

OFFICER REPORT FOR COMMITTEE

DATE: 10/07/2024

P/24/0392/FP

APPLICANT: MR M WELLS

HILL HEAD WARD

AGENT: DANIEL WILDEN

DEMOLITION OF EXISTING HOUSE AND ERECTION OF REPLACEMENT HOUSE WITH ASSOCIATED ACCESS AND LANDSCAPE WORKS

SEASCAPE, CROFTON AVENUE, FAREHAM, PO13 9NJ

Report By

Katherine Alger – direct dial 01329 824666

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 a detached bungalow located on the southern side of Crofton Avenue to the west of the junction with Stubbington Lane. The surrounding area is characterised by detached dwellings with Daedalus Airfield being located to the northeast of the application site. To the east of the application site is an area of grassland which is designated Brent Goose and Waders Low Use Site. To the south of the application site is a public car park with the beach and sea beyond.

3.0 Description of Proposal

3.1 Planning permission is sought for the demolition of the existing bungalow and replacement with a substantial contemporary designed two storey dwelling and associated landscaping.

3.2 The development initially included the change of use of an area of land to the northeast of the site to land within the residential curtilage which would effectively 'square off' the application site from the grassland to the east. However, this element of the application has been removed, resulting in no change of use land.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Local Plan 2037

H1: Housing Provision

NE1:	Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE2:	Biodiversity Net Gain
NE3:	Recreational Disturbance on the Solent Special Protection Areas (SPAs)
NE4:	Water Quality Effects on the Special Protection Areas (SPAs) Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
TIN1:	Sustainable Transport
TIN2:	Highway Safety and Road Network
D1:	High Quality Design and Placemaking
D2:	Ensuring Good Environmental Conditions
D3:	Coordination of Development and Piecemeal Proposals
D4:	Water Quality and 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 There is no relevant planning history for this site.

6.0 *Representations*

6.1 Six Letters of support have been received on the following grounds:

- a) Design will enhance character and appearance of area
- b) Use of overgrown land will improve visual appearance of area
- c) In proportion to neighbouring property
- d) Update existing dwelling
- e) Add value to area

6.2 Twenty letters of objection have been received on the following grounds:

- a) Parking of vehicles along Crofton Way during construction
- b) Impact on aircraft taking off at Daedalus
- c) Salon and office will amount to mixed used development
- d) Business use not appropriate for local area
- e) Impact on trees
- f) Not in keeping with character of the area
- g) Significantly taller than neighbouring dwelling
- h) Removal of "low use land"
- i) Noise and disturbance of mixed business use

- j) Impact on future sea defences
- k) Impact on wildlife
- l) Impact on landscape
- m) Loss of public open amenity space
- n) Overshadowing
- o) Impact on residential amenity
- p) Impact affordability of the area
- q) Fails to increase biodiversity net gain
- r) Set precedent for future development
- s) Impact on properties opposite application site
- t) Dwelling should be single storey
- u) Too close to airfield
- v) Light pollution
- w) No details on Council owned land being made available to purchase
- x) Increased traffic
- y) Increased emissions
- z) Existing dwelling should be described as bungalow
- aa) Different plot size to 'Dormers' (neighbouring dwelling)
- bb) Impact on Solent Waders and Brent Geese
- cc) Loss of view
- dd) Too large for a residential dwelling- could be used as an Air BnB
- ee) Noise and disturbance during construction
- ff) Concerns relating to foul drainage
- gg) No details on waste/refuse storage
- hh) Could be used as a hotel
- ii) Covenant on land

7.0 Consultations

EXTERNAL

Ecology

- 7.1 No Objection following revisions to the site plan to remove the north-east part of the site which is a Solent Waders and Brent Goose (SW&BG) Low Use site F82.

Solent Airport Manager

- 7.2 No objection subject to conditions

INTERNAL

Tree Officer

- 7.3 No objection subject to conditions

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) Design/Impact on character of surrounding area
- b) Impact on Residential Amenity
- c) Business Use
- d) Parking and Highway Safety
- e) Ecology
- f) Trees
- g) Biodiversity Net Gain
- h) Habitat Mitigation
- i) Other matters raised in objections

a) Design/Impact on Character and Appearance of Surrounding Area

8.2 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 to ensure the creation of well designed, beautiful and safe quality places.

8.3 The Fareham Borough Council Design Guidance Supplementary Planning Document (hereafter referred to as the Design SPD) states that it is important that the scale of the new house relates well to its surroundings and care should be given to ensure that houses reflect the spaciousness and character of the area.

