

## OFFICER REPORT FOR COMMITTEE

DATE:13/04/2022

P/22/0204/FP  
MR AND MRS BELL

SARISBURY GREEN  
AGENT: A2 - ARCHITECTURE &  
DEVELOPMENT

CONSTRUCTION OF DETACHED GARAGE OUTBUILDING WITH ROOM ABOVE, ASSOCIATED STORAGE, LANDSCAPING, ACCESS, INCREASE TO REAR SITE LEVELS AND CONSTRUCTION OF BOUNDARY WALL

248 BOTLEY ROAD, BURRIDGE

### **Report By**

Emma Marks – direct dial 01329 824756

### **1.0 Introduction**

1.1 This application is being reported to the Planning Committee for a decision, due to the number of third party representations received.

### **2.0 Site Description**

2.1 This application relates to a detached dwelling on the eastern side of Botley Road. Botley Road comprises predominately detached dwellings on large plots set back from the road frontage.

2.2 The application site's boundaries wrap around the neighbouring property to the north (250 Botley Road) with the area of land to the north being used as a secondary access track for 248 Botley Road. This access track was formerly the field access to the land to the rear of the site. A public footpath and right of way runs to the north of the site which provides a pedestrian link to Whiteley.

2.3 The land to the east has recently obtained planning permission to erect 7 dwellings, which has commenced construction.

### **3.0 Description of Proposal**

3.1 The applicant recently acquired some extra land to the east and north of the site. A previous application has been approved for a wall/fence to be erected around this land with a maximum height of 2.2 metres incorporating the recently acquired land into the residential curtilage of 248 Botley Road.

3.2 This application has been submitted for a 2.2 metre height wall/fence which is positioned on land which has been raised by 300mm on parts of the site. The wall on the northern boundary has also been repositioned slightly further

south than the permitted wall (around 600mm) to enable the replanting of a hedgerow between the wall and the public right of way beyond.

- 3.3 Planning permission is also sought for the erection of a detached garage outbuilding with a room above. The structure would be positioned within the northeast corner of the application site and measures 6.085 metres to the ridge, 3.245 metres to the eaves, 13.7metres in width and 10.6 metres in depth.

#### **4.0 Policies**

- 4.1 The following policies apply to this application:

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

CS17 - High Quality Design

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

DSP2 – Environmental Impact

DSP3 – Impact on living conditions

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

- 5.1 The following planning history is relevant:

P/21/1596/FP	Detached garage outbuilding with room above, associated storage, landscaping and access
<b>REFUSED</b>	19-11-21
<b>Appeal decision outstanding</b>	
P/21/1404/FP	Change of use from paddock to residential garden land and continuation of the boundary wall approved under P/21/0875/FP
<b>PERMITTED</b>	17-09-21

#### **6.0 Representations**

- 6.1 Thirteen letters of representation have been received, six in support and seven objecting.

- 6.2 The six letters of support state: -

- It is only in keeping having a feature wall around the property and its garden
- The replacement of the hedge and barbed wire to the side of the property is in my opinion something most owners would want to do for security

- A newly erected wall and an additional garage within the existing property will not impact on any resident and therefore I cannot see ground for it to be refused
- I see no issue with the height of the wall that has been built and think it looks a lot more presentable than it did
- There are several houses along the main road with buildings/ workshops/ garages in their back gardens
- I think the owners have done a good job and the house looks very presentable
- Looking at the plans, it has not been designed to be turned into a house at a later stage given that it doesn't have windows or sufficient height. If anything, it will act as a privacy screen between the new development and the houses along Botley Road
- I have seen the owner's motorhome parked outside their house a few times and can understand why they would want to store it somewhere more appropriate
- The wall with fencing, as opposed to a solid brick wall on the other side of the track, is a sympathetic approach
- I am of the opinion that a large back garden with a garage is a better option than more houses on the new development
- I believe the works to be sympathetic to the surroundings and in keeping with the brick wall surrounding the rear of Caigers Green. I like the addition of the fence detail to soften the boundary

### 6.3 Those representations in objection, raise the following matters: -

- Boundary wall out of keeping with the existing environment
- Splay at the entrance track insufficient
- Outbuilding materials not in keeping
- Misleading information and images clearly taken prior to the extensive expansion on the site
- Vehicle parking information on the application form is misleading as it suggests that the existing number of car parking is zero.
- There has been a disruption of public amenities for many years and about time that approvals for further change was halted
- The wall appears overbearing and is out of keeping with the nature of existing boundaries
- Very significant structure, equivalent to the size of a house and increasing the density of construction in what is currently a pleasantly spaced environment
- There is concern that the storage area could be used to extend dwelling opportunities downstream
- Object to the height of the proposed garage/storage area

