

P/14/0025/FP

FAREHAM EAST

MR ROY HOLT

AGENT: ROY HOLT

CONSTRUCTION OF 4 BEDROOM HOUSE ON A TARMAC CAR PARK AREA
68 HIGH STREET FAREHAM HAMPSHIRE PO16 7BB

Report By

Graham Pretty (Ext. 2526)

Introduction

This application should be viewed in conjunction with application reference P/14/0056/CU elsewhere on this agenda. In the opinion of the officers these two applications are interlinked.

Site Description

The application site comprises a parcel of land to the rear of, and currently associated with No. 68 High Street and used as car parking associated with the approved use of No.68. Located behind the main building line of the High Street, the site is part of the original burgage plot of No. 68. The site is within the Fareham High Street Conservation Area and the main building itself is a Grade II* Listed Building. The High Street comprises properties of a variety of building styles, and on this eastern side some buildings are set to the rear of that main frontage, including the industrial estate to the north-east and mews buildings to the north.

An existing 1.8m high close boarded fence currently subdivides the site north - south to the west of the car parking area. This is unauthorised and permission has been granted for a diamond mesh fence adjacent to the west boundary of the car parking in a position previously occupied by a fence of similar form.

Description of Proposal

This application is for the erection of a detached 4 bedroom house. The proposal includes associated landscaping, 5 external car parking spaces, a detached double garage and access, which will be via Lysses Court. The proposed dwelling would be two storeys of 'georgian' styling with materials to reflect those of No.68.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

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

Approved SPG/SPD

DG4 - Site Characteristics

Development Sites and Policies

DSP6 - Protecting and Enhancing the Historic Environment

Fareham Borough Local Plan Review

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

<u>P/13/0973/FP</u>	ERECTION OF 1.8 METRE HIGH GALVANISED DIAMOND MESH FENCE IN POSITION OF PREVIOUS FENCE APPROVE 29/01/2014
<u>P/13/0626/LB</u>	LISTED BUILDING APPLICATION FOR RETENTION OF 1800MM CLOSE BOARDED FENCE TO REAR OF SITE REFUSE 17/09/2013
<u>P/13/0625/FP</u>	RETENTION OF 1800MM CLOSE BOARDED FENCE TO REAR OF SITE REFUSE 17/09/2013
<u>P/13/0100/CA</u>	ERECTION OF A DETACHED THREE STOREY BLOCK OF FIVE FLATS OVER THE CAR PARK REFUSE 08/04/2013
<u>P/13/0099/FP</u>	ERECTION OF A DETACHED THREE STOREY BLOCK OF FIVE FLATS OVER THE CAR PARK REFUSE 08/04/2013
<u>P/13/0096/LB</u>	CHANGE OF USE FROM CLASS A3 (RESTAURANT) TO CLASS C3 (DWELLING HOUSE) AND ERECTION OF DETACHED DOUBLE GARAGE AT REAR OF PROPERTY REFUSE 11/04/2013
<u>P/13/0095/CU</u>	CHANGE OF USE FROM CLASS A3 (RESTAURANT) TO CLASS C3 (DWELLING HOUSE) AND ERECTION OF DETACHED DOUBLE GARAGE AT REAR OF PROPERTY REFUSE 11/04/2013

Representations

Three representations have been received in support of the proposal on the grounds that:

- it will improve the character of the area
- set a precedent for the improvement of other site
- reduction in use of access

The Fareham Society have raised objections as follows:

- Subdivision of burgage plot
- The subdivision of plots to the rear of frontage buildings in the High Street has been

resisted for many years and upheld on appeal. The importance of burgage plots is highlighted in the High Street Conservation Area Character Assessment.

Consultations

Director of Regulatory and Democratic Services (Environmental Health) - No objection.

Director of Planning and Environment (Transport) - This proposal is to erect a 4 bedroom house within the surfaced car park to the rear of, and for the use of, the restaurant at 68 High Street.

On the understanding that the restaurant use remains, a highway objection is raised to the application on the ground of loss of off-street parking.

Should there be a change of use of the restaurant to residential use for a single dwelling, whereby the surfaced car park would no longer be required for this present commercial use, but only for parking for a single dwelling, there would be no highway objection to the proposed development, subject to the following requirements -

- Given the intention to reinstate the original wall and gate to enclose the plot, it will be necessary that this wall and gate are no higher than 0.6m above ground level and the areas enclosed by 2m by 15m visibility splays at the access remain clear of obstructions above this height.

- The parking to be provided and maintained.

