

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 18/01/2023**

**P/21/1398/FP  
MR D LANGRIDGE**

**FAREHAM SOUTH**

ERECTION OF DETACHED 3-BED CHALET BUNGALOW

58 ALEXANDER GROVE, FAREHAM, PO16 OTX

### ***Report By***

Susannah Emery – direct dial 01329 824526

#### ***1.0 Introduction***

- 1.1 This planning application is reported to the Planning Committee for determination due to the number of third party representations received.

#### ***2.0 Site Description***

- 2.1 The application site is located within the urban area to the east of Alexander Grove, to the north of No.58 Alexander Grove. The site originally formed part of the residential curtilage of this property. It is now separated from the amenity space belonging to this property by a 1.8m high fencing which encloses the site. The site is hard surfaced and mainly used for vehicle parking and has an unkempt appearance. The Alexander Grove Public Open Space abuts the site to the north.
- 2.2 The predominant form of development on Alexander Grove is terraces or semi-detached two storey dwellings which all have a uniform design and appearance. The existing dwelling at No. 58 Alexander Grove is however a bungalow, as is the neighbouring property to the south. Two detached two-storey dwellings have been constructed in recent years on the corner plot to the south of this alongside the neighbouring property.

#### ***3.0 Description of Proposal***

- 3.1 Planning permission is sought for the erection of a detached 3-bed chalet bungalow alongside the existing bungalow at No.58 Alexander Grove.
- 3.2 The property would have a shared vehicular access with No.58 Alexander Grove and both properties would have two car parking spaces on the frontage.

- 3.3 The proposed dwelling would have a triangular shaped amenity space to the rear and also to the northern side. The maximum depth of the rear garden would be 9m and the maximum depth of the side garden would be 8m.
- 3.4 The proposal complies with nationally described minimum space standards.

#### **4.0 Policies**

- 4.1 The following policies apply to this application:

##### **Adopted Fareham Borough Core Strategy**

CS2 - Housing Provision  
CS4 - Green Infrastructure, Biodiversity and Geological Conservation  
CS5 - Transport Strategy and Infrastructure  
CS6 - The Development Strategy  
CS7 - Development in Fareham  
CS15 - Sustainable Development and Climate Change  
CS16 - Natural Resources and Renewable Energy  
CS17 - High Quality Design  
CS20 - Infrastructure and Development Contributions

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

DSP1 - Sustainable Development  
DSP2 - Environmental Impact  
DSP3 - Impact on living conditions  
DSP13 - Nature Conservation  
DSP15 - Recreational Disturbance on the Solent Special Protection Areas

##### **Fareham Local Plan 2037 (Emerging)**

The Fareham Borough Local Plan 2037 was submitted to the Planning Inspectorate on 30th September 2021 and an examination conducted in March and April 2022. Following the conclusion of the examination hearings the Inspector has requested a number of modifications to the Plan. The proposed modifications were the subject of public consultation from 31<sup>st</sup> October until 12<sup>th</sup> December. The Council's Local Development Scheme schedules that the new plan will be adopted in Winter 2022. On adoption the Local Plan will have full weight and in its current advanced stage is a material consideration for the determination of planning applications. The following draft policies of the emerging plan are of relevance.

H1 Housing Provision  
HP1 New Residential Development

- NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network
- NE2 Biodiversity Net Gain
- NE3 Recreational Disturbance on the Solent Special Protection Area (SPA's)
- NE4 Water Quality Effects on the SPA/SAC and Ramsar Sites of the Solent
- NE9 Green Infrastructure
- TIN1 Sustainable Transport
- TIN2 Highway Safety & Road Network
- TIN4 Infrastructure Delivery
- CC1 Climate Change
- D1 High Quality Design & Placemaking
- D2 Ensuring Good Environmental Conditions
- D4 Water Quality & Resources
- D5 Internal Space Standards

**Other Documents:**

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015  
Residential Car Parking Standards 2009

**5.0 Relevant Planning History**

5.1 The following planning history is relevant:

P/09/0332/FP                      Erection of Detached Chalet Bungalow with Associated Cycle/Bin Storage

**Refused**                              22 July 2009

P/08/1037/FP                      Erection of Two Semi-Detached Chalet Bungalow with Associated Parking, Cycle and Bin Storage

**Refused**                              10 October 2008

**6.0 Representations**

6.1 Six representations have been received raising the following concerns;

- Insufficient parking will increase roadside parking
- The vehicles currently parked on the application site will be displaced elsewhere including large commercial vehicles
- Vehicles parked on the road are detrimental to highway safety
- There has been on-going building work at the site for some time
- The existing property is in a state of disrepair

