

OFFICER REPORT FOR COMMITTEE

DATE: 13/12/2023

**P/23/1386/FP
MRS C KIDBY**

PORTCHESTER EAST

DETACHED GARAGE FOR RESIDENTIAL STORAGE PURPOSES, WITH ANCILLARY BUSINESS STORAGE FOR ASSOCIATED BUILDER, UNRELATED TO DWELLING AT 20 THE FAIRWAY

LAND TO THE REAR OF 20 THE FAIRWAY, PORTCHESTER, PO16 8NS

Report By

Emma Marks – direct dial 01329 824756

1.0 *Introduction*

1.1 The application is reported to the Planning Committee to be decided due to the number of third-party representations received.

2.0 *Site Description*

2.1 This application relates to piece of land to the rear of 20 The Fairway which is a mid-terrace property on the eastern side of The Fairway. The piece land was previously owned by 20 The Fairway but is now under separate ownership. The land is accessed via a track further along The Fairway which, together with other access points along The Fairway and The Downsway provide rear accesses to those properties that front onto The Fairway and The Downsway.

2.2 The property is within the urban settlement boundary.

3.0 *Description of Proposal*

3.1 Planning permission is sought for the erection of a detached garage. The foundations, base and part of two walls have been erected. The construction stopped once the Council's planning Compliance Officers advised the owner that planning permission was required.

3.2 The building is proposed to be used for storage purposes which includes 35% of storage for materials/equipment relating to a building business.

3.3 A corrugated sheet metal garage was previously on the piece of land but has now been removed.

3.4 The proposed brick-built garage will measure 3.2 metres wide, 5.5 metres deep, 2 metres to the eaves and 3.4 metres to the ridge.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

The following draft policies of the emerging plan are of relevance: -

- D1: High Quality Design and Placemaking
D2: Ensuring Good Environmental Conditions

5.0 Relevant Planning History

5.1 None

6.0 Representations

6.1 Six letters of representation have been received raising the following concerns: -

- It will restrict accessibility to large vehicles
- May have to resort to reversing our van down the service road making this worryingly unsafe
- The deeds state that the land behind our properties is our land but must not restrict right of access
- There is a Southern Water sewer through the service road
- The storage is in connection to building materials for a building business
- A soak away would need to be constructed 5 metres away from the building

7.0 Consultations

7.1 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) Design of the proposal
- b) Impact on neighbouring properties
- c) Highway safety/vehicle access
- d) Use of the Building
- e) Other matters

a) Design of the proposal

- 8.2 Policy D1 (High Quality Design and Placemaking) of the adopted Fareham Local Plan 2037 seeks to ensure that development proposals and spaces will be of high quality, based on the principles of urban design and sustainability to ensure the creation of well designed, beautiful and safe quality places.
- 8.3 The piece of land is located on a private access road behind the rear gardens of several residential properties within The Downsway and The Fairway. There are various different garages/outbuildings which have been erected along the access drive over previous years. The proposal is for a brick-built building with a dual pitched tiled roof.
- 8.4 Officers are of the view that the design of the structure is acceptable and would result in an improvement from the appearance of the original corrugated metal structure. The replacement would not have a detrimental impact on the character of the area in design terms and accords with Policy D1 of the Fareham Local Plan 2037.

b) Impact on neighbouring properties

- 8.5 Policy D2 (Ensuring Good Environmental Conditions) of the adopted Fareham Local Plan 2037 sets out that development must ensure good environmental conditions for all new and existing users of buildings and external space.
- 8.6 The structure is located a minimum of 32 metres away from the closest neighbouring property and therefore the building will not create an unacceptable adverse impact on any neighbouring properties with regards to light or outlook.
- 8.7 The development is considered by Officers to accord with Policy D2 of the Fareham Local Plan 2037.

c) Highway safety/vehicle access

- 8.8 Concern has been raised that the structure will restrict access for large vehicles, meaning that neighbours may need to reverse along the access track. Neighbours also point out that the deeds of their properties state that the right of access should not be restricted.
- 8.9 Once the building is built vehicular access would still be possible along the side of the building down the access track. Officers have checked on site and the track will remain at 3.1 metres wide. If the building did encroach onto land which should legally be kept clear for access, then this is a private legal matter between the respective owners.

d) Use of the building

- 8.10 The applicant proposes to use the building as a mixture of domestic/residential storage and to a lesser extent, commercial storage for some equipment or materials associated with their employment as a builder.
- 8.11 Concern has been raised by third parties that the building is to be used for the storage of equipment in relation to a business use. Whilst the building will not be wholly for residential use, the applicant anticipates that only a third of the floor area would be for commercial storage. The building is for storage which is unlikely to result in frequent visits on a day-to-day basis.
- 8.12 Officers believe it would be appropriate to limit the type and extent of storage which could take place within the building to minimise any impact upon nearby residential properties. Planning conditions are recommended to control these elements. Subject to these conditions, the proposal would accord with Policy D2 of the Fareham Local Plan 2037.

e) Other Matters

- 8.13 **Surface Water Drainage** - It has been raised that a soakaway would be required for the building and generally this should be positioned 5 metres away, which is not possible in this case due to the size of the land available and could impact on the access. The applicant has advised that a soak away will be put in next to the garage door and would not impact on the access track. The original corrugated metal garage building which originally sat on this site had no drainage with all surface water draining straight into the adjoining ground. Whilst no specific details of the soakaway has been provided, the creation of one would be a benefit to the track and an improvement from the original situation. If the soakaway impacts on the surrounding land then this would be private matter between the landowners or the properties with a legal right of way.
- 8.14 It has also been mentioned that a Southern Water sewer runs down the access track. This is a matter which the applicants have been made aware of and would need to contact Southern Water directly if required.

9.0 *Summary*

- 9.1 Notwithstanding the objections received the proposal is considered acceptable in respect of its relationship to neighbouring properties, design and vehicular access to nearby properties, and complies with both Policies D1 and D2 of the Fareham Local Plan 2037.

10.0 *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) Site Plan
- b) Floor Plan and Front Elevation
- c) Proposed Rear Elevation
- d) Proposed Side Elevation

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

3. The garage hereby approved shall be used for the storage of domestic items and for the storage of materials and equipment used in connection with a building and maintenance business. No more than one third of the garage floorspace shall be used for the storage of materials and equipment used in connection with a building and maintenance business.

REASON: To protect the amenities of neighbouring occupiers

Then:

DELEGATE authority to the Head of Planning to make any necessary modification, deletion or addition to the proposed conditions.

10.0 *Background Papers*

- 10.1 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



20 The Fairway
Portchester

Scale 1:1,250



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