

Comments on Appeal re: APP/A1720/C/23/3336046. (Fareham Borough Council V Titchfield Festival Theatre Ltd)

We [REDACTED] wish to comment on the appeal by Titchfield Festival Theatre Ltd ('TFT') regarding an Enforcement Notice served by Fareham Borough Council on 22nd November 2023 in relation to the land at 71-73 St Margarets Lane, Fareham, PO14 4BG. We are neighbours of TFT and would like to voice our strong objections to its operations and support the enforcement notice serviced by Fareham Council.

We have already given our opinions (in 2019) regarding the application to enlarge the theatre. We did not oppose the original small theatre build but have always opposed the type of large enterprise that now seems to exist and to have been built by stealth. TFT had permission to build storage space but deliberately ignored this permission and built a theatre instead. We feel let down that TFT has seen fit to disregard the law and proceed with a large building without care for how it affects others - this includes not only people who live in the Lane but also others who wish to drive and walk down it.

I would like to outline the problems we have had as neighbours of TFT, particularly since the large theatre has been in use.

1. Parking

- a) Theatre guests park very close up to the opening to our driveway meaning that it is difficult to enter and emerge from our property in what is a very narrow lane. Coming out of the driveway is particularly difficult at times when the theatre is filling up or emptying out as not only are cars squeezing by but pedestrians are walking past the parked cars around our driveway and are difficult to see until the last second, particularly in the dark. Theatre guests also park so that they block the entrance to our driveway, meaning that we, or our guests, cannot get in or out. It is not pleasant to have to come out of your house late in the evening to ask people to move and we have had occasion when they have refused to do so. Theatre guests also park in the private driveway area at the side of our property obstructing our exit gates despite a large sign saying that parking is not allowed.
- b) On days when the new bigger theatre is being used the traffic in the Lane has been gridlocked due to the cars parked all along the Lane for a distance of several hundred metres. Because the Lane has a bend in it, it is not possible to see if anything is coming the opposite direction before you pull out to go around the parked cars. This results in cars meeting in the middle and traffic coming up behind them not being able to go forwards or backwards with traffic coming to a stand-still. We have seen cars stopped and unable to move for about 30 minutes.
- c) Some theatre guests use parking at The Holiday Inn and the nursery opposite the theatre but our understanding is that these spaces are granted by these venues in goodwill – there is no guarantee they will be available in the future.
- d) Theatre guests have parked on both sides of what is already a narrow lane barely leaving room for cars to pass down the lane, let alone emergency vehicles.
- e) Theatre guests park their cars on the pavement in the Lane, obscuring it completely and meaning that pedestrians, including children and people pushing pushchairs and using wheelchairs or walking aids, have to move into the middle of the road (with cars also squeezing past) to pass down it.
- f) Theatre guests are encouraged by TFT's parking marshals to park very densely on the site with no room to turn around and leaving no room for access to the theatre building by emergency vehicles. (We have seen both pedestrian entrances to the theatre obstructed by parked cars). We have also seen cars reversing out onto the Lane from both the theatre site and the nursery. This is particularly dangerous in the dark with pedestrians crossing to the nursery and walking around in the Lane when they return to their cars.

In conclusion, we believe that these parking behaviours are potentially very dangerous with a large number of pedestrians (many of whom are children) milling around on the road and getting in and out of their cars, and vehicles shunting and reversing in the same space, which is considerably narrowed by the roadside parking. This safety risk is increased at night as the Lane is not well-lit. This risk is to all users of the Lane, including pedestrians and people who drive down the Lane to access the bigger roads at both ends (the Lane is commonly used in this way). We are also very concerned that emergency vehicles would find it impossible to pass down the Lane or access local properties and the theatre itself at times when the theatre is in use.

2. Noise

During the last year or so we have been subjected to a regular barrage of noise created by heavy machinery on the TFT site. (Our property is only 30 metres from the theatre). We regularly experience noise from theatre guests leaving the site, including shouting, the sound of car doors banging, cars starting up and car horns sounding. This is not helped by them parking right up against our garden boundary. It has become impossible for us to leave our windows open during the summer months. People sometimes have gathered for late night loud 'after parties' following performances and we have also witnessed movements of vehicles around the site very late at night. A few specific examples of the noise nuisance are:

- a) On 23/12/2023 there was a forklift manoeuvring around the site at around midnight and we believe that this is contrary to the hours of operation conditions for no.71 unit B that were approved in 2019.
- b) On 15/02/24 there was chanting, shouting and vehicle noise coming from the site between 22.30 and 23.00.
- c) On 16/02/24 there was shouting, cars revving, car doors banging and car horns sounding between 22.30 and 23.00
- d) On 17/02/24 there was noise from and activity on the TFT site until after midnight

These last 3 examples were on dates that the larger theatre was in use.

3. Littering

We have also noticed an increase in littering around our property.

4. The future

We are aware that TFT are advertising the venue for hire and are concerned about who might hire it and what noise or other nuisance this might result in. We have absolutely no trust in TFT being responsible for making sure planning rules related to the times and frequency of use are adhered to or that guests to events do not create noise, parking and litter nuisance. Indeed, TFT's notable lack of concern for their neighbours to date would suggest that they have no interest in making sure that any hirers would behave with respect for neighbouring properties. On a similar note, we are aware that Titchfield Festival Theatre Ltd has breached planning rules at The Great Barn. Fundamentally we believe that TFT cannot be trusted to behave with any degree of respect for the law or their neighbours.

Prior to TFT being here there was never a problem with the odd car parking in the Lane. However, since the construction of the large theatre the parking of theatre guests in the lane has caused serious congestion, safety hazards and noise and disturbance to us as neighbours. TFT has no control over the number or type of vehicles who use their facilities or where they park and so we do not expect this to improve, and indeed expect it to get worse especially if they conclude that there are no consequences to their actions.

Signed

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