

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 21 February 2018

Venue: Octagon Room, Ferneham Hall

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors: B Bayford, K D Evans, M J Ford, JP, R H Price, JP,
Mrs C L A Hockley (deputising for T M Cartwright, MBE) and
L Keeble (deputising for Mrs K Mandry)

Also Present: Councillor's; Mrs S M Bayford (Item 6 (3)), Miss S M Bell,
Executive Member for Leisure and Community (Item 6 (13)),
S Cunningham (Item 6 (13)) and Councillor T M Cartwright,
Executive Member for Health and Public Protection (Items 6 (2)
and 6 (4))



1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors; T M Cartwright, Mrs K Mandry and P J Davies.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee held on 24 January 2018 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 declarations of interest were made at this meeting:

Councillor M J Ford, JP declared a non-pecuniary interest in item 6(2) – Land to South West of Sovereign Crescent as he has discussions with residents where he had discussed his opinion. He left the room for the remainder of this item and took no part in the discussion or vote to avoid any per-determination issues.

Councillor Price, JP declared a non-pecuniary interest in item 6(3) – Land off Heath Road as this is a Hampshire County Council application, and he is a Hampshire County Councillor.

Councillor K D Evans declared a non-pecuniary interest in Item 6(3) – Land off Heath Road as this a Hampshire County Council application, and he is a Hampshire County Councillor.

Councillor L Keeble declared a non-pecuniary interest in Item 6(11) – Unit 1 Blackbrook Business Park as the applicant is known to him, and he has previously employed them to undertake work on his property. He left the room for the remainder of the item and took no part in the discussion or vote on this item.

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 Application No/Page No	No/
ZONE 1 – 2.30pm					

Mr D Ramsay (Agent)		123 BARNES LANE SARISBURY GREEN SOUTHAMPTON SO31 7BH – DEMOLITION OF EXISTING DWELLING AND ERECTION OF 75 BED CARE HOME	Supporting	6 (1) P/17/0984/FP Pg 19
Mr D Madden		-Ditto-	-Ditto-	-Ditto-
Mr R Hardwick		LAND TO SOUTH WEST OF SOVEREIGN CRESCENT LOCKS HEATH SOUTHAMPTON PO14 4LU – CONSTRUCTION OF 46 DWELLINGS AND ASSOCIATED ACCESS FROM THE FLORINS (OUTLINE APPLICATION WITH APPROVAL SOUGHT FOR ACCESS AND LAYOUT)	Opposing	6 (2) P/17/1055/OA Pg 31
Michael Knappett (Agent)		-Ditto-	Supporting	-Ditto-
Mr P Corney		LAND OFF HEATH ROAD LOCKS HEATH SOUTHAMPTON SO31 6SJ – RESIDENTIAL DEVELOPMENT OF 70 DWELLINGS WITH MEANS OF VEHICULAR ACCESS FROM HEATH ROAD (OUTLINE APPLICATION)	Opposing	6 (3) P/17/1366/OA Pg 48
Ms D Smith		-Ditto-	-Ditto-	-Ditto-
Mrs L Churchill		-Ditto-	-Ditto-	-Ditto-
Ms S Durkin		85 CHURCH ROAD WARSASH SO31 9GD – GARAGE TO SIDE EXTENSION AND FRONT CANOPY, ALTERNATIVE TO P/17/0488/FP (RETROSPECTIVE APPLICATION)	Opposing	6 (4) P/17/1434/FP Pg 61
Mr E Walters		MYRTLE COTTAGE SWANWICK SHORE	Supporting	6 (6) P/17/1516/FP