- We will have constant traffic going down the track which is running alongside our property
- The current owners have enough space and garages in their front drive without the need to build even more
- The garage will affect our view even more so due to all the other houses going up
- Damage to our property going up and down the track to access the garage
- Loss of value
- Noise and disturbance will be a huge issue due to the fact it runs completely alongside our property
- Overlooking and loss of privacy
- The outbuilding may not be used for ancillary use but occupied for further extension of the property holders dwelling amenities
- Both the boundary wall and outbuilding are far too excessive
- The increase in the land levels is unnecessary and just increases the height of the great walls they are building.
- Damage has been caused to the protective fencing surrounding the electrical substation which has left it as a danger to the public
- The outbuilding will overshadow and dominate the footpath

## **7.0 Consultations**

None

## **8.0 Planning Considerations**

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Impact on the character and appearance of the area
- b) Impact on neighbouring properties
- c) Other matters

### **a) Impact on the character and appearance of the area**

8.2 The matter regarding the impact on the character and appearance of the area relates to the two separate elements of the proposal. Firstly, the alterations to the ground level and its resultant increase in height of the boundary wall and secondly the proposed outbuilding.

8.3 Firstly, in the respect of the ground levels and the boundary wall (which was permitted under P/21/1404/FP at 2.2 metres high), concern has been raised that the boundary wall is out of keeping, overbearing, excessive and the

increase of the land level is unnecessary. Officers have taken into account the concerns raised with regards to the change in land level and the boundary wall/fence. Whilst the wall on the other side of the public footpath (Caigers Green) is at a lower level of 2 metres, the boundary wall proposed is set back from the path by 600mm coupled with the replanting of a native hedgerow between the wall and the path. Officers consider that the 300mm increase in the land level within the north-east corner of the site combined with the 2.2 metre high wall on top would not have an unacceptable harmful impact upon the area.

8.4 The second matter concerns the proposed outbuilding. Third parties have raised concern that the proposed garage building is a very significant structure, equivalent to the size of a house, excessive and would overshadow/dominate the footpath. A previous planning application for a detached building in the same corner of the site was refused on the following grounds :-

- i) The scale and prominent location close to the site boundaries would fail to have regard to the spaciousness of the site, the open character of the surrounding area and adjoining neighbour amenities.
- ii) The western roof windows will create an unacceptable perception of overlooking to the neighbour to a structure immediately on the boundary.

An appeal has been lodged against the Council's refusal, and a decision is awaited.

8.5 This current application has altered the building by moving the structure away from the northern and eastern boundaries by 2 metres, reducing the building height by 700mm and changing a rear gable to a hipped roof adjacent to the public footpath.

8.6 Officers have considered the concerns raised by third parties and the amendments made to the building have reflected requests made by Officers. In light of the fact that there is a two-storey dwelling within 2 metres of the public footpath and the proposed building has been reduced in height and bulk due to the revised roof design, no unacceptable adverse impact on the character of the footpath and surrounding area would be created.

#### **b) Impact on Neighbouring Properties**

8.7 Concern has been raised that the garage outbuilding will impact on the neighbouring properties with regards to loss of view, overlooking and overshadowing.

- 8.8 The proposed structure is 6 metres away from the boundary of the closest neighbouring property and 17 metres to the neighbour's dwellinghouse. Officers are of the view that due to the distance and position of the building, no unacceptable adverse impact would be caused to neighbouring properties. The first-floor windows proposed within the east and west elevations, will be fitted with obscure glass and fixed shut up to 1.7 metres from the internal floor level to prevent any adverse overlooking.
- 8.8 It has also been raised that the development would result in loss of value to neighbouring properties. The effect on property values as a result of development proposals is not a material planning consideration.
- 8.9 A neighbour has also reported that the development has created damage to a neighbouring property, when vehicles have gone up and down the track which runs beside their home, and also damage has been done to an electrical substation. This is a private legal matter. Damage to neighbouring properties would need to be pursued either by the two owners or further advice may be required from a solicitor if a resolution cannot be agreed.

**c) Other matters**

- 8.10 It has been suggested that the applicants have enough space and garages without the need for anymore and the information submitted with the application is misleading. The application site currently has a triple garage attached to the main house fronting Botley Road and several surface car parking spaces. Whilst the site provides several car parking spaces there is no limit on how many spaces should be provided and therefore the application could not be resisted on this point.
- 8.11 There is a concern that the outbuilding may not be used ancillary to the main dwelling and could be converted to a separate dwellinghouse in the future. A condition has been recommended which would be added to the decision notice to ensure the building is only used for purposes incidental to the main dwelling. Conversion to a separate dwelling or using it for permanent habitable accommodation would require planning permission and an application would be considered on its merits.
- 8.12 A number of alterations and additions have been carried out on the site and there has been a disruption of public amenities for many years. Whilst it is appreciated that construction works can impact on surrounding residents, it is a common issue that is inevitable with most development and is not a reason the Council can use for refusing planning permission.

8.13 Notwithstanding the objections received, Officers consider the proposal to be acceptable and in compliance with the Council's adopted planning policies.