- Loss of privacy and overlooking
- Loss of light to adjacent garden
- Loss of property value
- Noise during construction

## **7.0 Consultations**

### EXTERNAL

#### **Natural England**

- 7.1 Your appropriate assessment dated 29 September 2022, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

## **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:

- a) Principle of Development
- b) Impact on Character & Appearance of the Area
- c) Impact on Amenity of Neighbouring Properties
- d) Highways
- e) The Impact upon Habitat Sites

### **a) Principle of Development**

- 8.2 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 recognised 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 all other material considerations.

- 8.3 The progress of the emerging Local Plan is considered to be sufficiently advanced for it to carry some weight in the consideration of planning applications. Policy HP1 (New Residential Development) of the emerging Fareham Local Plan 2037 states that residential development within the Urban Area boundary, as shown on the Policies map, will be supported in principle.
- 8.4 Planning permission was refused in 2008 (ref P/08/1037/FP) for the erection of a pair of semi-detached chalet bungalows on the application site as it was considered this proposal would result in a detrimental impact on the visual amenities of the streetscene and the character of the area by virtue of the design of the dwellings and the subdivision of the plot into two plots markedly smaller than those in the surrounding area. It was also considered that the proposal would have an unacceptable impact on the living conditions within the existing dwelling. Planning permission was subsequently refused in 2009 for a very similar proposal to the current application (ref P/09/0332/FP). However the reason for refusal related solely to non-payment of contributions required at that time towards the maintenance and improvement of public open space and highways infrastructure. The application for a single dwelling was considered acceptable in all other respects.

#### **b) Impact on Character & Appearance of the Area**

- 8.5 Policy CS17 (High Quality Design) of the adopted Fareham Borough Core Strategy states that all development should respond positively to and be respectful of the key characteristics of the area, including landscape, scale, form, spaciousness and use of external materials. The Council's adopted Design Guidance (excluding Welborne) Supplementary Planning Document sets out guidance for the development of dwellings within existing streets. It states that it is important that the scale of a new house relates well to its surroundings and that care should be taken to ensure that the space left between houses reflects the spaciousness and character of the area. Gardens lengths of at least 11m length should be sought but in order to preserve the character of an area, larger gardens will be required in more spacious areas.
- 8.6 It is not considered that the sub-division of the plot would result in plot sizes that would be out of keeping with the character of the area or that the proposal would result in a cramped or unsympathetic form of development. The proposed dwelling would be positioned 4m from the flank wall of No. 58 Alexander Grove to the south and would sit alongside the public open space to the north.

- 8.7 It is acknowledged that the proposal would not provide a standard 11m length square rear garden. However, the dwelling would have an amenity space extending to both the rear and to the north of the dwelling which is considered to be proportionate in size to the scale of the dwelling and sufficient to meet the needs of future residents. Officers do not consider the proposal would be harmful to the character and appearance of the surrounding area.

### **c) Impact on Living Conditions of Neighbouring Properties**

- 8.8 The neighbouring property to the rear (No.19 Coombe Farm Avenue) has a rear garden measuring in excess of 7.5m. The proposed dwelling would be positioned at an angle to the rear garden boundary so that it would be positioned between 6-9 metres from that boundary. The back-to-back separation distance between the proposed dwelling and the neighbouring property would therefore be a minimum of 13.5m and this is considered to be sufficient level of separation to ensure that there would not be an adverse impact in terms of loss of light or outlook.
- 8.9 In respect of the concerns raised in relation to overlooking and loss of privacy there would be no first floor habitable windows within the rear elevation of the proposed dwelling. The single rooflight serving the bathroom would be subject to a planning condition requiring it to have a minimum sill height of 1.7m above internal finished floor level to prevent overlooking. Further details of boundary treatment would be sought to ensure the provision of a boundary enclosure of appropriate height to prevent overlooking from the ground floor windows and mutual privacy within rear gardens.

### **d) Highways**

- 8.10 The proposal makes adequate provision on site for the parking of two vehicles for both the existing and proposed dwelling in accordance with the requirements of the Council's adopted residential car parking standards. There would also be space to enable residents to turn on site and thus leave and enter the highway in a forward gear.

### **e) The impact upon Habitat Sites**

- 8.11 Core Strategy Policy CS4 sets out the strategic approach to Biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13: Nature Conservation of the Local Plan Part 2 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.

