

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 25 January 2017

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors: B Bayford, J E Butts, T M Cartwright, MBE, P J Davies,
K D Evans, M J Ford, JP and R H Price, JP

**Also
Present:**



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes if the Planning Committee held on 14 December 2016 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct, the following Councillors declared an interest in the applications referred to:-

Name	Application Number/Site	Minute Number
Councillor Cartwright	P/16/1231/D3 Land Off Vulcan Way Daedalus East Fareham	8 (6)
Councillor Ford, JP	-Ditto-	8 (6)
Councillor Butts	-Ditto-	8 (6)

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
ZONE 1 – (Items 1 & 2 only) 2.30pm				
Mr S Brown (Agent)		LAND EAST OF BROOK LANE WARSASH SO31 9FE – OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT	Supporting	8 (1) P/16/0959/OA Pg 26

		FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 180 DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS & ACCESS FROM BROOK LANE		
Mr S Packer (Agent)		LAND TO THE EAST OF BROOK LANE & SOUTH OF BROOKSIDE DRIVE WARSASH – OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 85 DWELLINGS WITH PUBLIC OPEN SPACE, ACCESS FROM BROOK LANE, LANDSCAPING WORKS, INCLUDING DEMOLITION OF EXISTING REDUNDANT NURSERY BUILDINGS	Supporting	8 (2) P/16/1049/OA
ZONE 1 (items 3 & 4) – 4pm				
Mr N Ellis (Agent)		230 WARSASH ROAD WARSASH SO31 9JF – DEMOLITION OF THE EXISTING DETACHED GARAGE AND CONSTRUCTION OF A NEW 2 BEDROOM DETACHED BUNGALOW	Supporting	8 (3) P/16/1236/FP Pg 55
Mr M Knappett		17 LIPIZZANER FIELDS WHITELEY FAREHAM PO15 7BH – TWO STOREY EXTENSION	Opposing	8 (4) P/16/1278/FP Pg 63
Mr I Donohue		-Ditto-	Supporting	-Ditto-
ZONE 2 – 4pm				

ZONE 3 – 4pm				

6. SPENDING PLANS 2017/18

The Committee considered a report by the Director of Finance and Resources on the overall level of revenue spending for the Committee. The report also set out the revised budget for 2016/17 and the base budget for 2017/18.

RESOLVED that the Committee:

- (a) agree the revised budget for 2016/17 and the base budget for 2017/18;
- (b) notes the fees and charges for 2017/18; and
- (c) recommends the budget to Council for approval.

7. ACTUAL REVENUE EXPENDITURE 2015/16

The Committee considered a report by the Director of Finance and Resources which sets out details for the actual revenue expenditure for 2015/16.

RESOLVED that the content of the report be noted.

8. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/16/0959/OA - LAND EAST OF BROOK LANE WARSASH SO31 9FE

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:- *Three further comments received from local residents unable to attend the Planning Committee raising the following matters:*

*It would be interesting to see what HCC highways have in mind;
Highway improvements are needed before considering further development;
How will wildlife issues be overseen?*

Impact on local infrastructure appears to have been dismissed. Housing development cannot be considered in isolation and must be a well considered, overall strategy for the area;
Brownfield sites should not be used;
Local roads cannot cope;
Where is the overall plan for the area?

Upon being proposed and seconded, the Officer Recommendation to refuse planning permission, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

(a) the proposal represents development outside the defined urban settlement boundary for which there is no justification or overriding need and would adversely affect its landscape character, appearance and function.

(b) the proposal would result in the loss of Grade 1 and Grade 2 agricultural land;

(c) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

(d) in the absence of a financial contribution or legal agreement to secure such, the proposal would result in an increase on the adjoining road network and its junctions to the detriment of the users of the highway;

(e) in the absence of a legal agreement securing a Travel Plan, the proposed development would not make the necessary provision to ensure 'reduce and manage measures' are in place to assist in reducing the dependency on the use of the private motorcar;

(f) in the absence of a legal agreement securing provision of open space and facilities and their associated management, the recreational needs of residents of the proposed development would not be met;

(g) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(h) had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its long-term maintenance.

Note for information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address points c – h of the above by the applicant entering into legal agreement with Fareham Borough Council and Hampshire County Council.

(2) P/16/1049/OA - LAND TO THE EAST OF BROOK LANE & SOUTH OF BROOKSIDE DRIVE WARSASH

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:- *Page 48, DESIGN, refers to the density if the proposed development and its comparison with the adjacent Strawberry Fields. For Members information the proposed net density equates to 35 dph which is less than Strawberry Fields which has a net density of approximately 40 dph.*

The applicant has confirmed the development will be predominantly two storey with some limited 2.5 storey.

One further comment has been received from a local resident not able to attend the Committee meeting raising the following comments:

The proposal will be an extension of the Strawberry Fields development which is over developed and buildings too high, totally changing the character of Warsash;

Lack of parking in Locks Heath Shopping Centre;

The footpath alongside my property should be removed;

If the proposal is permitted I will consider moving;

Loss of privacy.

