

P/17/1298/FP

PORTCHESTER EAST

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DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 4 DWELLINGS AND
PARKING

54 CORNAWAY LANE PORTCHESTER FAREHAM PO16 9DD

Report By

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Introduction

The application has been submitted following the refusal of the previous application for the following reasons:

The proposed development is contrary to Policies CS17, DSP2 and DSP3 of the Local Plan, the advice in the National Planning Policy Framework and the Fareham Residential Design Guidance Supplementary Planning Document and is unacceptable in that:

-by virtue of the height, depth and bulk of the dwelling on plot no. 3 and its proximity to the rear gardens of no's 52 and 52a Cornaway Lane, would represent an overbearing and unneighbourly form of development detrimental to the amenities of these properties.

-the siting of the bin collection point serving plot no's 3 and 4 to the garden of the dwelling in plot 1 would represent an unneighbourly form of development detrimental to the amenities of this property.

-the proximity of the car parking space to the living room window of the dwelling within plot 4 would not constitute high quality design to the detriment of the occupant in plot 4.

Site Description

The site is level and partially hard surfaced with areas of gravel. The majority of the site is undeveloped, with the exception of a single storey building in the eastern corner and a two storey building at the front (west of the site) which formerly housed Lawnswood Limousines.

There are dwellings to the north, south and east of the site. There are also a number of garages to the east of the site which are accessed via a drive along the south of the site.

Description of Proposal

The application proposes the demolition of the existing structures and the erection of 4 dwellings. Plot no's 1 and 2 would comprise 1 pair of two and a half storey, semi-detached dwellings fronting Cornaway Lane and would incorporate car parking spaces to the front. Plot no's 3 and 4 would be positioned to the rear of no's 52 and 52a Cornaway Lane and accessed via the drive which currently serves the garages to the east of the site. Plot 3 would contain a detached, chalet style bungalow and plot 4 would contain a detached, two storey dwelling. Parking for plot no's 3 and 4 would also be provided to the front of the proposed dwellings.

Policies

The following policies apply to this application:

National Planning Policy Framework 2012

Fareham Borough Design Guidance (excluding Welborne) Supplementary Planning

Document

Residential Car and Cycle Parking Standards Supplementary Planning Document

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS5 - Transport Strategy and Infrastructure

CS11 - Development in Portchester, Stubbington and Hill Head

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

Relevant Planning History

The following planning history is relevant:

P/17/0519/FP **CONSTRUCTION OF TWO PAIRS OF 2-STOREY SEMI-DETACHED HOUSES WITH ASSOCIATED CAR PARKING, CYCLE STORAGE, MEANS OF ENCLOSURE AND LANDSCAPING AFTER DEMOLITION OF EXISTING BUILDINGS.**

REFUSE

19/07/2017

P/17/0110/FP **Construction of a two-storey building comprising four 1-bed flats and a two-storey building comprising two 3-bed houses with associated access drive, car parking, means of enclosure and landscaping after demolition of existing building.**

WITHDRAWN

13/04/2017

Representations

Letters of support have been received from no's 56 and 66 Cornaway Lane. Specific reference is made to the change of use from commercial to residential as being positive.

Objections from 10 households have been received. The objections raise the following issues:

- Loss of sense of openness at rear of properties in Kenya Road
- Loss of light to 6 Kenya Road
- The amended plans for the property in plot 4 include wider side elevations
- Loss of privacy to properties in Kenya Road
- The proposed access is not wide enough for two vehicles to pass each other or to incorporate a footpath
- The access would not have sufficient visibility to enable cars to enter/exit safely
- The site is only large enough for 3 dwellings
- The provision of dwellings in plot no's 3 and 4 would be out of keeping with the character of the area
- The development is out of keeping with the character of the area
- There is no provision for visitor parking

- The dwelling in plot 3 is too high and too close to no. 52a
- The chalet bungalow in plot no. 3 would stretch the full width of no. 52a's rear boundary and would have an adverse impact on the outlook
- The proposed dwellings (and trees) in plot no's 3 and 4 would result in a loss of light to no. 50
- The provision of bungalows in plot no's 3 and 4 would have less impact on neighbouring properties

Consultations

INTERNAL CONSULTTEES

Refuse and Recycling - No objection.

Highways - No objection, subject to conditions.

