



## Minutes of the Planning Committee

*Minutes of a meeting held on 20 June 2012  
at the Civic Offices, Fareham*

**PRESENT:**

Councillor N J Walker  
(Chairman)

Councillor A Mandry  
(Vice-Chairman)

**Councillors** B Bayford, T M Cartwright (deputising for D C S Swanbrow), M J Ford, JP, Mrs C L A Hockley (deputising for K D Evans), R H Price, JP and P W Whittle, JP.

**Also Present:** Councillor Mrs P M Bryant, Chairman of Licensing and Regulatory Committee (Minute 6(3)).

### 1. APOLOGY FOR ABSENCE

Apologies for absence were received from Councillors P J Davies, K D Evans and D C S Swanbrow.

### 2. MINUTES

RESOLVED that the minutes of the meeting of the Planning Committee held on 23 May 2012 be confirmed and signed as a correct record ([pc-120523-m](#)).

### 3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor Ford, who was attending his first meeting of the Planning Committee.

### 4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Councils Code of Conduct, declarations of interest were made by the following members:-

- (i) Councillor Ford declared a personal interest in the application relating to the Tithe Barn, Mill Lane, Titchfield (See minute 6(2) below); and

- (ii) Councillor Walker, (Chairman) declared a personal interest in the application relating to land to the west of Castle Barn, Wicor Path, Fareham (See minute 6(8) below).

## 5. DEPUTATIONS

The Committee received deputations from the following in respect of the applications indicated and the deputies were thanked accordingly:-

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	MinuteNo/ Application No
<b>ZONE 1</b>				
Mr K Fraser		The Tithe Barn, Mill Lane, Titchfield - Change of use of grade 1 listed Tithe Barn from agricultural to theatrical performance use, including bar/café, toilet facilities, ancillary educational field centre, craft and farmers markets and use of former office/store for cast facilities/security office.	<b>Supporting</b>	6(2) P/12/0362/CU
<b>ZONE 2</b>				
Mr R Tutton (Agent)		1/3 Peak Lane, Fareham	<b>Supporting</b>	6(4) P/12/0246/FP
Mr M Pickup (Agent)		57 High Street, Fareham - Change of use of suite 4 (2 <sup>nd</sup> floor unit) to any use within use classes A2, B1 or D1 or as a personal training, massage, sports injury therapy clinic (sui generis).	<b>Supporting</b>	6 (5) P/12/0248/CU
<b>ZONE 3</b>				

Mr R Tutton (Agent)		Land to west of Castle Barn, Wicor Path, Fareham - Demolish detached garage and erection of one three-bed detached dwelling.	<b>Supporting</b>	6(8) P/12/0304/FP
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### DECISIONS UNDER DELEGATED POWERS

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

The Committee noted a report by the Director of Planning and Environment on development control applications and miscellaneous matters, including the current situation regarding planning appeals (copy of report [pc-120620-r04-lsm](#) circulated with agenda and appended to signed minutes together with the [Update Report](#) tabled at the meeting).

##### **Item (1) P/12/0188/FP - 7 Fleet End Road, Warsash**

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

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out below. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS17 - High Quality Design.

##### **Item (2) P/12/0362/CU - The Tithe Barn, Mill Lane, Titchfield**

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

Councillor Ford declared a personal interest in this matter (he is a member of a theatrical group who uses storage space at Titchfield Festival Theatre's premises in St Margaret's Lane, Titchfield).

The Committee was referred to the Update Report which provided the following information:- *One additional letter received from the resident of Fernhill Farmhouse, the nearest residential property to the barn raising the following*

*comments: As the nearest residents no serious objections are raised to the proposed theatrical activities as long as they are carried out within the barn; Recent performances have not shown objectionable noise and disturbance, except when the wind is blowing from the south east; No fireworks please; Reservations about the various ancillary uses suggested and we rely on the planning system to require more information and making a judgement on these activities; Strongly oppose any attempt to use the building outside our gate as a residence for some kind of security presence. This is not a suitable position from which to monitor the site; Strongly object to any further alteration to this structure unless it is restored to its much reduced dimensions as a wagon shed with hay loft above. Any changes to this building should be treated as a separate issue when detailed plans are presented. Comments of the Director of Planning and Transportation (Ecologist) have been received asking for clarification from the applicant's ecologist regarding a number points prior to determination of the application.*

