

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 15 November 2023

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** N J Walker (Chairman)

**Councillor** I Bastable (Vice-Chairman)

**Councillors:** Miss J Burton, M J Ford, JP, Mrs C L A Hockley, S Ingram, P Nother, Mrs S M Walker and S Dugan (deputising for D G Foot)

**Also Present:** Councillor Mrs P Hayre (Item 6(1)) and Councillor Mrs J Needham (Item 6(1))



**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillor D G Foot and Councillor M J Ford, JP (who confirmed that he would join the meeting but would not be there for the first item).

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 11 October 2023 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements made at this meeting.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No	Dep Type
<b>ZONE 1 – 2.30pm</b>					
<b>ZONE 2 – 2.30pm</b>					
<b>ZONE 3 – 2.30pm</b>					
Mr Andy Pomfrett		LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE STUBBINGTON – DEED OF VARIATION TO SECTION 106 UNILATERAL	<b>Opposing</b>	6(1) Q/0826/23 Pg 19	<b>Written</b>

		UNDERTAKING DATED 10 NOVEMBER 2021 REGARDING APPLICATION P/20/0522/FP, RELATING TO TEMPORARY ACCESS ARRANGEMENTS TO ENABLE OCCUPATION OF DWELLINGS IN ADVANCE OF COMPLETION OF MAIN SITE ACCESS ROAD FROM PEAK LANE			
Mr Paul Bulgari		-DITTO-	-Ditto-	-Ditto-	Written
Mr Andy Barron		-DITTO-	Supporting	-Ditto-	In Person (3 mins)
Mr Tom Stocker (Agent)		LAND AT FARADAY BUSINESS PARK DAEDALUS DRIVE LEE-ON-THE-SOLENT – SEARCH AND RESCUE TRAINING CENTRE WITH ACCESS, PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS	Supporting	6(2) P/23/1155/FP Pg 23	In Person (3 mins)

**6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS**

The Committee noted a report by the Director of Planning and Regeneration on the development control matters, including information on new appeals and decisions.

**(1) Q/0826/23 - LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE STUBBINGTON**

The Committee received the deputations referred to in Minute 5 above.

At the invitation of the Chairman, Councillor Mrs J Needham addressed the Committee on this item.

At the invitation of the Chairman, Councillor Mrs P Hayre addressed the Committee on this item.

Upon being proposed and seconded the officer recommendation to authorise a deed of variation to the legal agreement to enable the provision of the temporary access arrangements in accordance with the advice of the Highway Authority into the site for residents and the occupation of no more than 30 dwellings on site until the primary access road from Peak Lane is constructed and completed, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that the deed of variation to the legal agreement to enable the provision of the temporary access arrangements in accordance with the advice of the Highway Authority into the site for residents and the occupation of no more than 30 dwellings on site until the primary access road from Peak Lane is constructed and completed be APPROVED.

**(2) P/23/1155/FP - LAND AT FARADAY BUSINESS PARK DAEDALUS DRIVE FAREHAM**

*(Councillor M J Ford, JP joined the meeting at the start of this item and was present for the whole of the item).*

The Committee received the deputation referred to in Minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information: -

*Amend Paragraph 9.3 to state:*

*DELEGATE authority to the Head of Planning to:*

- (a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreements; and*
- (b) Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.*

*Amend Conditions 4 and 16*

*Following receipt of an intrusive ground survey report and further consideration by the Council's Contaminated Land Officer, the prior commencement intrusive survey is no longer required, and Conditions 4 and 16 amended to the following:*

*Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered. Works shall not recommence before an investigation and risk assessment of the identified ground conditions have been undertaken and details of the findings, along with a detailed remedial scheme, if required, have been submitted to and approved in writing by the Local Planning Authority.*

*REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.*

*Delete Conditions 6 and 7*

*These conditions relate to the submission of a Written Scheme of Investigations for archaeology for the element of the application relating to Phase 1, access road and was based on the consultation response from the County Archaeologist which cover the whole site. Following further consideration of the phasing of the development, the County Archaeologist is content that the level of risk to any archaeology below the already tarmacked access road would be negligible to warrant the removal of the requirements to undertake archaeological assessments of this part of the site.*

*The archaeological assessment Condition relating to the main application site (building etc) remains.*

The Planning Officer also provided the following Verbal Update:

*Since the publication of the report the no objections to the application has been received from the Lead Local Flood Authority.*

Upon being proposed and seconded the officer recommendation to:

- (i) GRANT planning permission, subject to: -
  - (i) Consideration of the following:
    - i) Any comments of Hampshire County Council (Highways);
    - ii) Any comments received from Natural England in response to the Council's Appropriate Assessment;
    - iii) Any comments received from the Solent Airport Manager; and
    - iv) Any conditions, additional conditions or modification to the proposed conditions, any of the Consultees may recommend;
  - (ii) The completion of legal undertakings pursuant to Section 106 of The Town and Country Planning Act 1990, on terms to the satisfaction of the solicitor to the Council, relating to:
    - Securing the use of suitable land for off-site Biodiversity Net Gain provision;
    - Securing the use of the site at Mill Lane, Titchfield as compensatory habitat for the partial loss of the Secondary Support Area (F13A) of the Solent Waders and Brent Geese network; and
    - Securing the provision and implementation and monitoring of a Travel Plan
  - (iii) The Conditions in the report;

- (iv) The amended conditions 4 and 16 as set out in the Update Report; and
- (v) The deletion of conditions 6 and 7 of the Update Report.

Then

- (ii) DELEGATE authority to the Head of Planning to:
  - (a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreements; and
  - (b) Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that: -

- (i) PLANNING PERMISSION be granted, subject to: -
  - (i) Consideration of the following:
    - i) Any comments of Hampshire County Council (Highways);
    - ii) Any comments received from Natural England in response to the Council's Appropriate Assessment;
    - iii) Any comments received from the Solent Airport Manager; and
    - iv) Any conditions, additional conditions or modification to the proposed conditions, any of the Consultees may recommend;
  - (ii) The completion of legal undertakings pursuant to Section 106 of The Town and Country Planning Act 1990, on terms to the satisfaction of the solicitor to the Council, relating to:
    - Securing the use of suitable land for off-site Biodiversity Net Gain provision;
    - Securing the use of the site at Mill Lane, Titchfield as compensatory habitat for the partial loss of the Secondary Support Area (F13A) of the Solent Waders and Brent Geese network; and
    - Securing the provision and implementation and monitoring of a Travel Plan
  - (iii) The Conditions in the report;
  - (iv) The amended conditions 4 and 16 as set out in the Update Report; and

- (v) The deletion of conditions 6 and 7 of the Update Report.

Then

- (ii) AUTHORITY BE DELEGATED to the Head of Planning to:
  - (a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreements; and
  - (b) Make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

**(3) Planning Appeals**

The Committee noted the information in the report.

**(4) UPDATE REPORT**

The Update Report circulated prior to the meeting and was considered along with the relevant agenda item.

(The meeting started at 2.30 pm  
and ended at 3.37 pm).

..... Chairman

..... Date