

## **OFFICER REPORT FOR COMMITTEE**

**DATE: 10 April 2024**

**P/23/1594/FP  
MR J LAWRENCE**

**WARD: PORTCHESTER EAST  
AGENT: ADP ARCHITECTS LTD**

CONSTRUCTION OF A DETACHED GARAGE WORKSHOP/MOT CENTRE WITH ASSOCIATED PARKING FOLLOWING THE DEMOLITION OF THE EXISTING COMMERCIAL BUILDINGS

ALCOTTS YARD, CASTLE STREET, PORTCHESTER, FAREHAM, PO16 9PY

### **Report By**

Hannah Goldsmith – direct dial 01329 824665

#### **1.0 Introduction**

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

#### **2.0 Site Description**

- 2.1 This application relates to Alcotts Yard located on the west side of Castle Street, Portchester. Alcotts Yard consists of a number of single storey units which are occupied by different commercial uses which include a car maintenance company, flooring company and a builder's yard. The site is accessed via Castle Street.
- 2.2 The application site is predominantly surrounded by residential properties to the north, east and south of the site. Directly to the west of the site is the former Assheton Court site which is currently in the process of being redeveloped into 60 apartments which are intended to be used as sheltered accommodation (planning application reference: P/22/1012/FP). To the northwest of the site is the Portchester Precinct Car Park.
- 2.3 The application site is located within the defined urban settlement boundary and flood zones 2 and 3.
- #### **3.0 Development Proposal**
- 3.1 Planning permission is being sought for the construction of a detached garage workshop/MOT centre following the demolition of the existing commercial buildings.
- 3.2 The workshop building would measure 13m in width and 20m in length. The building would host a pitched roof with a maximum height of 6.6m and eaves

height measuring 4.9m. Building materials would consist of concrete blockwork, light grey metal cladding and roofing.

3.3 The area surrounding the site including the builders' yard is proposed to be cleared to accommodate 18 car parking spaces.

3.4 The application is supported by a Noise Assessment, Flood Risk Assessment and Drainage Strategy.

#### **4.0 Policies**

4.1 The following policies apply to this application:

##### **Adopted Fareham Local Plan 2037**

CC2: Managing Flood Risk and Sustainable Drainage Systems

TIN2: Highway Safety and Road Network

D1: High Quality Design and Place Making

D2: Ensuring Good Environmental Conditions

##### **Other Documents**

National Planning Policy Framework (NPPF) (2023)

Fareham Borough Non-Residential Parking Standards Supplementary Planning Document (SPD) (2015)

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

5.1 P/09/0961/FP – Retention of scaffold structure and change of use of yard to general builders' storage yard. Permission January 2010

#### **6.0 Representations**

6.1 Seven letters have been received in support of the application, however, one of the representations raises highway safety concerns regarding vehicle movements from the site, in particular delivery lorries in connection with the carpet business.

6.2 One letter of objection has been received regarding pedestrian safety and the increase in traffic onto Sunningdale Road which will result in the further erosion of the surface of the access and lead to mud on the road.

#### **7.0 Consultations**

EXTERNAL

##### **Local Highway Authority (Hampshire County Council)**

7.1 No objection subject to conditions.

### **Lead Local Flood Authority (Hampshire County Council)**

- 7.2 As this application relates to a site which is a commercial application less than 1 hectare in size and less than 1000m<sup>2</sup> floor space, we would consider this as a minor application and outside of our remit. However, please direct the applicant to our website for further information on recommended surface water drainage techniques.

### **County Archaeologist (Hampshire County Council)**

- 7.3 The site is located close to but outside the historic core of Portchester and has been impacted by previous development at this site. In view of this, I would not raise any archaeological issues.

### **INTERNAL**

### **Environmental Health (Contaminated Land)**

- 7.4 Having reviewed available information, the recommendation of this section is that this application could be approved subject to a condition.

### **Environmental Health (Noise and Pollution)**

- 7.5 No objection. Even with the doors remaining open during working times and with the insulated SIP panels in place as stated, that the noise arising from the garage activities stated, even where doubled in concentration, should not give rise to loss of amenity of the neighbouring residential buildings surrounding the application site including the new development of Assheton Court.