Upon being proposed and seconded the officer recommendation to delegate authority to the Head of Development Management to grant planning permission, subject to:-

- (a) any recommended conditions required by the Director of Planning and Environment (Ecologist), as a result of clarification sought from the applicant's ecologist;
- (b) the comments of English Heritage;
- (c) details of the nature and extent of the proposed farmers markets/ art and craft and educational uses to be provided; and
- (d) the conditions stated in the report;

was voted on and CARRIED  
(Voting 7 in favour; 0 against; 1 abstention).

RESOLVED that authority be delegated to the Head of Development Management to grant conditional planning permission subject to:-

- (a) any recommended conditions required by the Director of Planning and Environment (Ecologist), as a result of clarification sought from the applicant's ecologist;
- (b) the comments of English Heritage;
- (c) details of the nature and extent of the proposed farmers markets/ art and craft and educational uses to be provided; and
- (d) the conditions stated in the report;

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below.. The development would not have unacceptable implications in respect of its effect on

the visual appearance or character of the Conservation Area, amenities of neighbours living nearby, highway implication or ecological matters. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS14 - Development Outside Settlements, CS17 - High Quality Design and CS22 - Development in Strategic Gaps. Fareham Borough Local Plan Review - DG4 - Site Characteristics; C18 - Protected Species

**Item (3)P/12/0185/FP - Funtley Pond, Fareham**

At the invitation of the Chairman, Councillor Mrs Bryant addressed the Committee regarding this application.

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

- (a) the conditions in the report,
- (b) an additional condition to secure planting of evergreen varieties and of a minimum depth of 2 metres, screening 3 sides of the storage container; and
- (c) an additional condition requiring the colour of the storage container to be green or green/brown;

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

RESOLVED that subject to:-

- (a) the conditions in the report,
- (b) an additional condition to secure planting to be of evergreen varieties and of a minimum depth of 2 metres, screening 3 sides of the storage container; and
- (c) an additional condition requiring the colour of the storage container to be green or green/brown;

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The development is not considered harmful to the character or amenities of the area. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS14 - Development Outside Settlements, CS17 - High Quality Design and CS21 - Protection and

Provision of Open Space. Fareham Borough Local Plan Review - DG4 - Site Characteristics; C18 - Protected Species.

**Item (4) P/12/0246/FP - 1/3 Peak Lane, Fareham**

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

The Committee was referred to the Update Report which provided the following information:- *The applicant has submitted a draft unilateral undertaking, which incorporates the requested commuted sums for public open space and transport infrastructure. The applicant suggests that a condition requiring submission of a traffic noise assessment in relation to the three frontage plots with Peak Lane is not necessary, as such a condition was not applied to the previous approval under P/10/0276/FP. The Director of Regulatory and Democratic Services (Environmental Health) remains of the opinion that an assessment should be undertaken.*

The Committee was informed that officers do not consider there is a need to impose a condition requiring a traffic noise assessment and that the applicant has confirmed that the boundary fence between 1c Peak Lane and 1 Peak Lane will not be removed.

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

- (a) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space and facilities payable upon commencement of development and highway infrastructure by 31st August 2012; and
- (b) the conditions in the report (excluding the condition relating to noise assessment and remediation scheme);

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

RESOLVED that subject to:-

- a) the applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution towards off-site public open space and facilities payable upon commencement of development and highway infrastructure by 31st August 2012; and
- (c) the conditions in the report (excluding the condition relating to noise assessment and remediation scheme);

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area or on highway safety. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS - High Quality Design, CS20 - Infrastructure and Development Contributions and CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review - DG4 -Site Characteristics

**Item (5)P/12/0248/CU - 57 High Street, Fareham**

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

The Committee was referred to the Update Report which recommended an additional condition: *Additional condition as a result of further comments received from The Director of Planning and Environment (Highways): Rear car parking area to be used by staff only.*

Upon being proposed and seconded, the officer recommendation to grant planning permission for a temporary period of one year, subject to the conditions in the report and an additional condition restricting use of rear car parking area to staff only, was voted on and CARRIED.

