

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 12 April 2023

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** N J Walker (Chairman)

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

**Councillors:** Miss J Burton, D G Foot, M J Ford, JP, Mrs C L A Hockley,  
P Nother and Mrs S M Walker

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

An apology of absence was received from Councillor S Ingram.

**2. MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Planning Committee meeting held on 15 March 2023 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcement:

“I am pleased to confirm that last week this Council formally adopted its new Local Plan, called the Fareham Local Plan 2037. It replaces the Core Strategy 2011 and the Local Plan Part 2: Development Sites and Policies, along with the policies contained within those two plans.

The Fareham Local Plan 2037 now provides the planning policy basis for making decisions on planning applications. Officers have provided updates for each of the planning applications on today’s agenda to reflect this.”

**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>					
Mr Michael Knappett (Agent)		LAND WEST OF LOCKSWOOD ROAD – OUTLINE APPLICATION FOR UP TO 27 DWELLINGS WITH ACCESS FROM LOCKSWOOD ROAD, ASSOCIATED OPEN SPACE, SUSTAINABLE	<b>Supporting</b>	6(1) P/21/1334/OA Pg 16	<b>In Person 3 minutes</b>

		DRAINAGE & LANDSCAPING			
Mr Michael Knappett (Agent)		LAND WEST OF LOCKSWOOD ROAD – OUTLINE APPLICATION FOR UP TO 11 SELF/CUSTOM BUILD DWELLINGS WITH ACCESS FROM LOCKSWOOD ROAD, ASSOCIATED OPEN SPACE, SUSTAINABLE DRAINAGE & LANDSCAPING	Supporting	6 (2) P/21/1335/OA Pg 50	In Person 3 minutes
Mr Darryl Howells (Agent)		35 BURRIDGE ROAD – PARTIAL DEMOLITION OF THE EXISTING HOUSE, MAKING GOOD THE SIDE ELEVATION, SEVER LAND AND THE ERECTION OF FOUR 4-BED DETACHED HOUSED WITH SHARED ACCESS	Supporting	6(3) P/23/0008/FP Pg 84	In Person 3 minutes
Mr Carl Freeman		-DITTO-	Supporting	-Ditto-	Written
Mr Vivian Holt	Burridge and Swanwick Residents Association	-DITTO-	Opposing	-Ditto-	Written
<b>ZONE 2 – 3.30pm</b>					
Mr Andrew Munton		LAND SOUTH OF FUNTLEY ROAD – DEED OF VARIATION OF SECTION 106 UNILATERAL UNDERTAKING REGARDING PUBLIC RIGHT OF WAY AND AFFORDABLE HOUSING OBLIGATIONS	Supporting	6 (5) Q/0495/23 Pg 111	In Person 3 minutes

<b>ZONE 3 – 3.30pm</b>					
Mr Philip Whinray		SOLENT AIRPORT DAEDALUS DRIVE – INSTALLATION OF AN AIRFIELD GROUND LIGHTING SYSTEM AND ASSOCIATED WORKS INCLUDING RUNWAY APPROACH LIGHTING, TAXIWAY LIGHTING AND SIGNAGE FORMING PART OF WIDER AIRFIELD GROUND LIGHTING SYSTEM EXTENDING INTO AIRPORT LAND WITHIN GOSPORT BOROUGH (SEPARATE GOSPORT PLANNING APPLICATION REF. 22/00524/FULL).	<b>Opposing</b>	6 (6) P/22/1865/D3 Pg 117	<b>In Person 2 minutes</b>
Mr Rob Megginson		-DITTO-	<b>-Ditto-</b>	-Ditto-	<b>In Person 2 minutes</b>
Mr Gareth Jones		-DITTO-	<b>-Ditto-</b>	-Ditto-	<b>Written</b>
Mrs Rose Christophersen	Ranvilles Residents Community Group	-DITTO-	<b>-Ditto-</b>	-Ditto-	<b>In Person 3 minutes</b>
Mr Charles McClea (Agent)		-DITTO-	<b>Supporting</b>	-Ditto-	<b>In Person 3 minutes</b>