		ROAD SWANWICK SO31 7EF – TWO STOREY REAR EXTENSION, SINGLE STOREY REAR AND SIDE EXTENSIONS, CONVERSION AND ALTERATIONS TO EXISTING GARAGE, FRONT BALCONY WITH BAY BENEATH, FENESTRATION CHANGES AND BOUNDARY WALL ALTERATIONS		Pg 76
Mrs B Clapperton	The Fareham Society & Mr P Hobbs	50 NEWTOWN ROAD WARSASH SO31 9FZ – REPACEMENT DWELLING, CAR EMPORIUM, POOL HOUSE AND DETACHED GARAGE	Opposing	6 (8) P/17/1494/FP Pg 86
Mr E Fitzsimmons (Agent)		-Ditto-	Supporting	-Ditto-
Mr M Knappett (Agent)		LAND OFF SOPWITH WAY SWANWICK SOUTHAMPTON SO31 7AY – ERECTION OF UP TO 43 DWELLINGS WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING AND SURFACE WATER DRAINAGE (OUTLINE APPLICATION CONSIDERING ACCESS ONLY)	Supporting	6 (9) P/17/0895/OA Pg 94
Mr R Gambie		-Ditto-	Opposing	-Ditto-
ZONE 2 – 4.45pm				
Mr R Powell (Agent)		SAWMILLS INDUSTRIAL PARK WICKHAM ROAD – DEMOLITION, SITE CLEARANCE AND REMEDIATION WITH THE ERECTION OF 72 C3 RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS, PARKING,	Supporting	6 (10) P/17/0189/FP Pg 113

		ANCILLIARY INFRASTRUCTURE AND LANDSCAPING WORKS		
Mr J Brewer (Agent)		-Ditto-	-Ditto-	-Ditto-
Mrs B Clapperton	The Fareham Society	-Ditto-	Opposing	-Ditto-
Mr P Glead		UNIT 1 BLACKBROOK BUSINESS PARK BLACKBROOK ROAD FAREHAM PO15 5DR - USE FOR THE MANUFACTURE AND STORAGE OF DOUBLE GLAZED UNITS (USE CLASS B2) OR FOR LIGHT INDUSTRIAL PURPOSES (USE CLASS B1 (B) OR B1(C)) AND FOR THE RETENTION OF A TIMBER FRAME REAR EXTENSION AND COVERED FREESTANDING METAL STORAGE RACKS	Opposing	6 (11) P/17/1430/FP Pg 139
Mr A Lawrence	No permission for filming	-Ditto-	-Opposing-	-Ditto-
Mr I Power		-Ditto-	Supporting	-Ditto-
Mr G Grundy		-Ditto-	-Ditto-	-Ditto-
ZONE 3 – 5.45pm				
Mr D Buczynskyj		LAND TO NORTH OF CRANLEIGH ROAD/ WEST OF WICOR PRIMARY SCHOOL PORTCHESTER PO16 9NH – RESERVED MATTERS IN RELATION TO OUTLINE APPLICATION (P/15/0260/OA): APPEARANCE OF BUILDINGS, LANDSCAPING, LAYOUT AND SCALE RELATING TO 120	Supporting	6 (13) P/17/1170/RM Pg 152

		DWELLINGS WITH NEW ACCESS FROM CRANLEIGH ROAD, PUBLIC OPEN SPACE INCLUDING A LOCALLY EQUIPPED AREA OF PLAY		

6. 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 the information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/17/0984/FP - 123 BARNES LANE SARISBURY GREEN SO31 7BH

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

The Committee’s attention was drawn to the Update Report which contained the following information:- *One further letter of support has been received in relation to this application.*

Upon being proposed and seconded the officer’s recommendation to refuse the application was voted on and CARRIED.
(Voting: 6 in favour; 2 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS2, CS5, CS6, CS14 and CS17 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP40 & DSP42 of the adopted Local Plan Part 2: Development Sites and Policies Plan;

and is unacceptable in that:

- (a) by virtue of the material increase in vehicle movements in and out of the access to the application site and the close proximity of that access to the existing vehicular access/agress point of entrance to Holly Hill Leisure Centre, the proposed development would be harmful to highway safety;
- (b) by virtue of the height, scale and massing of the proposed care home building, the proposed development fails to respond positively to and be respectful of the key characteristics of the area and would harm the appearance and character of the surrounding countryside;

- (c) had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation with regards to bats and reptiles known to be present on the site.

Notes for Information

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point c) above through the imposition of a suitably worded planning condition.

(2) P/17/1055/OA - LAND TO SOUTH WEST OF SOVEREIGN CRESCENT LOCKS HEATH PO14 4LU

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

Councillor Ford declared a non-pecuniary interest in this item as he has discussions with residents where he had discussed his opinion. He left the room for the remainder of this item and took no part in the discussion or vote to avoid any per-determination issues.

At the Invitation of the Chairman, Councillor T M Cartwright, Executive Member for Health and Public Protection addressed the Committee on this item. He left the meeting after giving his representation, and was not present during the discussion or voting on this item.

