and the bungalow previously approved on the site. Whilst it is accepted that some light would be lost to the property the extent to which that would impact on the living conditions of the neighbours is not considered so adverse as to mean planning permission ought to be refused. Similarly, the flank elevation of the dwelling would not be overly dominant or appear overbearing such that it would materially harm the outlook available from the neighbouring property or detract from the enjoyment of the adjacent garden.

There would be no overlooking of the neighbouring property provided no further openings which provide views into that property are inserted into the eastern facing elevation of the proposed dwelling in the future. Upper floor windows are already restricted by virtue of the General Permitted Development Order (GPDO) however because of the slightly higher than usual ground floor level to the dwelling a planning condition should be imposed on any consent to prevent any lower level windows from being installed also.

In summary of this particular issue, Officers do not consider the impact of the development to be materially harmful to the living conditions of the neighbours living adjacent to the site. The proposal accords with Policy DSP3 of the adopted Local Plan Part 2.

#### iv) Foul and surface water drainage

Policy DSP2 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies states that: "Development should provide for the satisfactory disposal of surface and waste water, and should not be detrimental to the management and protection of water resources".

No details on the disposal of surface or foul water were originally submitted with the application and the submitted application form simply states that the means of foul sewage disposal is unknown. When considering planning applications in many cases for minor development it is not considered necessary to require the applicant to provide further information on foul water discharge or run-off from the roofs of proposed new buildings. This is because such matters are covered under the building regulations, guidance on which is included in Approved Document H. In this instance the applicant is using an approved building inspector as opposed to Officers from the Council's Building Control Partnership to inspect the construction and to ensure the necessary regulations are met.

Notwithstanding, given the strength of feeling of residents on this particular issue Officers have sought clarification from the applicant on what measures will be used to dispose of foul and roof water. On 4th September the applicant submitted a drawing showing details of foul and roof water drainage (drawing no. 1322-112). The drawing shows foul water being connected to a new foul manhole and new cesspit whilst rainwater pipes are shown to be connected to a soakaway formed of "Aquacell crates" underneath the hard surfacing 5.0 metres west of the new dwelling.

#### v) Summary

The proposal is not considered likely to have a materially adverse impact on the character or appearance of the countryside, the visual or physical integrity of the strategic gap or the living conditions of neighbours. For this development it is considered that the applicant's obligation to comply with the building regulations is sufficient to ensure adequate provision is made for the disposal of foul and roof run-off water.

The application is found to accord with the relevant policies of the adopted development plan and it is recommended that planning permission be granted.

#### **Recommendation**

PERMISSION subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following drawings:

- a) Location plan and block plan - drawing no. 1322-110
- b) Proposed site plan - drawing no. 1322-111
- c) Proposed site plan and drainage - drawing no. 1322-112
- d) Proposal plans and section - drawing no. 1322-410A
- e) Proposal elevations - drawing no. 1322-510A

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

2. The development hereby permitted shall be carried out using the materials stated in the submitted application form unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the development is of a high quality design and appearance.

3. Within one month of the dwelling hereby permitted first being occupied no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time. No static caravan shall be stationed on the site at any time.

REASON: In the interests of the character and appearance of the area.

4. No commercial activities shall take place on the land, including the storage of materials.

REASON: To protect the living conditions of neighbours.

5. Notwithstanding the provisions of the Schedule of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any subsequent Order revoking and re-enacting that Order) at no time shall any windows be inserted into the eastern elevation of the dwelling hereby permitted unless otherwise agreed in writing by the local planning authority following the submission of a planning application.

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

6. Notwithstanding the provisions of Classes A, B, C or E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, no additions or alterations to the roof, and no out buildings shall be constructed within the curtilage of the dwelling house hereby approved unless first agreed in writing with the local planning authority following the submission of a planning application.

REASON: To protect the outlook and privacy of the adjacent residents; to protect the character and appearance of the countryside.