Upon being proposed and seconded, the officer recommendation to refuse planning permission, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13 and DSP15 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

(a) the proposal represents development outside of the defined urban settlement boundary for which there is no justification or overriding need and would adversely affect its landscape character, appearance and function;

(b) in the absence of a financial contribution or a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

(c) had the Council been minded to grant planning permission then a highway contribution would have been secured towards highway improvements as a result of the potential cumulative effects of development in the vicinity;

(d) in the absence of a legal agreement securing provision of open space and facilities and their associated management, the recreational needs of residents of the proposed development would not be met;

(e) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;

(f) had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its long-term maintenance.

Note for information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address points b – f of the above by the applicant entering into legal agreement with Fareham Borough Council.

(3) P/16/1236/FP - 230 WARSASH ROAD WARSASH FAREHAM SO31 9JF

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

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report together with an additional condition requiring an acoustic boundary fence to be provided prior to the occupation of the dwelling, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report together with an additional condition requiring an acoustic boundary fence to be provided prior to the occupation of the dwelling, PLANNING PERMISSION be granted.

(4) P/16/1278/FP - 17 LIPIZZANER FIELDS WHITELEY FAREHAM PO15 7BH

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

The Committee requested that an additional condition be imposed requiring details of materials to be submitted to and agreed with the local planning authority prior to development commencing.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to:-

(i) the conditions in the report; and

(ii) an additional condition requiring details of materials to be submitted to and agreed with the local planning authority prior to development commencing.

Was voted on and CARRIED.

(Voting: 7 in favour; 2 against)

RESOLVED that subject to:-

(i) the conditions in the report; and

(ii) an additional condition being imposed requiring materials to be submitted to and agreed with the local planning authority prior to development commencing.

PLANNING PERMISSION be granted.

**(5) P/16/1333/FP - LAND TO REAR OF 10-20 TEWKESBURY AVENUE
FAREHAM POI15 6LL**

The Committee's attention was drawn to the Update Report which contained the following information:- *The applicant has made the financial contribution towards the Solent Recreation Mitigation Strategy (SRMS). They have also provided more detail in relation to reptile mitigation such that the Council's ecologist has advised that the remaining matters can be made subject of appropriately worded planning conditions (see below). Lastly Officers have made a minor adjustment to suggested condition 15 to replace the words "other persons" with "sub-contractors" and thereby make the condition more precise.*

The Officer recommendation is therefore revised as follows:

PERMISSION subject to the conditions set out in the main report including condition 15 which is to be worded as below and with the addition of conditions 16 & 17 concerning reptile mitigation:

15. At no time whilst the development hereby permitted (excluding demolition works and site preparation) is being carried out shall vehicles used by contractors or sub-contractors involved in carrying out the development be parked on the public highway Tewkesbury Avenue.

REASON: In the interests of highway safety and to ensure adequate on-street parking provision is available to meet the needs of this residential area.

16. No development shall take place until a reptile mitigation strategy has been submitted to and approved by the local planning authority. The strategy shall include:

- (i) Details of the translocation works, including plans showing where reptile fencing will be erected relative to existing reptile habitat, methodology for capture, including timings and capture effort;*
 - (ii) The results of reptile surveys conducted at the identified receptor site;*
 - (iii) The results of reptile habitat availability and capacity within the receptor site;*
 - (iv) Appropriate habitat creation options for increasing the receptor sites capacity for the slow-worm population;*
 - (v) A work schedule for habitat maintenance (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);*
 - (vi) Monitoring and remedial / contingencies measures triggered by monitoring;*
 - (vii) Personnel responsible for implementation of the plan.*
- The development shall be carried out fully in accordance with the approved reptile mitigation strategy.*
- REASON: To ensure appropriate reptile mitigation measures are carried out.*

17. None of the dwellings hereby permitted shall be occupied until a report by an ecologist detailing the results of the reptile translocation and confirming that the proposed habitat creation works have been carried out as per the approved reptile mitigation strategy has been submitted to and approved by the local planning authority in writing.

REASON: To ensure appropriate reptile mitigation measures are carried out.

Members requested that Condition 13 be amended following discussion with the school.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to:-

- (i) the conditions in the report;
 - (ii) the conditions in the update report; and
 - (iii) the amendment of Condition 13 following discussions with the school.
- Was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:-

- (i) the conditions in the report;
 - (ii) the conditions in the update report; and
 - (iii) the amendment of Condition 13 following discussion with the school.
- PLANNING PERMISSION be granted.

(6) P/16/1231/D3 - LAND OFF VULCAN WAY DAEDALUS EAST FAREHAM

Councillor T M Cartwright declared a non-pecuniary interest in this item as he is the Chairman of the Daedalus Working Group and the Daedalus Anniversary Group.

Councillors J E Butts and M J Ford, JP declared a non-pecuniary interest in this item as they are both members of the Daedalus Working Group.