8.4 Crofton Avenue is characterised by large, detached dwellings set within relatively large plots. The dwellings are varied in appearance with some having a contemporary appearance whilst others are more traditional in character. It is considered that the proposed replacement dwelling with a contemporary style appearance would be an acceptable addition to the streetscene and would have regard to the prevailing mixture of architectural styles and character of Crofton Avenue.

8.5 The proposal would be visible when coming southwards along Stubbington Lane, however, given the separation distance including the grassland to the east and the substantial landscaping, it would not appear significantly prominent.

8.6 The replacement dwelling would be significantly larger in scale than the existing bungalow. However, given the large size of the plot it is considered that the replacement dwelling would sit comfortably within the existing plot.

8.7 It is therefore considered that the proposed replacement dwelling would be acceptable in design terms and would have regard to the character and appearance of the surrounding area and therefore complies with Policy D1 of the Fareham Local Plan 2037.

b) Impact on Residential Amenity

8.8 Policy D2 of the Fareham Local Plan 2037 concerns the impact of development on living and environmental 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.

8.9 The neighbouring dwelling to the west 'Dormers' is a substantial property. There would be no windows on the western elevation of Dormers which would be impacted by the proposed development. The only windows on the application proposal which would face onto the neighbouring dwelling would be at ground floor however this would be screened by boundary fencing and a high level rooflight at roof level. Furthermore, given the separation distance, it is considered that the proposed development would not result in an unacceptable adverse impact on the living conditions, by way of loss of sunlight, daylight, outlook and/or privacy.

8.10 Concerns have been raised regarding the impact on the neighbouring occupiers opposite the application site. There would be a suitable separation distance of approximately 40m between the application site and the properties to the north. Therefore, it is considered that the proposed development would not result in an unacceptable adverse impact on the living conditions of the neighbouring properties to the north.

8.11 The proposal would therefore comply with Policy D2 of the Fareham Local Plan 2037.

c) Business Use

8.12 The submitted plans show a salon and office as part of this development. The salon will be run by the applicant's wife. There will be a maximum of 8 clients per week operating a maximum of 16 hrs between 9:30-2pm Monday to Friday. Due to the small number of clients and operating hours, it is not considered to constitute a change of use and would therefore not amount to an impact in terms of noise and disturbance to the neighbouring residential occupiers.

8.13 However, should the business use intensity a planning application would be required for the mixed use of the residential development.

Given the scale of the replacement dwelling with adequate car parking provision it is considered that a mixed use residential development with a hair dressing salon may be acceptable within this location subject to limited hours of operation.

- 8.14 The office shown on the floor plan will only be home office with no other employees working in the office. Therefore, it is not considered that a business use will operate from this office.

d) Parking and Highway Safety

- 8.15 The Residential Car Parking Standards SPD requires at least 3 car parking spaces for a dwelling with more than 4 bedrooms.

- 8.16 The replacement dwelling has four car parking spaces within the front driveway and including a garage at basement level which can accommodate 8 vehicles. Therefore, the proposed development complies with the Residential Car Parking Standards Supplementary Planning Document.

- 8.17 Concerns have been raised that the proposed development would result in an increase in traffic and emissions. Despite the inclusion of the salon within the property, which is considered ancillary to the main use at the scale proposed, it is considered that the construction of a single replacement dwelling would not significantly increase the amount of traffic movements and emissions. Additionally, given the location of the site at the eastern end of Crofton Avenue, levels of additional traffic likely to be generated along Crofton Avenue would be limited to the eastern section. The development is not likely to result in unacceptable safety concerns with the highway and would therefore accord with Policy TIN2 of the Fareham Local Plan 2037.

e) Ecology

- 8.18 Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network states that the development will be permitted where:

- a) Designated international, national sites and local sites of nature conservation value are protected and enhanced, reflecting their status in the hierarchy of nature conservation designations;
- b) Protected and priority habitats and species, including breeding and foraging areas are protected and enhanced;
- c) Proposals do not prejudice the Ecological Network or result in its fragmentation.

- 8.19 The area of land to the north-east of the site which is a Solent Waders and Brent Goose (SW&BG) Low Use site F82 has been removed from the planning application. Therefore, the requirement for enhancement, mitigation or compensation is no longer required.