## **8.0 *Planning Considerations***

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

- a) The principle of the proposed development;
- b) Design;
- c) The amenity of adjoining occupiers;
- d) Access, transport impact and parking; and
- e) Flood Risk

### **a) The principle of the proposed development**

- 8.2 The application site is recognised within the Council's Local Plan as being within the defined urban area boundary.
- 8.3 This application relates to the expansion of an established use on the site. Planning permission is being sought for the construction of a garage workshop/MOT centre to replace the existing garage on the site. The

proposed facility would enable a wider range of services, in particular MOTs to be carried out on the site.

- 8.4 Section 6 of the National Planning Policy Framework (2023) relates to building a strong, competitive economy and recognises the importance of supporting local businesses. Paragraph 85 of the NPPF states;

*‘Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development’*

- 8.5 This key principle of the NPPF is reiterated in paragraph 6.3 of the adopted Fareham Local Plan 2037 which recognises the importance of supporting existing businesses to grow.

- 8.6 Having regard to the above, the principle of the development is considered to be acceptable, subject to compliance with the relevant material planning considerations which will be considered below.

***b) Design***

- 8.7 Policy D1 of the Fareham Local Plan 2037 requires development proposals and spaces to be of high-quality design based on the principles of urban design and sustainability. The Policy goes on to state development proposals will be permitted where proposals appropriately respond to the positive elements of local character.

- 8.8 The area surrounding the site is predominantly residential in character with the site bound by residential properties and gardens to the north, east, south and southwest of the site. To the west of the site is Assheton Court a residential apartment building currently undergoing reconstruction and to the northwest of the site is the Portchester Precinct car park.

- 8.9 The proposed development would comprise of a 6.6m high building with a floor space of approximately 249sqm located towards the eastern and southern boundaries of the site. The proposed building would consist of predominantly blank elevations which would be externally clad in light grey metal cladding.

- 8.10 Having regard to the predominantly residential character of the surrounding area, the proposed building by virtue of its scale and industrial design is considered to form an incongruous and obtrusive addition which would not be in keeping with the character of the area.

- 8.11 As demonstrated in the submitted section drawings, the proposed structure would be significantly higher than existing buildings on the site and would be easily visible from surrounding residential properties. Furthermore, the proposed development would be easily visible from public viewpoints from Sunningdale Road to the south and the Portchester Precinct car park to the northwest.
- 8.12 The design of the building and whether the height of the building could be reduced to alleviate some of these concerns has previously been discussed with the applicant as part of pre-application discussions and as part of the current application. However, as explained by the applicant in their supporting Design and Access Statement, the height of the building is required to accommodate the MOT servicing ramps and cannot be reduced.
- 8.13 Consideration has been given to the appearance of the existing site which consists of a builder's yard and a number of containers and redundant buildings which would be removed to facilitate the proposed development. Whilst it is acknowledged the proposal would result in the rationalisation of some of the structures currently on the site, these structures are predominantly single storey which are largely screened from public viewpoints and therefore considered to not result in significant visual harm. The visual harm as a result of the proposed development is considered to outweigh any betterment from removal of existing buildings and uses on the site.
- 8.14 The proposed development by virtue of its design, height and external finishing material, would give rise to an incongruous form of development which fails to respond positively to the key characteristics of the area and is harmful to the character and appearance of the area, contrary to Policy D1 of the Fareham Local Plan 2037.

***c) Amenity of Neighbouring Residents***

- 8.15 Policy D2 of the Fareham Local Plan 2037 concerns the impact of development on environmental (including living) conditions. The Policy 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. In addition, the proposal must not have an unacceptable adverse environmental impact on neighbouring occupants, adjoining land or the wider environment. Adverse environmental impacts include, but are not limited to, contamination, noise, heat, liquids, vibration, light or air pollution or excessive wind.