Environmental Health (Contamination) - No objection, subject to conditions.

Planning Considerations - Key Issues

Principle of development

The site, which formerly housed a limousine hire business, is located within the defined urban settlement boundary of Portchester. Policy DSP17 aims to protect existing employment sites, but does not include the site which is the subject of this application. There is therefore no requirement for the site to be retained for commercial purposes.

Policy CS11 states that small scale development will be permitted within the settlement boundaries of Portchester, Stubbington and Hill Head and Titchfield where it:

- protects the setting of the settlement;
- protects their natural, historic, biodiversity and cultural resources;
- contributes to the provision of green infrastructure;
- maintains and strengthens the character, vitality and viability of district and local centres;
- contributes to (in addition to development in other areas) around 60 dwellings in Portchester.

The proposed development of 4 dwellings is therefore acceptable in principle subject to satisfying the criteria of Policy CS11 together with the requirements of the policies listed earlier in this report.

Impact on the character of the area

Cornaway Lane is characterised by regularly spaced, detached, semi-detached and terraced dwellings which adhere to a uniform building line. The dwellings in the section of Cornaway Lane in which the site is located are either two or two and a half storeys in height, with on-site parking to the front.

Plots 1 and 2 would contain a pair of semi-detached dwellings which would front Cornaway Lane. They would both be two and a half storeys, with the eaves and ridgeline of a similar height to the properties on either side. The parking for plots 1 and 2 would be provided to the front, with a strip of planting between the parking for plots 1 and 2. Shallow planting beds have also been provided along both side boundaries at the front of plots 1 and 2 and to the front of the dwellings to soften the impact of the hard surfacing. Soft and hard landscaping details can be secured by condition.

The design of plots 1 and 2 is of a similar form to that of the dwellings on either side and would be of a traditional character.

Plots no's 3 and 4 would be positioned to the rear of no's 52 and 52a and the proposed plot no's 1 and 2. Plot no's 3 and 4 would not be visible from within Cornaway Lane.

The dwellings in plots 3 and 4 would both be detached with a chalet style bungalow in plot 3 and a two storey dwelling in plot 4. The proposed chalet style bungalow would have an asymmetric roof with an eaves height of 2.7m on the side next facing no's 52 and 52a and an eaves height of 4.3m on the side next to plot 4. The asymmetric roof has been designed to minimise the impact on the neighbouring properties to the west, with the higher eaves height on the east side providing a transition with the proposed two storey building.

Overall the design is considered to respond positively to and be respectful of the key characteristics of the area as required by policy CS17. The use of appropriate materials can be secured by condition.

Impact on neighbouring properties

Plot no. 1 would be directly south of no. 52a Cornaway Lane. The dwelling within plot no. 1 would be in line with no. 52a and would therefore not have an adverse impact on the amenities of no. 52a.

Plot no. 2 would be positioned to the north of no. 56 Cornaway Lane. The proposed dwelling would be visible from within no. 56's rear garden, however it would not appear overbearing or have an adverse impact on no. 56 in terms of privacy or amount of available sunlight as it would be positioned 5.2m north of no. 56 and would not project beyond the rear elevation of no. 56. The owners of no. 56 have written in support of the application.

Plot no. 3 would be positioned directly east of no. 52a. The dwelling within plot no. 3 would be separated from no. 52a's original rear elevation by a distance of 12.9m. Whilst there is a building to building separation distance of 12.5m referred to within the Design Guide SPD, this is relating to the advice on extensions rather than new dwellings. A 12.5m separation distance is considered to be the minimum distance between two buildings, when one is extended, in order to retain a degree of acceptable separation. Minimum separation distances are not prescribed in the design guide for the relationship of a new dwelling to an existing property.

Policy DSP3, however, 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 supporting text to Policy DSP3 explains that the impact of proposed development on neighbouring sites includes both existing properties and importantly in this case, gardens.

One of the reasons for refusal for the previous application was because of the significant adverse impact that the dwelling in plot no. 3 would have on no's 52 and 52a's gardens in terms of loss of outlook and available sunlight. The dwelling previously proposed within plot 3 was a two storey building with an eaves height of 5m and a ridge height of 7.3m. The dwelling was also a depth of 10.5m meaning that the west elevation would have extended across the full width of no. 52a's rear boundary and almost all of no. 52's rear boundary.