- 8.12 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 per cent of the global population of Brent geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within The Solent which are of both national and international importance.
- 8.13 In light of their importance, areas within The Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'Habitat Sites' (HS).
- 8.14 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.15 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the HS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.16 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of The Solent SPAs and is therefore considered to contribute towards an impact on the integrity of The Solent SPAs as a result of increased recreational disturbance in combination with other development in The Solent area. The applicants have made the appropriate financial contribution towards The Solent Recreational Mitigation Partnership Strategy (SRMP).
- 8.17 In addition research undertaken by Footprint Ecology has identified that planned increases in housing around the New Forest designated sites will result in a marked increase in use of the sites and exacerbate recreational impacts. It was found that the majority of visitors to the New Forest designated sites on short visits/day trips from home originated from within a 13.8km radius of the sites referred to as the 'Zone of Influence' (ZOI). The Councils Interim Mitigation Solution to address this likely significant effect was approved by the Council's Executive Committee on 7<sup>th</sup> December 2021 and was prepared in consultation with Natural England. The mitigation comprises a financial contribution from the developer to mitigate against this impact

through improvements to open spaces within Fareham Borough and a small contribution to the New Forest National Park Authority. The applicant has made the appropriate financial contribution.

- 8.18 Secondly in respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering The Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the HS.
- 8.19 A nitrogen budget has been calculated in accordance with Natural England's *Nutrient Neutrality Generic Methodology* (Feb 2022) ('the NE Advice') and updated calculator (April 2022) which confirms that the development will generate 0.8 kgTN/year. In the absence of sufficient evidence to support a bespoke occupancy rate, Officers have accepted the use of an average occupancy of the proposed dwellings of 2.4 persons in line with the NE Advice. The existing use of the land for the purposes of the nitrogen budget is considered to be residential urban land as it forms part of the curtilage of the existing dwelling. Due to the uncertainty of the effect of the nitrogen from the development on the HS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.20 The applicant has purchased 0.8 kg of nitrate mitigation 'credits' from a wetland scheme at Whitewool Farm and provided the Council with the completed allocation agreement to confirm. Through the operation of a legal agreement between the landowners (William and James Butler), the tenant (Butler Farms) and Fareham Borough Council dated 3rd November 2021, the purchase of the credits will result in a corresponding reduction in nitrogen entering the Solent marine environment.
- 8.21 The Council's appropriate assessment concludes that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the PS either alone or in combination with other plans or projects. Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

### **Summary**



- 8.22 In summary it is not considered that the proposal would have any materially detrimental impact on the character or appearance of the surrounding area, the living conditions of neighbouring residential properties, or highway safety. It is not considered that the proposal would have an adverse effect on the integrity of the HS as appropriate mitigation has been secured. The proposal accords with the relevant local plan policies and is recommended for approval.

## **9.0 Recommendation**

DELEGATE authority to the Head of Development Management to make any necessary modification, deletion or addition to the proposed conditions; and

**GRANT PLANNING PERMISSION**, subject to the following conditions:

1. The development hereby permitted shall be begun before within 3 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:

- i) Location Plan (1:1250)
- ii) Proposed Site Plan - drwg No. 02.09.2 Rev 3
- iii) Proposed Floor Plans & Elevations – drwg No. 02.09.1 Rev C

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

3. No development hereby permitted shall proceed beyond damp proof course level until details of all proposed external facing (and hardsurfacing) materials 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. The first floor rooflight window proposed to be inserted into the rear elevation of the development hereby approved shall be constructed so as to have a sill height of not less than 1.7 metres above internal finished floor level. The window shall thereafter be retained in this condition at all times.

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

5. The dwelling hereby approved shall not be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all

boundaries has been submitted to and approved in writing by the Local Planning Authority. The approved scheme of boundary treatment shall be fully implemented prior to first occupation and retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any 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 protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, in the interests of highway safety and to ensure that the development harmonises well with its surroundings.

6. The dwelling hereby approved shall not be first occupied until the approved parking and turning areas have been constructed in accordance with the approved details and made available for use. These areas shall thereafter be kept available for the parking and turning 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.

7. No development shall proceed beyond damp proof course (dpc) level until details of how one electric vehicle charging points will be provided. The development shall be carried out in accordance with the approved details.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

8. The dwelling hereby permitted shall not be first occupied until the bicycle storage as shown on the approved plan (drwg No. 02.09.2 Rev 3), has been constructed and made available. This storage shall thereafter be retained and kept available at all times.