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

REPRESENTATIONS

Twenty-three further letters of objection have been received since the committee report was published.

FINANCIAL CONTRIBUTION TOWARDS EDUCATION PROVISION

Further to the advise contained in the Officer report regarding the effect of the proposed development on local infrastructure, at the Executive meeting on Tuesday 20th February it was resolved to amend the Council's CIL Regulation 123 List as recommended. With effect from 1st March 2018 reference to the funding of education provision will be removed from the revised Regulation 123 List. This will allow financial contributions towards education to be included in Section 106 agreements relating to current applications which have not been issued planning permission by 1st March.

Should Members resolve to grant planning permission for this development, Officers consider it is highly unlikely that the required Section 106 agreement would be completed before 1st march this year. Therefore, and in light of the above changes to the CIL Regulation 123 List, the Officer recommendation to the Planning Committee is that a financial contribution towards education provision be secured through an additional obligation in the suggested Section 106 agreement.

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

(Voting: 3 in favour; 4 against)

A motion was proposed and seconded to refuse planning permission and was voted on and CARRIED.

(Voting: 4 in favour; 3 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS5, CS14, CS17, CS18, CS20 & CS21 of the adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP15 & DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan and is unacceptable in that:

- (a) the approach roads to the application site, namely Sovereign Crescent and The Florins, are narrow and inadequate for the additional vehicular traffic which would be generated by the proposed development and as a result the development would be harmful to the safety and operation of the highway;
- (b) the density and layout of the proposed development would be out of keeping with the prevailing character of the adjacent urban area and as a result the development would fail to respond positively to and be respectful of the key characteristics of the area and would harm the appearance and character of the surrounding countryside;
- (c) had it not been for the overriding reasons for refusal the Council would have sought to secure the provision and transfer of the areas of open space, wildlife corridor and buffer zones to Fareham Borough Council, including associated maintenance costs;
- (d) had it not been for the overriding reasons for refusal the Council would have sought to secure pedestrian and cycle access for members of the public through the site from the footpath adjacent to the north-west corner of the site, adjacent the vehicular access formed from The Florins and through to the public bridleway adjacent to the southern edge of the site in perpetuity;
- (e) had it not been for the overriding reasons for refusal the Council would have sought to secure a financial contribution towards the Solent Recreational Mitigation Partnership (SRMP);
- (f) had it not been for the overriding reasons for refusal the Council would have sought to secure on-site affordable housing provision at a level compliant with the adopted local plan.

(3) P/17/1366/OA - LAND OFF HEATH ROAD LOCKS HEATH SO31 6SJ

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

At the invitation of the Chairman, Councillor Mrs S M Bayford addressed the Committee on this item.

Councillor's R H Price, JP and K D Evans declared a non-pecuniary interest in this item as they are both Hampshire County Councillor's and this is a Hampshire County Council application.

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

FURTHER REPRESENTATIONS

Since the publication of the Committee Report a further thirteen objections have been received from members of the public reiterating concerns already expressed.

HIGHWAYS

Officers have sought clarification from Hampshire County Council highways over the advice that no contribution towards off-site highway improvements would be required in this instance.

The application indicates that a number of the residential units on the site could be for retired people and therefore expect to generate less vehicle movements than usual. Notwithstanding, highways officers consider the applicant's transport assessment to be overly robust in estimating trip rates. They have clarified that, even if the development was for a conventional development with a mixture of private and affordable units but no retirement flats, the difference in vehicle movements generated between that which was assessed and that which could reasonably be expected would not be significant and would not alter the conclusion of their assessment.

FINANCIAL CONTRIBUTION TOWARDS EDUCATION PROVISION

Further to the advice contained in the Officer report regarding the effect of the proposed development on local infrastructure, at the Executive meeting on Tuesday 20th February it was resolved to amend the Council's CIL Regulation 123 List as recommended. With effect from 1st March 2018 reference to the funding of education provision will be removed from the revised Regulation 123 List. This will allow financial contributions towards education to be included in Section 106 agreements relating to current applications which have not been issued planning permission by 1st March.

Should Members resolve to grant planning permission for this development, Officers consider it is highly unlikely that the required Section 106 agreement would be completed before 1st March this year. Therefore, and in light of the above changed to the CIL Regulation 123 List, the Officer recommendation to the Planning Committee is that a financial contribution towards education provision be secured through an additional obligation in the suggested Section 106 legal agreement.