- 8.20 The Council's Ecologist has reviewed the submitted Ecological Report. It has been confirmed that the dwelling to be demolished was subject to two dusk emergence surveys and no evidence of roosting bats was recorded.
- 8.21 As the Solent Waders and Brent Goose (SW&BG) Low Use site F82 has been removed from the application further reptile surveys are not deemed to be required.
- 8.22 Due to the observation of a badger within the area of scrub to the south of the site, this habitat should be retained and a pre-commencement badger survey will be required
- 8.23 Subject to conditions the Ecologist raises no concerns to the proposed development and therefore the proposal complies with Policy NE1 of the Fareham Local Plan 2037.

f) Biodiversity Net Gain

- 8.24 Concerns have been raised that the development does not comply with the requirements of Policy NE2 (Biodiversity Net Gain) (BNG). The policy states that development of one or more dwellings or a commercial/leisure building should provide at least 10% net gains for biodiversity from the existing baseline value of the site and should be maintained for a minimum of 30 years. The proposed development is for a replacement self-build dwelling, and since the publication of the Government statutory framework in February 2024 regarding BNG, self-build dwellings such as this are except from the provision of BNG. Therefore Policy NE2 is not applicable.
- 8.25 The Council's Ecologist has recommended a condition requiring a detailed scheme of biodiversity enhancements to be incorporated into the development. However, there is no requirement for this to be 10% of the existing baseline. These provisions are to be secured by condition.

g) Trees

- 8.26 The Council's Tree Officer has reviewed the submitted Tree Report and Method statement. They have stated that if adequate precautions to protect the existing/retained TPO trees are specified and implemented in accordance with the arboricultural method statement included in the tree report then the development proposals will have no significant adverse impact on the contribution of the trees to the public amenity of the character of wider setting.

h) Habitat Mitigation

- 8.27 Policies NE1, NE3 and NE4 of the Fareham Local Plan confirms the requirement to ensure that designated sites of nature conservation value,

protected and priority species and populations are associated habits and are protected and where appropriate enhanced.

8.28 The site is within 5.6km of The Solent and Southampton Water SPA and Ramsar Site, Solent and Dorset Coast SPA, Portsmouth Harbour SPA Ramsar Site and the Solent Maritime SAC and 13.8km from the New Forest SPA for which is its important to ensure that new residential developments, in combination with other developments do not have a significant effect on the integrity of these sites as a result of increased recreational disturbance and increased nitrogen loading from water sources and air pollution.

8.29 The proposal would be for the demolition of an existing dwelling and would offset the impact of the replacement dwelling with regards to recreational disturbance and nitrates.

8.30 The proposal therefore accords with Policies NE1, NE3 and NE4 of the Local Plan.

i) **Other Matters Raised in Objections**

8.31 **Loss of View** - There is no 'right to a view' in planning legislation. Therefore, this is not a material planning consideration.

8.32 **Existing dwelling referred to as a house rather than a bungalow** - It is considered that the description of development accurately represents the proposal.

8.33 **Covenant on land** - This is not a material planning consideration and is a legal matter dealt with by separate legislation.

8.34 **Impact on property value** - This is not a material planning consideration.

8.35 **Sets a precedent for future development** – This is not a material planning consideration as all applications are considered on their own individual planning merits on a site-by-site basis.

8.36 **Could be used as an Air BnB** - The submitted information with this application indicates that it will be used by the applicant as their main dwelling. They have not provided any indication of their intention to use the property for letting out.

8.37 **Could be used as hotel** - Planning permission would be required to convert the building to a hotel as this would be a material change of use.

- 8.38 **Impact on future sea defences** - The replacement dwelling would be set within the residential curtilage. Therefore, it is considered that the proposed development would not result in an impact on any potential future sea defences.
- 8.39 **Impact on Solent Airport** - Following the submission of an Obstacle Safeguarding Report, the Solent Airport Manager has reviewed the submitted information and raises no objection to the proposed development subject to a condition requiring landscaping and biodiversity enhancements.
- 8.40 **No details on bin storage** - A planning condition has been imposed requesting details of the bin storage areas to be submitted prior to the commencement of development.
- 8.41 **Use of Council owned land** - The area of Council owned land located to the northeast of the application site has been removed from the application and therefore no longer forms part of the consideration of this application.
- 8.42 **Light Pollution** - The construction of a replacement dwelling is not considered to result in a significant impact in terms of light pollution. However, due to the close proximity of the application site to Solent Airport a planning condition will be imposed ensuring that any flood lighting or security lighting are not installed on the dwelling.