## **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 regarding new appeals and decisions.

### **(1) P/21/1334/OA - LAND WEST OF LOCKSWOOD ROAD**

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: -

*The Council's Ecologist has reviewed the Biodiversity Net Gain (BNG) assessments and it is considered likely that a 10% BNG is achievable. The submission of a BNG plan with the Reserved Matters application would be secured through the Section 106 agreement confirming that the minimum 10% net gain would be achieved and providing further detail of how the habitat would be managed and maintained for a minimum of 30 years.*

*Following the adoption of the Fareham Local Plan 2037 on 5 April 2023 there are some changes to the relevant material planning considerations set out within section 8.0 'Planning Consideration' of the Officer Report as follows;*

#### **b) Fareham Local Plan 2037 policy position (para 8.15 – 8.16)**

*The Fareham Local Plan 2037 was adopted by the Council on 5 April 2023 and the policies of the plan should now be afforded full weight.*

#### **c) Residential development in the countryside (para 8.17 – 8.21)**

*Policies CS2, CS4 and DSP6 of the Fareham Core Strategy 2011 and the Fareham Local Plan Part 2: Development Sites & Policies have been superseded and are no longer relevant.*

*Policies DS1 and HA1 of the Fareham Local Plan 20337 now carry full weight and indicate that development of the site is acceptable in principle.*

#### **i) The Planning Balance**

*Conflict with Policies CS2, CS14 and DSP6 of the Fareham Core Strategy 2011 and the Fareham Local Plan Part 2: Development Sites & Policies (set out at para 8.70) should be removed from the planning balance.*

*The proposal accords with Policies HA1 and DS1 of the adopted Fareham Local Plan 2037.*

*Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:*

*"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be*

*made in accordance with the plan unless material considerations indicate otherwise.”*

*Paragraph 11 of the NNPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay.*

*The recommendation remains as set out at section 9.0 in the Officer report.*

Upon being proposed and seconded the officer recommendation to: -

- (i) GRANT outline planning permission, subject to: -
  - (a) The consideration of any comments received from Natural England in response to consultation on the Council's Appropriate Assessment;
  - (b) The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
    - a) To secure 40% of the proposed dwellings as on-site affordable housing; the type, size, mix and tenure to be agreed to the satisfaction of Officers;
    - b) To secure vehicular and pedestrian access and cycle connectivity to adjoining land to the north and west right up to the party boundary in perpetuity;
    - c) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
    - d) To secure a financial contribution in accordance with the Council's New Forest Recreational Disturbance Interim Mitigation Solution;
    - e) To secure the retention of specified areas of the site for habitat retention/creation in accordance with the illustrative masterplan (those areas indicated for 'retained trees/ecology' and 'new native planting');
    - f) To secure the provision of 3m wide ecological corridors as shown on the submitted plan;
    - g) To secure the submission of a biodiversity net gain plan demonstrating that a minimum 10% BNG is achievable and confirm how the proposed BNG habitats will be implemented, managed, maintained, monitored and funded for a minimum of 30-years;
    - h) To secure the preparation and provision of the off-site reptile translocation area and a contribution towards the future management/maintenance; and
  - (c) The conditions in the report.

And then:

(d) DELEGATE authority to the Head of Development Management to:

- a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreement; 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: 8 in favour; 0 against)

RESOLVED that: -

(i) OUTLINE PLANNING PERMISSION be granted, subject to: -

- a) The consideration of any comments received from Natural England in response to consultation on the Council's Appropriate Assessment:
- b) The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
  - a) To secure 40% of the proposed dwellings as on-site affordable housing; the type, size, mix and tenure to be agreed to the satisfaction of Officers;
  - b) To secure vehicular and pedestrian access and cycle connectivity to adjoining land to the north and west right up to the party boundary in perpetuity;
  - c) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
  - d) To secure a financial contribution in accordance with the Council's New Forest Recreational Disturbance Interim Mitigation Solution;
  - e) To secure the retention of specified areas of the site for habitat retention/creation in accordance with the illustrative masterplan (those areas indicated for 'retained tress/ecology' and 'new native planting');
  - f) To secure the provision of 3m wide ecological corridors as shown on the submitted plan;
  - g) To secure the submission of a biodiversity net gain plan demonstrating that a minimum 10% BNG is achievable and confirm how the proposed BNG habitats will be implemented, managed, maintained, monitored and funded for a minimum of 30-years;