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; 8 in favour; 0 against)

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

(4) P/17/1434/FP - 85 CHURCH ROAD WARSASH SO31 9GD

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

At the invitation of the Chairman, Councillor T M Cartwright, Executive Member for Health and Public Protection, addressed the Committee on this item.

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

(Voting: 5 in favour; 3 against)

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

(5) P/17/1514/FP - LAND TO THE REAR OF 77 BURRIDGE ROAD SO31 1BY

The Committee's attention was drawn to the Update Report which contained the following information:- *There is a typographic error on the ninth paragraph on Page 70 of the report, where it refers to a 'self-build' dwelling. The application does not relate to a self build, and therefore the paragraph should state:*

The application proposes the erection of only 1no. open market dwelling; the current shortfall is in the region of 660 dwellings. Officers are satisfied that bullet point (l) of DSP40 is satisfied.

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

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS2, CS4, CS6 and CS14 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP1, DSP6, DSP13, DSP15 and DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plan and, the National Planning Policy Framework 2012 (particular paragraphs 6, 14 and 55) and is unacceptable in that:

- a) the provision of a dwelling in this location would be contrary to adopted Local Plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location;
- b) the introduction of a dwelling in this location would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;
- c) the site lies within a Site of Importance of Nature Conservation, for which insufficient evidence has been provided to adequately highlight the level of harm to the biodiversity and protected species on the site. Inappropriate mitigation measures would not address the current designation requirements;
- d) in the absence of 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.

Informative:

- a) The decision relates to the following plans:
 - i. Location Plan (Drawing: 12_499B_001);
 - ii. Existing Site (Drawing: 12_499B_002);
 - iii. Proposed Site (Drawing: 12_449B_003);
 - iv. Dwelling (Drawing: 12_499B_005); and
 - v. Garage (Drawing: 12_499B_006).

(6) P/17/1516/FP - MYRTLE COTTAGE SWANWICK SHORE ROAD SO31 7EF

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, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

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

(7) P/17/1531/FP - 21 CAMBRIDGE GREEN FAREHAM PO14 4QR

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

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted.

(8) P/17/1494/FP - 50 NEWTOWN ROAD WARSASH SO31 9FZ

The Committee received the deputations 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, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

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

(9) P/17/0895/OA - LAND OFF SOPWITH WAY SWANWICK SO31 7AY

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

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

ECOLOGY UPDATE

The Butterfly Survey has been amended to confirm the absence of the purple emperor butterfly and to include management of the butter along the north of the site to improve its suitability for butterflies. The Ecologist has raised no objection to the ecology buffer along the north of the site.

In response to the Ecologist's concerns about lack of north-south connectivity through the site for reptiles and great crested newts, a revised layout plan has been submitted which incorporates a narrow ecology buffer along the west of the site.

The provision of an ecology buffer along the west of the site to improve north-south connectivity is acceptable in principle, however the buffer proposed is not acceptable for a number of reasons:

- Firstly, the buffer is not continuous and contains a number of gaps including several culverts;*
- Secondly, some of the land proposed as a buffer is located beyond the site and is therefore not in the control of the applicant;*
- Thirdly, there is nothing to separate the proposed buffer from the front of the adjacent dwellings. As there is insufficient space for these properties next to the buffer to have front gardens, this would put the buffer under additional pressure.*

An ecology objection therefore remains, on the grounds that the buffer would not provide adequate connectivity through the site for reptiles and great crested newts. The proposed development would therefore fail to protect reptiles and great crested newts' habitat and would result in fragmentation of the biodiversity network contrary to Policy DSP13 and the NPPF paragraph 117.

FINANCIAL CONTRIBUTION TOWARDS EDUCATION PROVISION

Further to advice contained in the Officer report regarding the effect of the proposed development on local infrastructure, at the Executive meeting on Tuesday 20th February it was resolved to amend the Council's CIL Regulation 123 List as recommended. With effect from 1st March 2018 reference to the funding of education provision will be removed from the revised Regulation 123 List. This will allow financial contributions towards education to be included in Section 106 agreements relating to current applications which have not been issued planning permission by 1st March.