Conclusion

- 8.43 The proposed replacement dwelling is considered to be acceptable in design terms and would have regard to the varied character of the surrounding area. Due to the sufficient separation distances between the neighbouring residential occupiers it would not have an unacceptable adverse impact on the amenities of the surrounding neighbouring occupiers. Subject to a condition requiring details of landscaping and biodiversity enhancements the proposed development would have an acceptable ecological impact.
- 8.44 Notwithstanding the objections received, Officers consider on balance that the proposal accords with the Council's adopted planning policies and Supplementary Planning Documents and that subject to the imposition of appropriate planning conditions, planning permission should be granted.

9.0 Recommendation

- 9.1 **GRANT PLANNING PERMISSION**, Subject to the following conditions:

1. The development shall begin before three years from the date of this permission.

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) Location & Block Plan 2403 21
 - b) Block Plan with Analysis 2403 22
 - c) Proposed Site Plan 2024 23
 - d) Proposed Ground Floor Plan 2024 24
 - e) Proposed Basement Floor Plan 2024 25
 - f) Proposed First Floor Plan 2024 26
 - g) Proposed Roof Plan 2024 27
 - h) Front Elevation North East 2024 28
 - i) Side Elevation North West 2024 29
 - j) Rear Elevation South West 2024 30
 - k) Side Elevation South East 2024 31
 - l) Existing Indicative Street 2024 32
 - m) Indicative Streetscene 2024 33
 - n) Indicative Seafront Scene 2024 34
 - o) Visualisation 01
 - p) Visualisation 02
 - q) Visualisation 03
 - r) Visualisation 04
 - s) Visualisation 05
 - t) Visualisation 06
 - u) Design and Access Statement
 - v) Obstacle Safeguarding Report

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

3. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) 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. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

- a) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;
- b) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;
- c) Arrangements for the routing of lorries and details for construction traffic access to the site;
- d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
- e) The measures for cleaning the wheels and underside of all vehicles leaving the site;
- f) A scheme for the suppression of any dust arising during construction or clearance works;
- g) The measures for cleaning Crofton Avenue to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and
- h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;
- i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
- j) Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms^{-1} at the boundary of the SPA;
- k) Provision for storage, collection, and disposal of rubbish from the development during construction period;
- l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- m) Temporary lighting;
- n) Protection of pedestrian routes during construction;
- o) No burning on-site;
- p) Scheme of work detailing the extent and type of piling proposed;

q) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;

r) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

REASON: To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

5. Any works producing noise levels over 69 dB LAF Max along the boundary of the designated site (eastern boundary) and/or resulting in visual disturbance, shall only be carried out between April and September inclusive.

REASON: To ensure no disturbance of overwintering birds utilising the adjacent Solent Waders and Brent Goose (SW&BG) Low Use site F82.

6. The works shall be carried out in accordance with the measures detailed in Section 5.0 'Requirements and Recommendations' and Appendix E 'Mitigation and Enhancements' of the submitted Ecological Assessment by Peach Ecology (June 2024).

REASON: To ensure the safeguard of protected species and a net gain in biodiversity.

7. A detailed scheme of biodiversity enhancements to be incorporated into the development, along with a plan showing the location of these features, shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

REASON: To ensure the safeguard of protected species and a net gain in biodiversity.

8. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality.

9. The landscaping scheme, submitted under Condition 8, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or 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 ensure the provision, establishment and maintenance of a standard of landscaping.

10. No development shall commence until the measures of tree and hedgerow protection submitted and approved as part of the planning permission have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

11. No floodlighting or security lighting shall be provided, installed or operated at the site unless otherwise agreed in writing with the Local Planning Authority following submission of a planning application for that purpose.

REASON: In order to prevent light disturbance to occupiers of nearby residential properties and control light pollution.

12. None of the development hereby approved shall be occupied until details of the proposed bin storage areas [including bin collection points if necessary] have been submitted to and approved by the Local Planning Authority and the approved areas fully implemented. The details shall include the siting, design and the materials to be used in construction. The areas shall be subsequently retained for bin storage or collection at all times.

REASON: To ensure that the character and appearance of the development and the locality are not harmed.

13. 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 bank

and 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.

THEN

9.2 DELEGATE authority to the Head of Planning to:

Make any necessary modification, deletion or addition to the proposed conditions.

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.

Seascape, Crofton Avenue Fareham