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

CONSULTATIONS:

Contaminated Land: No objection subject to conditions.

Ecology: Further Comments:

- It would be more sensible to secure the grassland management at the site rather than attach a condition which specifically relates to skylark and biodiversity enhancement.

AMENDED RECOMMENDATION:

*- Amend Condition 2 to include the following drawing:
11316_TOPO + SERVICES – Ferrous Cont. Overlay*

Add the following conditions:

13) (i) No development shall take place until further site investigations, particularly targeted to the proposed soft landscaping areas, to include relevant contaminants, asbestos and an assessment of the risks posed to human health shall be accrued out. The results of this investigation shall be submitted to and approved in writing by the local planning authority.

(ii) Where any site investigations pursuant to part (i) of this condition reveals a risk to receptors, a strategy of remedial measures and detailed method statement to address the identified risks shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

(iii) Prior to the first occupation of any of the buildings hereby permitted, the agreed remedial measures shall be fully implemented and verified in writing by an independent competent person. The validation is required to confirm that the remedial works have been implemented in accordance with the agreed remedial strategy and shall include photographic evidence and 'as-built' drawings as appropriate.

REASON: To ensure the development is constructed and operates in a safe manner.

14) (i) Any ground reduction and open evacuation works which fall within the areas shaded grey/orange with a black boarder on drawing "11316_TOPO + SERVICES – Ferrous Cont. Overlay" shall be undertaken under the supervision of a Unexploded Ordnance (UXO) specialist, in accordance with UXO watching brief.

(ii) Any deep intrusive works which fall within the areas shaded grey/orange with a black boarder on drawing "11316_TOPO + SERVICES – Ferrous Cont. Overlay" shall be subject to a UXO intrusive magnetometer survey.

(iii) Prior to the first occupation of any of the buildings hereby permitted, a report which details the scope of the watching brief and/or intrusive magnetometer survey, with dates and confirmation that no items of Ordnance were found shall be submitted to and approved in writing by the Local Planning Authority. If items of Ordnance are discovered during the above works then these items shall be appropriately recorded and cleared from the

site. A report confirming clearance of UXO shall be submitted to and approved in writing by the Local Planning Authority prior to any other development taking place.

REASON: To ensure the development is constructed and operates in a safe manner.

15) Following the removal of the existing areas of hardstanding but prior to any other development taking place (including ground works and site preparation) a radiological survey and risk assessment to areas previously covered by the hardstanding shall be carried out. The results of this survey shall be submitted to and approved in writing by the Local Planning Authority prior to any other development taking place.

REASON: To ensure the development is constructed and operates in a safe manner.

16) If items of radioactive material are discovered during the radiological survey undertaken pursuant to condition 15 above, these items shall be cleared from the site. Prior to the first occupation of any of the buildings hereby permitted a report confirming clearance of any radiological material shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development is constructed and operates in a safe manner.

17) Should contamination be encountered during the works that has not been investigated or considered in the agreed scheme of remedial measures, all work must stop. A scheme for further investigation, risk assessment and a detailed remedial method statement shall be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of work. The development shall be undertaken in accordance with the approved details.

REASON: To ensure that development is constructed and operates in a safe manner.

18) Prior to the first occupation of any of the buildings hereby permitted a grassland management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall relate to the grassed areas within the application site specifically to the north of Hangers 3-5. The development shall be undertaken in accordance with the approved details.

REASON: In the interest of biodiversity and to ensure the development is constructed to ensure the safe operation of the airport.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report and the update report, was voted on and CARRIED.

(Voting 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report and the update report, PLANNING PERMISSION be granted.

(7) Planning Appeals

The Committee noted the information in the report.

(8) UPDATE REPORT

The Update Report was tabled at the meeting and considered with the relevant agenda item.

9. TREE PRESERVATION ORDERS

The Committee considered a report by the Director of Planning and Regulation regarding Tree Preservation Order No. 728 (2016) to which one objection has been received.

Upon being proposed and seconded the officer recommendation to confirm Tree Preservation Order 728 (2016), with a modification to the situation of T1 in the schedule and its position on the map, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that Tree Preservation Order No. 728 is confirmed as made and served.

10. TREE PRESERVATION ORDER NO 728 - 193 HUNTS POND ROAD, TITCHFIELD COMMON

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which had been made under delegated powers and to which no formal objection had been received.

Fareham Borough Tree Preservation Order No. 734 (2016) – 37 Heathfield Avenue

Order served on 10 November 2016 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No. 734 be confirmed as made and served.

Fareham Borough Tree Preservation Order No. 735 (2016) – 40 Iron Mill Close

Order served on 30 November 2016 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No. 735 be confirmed as made and served.

Fareham Borough Tree Preservation Order No. 736 (2016) – September Cottage Brook Avenue Warsash

Order served on 6 December 2016 for which there were no objections.

RESOLVED that Fareham Tree Preservation Order No. 736 be confirmed as made and served.

(The meeting started at 2.30 pm
and ended at 5.15 pm).