The plans originally submitted for the application currently being considered, proposed a chalet style bungalow in plot 3. The eaves height had been reduced to 3m and the ridge height to 6.2m. The dwelling was a depth of 10m. The amended design was considered to still be too dominant given the proximity to no. 52 and 52a. The applicant subsequently submitted a further set of amended plans and it is these plans which are the subject of this report.

The dwelling proposed in plot 3 would now be a chalet style dwelling comprising three sections with the main section incorporating an asymmetric roof. The section of building closest to no. 52 and 52a Cornaway Lane would be a depth of 6.8m with a fully hipped roof sweeping down to eaves at 2.7m. The front section of the dwelling would be single storey, would also have an eaves height of 2.7m and would be set back from the boundary by 2.8m. The third section of the building would be the tallest, with an eaves height of 4.3m, however it would be set back from the boundary by 4m.

The reduction of the eaves height, together with the incorporation of a hipped roof on the section of the building closest to no's 52 and 52a and the division of the building into 3 sections with 2 sections being set back from the boundary is considered to cumulatively result in a significant reduction in the impact upon no. 52 and 52a's gardens in terms of the impact it would have on the outlook and amount of available sunlight. The dwelling proposed in plot 3 would still affect the outlook and amount of sunlight the garden receives during the morning, however the impact would be significantly less than that of the previously refused application and would not be unacceptably adverse as per the test in policy DSP3. It is considered that the proposal both addresses the previous reason for refusal and would not result in an unacceptably adverse relationship with the neighbouring properties. To ensure the roof next to no's 52 and 52a remains of a hipped form, a condition can be included to remove permitted development rights for alterations to the roof of this dwelling.

The proposed development within plot no's 3 and 4 would be visible from the rear of no's 48, 50 and 50a and neighbours to the north east and east of the site, such as Kenya Road however the separation distances are such that the impact on these properties (and their gardens) would not be significantly adverse.

Living conditions

The National Planning Policy Framework (NPPF) states that the Government attaches great importance of the design of the built environment and that Local Plans should develop policies that address the integration of new development into the existing built environment. Furthermore, paragraph 64 indicates that Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed dwellings would satisfy the minimum internal space standards as required by the Design Guidance SPD. The proposed dwellings would also have gardens of adequate size.

Policy DSP2 (Environmental Impact) states that development proposals should not individually, or cumulatively have a significant adverse impact on neighbouring development by way of pollution (including odour). The previous application proposed the bin collection point for the dwellings within plot no's 3 and 4 directly adjacent to the garden of the dwelling within plot no. 1. It was considered that the proximity of the bin collection point to the garden of the dwelling within plot no. 1 would be unneighbourly, particularly during the summer months when the use of the garden could potentially be impacted by odour from the bins. The position of the bin collection point for the dwellings in plot no's 3 and 4 has been re-positioned so that it would be further from the garden serving the dwelling in plot no. 1. This part of the reason for refusal has therefore been satisfactorily addressed.

The previous application also proposed car parking spaces in plot 4 which were directly adjacent to windows serving habitable rooms which is contrary to the recommendations contained within the Residential Design Guidance SPD. The application now incorporates land not previously contained within the refused application site, such that the parking for plot 4 is now adequately separated from the front of the dwelling. It is therefore considered

that this part of the reason for refusal has also been satisfactorily addressed.

Highways

Neighbours have expressed concerns regarding the number of proposed car parking spaces, however the proposed car and cycle parking satisfies the standards within the Residential Car Parking SPD and are therefore acceptable. The application also incorporates additional land that prevents the need to have to provide tandem spaces at the rear of the site (as previously proposed).

The proposed visibility splays onto Cornaway Lane are also acceptable and would not have an adverse impact on the safety of the highway. The proposed development would therefore be in accordance with Policy CS5.

Contamination

A desk study and site investigation (provided with the previous application) revealed high levels of heavy metals present in the soil within the areas proposed as gardens. A remediation method statement and a verification report confirming that the remediation has been correctly undertaken can be secured by condition.

Ecology

The applicant has provided the necessary financial contribution towards the Solent Recreation Mitigation Partnership interim strategy, such that the proposed development is considered to mitigate its impact and would, in combination with other developments, not increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

Conclusion

The proposed development would provide a small, but nonetheless important contribution towards the supply of housing. The plans have been significantly amended such that the previous reason for refusal is considered to have been addressed and the requirements of the planning policies summarised at the beginning of this report have been satisfied.