In light of the above updates, it is recommended that the reason for refusal part (c) is amended and that an additional reason for refusal part (j) is included as follows:

(c) insufficient information has been provided to demonstrate that the development could provide adequate north-south connectivity for wildlife including protected species;

(j) in the absence of a legal agreement securing provision of a financial contribution towards education; the educational needs of residents of the proposed development would not be met.

Upon being proposed and seconded, the officer recommendation to refuse planning permission was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS9, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan.

And, Paragraph 109 of the National Planning Policy Framework;
and is unacceptable in that:

- (a) The provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location. Furthermore, the development would not be sustainably located adjacent to or well integrated with neighbouring settlements;
- (b) The density of the proposed development would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;
- (c) Insufficient information has been provided to demonstrate that the development could provide adequate north-south connectivity for wildlife including protected species;

- (d) 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;
- (e) Had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of the local plan;
- (f) 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;
- (g) In the absence of 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;
- (h) In the absence of a legal agreement securing provision of open space and facilities and the associated management and maintenance, the recreational needs of residents of the proposed development would not be met;
- (i) In the absence of a legal agreement to secure such, the proposal fails to mitigate against the adverse effects of the development on the safety and operation of the strategic and local highway network in the form of a financial contribution towards a Traffic Regulation Order; and
- (j) In the absence of a legal agreement securing provision of a financial contribution towards education; the educational needs of residents of the proposed development would not be met.

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 point d) above through the imposition of a suitably worded planning condition and points e) – j) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990.

(10) P/17/0189/FP - SAWMILLS INDUSTRIAL PARK WICKHAM ROAD

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

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

REPRESENTATIONS

Once further letter has been received:

- *Support as this is brownfield and allocated in the Welborne Plan. This should be approved as part of Welborne as the failure to bring about the development has put villages in the western wards in particular in greater peril.*
- *I don't understand why its recommended for refusal when hundreds of homes in Warsash on greenfield sites are being recommended for permission.*

CONSULTATIONS:

Hampshire County Council: Highway Authority

Objection:

- *Revised speed survey data is required by HCC in order to confirm that the visibility splays being proposed are acceptable.*

HIGHWAYS AND ACCESS TO THE A32:

Speed Survey data was requested from the applicant in order to confirm that the proposed visibility splays for both access points – the A32 and Forest Lane – were suitable for the speeds of the road. The speed survey data that was provided was for the A32 only.

The A32 data was taken from the Buckland Developments Application (P/17/0266/OA) and the location that the Automatic Traffic Counter was carried out at was provided as 'A42 south of Knowle Road', a more specific location was not provided. For this reason, the Highway Authority cannot be certain that speed surveys were carried out in the vicinity of the site access. Therefore, the Highway Authority requires new speed surveys to be carried out within the vicinity of the site on the A32 to address the above concern. In the absence of this information the Highway Authority are unable to confirm that the proposed visibility splays are appropriate and that the access would be safe.

Visibility splays have been provided in the amended plans for the planned dwellings on Forest Lane. Speed survey data was also requested for Forest Lane to confirm that the visibility splays proposed concurred with the speed of the road which is a national speed limit. The requested data has not been provided by the appellant and the Highway Authority therefore cannot confirm that the proposed visibility splays are acceptable and that the access to Forest lane is safe.

RECOMMENDATION:

A further reason for refusal is added to those in the main agenda to reflect the Highway Authority advice. The additional reason for refusal is as follows:

6) Insufficient speed data has been submitted to validate the proposed highway visibility splays to the A32 and along Forest Lane. In the absence of

appropriate speed survey data the Local Planning Authority cannot conclude that the proposed access can safely accommodate the development traffic proposed. As such the proposal would result in an unacceptable impact on the safety of users of the development and adjoining highway contrary to Policies WEL23 and WEL25 of the Welborne Plan and paragraph 32 of the National Planning Policy Framework.

Amended Informative:

Had it not been for the recommended overriding reasons for refusal to the proposal (reasons 1 and 2 above), the Local Planning Authority would have sought to, and will continue to in advance of the appeal being heard, address reasons 3), 4) and 6) through the receipt of additional information from the appellant and the consideration of suitably worded planning conditions following receipt of this further information; and reason 5) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council pursuant to Section 106 of the Town & Country Planning Act 1990.