- h) To secure the preparation and provision of the off-site reptile translocation area and a contribution towards the future management/maintenance; and
- (ii) The conditions in the report; and
- (iii) AUTHORITY BE DELEGATED to the Head of Development Management to:
  - a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreement; 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.

**(2) P/21/1335/OA - LAND WEST OF LOCKSWOOD ROAD**

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: -

*The Council's Ecologist has reviewed the Biodiversity Net Gain (BNG) assessments and it is considered likely that a 10% net gain is achievable. The submission of a biodiversity net gain plan with the Reserved Matters application would be secured through the Section 106 agreement confirming that the minimum 10% net gain would be achieved providing further detail of how the habitat would be managed and maintained for a minimum of 30 years.*

*Following the adoption of the Fareham Local Plan 2037 on 5 April 2023 there are some changes to the relevant material planning considerations set out within section 8.0 'Planning Consideration' of the Officer Report as follows:*

*b) Fareham Local Plan 2037 policy position (paras 8.15 – 8.16)*

*The Fareham Local Plan 2037 was adopted by the Council on 5 April 2023 and the policies of the plan should now be afforded full weight.*

*c) Residential development in the countryside (paras 8.17 – 8.21)*

*Policies CS2, CS14 and DSP6 of the Fareham Core Strategy 2011 and the Fareham Local Plan Part 2: Development Sites & Policies (set out at para 8.69) should be removed from the planning balance.*

*The proposal accords with Policies HA1 and DS1 of the Adopted Fareham Local Plan 2037.*

*Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:*



*“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

*Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay.*

*The recommendation remains as set out in section 9.0 of the Officer report which the exception of condition 7 which is hereby amended to read as follows:*

*“The dwellings hereby permitted shall not be built or completed and first occupied other than by*

*(a) individuals,*

*(b) associations of individuals or*

*(c) persons working with or for individuals or associations of individuals who have had primary input into the design of the dwelling.*

*REASON: To ensure that the development is carried out and occupied as a self-build or custom build development for which permission was granted.”*

Upon being proposed and seconded the officer recommendation to: -

- (i) GRANT outline planning permission, subject to: -
  - (a) The consideration of any comments received from Natural England in response to consultation on the Council’s Appropriate Assessment;
  - (b) The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
    - a) To secure vehicular and pedestrian access and cycle connectivity to adjoining land to the north and west right up to the party boundary in perpetuity;
    - b) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
    - c) To secure a financial contribution in accordance with the Council’s New Forest Recreational Disturbance Interim Mitigation Solution;
    - d) To secure the retention of specified areas of the site for habitat retention/creation in accordance with the land uses plan (those areas indicated fir ‘retained trees/ecology’);

- e) To secure the provision of 3m wide ecological corridors as shown on the submitted plan;
  - f) To secure the submission of a biodiversity net gain plan demonstrating that a minimum 10% BNG is achievable and confirm how the proposed BNG habitats will be implemented, managed, maintained, monitored and funded for a minimum of 30-years;
  - g) To secure the preparation and provision of the off-site reptile translocation area and a contribution towards the future management/maintenance;
- (ii) The conditions in the report; and
- (iii) Amended Condition 7 as set out in the Update Report.