Recommendation

PERMISSION, subject to conditions:

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

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 hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- Location plan Drawing no. DNC/519/04
- Site plan and elevations Drawing no. DNC/519/01
- Elevations Drawing no. DNC/519/02
- Plans and elevations Drawing no. DNC/519/03

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

3. No development above damp proof course shall take place until details and samples of all proposed external facing materials have been submitted to and approved by the LPA 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 shall take place beyond damp proof course level until details of the finished treatment and drainage of all areas to be hard surfaced have been submitted to and approved by the local planning authority in writing. The development shall thereafter be carried out in accordance with the approved details and the hard surfaced areas subsequently retained as constructed.

REASON: To secure the satisfactory appearance and drainage of the development

5. Notwithstanding the provisions of Classes A and 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 or outbuildings shall be constructed within the curtilage of any dwelling house hereby approved unless first agreed in writing with the local planning authority following the submission of a planning application.

REASON: To ensure the retention of adequate garden area.

6. Notwithstanding the provisions of Classes B and C 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 development shall take place on the dwelling house in plot 3 hereby approved, unless first agreed in writing with the local planning authority following the submission of a planning application.

REASON: To protect the amenity of the adjacent residents.

7. No development shall take place until a strategy for the decontamination of the site has been submitted to and approved by the Local Planning Authority in writing. The strategy shall nominate an appropriately qualified person to oversee the measures required to decontaminate the site. The development hereby approved shall be carried out in accordance with the approved strategy.

REASON: To ensure that any potential contamination of the site is properly taken into account before development takes place.

8. The approved decontamination strategy (required by condition 7), shall be fully implemented with a verification report from the approved, appropriately qualified person submitted to and approved in writing by the local planning authority, prior to first occupation of the dwellings hereby approved.

The verification report shall include photographic evidence of all of the approved measures.

REASON: To ensure contamination is properly taken into account and remediated where required.

9. If, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, development shall cease on site. Works shall not recommence before an investigation and risk assessment of the identified ground conditions have been undertaken and details of the findings, along with a detailed remedial scheme, if required, have been submitted to and approved in writing by the local planning authority. the development shall be carried out in accordance with the approved details.

10. Prior to the first occupation of the dwellings hereby permitted a validation statement confirming that the remediation scheme has been fully implemented shall be submitted to and approved in writing to the local planning authority.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

11. No dwelling, hereby approved, shall be first occupied until the approved parking areas for that property have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking of vehicles at all times unless otherwise agreed in writing by the local planning authority following the submission of a planning application for that purpose.

REASON: In the interests of highway safety.

12. None of the dwellings hereby permitted shall be first occupied until the bicycle storage relating to them, as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all items.

REASON: To encourage cycling as an alternative mode of transport.

13. None of the dwellings hereby permitted shall be first occupied until the bin collection point (in plot 2), as shown on the approved plan, has been constructed and made available. This storage shall thereafter be retained and kept available at all items.

REASON: To ensure there is space for the bins to be left in a position where they can be collected for emptying.

14. 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 hard surfaced, has been submitted to and approved by the local planning authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

15. The landscaping scheme, submitted under Condition 12, shall be implemented and completed within the first planting season following the commencement of the development 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: To ensure the provision, establishment and maintenance of a standard of landscaping.

16. No work on site relating to the construction of 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 occupiers of nearby residential properties against noise and disturbance during the construction period.

17. No development shall commence on site until a Construction Management Plan (CMP) setting out how provision is to be made on site for the parking and turning of operatives vehicles, wheel cleaning, the areas to be used for the storage of building materials, plant, excavated materials and huts associated with the implementation of the approved development, has been submitted to and approved in writing by the local planning authority (LPA). The development shall be carried out in accordance with the CMP and areas identified in the CMP for specified purposes shall thereafter be kept available for those uses at all times during the construction period, unless otherwise agreed in writing with the LPA.

REASON: In the interests of highway safety and/or in order to secure the health and wellbeing of the trees and vegetation which are to be retained at the site and/or to ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period.