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

9. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

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

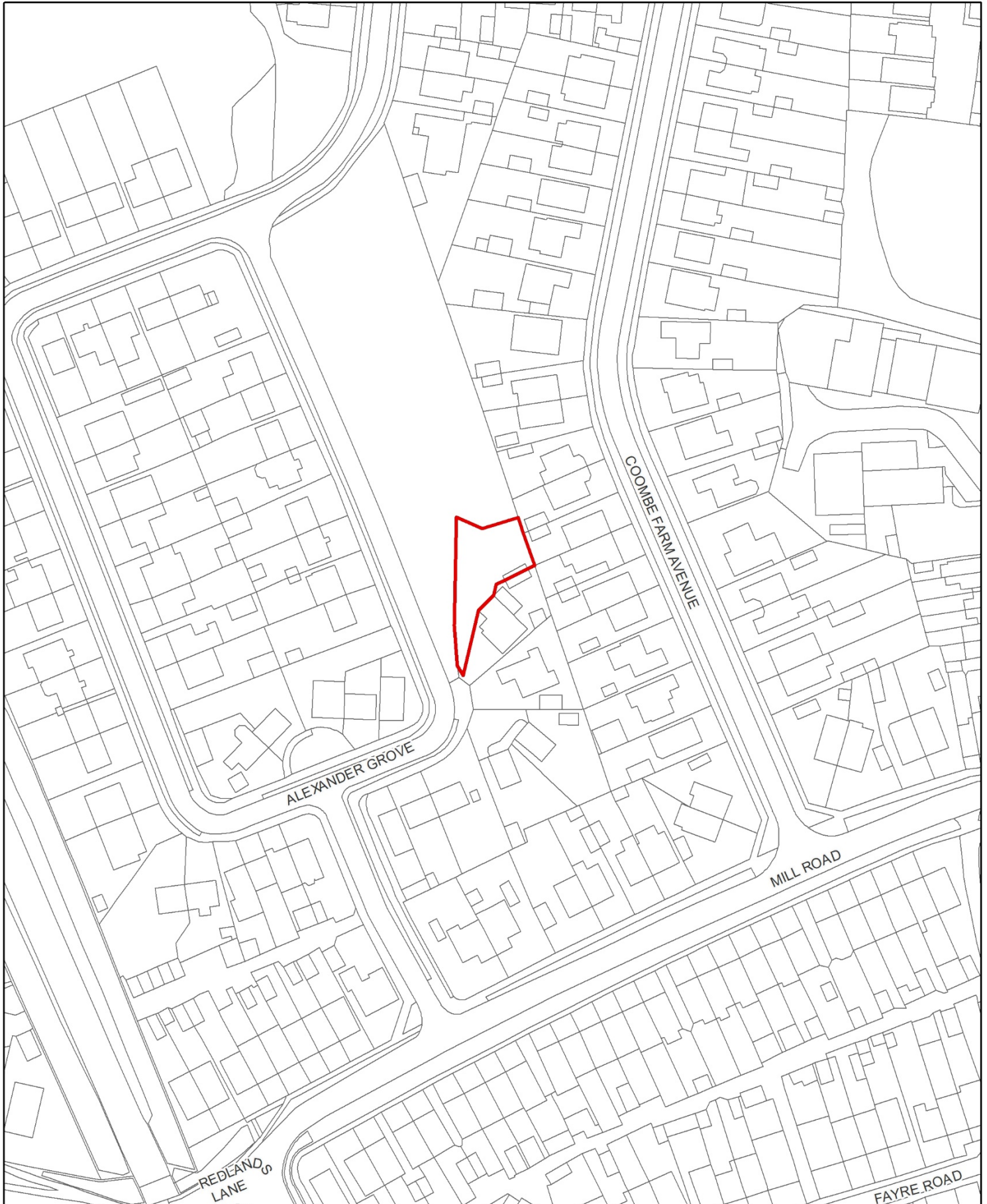
10. Notwithstanding the provisions of Classes A, B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions or additions or alterations to the roof of the dwelling shall be carried out 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 ensure adequate car parking provision; To ensure the retention of adequate garden area.
11. The dwelling hereby approved shall not be occupied until details of water efficiency measures to be installed have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110 litres per person per day. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of preserving water quality and resources.
12. 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.

#### **10.0 Background Papers**

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



58 Alexander Grove  
Fareham



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