And THEN:

- (iv) DELEGATE authority to the Head of Development Management to:
- (a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreement; 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: 7 in favour; 1 against)

RESOLVED that: -

- (i) OUTLINE PLANNING PERMISSION be granted, subject to: -
- (a) The consideration of any comments received from Natural England in response to consultation on the Council's Appropriate Assessment;
  - (b) The applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
    - a) To secure vehicular and pedestrian access and cycle connectivity to adjoining land to the north and west right up to the party boundary in perpetuity;
    - b) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP);
    - c) To secure a financial contribution in accordance with the Council's New Forest Recreational Disturbance Interim Mitigation Solution;

- d) To secure the retention of specified areas of the site for habitat retention/creation in accordance with the land uses plan (those areas indicated for 'retained trees/ecology');
  - e) To secure the provision of 3m wide ecological corridors as shown on the submitted plan;
  - f) To secure the submission of a biodiversity net gain plan demonstrating that a minimum 10% BNG is achievable and confirm how the proposed BNG habitats will be implemented, managed, maintained, monitored and funded for a minimum of 30-years;
  - g) To secure the preparation and provision of the off-site reptile translocation area and a contribution towards the future management/maintenance;
- (ii) The conditions in the report; and
  - (iii) Amended Condition 7 as set out in the Update Report;
  - (iv) **AUTHORITY BE DELEGATED** to the Head of Development Management to:
    - (a) Make any necessary modification, deletion or addition to the proposed conditions or heads of terms for the section 106 legal agreement; 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) P/23/0008/FP - 35 BURRIDGE 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: -

*Following the adoption of the Fareham Local Plan 2037 on 5 April 2023 there are some changes to the relevant material planning considerations set out within section 8.0 'Planning Consideration' of the Officer Report as follows;*

#### ***b) Residential development in the countryside (paras 8.13 – 8.37)***

*Policies CS14 and DSP6 of the Fareham Core Strategy 2011 and the Fareham Local Plan Part 2: Development Sites & Policies have been superseded and are no longer relevant.*

*Policies HP1 and HP2 of the Fareham Local Plan 2037 now carry full weight and indicate that development fails to accord with both these policies.*

#### ***d) Impact on Residential Amenity (8.41 – 8.45)***

*Policies DSP3 of the Local Plan Part 2: Development Sites & Policies has been superseded and is no longer relevant.*

*Policy D2 now carries full weight and the development complies with this policy.*

**f) Ecology (8.53 – 8.57)**

*Policy NE1 and NE2 now carry full weight and the proposal fails to comply with these policies.*

**h) Impact on Habitat Sites (8.59 – 8.71)**

*Policies CS4 of the Core Strategy has been superseded and is no longer relevant.*

*Policies NE1, NE2 and NE4 now carry full weight and the development fails to comply with these policies.*

**j) The Planning Balance (8.77 – 8.84)**

*Conflict with Policies Cs2, CS14 and DSP6 of the Fareham Core Strategy 2011 and the Fareham Local Plan Part 2: Development Sites & Policies (set out at para 8.81) should be removed from the planning balance.*

*The proposal fails to accord with Policies H1, HP1 and HP2 adopted Fareham Local Plan 2037.*

*Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:*

*“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

*Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting planning permission unless:*

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

*Having carefully considered all material planning matters and assessing the proposal against the new development plan and the tilted balance, Officers consider that planning permission should be refused as the adverse impacts set out in the Officer report would significantly and demonstrably outweigh the benefits of granting permission.*

*The recommendation remains as set out in section 9.0 of the Committee report.*

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 :

- (i) PLANNING PERMISSION be REFUSED.

#### Reasons for Refusal

The development would be contrary to Policies DS1, DS3, H1, HP2, NE1, NE2, NE3, NE4, NE6, D1 and D2 of the Fareham Local Plan 2037 and is unacceptable in that:

- i) The provision of dwellings in his location would be contrary to adopted Local Plan policies which seek to prevent residential development in the countryside. Furthermore, the development would not be sustainably located adjacent to or well-integrated with the neighbouring settlement area.
- ii) The introduction of dwellings in this location would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped, backland location which would be out of character with the prevailing pattern of development in the area.
- iii) Insufficient information has been provided to adequately demonstrate that no harm would be caused to features of ecological importance on the surrounding sites and protected species.
- iv) Insufficient information has been provided to adequately demonstrate that no harm would be caused to existing trees on and adjacent to the site.
- v) No information has been provided to demonstrate that the proposal would provide at least 10% net gain for biodiversity for the lifetime of the development and would therefore be contrary to Policy NE2.
- vi) The proposal would have likely adverse effects on the integrity of protected Habitat Sites in combination with other developments due to the additional generation of nutrients entering the water environment and the lack of appropriate and appropriately secured mitigation.