Upon being proposed and seconded the officer recommendation that had Members had the opportunity to determine the planning application, they would have refused it, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that had Members had the opportunity to determine this application PLANNING PERMISSION would have been REFUSED for the following reasons:

Reasons for Refusal

- 1) The design of the proposed development, by virtue of the overall layout, the arrangement of buildings, open spaces and the scale and bulk of the buildings, the parking arrangements and the inadequacy of the communal garden area for the proposed flats would not accord with the general design principles set out within the Welborne Plan, specifically policies WEL2, WEL6, WEL29, WEL31 and WEL32 or the advice in the Welborne Design Guide Supplementary Planning Document. The resulting development would result in a poorly planned residential scheme to the detriment of an area identified as the edge of the Welborne development within the woodland character area.
- 2) In the absence of a financial appraisal to detail the appropriate apportionment of costs attributed to the Welborne Infrastructure Delivery Plan; the Local Planning Authority cannot come to an informed view that the proposal is providing an appropriate proportion of Infrastructure to the wider Welborne infrastructure costs. In the absence of this necessary financial justification, the proposal is considered to be contrary to policy WEL41 of the Welborne Plan.
- 3) Insufficient site investigation information has been submitted regarding the ground contamination on site, specifically the gas risk assessment and remediation strategy. In the absence of an appropriate gas risk assessment the Local Planning Authority cannot conclude that the development would not have an adverse impact on health and general

amenity. The proposed development is therefore considered to be contrary to paragraphs 120 and 121 of the National Planning Policy Framework.

- 4) Inadequate survey and mitigation information has been submitted in order for the Local Planning Authority to conclude that the development would not have an adverse impact on protected species, specifically Dormice. The proposed development is therefore considered to be contrary to Policy WEL31 of the Welborne Plan and the advice in Circular 06/2005 and paragraph 118 of the National Planning Policy Framework.

- 5) In the absence of a legal agreement pursuant to Section 016 of the Town and Country Planning Act to secure:
 - Public Open Space provision on site;
 - Provision of the local area for play;
 - Management arrangements for the onsite open space including a management plan, bonded maintenance sum and step in rights for the local authority in the event that the management company fails to exist or the management of the open space does not meet the expected standards within the management plan;
 - Contribution towards the Solent Recreational Mitigation Strategy (SRMS);
 - A32/New Site access junction works;
 - Forest Lane improvement works;
 - Travel plan;
 - Routing agreement for construction traffic;
 - 30% affordable housing (70% affordable or social rent with the remaining 30% intermediate tenures) including their subsequent retention in perpetuity to occupation by households in housing need and ensuring that the units are dispersed throughout the development;
 - 3 (affordable rented) houses designed to be wheelchair accessible;
 - Construction Employment and Skills Plan;

The proposed development would place an unacceptable burden on the existing local infrastructure exacerbating deficiencies in the provision or quality of local services and amenities. The development would therefore be contrary to Policies WEL18, WEL20, WEL23, WEL27, WEL29, WEL30, WEL35 and WEL43 of the Welborne Plan.

- 6) Insufficient speed data has been submitted to validate the proposed highway visibility splays to the A32 and along Forest Lane. In the absence of appropriate speed survey data the Local Planning Authority cannot conclude that the proposed access can safely accommodate the development traffic proposed. As such the proposal would result in an unacceptable impact on the safety of users of the development and adjoining highway contrary to Policies WEL23 and WEL25 of the Welborne Plan and paragraph 32 of the National Planning Policy Framework.

Notes for Information:

Had it not been for the recommended overriding reasons for refusal to the proposal (reasons 1 and 2 above), the Local Planning Authority would have

sought to, and will continue to in advance of the appeal being heard, address reasons 3), 4) and 6) through the receipt of additional information from the appellant and the consideration of suitably worded planning conditions following receipt of this further information; and reason 5) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council pursuant to Section 106 of the Town & Country Planning Act 1990.

**(11) P/17/1430/FP - UNIT 1 BLACKBROOK BUSINESS PARK
BLACKBROOK ROAD PO15 5DR**

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

Councillor Keeble declared a non-pecuniary interest in this item as the applicant is known to him and he has previously employed them to undertake work on his property. He left the room for the remainder of the item and took no part in the discussion or vote on this item.

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

- (i) the conditions in the report;
- (ii) an additional condition requiring that no vehicles involved in deliveries to or collections from the site, or otherwise in connection with the use of the site, shall leave or enter the site outside of the following times; 0730 – 1700 Monday to Friday, 0730 – 1230 Saturday and not at all on Sundays or Bank Holidays; and
- (iii) an additional condition limiting the period of consent to 12 months.