INFORMATIVE

The development hereby permitted is subject to The Community Infrastructure Levy (CIL). The payment is due before development commences and the parties liable to pay the charge will receive a Liability Notice shortly to explain the amount due and the process thereafter. Further details about CIL can be found on the Council's website on the following link:

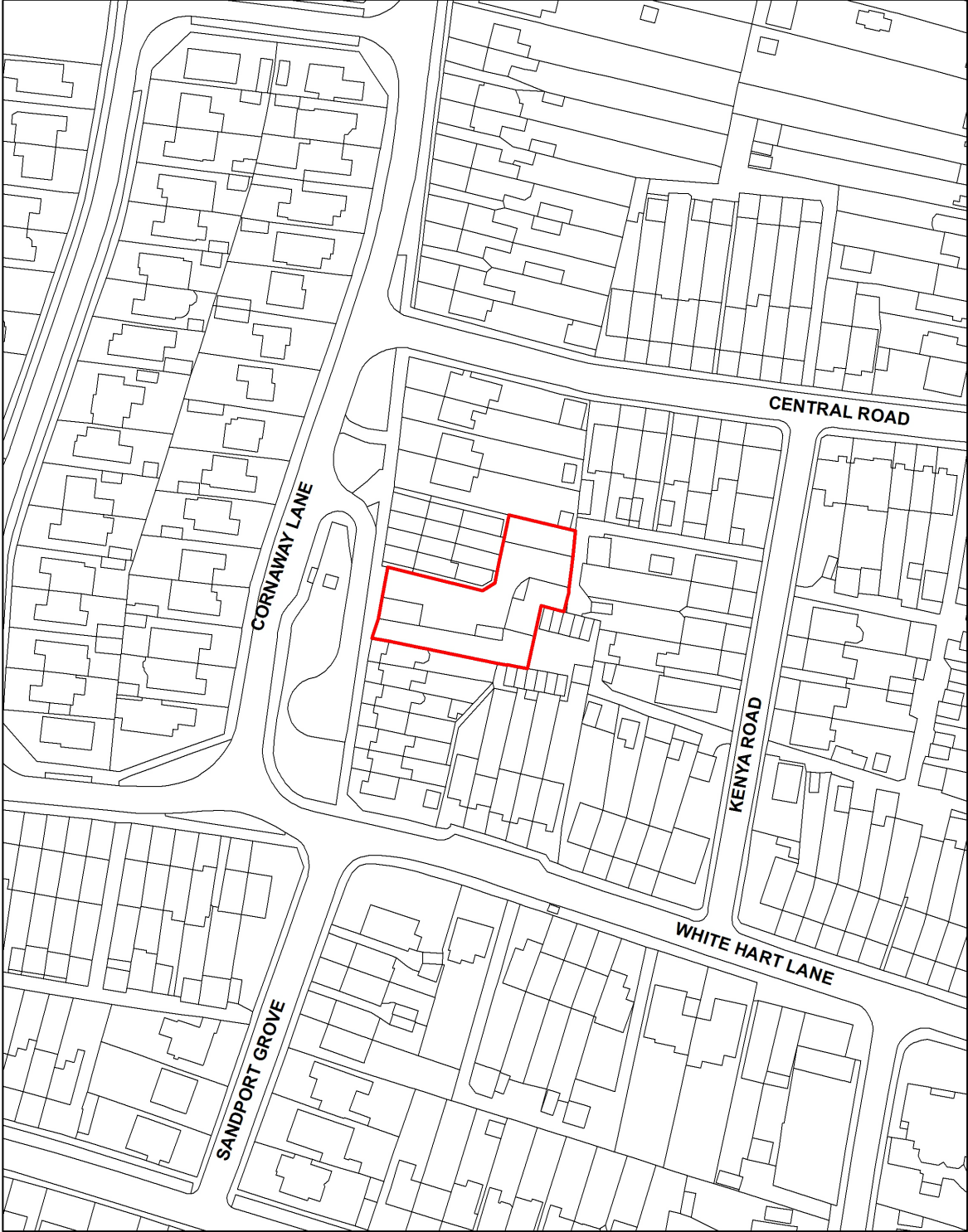
http://www.fareham.gov.uk/planning/local_plan/ciladopt.aspx

Background Papers

P/17/1298/FP

FAREHAM

BOROUGH COUNCIL



54 Cornaway Lane
Scale 1:1250



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