(Voting 8 in favour; 0 against).

RESOLVED that, subject to the conditions in the report and the additional condition restricting use of rear car parking area to staff only, PLANNING PERMISSION be granted for a temporary period of one year.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including impact on the character of the conservation area and residential amenities have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS3 - Vitality and Viability of Centres, CS6 - The Development Strategy, CS7 - Development in Fareham and CS17 - High Quality Design. Fareham Borough Local Plan Review - HE5- Change of Use in Fareham High Street Conservation Area.

**Item (6)P/12/0270/VC - 3 Peak Lane, Fareham**

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.

Reasons for the Decision - The development is acceptable taking into account the policies of the development plan as set out below. The proposal is not considered likely to result in any material adverse impact on the character of the area or on the amenities of neighbouring properties. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS17 - High Quality Design. Fareham Borough Local Plan Review - DG4 -Site Characteristics

**Item (7) P/12/0323/FP - 165 Gudge Heath Lane, Fareham**

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.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The proposed development would not harm the amenities of neighbours, the appearance or character of the streetscene, nor would it have unacceptable implications for parking provision. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS17 - High Quality Design. Approved SPG/SPD - EXTDG - Extension Design Guide (1993); RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning document.

**Item (8) P/12/0304/FP - Land to West of 'Castle Barn' Wicor Path, Fareham**

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

Councillor Walker, (Chairman) declared a personal interest in this matter (the applicants family built Portchester Parish Hall of which he is Chairman of the Board of Trustees).



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

- (a) The applicant/owner first entering a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms agreed by the Solicitor to the Council by 3 August 2012 to secure:-
  - (i) a financial contribution towards off-site public open space and/or facilities;
  - (ii) a financial contribution to mitigate the net increase of vehicle movements arising from the development, to be spent on improving local transport infrastructure; and
- (b) the conditions in the report;

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

The Committee requested an informative on the planning permission advising that measures should be taken to avoid any damage to the existing old wall between the site and 191 Castle Street, during the construction period.

RESOLVED that, subject to

- (a) The applicant/owner first entering a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms agreed by the Solicitor to the Council by 3 August 2012 to secure:-
  - (ii) a financial contribution towards off-site public open space and/or facilities;
  - (ii) a financial contribution to mitigate the net increase of vehicle movements arising from the development, to be spent on improving local transport infrastructure; and
- (b) the conditions in the report; and
- (c) The above mentioned informative;

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below.. Other material considerations including impact on the appearance of the conservation area, residential amenities and highway safety have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS11 - Development in Portchester, Stubbington and Hill Head, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy and CS17 - High Quality Design. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document.

**Item (9) P/12/0306/FP - Cams Hill School, Shearwater Avenue, Fareham**

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.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The proposal is not considered to result in unacceptable impacts upon the streetscene, character or local gap countryside qualities of the area, or upon the amenities of neighbouring properties, or on the local highway network, other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS14 - Development Outside Settlements and CS17 - High Quality Design. Fareham Borough Local Plan Review - DG4 -Site Characteristics; C12 - Local Gaps.

**Item (10) P/12/0347/FP - 252 White Hart Lane, Fareham (retrospective application)**

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.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out below.. The proposal is not considered to result in unacceptable impacts upon the streetscene or character of the area, or upon the amenities of neighbouring properties, or on the local highway network, other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Council Strategy: CS17 - High Quality Design. Fareham Borough Local Plan Review - DG8-Commercial Frontages.

## 7. TREE PRESERVATION ORDER

The Committee considered the confirmation, , of the following Fareham Tree Preservation Order which had been made by officers under delegated powers and to which no formal objection had been received:-

- (i) **FTPO 671 – The Greenwood and The Poplars, Meon Road, Titchfield**  
Order made on 12 April 2012 covering two individual pedunculate oak trees.

RESOLVED that Fareham Tree Preservation Order No. 671 be confirmed as originally made and served.

(The meeting started at 2:30pm  
and ended at 4.00pm).