Was voted on and CARRIED.
(Voting: 7 in favour; 0 against)

RESOLVED that subject to:-

- (i) the conditions in the report;
- (ii) an additional condition requiring that no vehicles involved in deliveries to or collections from the site, or otherwise in connection with the use of the site, shall leave or enter the site outside of the following times; 0730 – 1700 Monday to Friday, 0730 – 1230 Saturday and not at all on Sundays or Bank Holidays; and
- (iii) an additional condition limiting the period of consent to 12 months.

PLANNING PERMISSION be granted.

(12) P/17/1493/FP - 36 LONGFIELD AVENUE FAREHAM PO14 1BU

(Councillor K D Evans was not present for the discussion or vote on this item)

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

(Voting: 7 in favour; 0 against)

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

(13) P/17/1170/RM - LAND TO NORTH OF CRANLEIGH ROAD/WEST OF WICOR PRIMARY SCHOOL PORTCHESTER PO16 9NH

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

At the invitation of the Chairman, Councillor's S Cunningham, and Miss S Bell addressed the Committee on this item.

The Committee's attention was drawn to the Update Report which contained the following information: - *Amended plans have been submitted to improve the relationship between plots 24, 25, 26 and the dwellings behind in Brenchley Close. The garden depths of plots 24, 25, 26 now range from 11.5 m to 12.3 m which meets the guidance set out in the adopted SPD. This has also improved the back to back distances between these properties, the minimum being approximately 20 metres.*

Plots 51 and 52 which back on to properties in Quintrel Avenue have been located further away from the boundary to improve the garden sizes.

Condition 1: approved plans the following plan reference should all be deleted:

*Site Layout A-02-06-LP Rev C
Tenure Plan A-02-02-TP Rev C
Boundary Treatments A-02-04-BT Rev C
Building Heights A-02-05-BH Rev C
Material Plan A-02-03-MP Rev D
Planting Plan 2498-PP-01-P3
Planting Plan 2498-PP-02-P3
Planting Plan 2498-PP-03-P3
Planting Plan 2498-PP-04-P3
Planting Plan 2498-PP-05-P3
Trees 2498-TS-04-P3
Trees 2498-TS-03-P3
Tress 2498-TS-02-P3
Trees 2498-TS-01-P3*

The following approved plans references replace those referenced above:

*Site Layout A-02-06-LP Rev D
Tenure Plan A-02-02-TP Rev D
Boundary Treatments A-02-04-BT Rev D
Building Heights A-02-05-BH Rev D
Materials Plan A-02-03-MP Rev E
Planting Plan 2498-PP-01-P4
Planting Plan 2498-PP-02-P4
Planting Plan 2498-PP-03-P4
Planting Plan 2498-PP-04-P4
Planting Plan 2498-PP-05-P4*

Trees 2498-TS-01 P4
Trees 2498-TS-02 P4
Trees 2498-TS-03 P4
Trees 2497-TS-04 P4
Materials Schedule – Rev J

In additional Condition 1: should be altered (as a result of the amendments to plot 59 and 60) to read Corfe-1414-PL-01 plots 48, 60, 47. Chedworth-1222-PL-01 plots 59 instead of 60.

Condition 2 as set out in the report is no longer required as the landscaping for plots 59 and 60 is now shown on the revised plan and is acceptable.

Condition 4 as set out in the report is no longer required as details have been provided for planting in the front garden of plot 13 and repositioning of tree planting to the front of plots of 11 and 12.

A further representation has received relating to wildlife and the proposed mitigation.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report and the amended conditions in the update report was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

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

(14) UPDATE REPORT

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

7. TREE PRESERVATION ORDER FTPO 741 2017 - LAND OPPOSITE 90-92 HUNTS POND ROAD AND REAR OD 20-30 WHEATLANDS

The Committee considered a report by the Director of Planning and Regulation regarding Tree Preservation Order 741.

The report detailed an objection to a provisional order made in December 2017 and provided officer comments on the points raised.

RESOLVED that Tree Preservation Order 741 is confirmed.

8. PLANNING APPEALS

The Committee noted the information in the report.

(The meeting started at 2.30 pm
and ended at 9.14 pm).