English Heritage - Recommend refusal - The development would be a substantial and inappropriate feature within the setting of the listed building and would result in the immediate garden setting of this substantial property being disproportionately small. This would be harmful to the special interest of the listed building. Such a development, on this site, could also compromise the future viability of the listed building by reducing use options, or its general amenity, which might bring about its long term redundancy or result in pressure for inappropriate alterations. This would also be harm to the listed building. The subdivision of the medieval burgage plot and development of an open area of land would also be harmful to the character and appearance of the conservation area. The harm to the designated heritage assets would not be outweighed by any public benefit, as required by the NPPF.

Director of Planning and Environment (Conservation) - No. 68 High Street is a grade II* listed building (a designated heritage asset) dating from the 18th century which fronts Fareham High Street. It sits within a surviving medieval burgage plot. At the rear of the building the plot forms a garden with an area of ancillary parking at its eastern end. The rear of the plot is accessed through the former carriageway arch to no 67. The surviving undeveloped burgage plot retains its historic extent and remains ancillary to the main house, it makes an important contribution to the significance and setting of the listed building.

The site also lies within the boundary of the Fareham High Street Conservation Area (also a designated heritage asset). A key feature of the High Street Conservation Area is the survival of a medieval pattern of burgage plots that date from the late 12th /early 13th century and are of great importance to its significance. The long narrow plots, which are enclosed with brick boundary walls, define a strong urban grain that has persisted for many centuries. They are characterised by frontage buildings that are continuous along the street

with undeveloped open gardens to the rear. The rear gardens remain ancillary to the use of the frontage buildings which retains their historic integrity and setting; some remain as lawns with trees and planting and others include ancillary parking. The long established and important historic burgage plot pattern is identified as a key feature to preserve and enhance in the adopted High Street Conservation Area Character Assessment. Its preservation has been recognized and supported on appeal.

The National Planning Policy Framework expects heritage assets to be conserved in a manner appropriate to their significance. It expects great weight to be given to their conservation; the more important the asset the greater the weight. It advises that significance can be harmed or lost through alteration or destruction of a heritage asset or by development within its setting. It also advises that as heritage assets are irreplaceable any harm or loss must require clear and convincing justification and that any harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

I would not support this proposal to which there is a strong objection in principle. The application proposes sub-division of the existing site at no.68 to create a development plot for a new 4 bedroom house and garage at the eastern end of the existing garden, on an area currently used for ancillary parking. The proposal would sub-divide the currently intact burgage plot which forms the historic curtilage and setting of no.68 High Street, would introduce significant new building in an area of open garden in the existing curtilage of the grade II* listed building and would erode the integrity of the historic burgage plot pattern which is a recognised key feature of the High street Conservation Area. As a result the proposal would harm the significance of the grade II * listed building at no. 68, the setting of adjacent listed buildings and the character and appearance of the High Street Conservation Area.

In my view there are no public benefits that outweigh the harm identified to the significance of the heritage assets as set out above. Contrary to the view in the applicants planning statement that the proposed development is required to secure the future of the listed building in my opinion severing part of the existing garden that provides ancillary parking is likely to reduce options for its viable re-use; further parking in the remaining garden would not be supported.

The application would result in harm to the significance of designated heritage assets without clear and convincing justification in the public interest. The application should be refused.

Planning Considerations - Key Issues

The key issues in this case are -

- Principle of development
- Impact upon the setting of the Listed Building
- Impact upon the Setting and Character of the High Street Conservation Area
- Impact of the proposed development upon and from neighbouring development
- Car Parking and Access

Principle of development -

The application site is located within the urban area of Fareham and within the area defined by the Fareham Borough Local Plan Review as Fareham Town Centre and is within the

Fareham High Street Conservation Area. The site is currently part of the plot of No.68 High Street and provides car parking associated with that Grade II* Listed Building. The general principle of the residential development of the site is in line with the Development Strategy Policies of the Fareham Borough Core Strategy and with the broad sustainable aims of the Core Strategy and the National Planning Policy Framework.

However, the development of the site must also be considered in the light of Development Guideline policies and the specific importance of the site as part of the setting of the Grade II* Listed Building and as part of the Fareham High Street Conservation Area. These issues are considered further below.