- 8.16 The proposed footprint of the garage would be situated along the eastern and southern boundary of the application site and would be situated within the vicinity of a number of residential properties.
- 8.17 The application is supported by a Noise Impact Assessment which includes a number of noise mitigation measures to protect the amenity of neighbouring residential properties. These measures include insulated cladding and acoustic plasterboard being installed and that all work should be carried out within the main workshop. The report concludes that, subject to these mitigation measures being implemented, the noise levels associated with the proposal would not be significantly higher than the existing garage on the site and would not have an adverse impact on the amenity of existing neighbouring properties and the future occupiers of Assheton Court.
- 8.18 The Council's Environmental Health Officer has been consulted on the application and following clarification from the applicant's noise consultant on a number of matters, has raised no objection to the proposal. The Environmental Health Officer is satisfied, subject to the noise mitigation measures being installed, the proposal should not give rise to loss of amenity in terms of noise of the neighbouring residential buildings. It is recommended a condition is imposed requiring the mitigation measures set out within the Noise Impact Assessment to be installed and a further condition to prevent any works being carried out on the forecourt.
- 8.19 In terms of other impacts on the amenity of neighbouring properties, the proposed development would be situated approximately 1.3m from the boundary shared with 27A Castle Street, 6.5m from the boundary shared with 1 Sunningdale Road, 12m from the boundary shared with Assheton Court and approximately 20m from the rear boundaries of 23a-27 Castle Street.

#### Sunningdale Road

- 8.20 While it is acknowledged the proposed development would be visible from properties fronting Sunningdale Road, having regard to the separation distance and the siting of the proposed development to the north, it is considered unlikely the proposal would have an adverse impact in terms of loss of light or privacy on these properties.

#### Assheton Court

- 8.21 In terms of the future occupiers of Assheton Court, several of the recently approved 60 units would face on to Alcotts Yard. However, the units on the ground floor level would be screened from the development by the existing boundary treatment and the units on the upper levels would be situated predominantly above the proposed development. It is therefore considered the development would not have an adverse impact on these properties.

### 23A – 27 Castle Street

- 8.22 Having regard to the properties situated along Castle Street, the proposed development would be well distanced from 23a-27 Castle Street and would be partly screened by existing buildings and garages on the site. It is noted the development would be situated further away from these properties than the existing garage.

### 27A Castle Street

- 8.23 However, having regard to the close proximity of the development to the boundary shared with 27A Castle Street, Officers are of the view the proposal has the potential to have a significant impact on the amenity of the occupiers of this property. The proposed development would abut the rear garden of 27A Castle Street and would project approximately 3m above the existing garage within the rear garden of 27A Castle Street. By virtue of its scale and design, the proposed development would appear dominant and overbearing and is considered to have an adverse impact on the environmental conditions for the occupiers of this property, contrary to Policy D2 of the Fareham Local Plan 2037.

### **d) Access, transport impact and parking**

- 8.24 Policy TIN2 of the Fareham Local Plan states:

*‘Development will be permitted where:*

- a) There is no unacceptable impact on highway safety, and the residual cumulative impact on the road networks is not severe; and*
- b) The impacts on the local and strategic highway network arising from the development itself or the cumulative effects of development on the network are mitigated through a sequential approach consisting of measures that would avoid/reduce the need to travel, active travel, public transport, and provision of improvements and enhancements to the local network or contributions towards necessary or relevant off-site transport improvement schemes’*

- 8.25 Access to the site would be from the existing vehicular access from Castle Street. Whilst there is an alternative access to the site via Sunningdale Road, the applicant has confirmed the main access to the site would be via Castle Street. The Highway Authority has been consulted on the application and considers the proposal unlikely to result in any material highway/ transportation implications. The Local Highway Authority recognise the proposal would result in the removal of existing business on the site such as the builder’s yard and the flooring business which would likely result in a

reduction in vehicle movements to and from the site. Furthermore, the new workshop would facilitate MOTs to be carried out on site meaning vehicles would no longer have to be driven to a MOT test centre elsewhere.