- vii) The site lies within 5.6km of The Solent Waters Special Protection Areas. The proposal fails to provide appropriate mitigation against the impact of increased recreational disturbance created from the provision of additional residential accommodation within this area.
- viii) The site lies within 13.8km of the New Forest Special Protection Area, Special Area of Conservation and Ramsar site. The proposal fails to provide appropriate mitigation against the impact of increased recreational disturbance created from the provision of additional residential accommodation.
- (ii) AUTHORITY BE DELEGATED to the Head of Development Management to:
  - (a) make any necessary modifications, deletions or additions to the proposed reasons for refusal.

**(4) P/23/0333/FP - 53 NICHOLAS CRESCENT**

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

Planning Policy & Guidance:

*The Fareham Local Plan 2037 was adopted by the Council on 5<sup>th</sup> April 2023 and the policies of the plan should now be afforded full weight.*

*The policies referenced within the report to the Fareham Borough Core Strategy 2011 (Local Plan Part 1) and the Fareham Local Plan Part 2: Development Sites & Policies 2015 have been superseded and are no longer relevant.*

Upon being proposed and seconded the officer recommendation to: -

- (i) GRANT planning permission, subject to the conditions in the report; and
- (ii) DELEGATE authority to the Head of Development Management to:
  - (a) Make any necessary modification, deletion or addition to the proposed conditions.

Was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that: -

- (i) PLANNING PERMISSION be granted, subject to the conditions in the report; and
- (ii) AUTHORITY BE DELEGATED to the Head of Development Management to:

- (a) Make any necessary modification, deletion or addition to the proposed conditions.

**(5) Q/0495/23 - LAND TO THE SOUTH OF FUNTLEY ROAD**

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

Upon being proposed and seconded the officer recommendation for Members to authorise the completion of a Deed of Variation to the Section 106 along the following lines:

- a) To vary the wording of certain definitions and obligations relating to delivery of the Public Right of Way to:
  - i. Separate the definition of the Public Right of Way into Northern and Southern sections to enable the respective sections to come forward independently;
  - ii. Require the submission of a Northern Public Right of Way Scheme and a Southern Public Right of Way Scheme, including details of their laying out and construction, to the Council;
  - iii. Include the construction of the Southern Public Right of Way within the definition of a Preparatory Operation meaning its construction would not trigger the commencement of the development for the purposes of the planning obligation;
  - iv. Simplify the process for discharging obligations under Section 228 of the Highways Act 1980 in relation to unregistered land;
  - v. Amend the meaning of Deed of Dedication accordingly.
- b) To vary the wording of certain definitions and obligations relating to Affordable Housing provision regarding:
  - i. The minimum term of shared ownership lease increasing from 125 to 999 years;
  - ii. The minimum equity stake for shared ownership dwellings reducing from 25% to 10%;
  - iii. The protections applying to purchasers/occupiers of individual dwellings also applying to mortgagees, charges and successors in title of those purchasers/occupiers.

Was voted on and CARRIED.  
(Voting: 8 in favour; 0 against)

RESOLVED that Members to AUTHORISE the completion of a DEED OF VARIATION to the Section 106 along the following lines:

- a) To vary the wording of certain definitions and obligations relating to delivery of the Public Right of Way to:

- i. Separate the definition of the Public Right of Way into Northern and Southern sections to enable the respective sections to come forward independently;
  - ii. Require the submission of a Northern Public Right of Way Scheme and a Southern Public Right of Way Scheme, including details of their laying out and construction, to the Council;
  - iii. Include the construction of the Southern Public Right of Way within the definition of a Preparatory Operation meaning its construction would not trigger the commencement of the development for the purposes of the planning obligation;
  - iv. Simplify the process for discharging obligations under Section 228 of the Highways Act 1980 in relation to unregistered land;
  - v. Amend the meaning of Deed of Dedication accordingly.
- b) To vary the wording of certain definitions and obligations relating to Affordable Housing provision regarding:
- i. The minimum term of shared ownership lease increasing from 125 to 999 years;
  - ii. The minimum equity stake for shared ownership dwellings reducing from 25% to 10%;
  - iii. The protections applying to purchasers/occupiers of individual dwellings also applying to mortgagees, charges and successors in title of those purchasers/occupiers.