## **9.0 Recommendation**

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of a period 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 shall be carried out in accordance with the following approved documents:

- a) Boundary Details - Sheet No.304 Revision A
- b) Proposed Street Scene – Sheet No.305 Revision A
- c) Proposed Outbuilding – Sheet No.403 Revision A
- d) Proposed Site Plan – Sheet No.405 Revision A
- e) Site Section – Sheet No.407
- f) Planning Document – REV A – Dated January 2022

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

3. The first-floor windows proposed to be inserted into the east and west elevations of the approved development shall be:

- a) Obscure-glazed; and
  - b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;
- 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.

4. 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 further windows, other than those expressly allowed through this planning permission, be inserted at first floor level into the east or west elevations of the development 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 properties.

5. The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the main dwellinghouse at 248 Botley Road and shall at no time be let out, sold or occupied as an independent unit of accommodation nor for any business or commercial purpose.

REASON: The site is incapable of accommodating a separate unit of accommodation and in the interest of the amenity of neighbouring properties.

**10.0 Notes for Information**

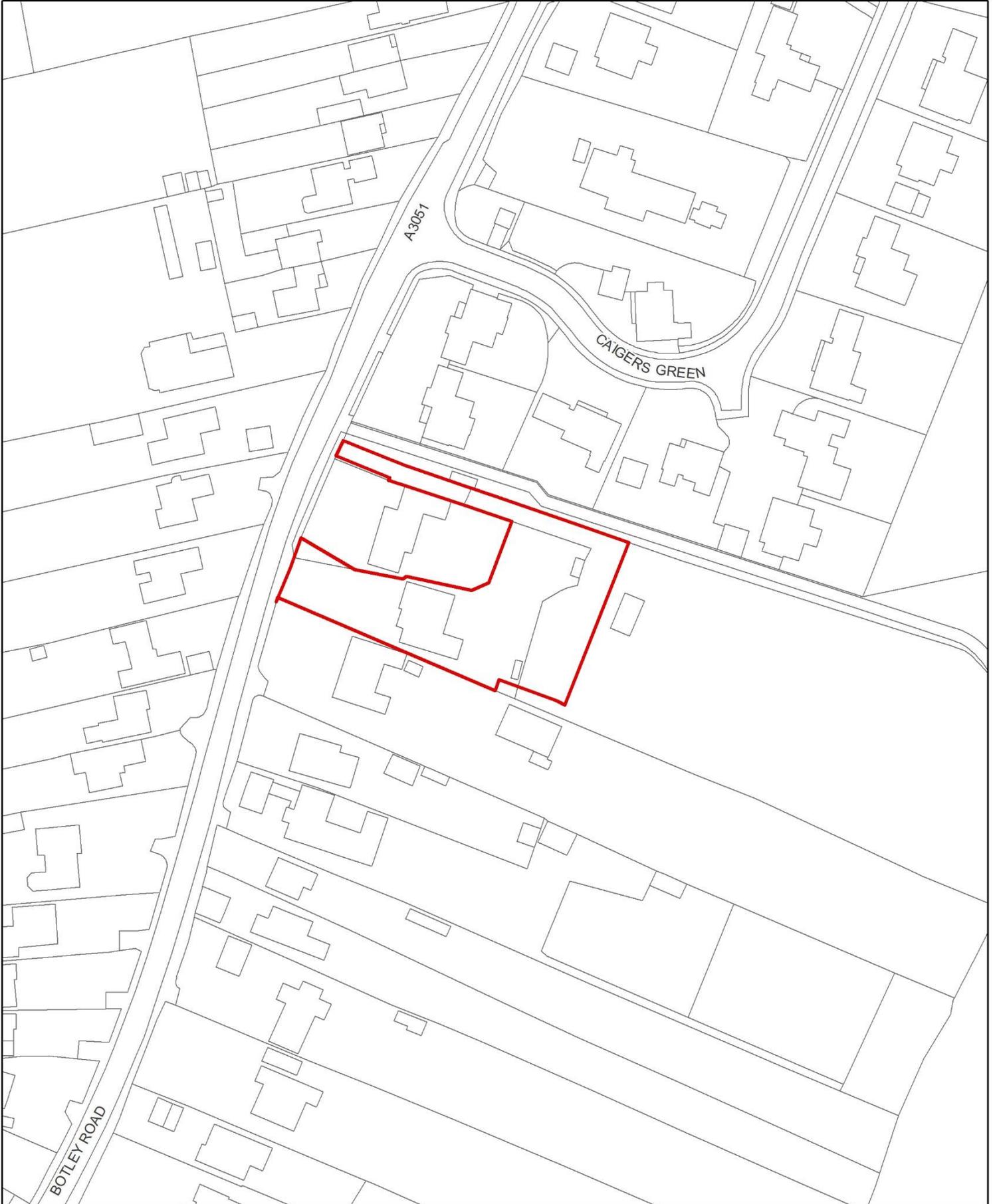
None

**11.0 Background Papers**

- 11.1 Application documents and all consultation responses and representations received as listed on the Council's website under the application reference number, together with all relevant national and local policies, guidance and standards and relevant legislation.

# FAREHAM

BOROUGH COUNCIL



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