Impact upon the setting of the Listed Building -

In the submitted design and access statement the applicants state that the effect of development upon the 'setting' of a listed building is an entirely subjective matter 'without any argument for or against that is based on objectivity'. However the NPPF advises:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

Both the Council's Conservation Officer and English Heritage have raised strong objection to the development and have drawn attention to the extent of the existing plot of No.68 in relation to the scale, current and future use of the listed building and the harm that the subdivision of the plot and its development by a substantial dwelling would have upon the the established setting of the listed building. The applicants have not provided a convincing argument in favour of the proposed development or demonstrated any public benefits that would outweigh the harm to the setting of the listed building. It is of note that the applicant's statement does not make any reference to the need for the development to facilitate the future maintenance and use of the listed building.

Impact upon the Setting and Character of the High Street Conservation Area -

An important feature of the site which is interlinked with the setting of the listed building is that it represents an intact and undeveloped example of a medieval burgage plot. The burgage plot layout of the High Street is highlighted in the Fareham High Street Conservation Area Character Assessment. The Character Assessment states:

"The strong character of present day High Street derives from the remarkable survival of the burgage plots, which were laid out by the Bishops of Winchester in the late twelfth/ early thirteenth century." and

"The long narrow burgage plots, separated by tall brick walls, and the strong unbroken street frontage form an urban grain that has persisted for many centuries. It remains strong and legible and is fundamental to the historic character of High Street. The need to protect it has been reflected in the council's development plan policies for many years and has been successfully defended on appeal"

It is clear that the development of the plot by a dwelling would breach the burgage plot

pattern and the persisting grain of development and would therefore be harmful to the character and setting of the Conservation Area.

Two Appeals at 18a High Street have upheld the Council's firm position on the development of burgage plots. In refusing a development of six dwellings (APP/A1720/A/04/1145408) the Inspector stated that the development would be 'sharply at odds with the prevailing historic form of buildings in the conservation area'. The second appeal was for an annex extension (APP/A1720/D/13/2192572) where the Inspector concluded that 'The sizeable, two-storey extension would effectively replicate an earlier addition to the dwelling and would encroach further into this largely open plot, thereby further eroding its historical significance and compromising the well defined historic pattern of frontage development and the surviving street layout.'

The applicant states that the 'application does not seek to alter the historic plan form of the burgage plot at all. The original boundary walls surrounding the burgage plot are intact and we do not propose interfering with them'.

However, it is the officers' view that the proposed dwelling would interfere with the open nature of the burgage plot and would introduce a north - south plot arrangement across the burgage plot that would be at odds with the existing historic grain of burgage plots on the High Street.

Impact of the proposed development upon and from neighbouring development -

The application site is set within a backland situation where a mixture of uses prevail. The Lysses Court access to the site also serves a small industrial estate to the northeast and flats to the north. To the east the development at High Walls has first floor office windows facing the site. To the west is the remaining garden of No.68 High Street. There is further undeveloped land immediately to the south over which is visible a substantial modern building associated with Wykeham House School. The proposed dwelling in itself would not result in any harm to existing uses and, although the location is not considered to be an ideal one for a new dwelling, nonetheless it is not considered that the resultant living environment for future residents would sufficiently poor as to justify the refusal of permission for this reason.

Car Parking and Access -

The planning application proposes the provision of a double garage and five car parking spaces. Officers have noted that the related application for the change of use of the listed building to a single dwelling affirms that three car parking spaces will be made available on the existing car parking area (this application site) however this application makes no reference to this and the spaces are not identified. The Director of Planning and Environment (Transport) has indicated that the development would result in the loss of parking to the restaurant use of the listed building and is therefore unacceptable unless the change of use of the listed building to a single dwelling takes place. Members are advised that the change of use application P/14/0056/CU is recommended for refusal.

Conclusion

The site forms the eastern part of an intact burgage plot associated with No.68 High Street. Burgage plots are an important characteristic of the High Street Conservation Area. The subdivision of the burgage plot to create the plot for a new dwelling would be harmful to this established character. Further, the introduction of a large two storey dwelling would in itself

be harmful to the setting of this Grade II* listed building which is a heritage asset of high importance. It is also considered that, on the basis of the information contained in this planning application, the development would lead to pressure to provide parking within the remaining western part of the site, associated either with its use as a dwelling or its continued commercial use, also to the detriment of the setting of the listed building.