**(6) P/22/1865/D3 - SOLENT AIRPORT DAEDALUS DRIVE**

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: -

Planning Policy & Guidance:

*The Fareham Local Plan 2037 was adopted by the Council on 5<sup>th</sup> April 2023 and the policies of the plan should be afforded full weight.*

*The policies referenced within the report to the Fareham Borough Core Strategy 2011 (Local Plan Part 1) and the Fareham Local Plan Part 2: Development Sites & Policies 2015 have been superseded and are no longer relevant.*

Consultations:

**Gosport Borough Council:** No comment



Representations:

One further letter has been received making the following points:

- Reasonable consideration needs to be given of how/whether lighting will affect those with houses immediately on the airfield very near to where a significant amount of the lighting is sited.
- Can the application be modified to include that the lighting will not be switched on outside of airfield operating hours AND will not be on at night?
- Residents would certainly like to avoid being dazzled by any lights which are not shone solely on the ground, and deserve the right to avoid circadian disruption from receiving light in the blue part of the light spectrum when it's dark outside.

Further to the Update Report the Planning Case Officer also provided the following verbal update: -

Members were advised that a formal request to defer the determination of the application has been received. The request stated that deferral should be until the outcome of a request for confidential information that has been exempted from disclosure under the FOIA is concluded.

Members were informed that the document in question, a business case study, is not a material consideration for determination of this application and therefore there is no reason why the Committee cannot determine the application today. Members were advised that they should take a formal vote on the deferral request prior to taking any other vote on this application.

The Chairman asked the Committee for a show of hands for those in support of the request to deferral and those against.

(Voting: 0 in favour; 8 against). As the motion to defer was declared LOST the Committee continued to determine the application.

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

- (a) Receipt from the Applicant of a completed unilateral undertaking pursuant to Section 106 of the Town and Country Planning Act 1990, on terms acceptable to The Solicitor to the Council, to secure a financial contribution payable prior to the commencement of the development to mitigate the loss of Brent Geese and Wading Bird secondary support area habitat; and
- (b) In consultation with the Solicitor to the Council, consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and to make any minor modifications to the proposed conditions, addition of conditions, or any other subsequent minor changes arising; and
- (c) The conditions in the report.

Was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted, subject to: -

- (a) Receipt from the Applicant of a completed unilateral undertaking pursuant to Section 106 of the Town and Country Planning Act 1990, on terms acceptable to The Solicitor to the Council, to secure a financial contribution payable prior to the commencement of the development to mitigate the loss of Brent Geese and Wading Bird secondary support area habitat;
- (b) In consultation with the Solicitor to the Council, consider any comments received from Natural England relating to the consultation on the Appropriate Assessment and to make any minor modifications to the proposed conditions, addition of conditions, or any other subsequent minor changes arising; and
- (c) The conditions in the report.

**(7) P/23/0243/FP - 85 HILL HEAD ROAD**

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

Planning Policy & Guidance:

*The Fareham Local Plan 2037 was adopted by the Council on 5<sup>th</sup> April 2023 and the policies of the plan should now be afforded full weight.*

*The policies referenced within the report to the Fareham Borough Core Strategy 2011 (Local Plan Part 1) and the Fareham Local Plan Part 2: Development Sites & Polices 2015 have been superseded and are no longer relevant.*

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.

**(8) Planning Appeals**

The Committee noted the information in the report.

**(9) UPDATE REPORT**

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

(The meeting started at 2.30 pm  
and ended at 4.30 pm).