- 8.26 While the Local Highway Authority has raised no objection to the proposal, a planning condition requiring the parking and turning of vehicles to be implemented prior to the garage being brought into use has been requested.
- 8.27 In terms of parking provision, the Council's Non-Residential Car Parking Standard SPD requires a vehicle servicing and MOT service station to provide 1 parking space per full time member of staff and 3 customer spaces per service bay. Four full time members of staff are proposed and 3 bays (1 MOT and 2 service) are proposed which equates to 13 parking spaces. The proposed site plan indicates 18 car parking spaces are proposed and therefore would comply with the Council's Non-Residential Parking Standards SPD.
- 8.28 For the reasons given above, it is considered the proposal would not have a harmful impact on the local and strategic highway network or highway safety and therefore would be in compliance with Policy TIN2 of the Fareham Local Plan 2037.

**e) Flood Risk**

- 8.29 The application site is located within flood zone 3.
- 8.30 Paragraph 173 of the National Planning Policy Framework states;

*'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) *the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*



- e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan'.*

- 8.31 Policy CC2 of the adopted Fareham Local Plan 2037 reiterates the aims and objectives of the NPPF.
- 8.32 Paragraph 174 of the NPPF goes on to state applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.
- 8.33 The National Planning Practice Guidance defines minor development in relation to flood risk as including minor non-residential extensions (industrial/commercial/leisure) with a floorspace not in excess of 250sqm. In this instance the proposed development would relate to an extension to an existing use on the site and would have a floor space of less than 250sqm. The sequential and exception tests are therefore not applicable to this proposal.
- 8.34 However, the application is supported by a Flood Risk Assessment which sets out a number of Flood Risk Management Measures. Measures include raising the finished floor level of the workshop to no less than 3.25m Above Ordnance Datum (AOD) and including resistant and resilient fittings and finishes for the construction of the building in accordance with DCLG 'Improving the Flood Performance of New Buildings. The proposed measures would be secured by condition.
- 8.35 Subject to a condition securing the flood risk management measures, the proposed development is considered to accord with Policy CC2 of the Fareham Local Plan 2037.

#### **Other Matters Raised in the Representations**

- 8.36 Concerns have been raised in the representations regarding whether the existing pedestrian access through the site would be denied. There is no adopted public footpath or rights of way through the site and therefore future pedestrian access through the site would be the responsibility of the landowner.
- 8.37 Concerns have also been raised regarding the condition of the access on to Sunningdale Road and whether improvements can be made to the access. The proposed development is not considered likely to result in a significant increase in number of vehicle movements via Sunningdale Road and therefore improvements to the access are not justified. Furthermore, the access falls outside the application site.

## **Conclusion**

- 8.38 The proposal would provide a new garage/MOT centre for an existing business on the site. Having regard to paragraph 85 of the NPPF which recognises the importance of supporting local businesses, it is acknowledged the proposal would improve the usability and viability for existing and future users of the business which would bring economic and social benefits.
- 8.39 However, in terms of impact on the character and appearance of the area, the introduction of a building of this scale on this site is considered to be harmful to the character of the surrounding residential area. The building by virtue of its design, fails to respond to the positive elements of the local character, contrary to Policy D1 of the Fareham Local Plan 2037.
- 8.40 Furthermore, by virtue of the height of the building and the close proximity to neighbouring residential properties, in particular 27A Castle Street, the proposal is considered to have an unacceptable adverse impact on the environmental conditions of the occupiers of this property, contrary to Policy D2 of the Fareham Local Plan 2037.
- 8.41 While Officers recognise the importance of supporting local businesses and encouraging economic growth, in this instance, the harm identified is considered to outweigh the benefits of the proposal.
- 8.42 In light of this assessment, and taking into account all other material planning considerations, Officers recommend that planning permission should not be granted for this application. A recommendation is set out below.

## **9.0 Recommendation**

9.1 **REFUSE PLANNING PERMISSION** for the following reasons:

- 1) The proposed development is contrary to Policies D1 and D2 of the Fareham Local Plan 2037 and is unacceptable: in that;
  - i. By virtue of its design, height and external finishing material the proposed building would give rise to an incongruous form of development which fails to respond positively to the key characteristics of the area and is harmful to the character and appearance of the area;
  - ii. By virtue of its height and close proximity to the southern boundary of the application site, the proposed development would have an overbearing impact on the neighbouring garden and would have an

unacceptable adverse impact on the environmental conditions of the occupiers of 27A Castle Street.