Recommendation

REFUSE:

The proposed development is contrary to Policies DG4 of the Fareham Borough Local Plan Review, Policies CS5, CS6 and CS17 of the Adopted Fareham Borough Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Site and Policies, in that:

(i) the siting of the development in this position will give rise to the severing and development of an historic burgage plot, which is integral to the setting of the Grade II* Listed Building and the High Street Conservation Area. The erosion of this burgage plot would harm the setting of the Grade II* Listed Building and would fail to preserve or enhance the character and appearance of the Conservation Area;

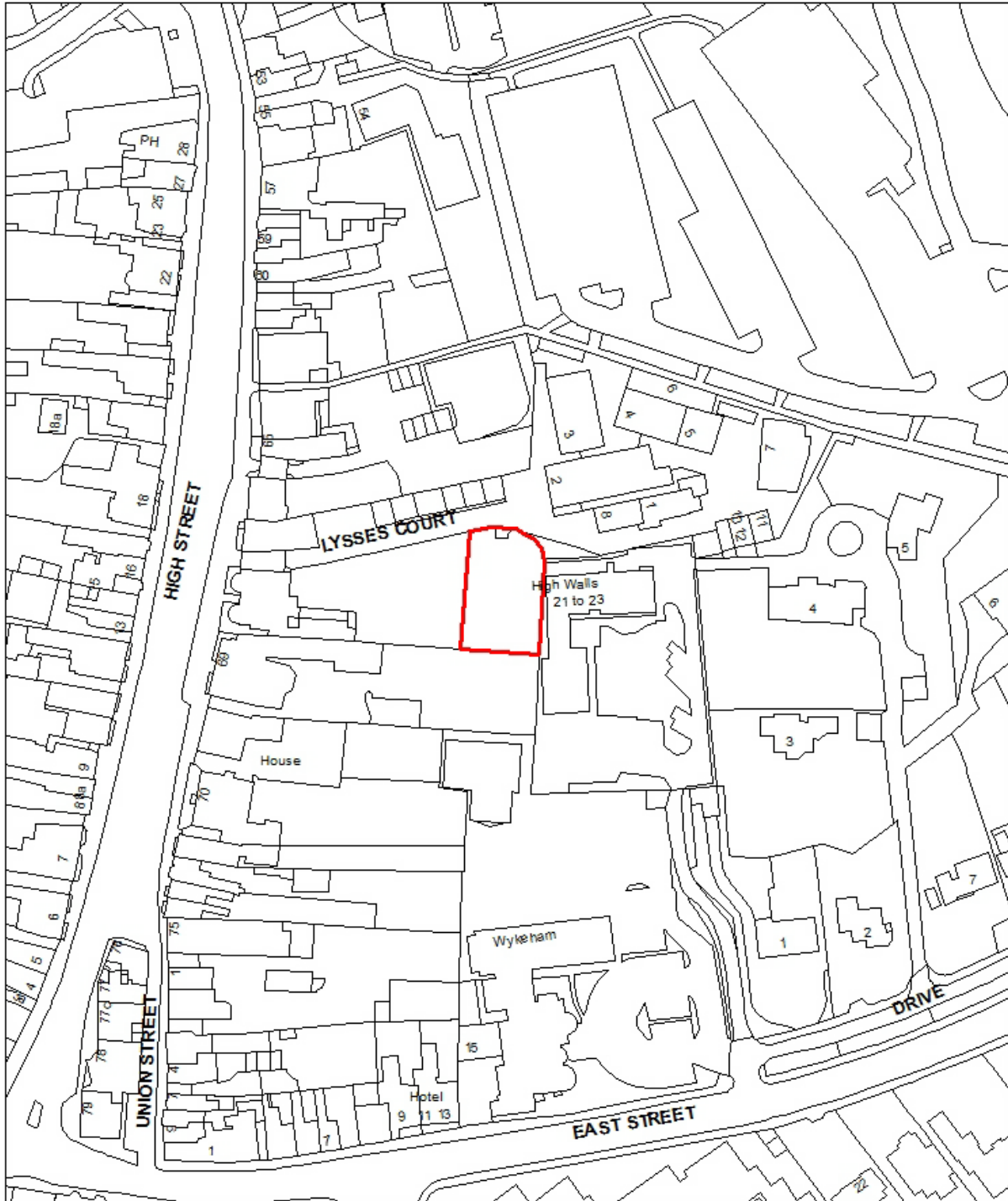
(ii) the proposal fails to identify an adequate number of off-street vehicle car parking spaces to be retained in order to enable the established lawful restaurant use of No. 68 to continue or to make provision for an alternative use of the listed building. In the absence of adequate provision of car parking spaces the development fails to cater for both proposed and existing uses at the site and would lead to situations prejudicial to highway safety due to increased on street vehicle parking.

Background Papers

P/13/0095/FP; P/13/0095/CU; P/13/0625/FP; P/13/973/FP; P/14/0056/CU; P/14/0052/FP

FAREHAM

BOROUGH COUNCIL



68 High Street
Scale 1:1250

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