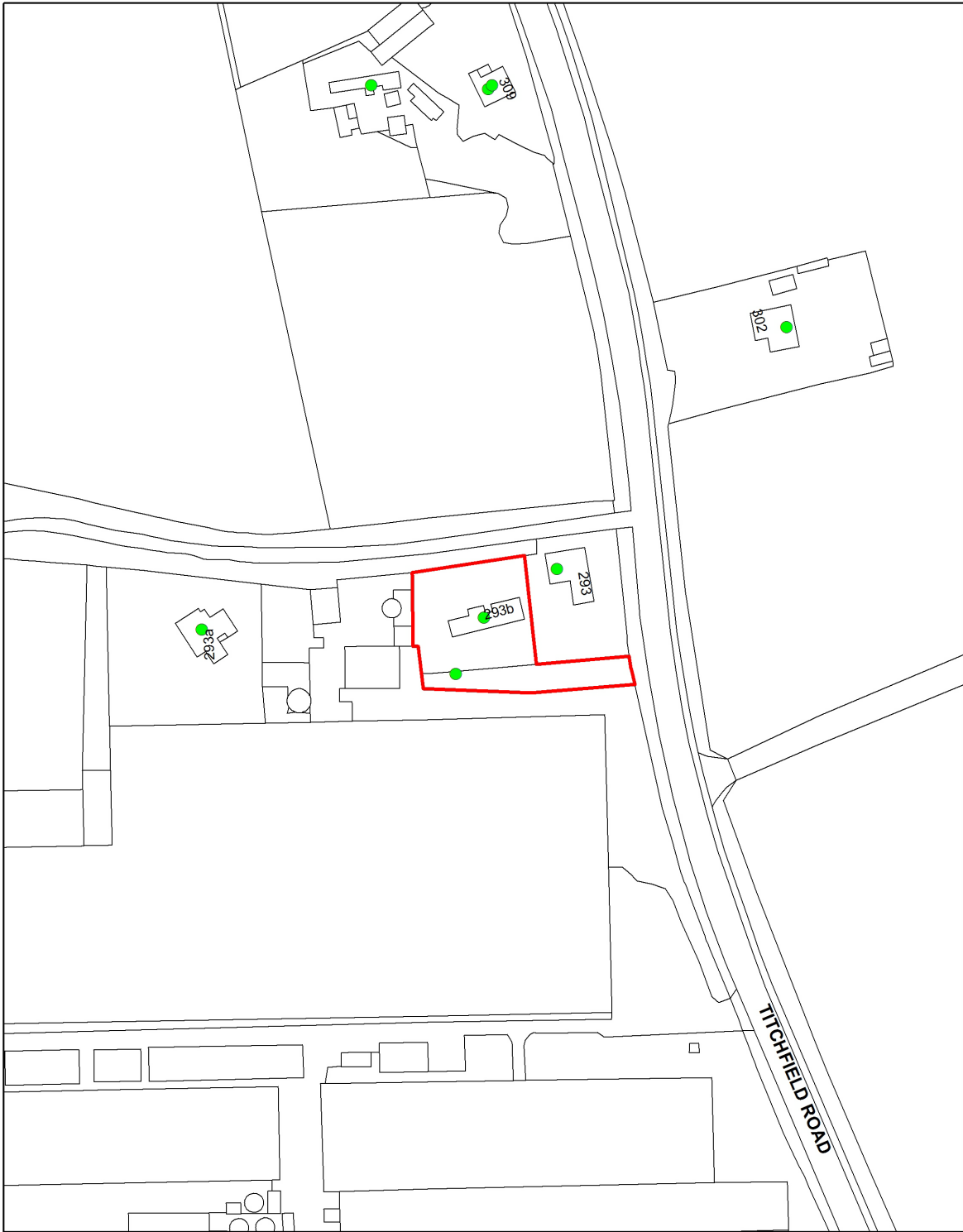
***Background Papers***

P/17/0937/FP



# FAREHAM

BOROUGH COUNCIL



293B Titchfield Road  
1:1,250



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