**10.0 Notes for Information**

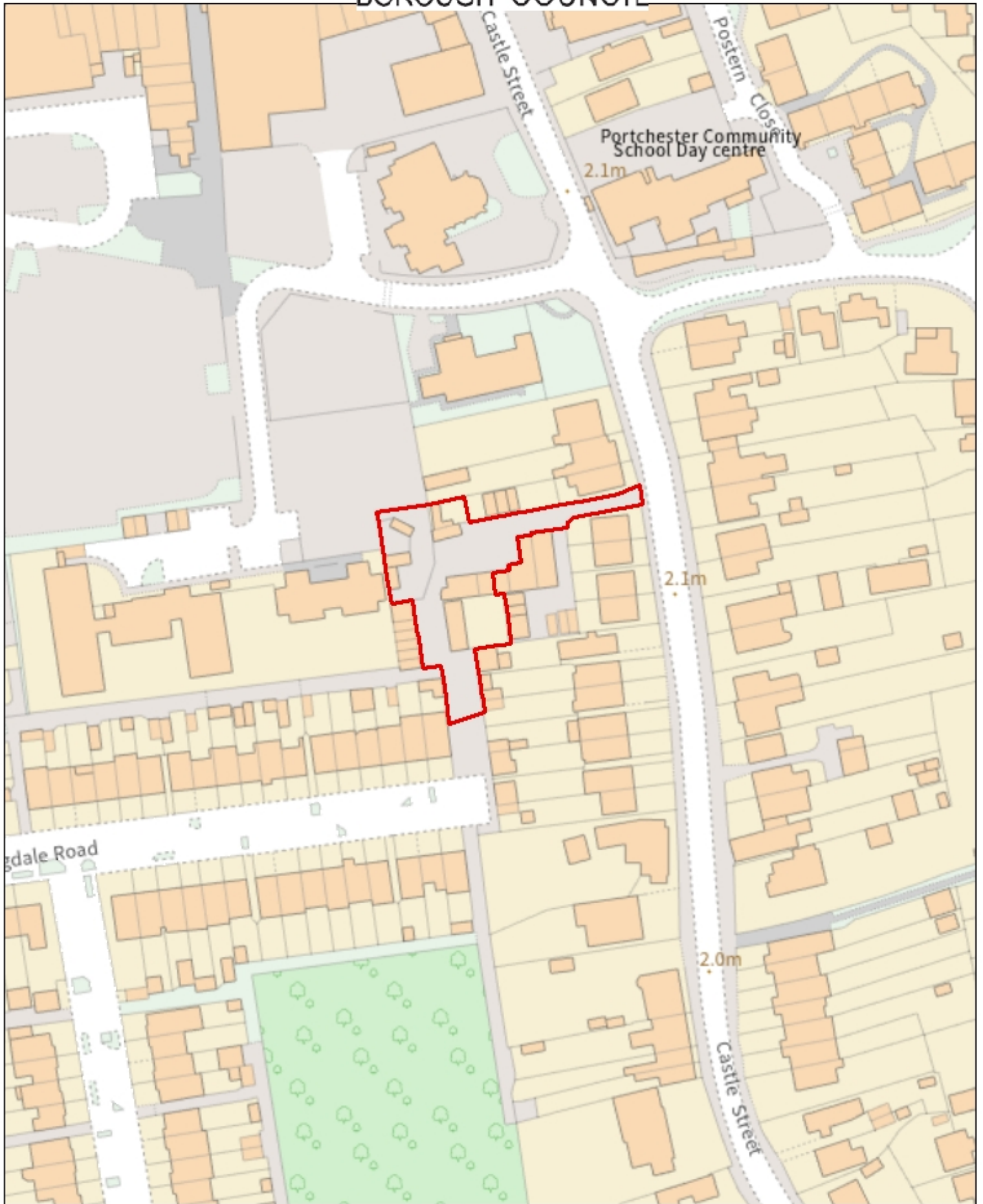
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**11.0 Background Papers**

- 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



Alcotts Yard, Castle Street  
Portchester

Scale 1:1,250



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