



## Minutes of the Planning Committee

*Minutes of a meeting held on 15 August 2012  
at the Civic Offices, Fareham*

**PRESENT:**

Councillor N J Walker  
(Chairman)

Councillor A Mandry  
(Vice-Chairman)

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

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B Bayford and P W Whittle, JP.

**2. MINUTES**

RESOLVED that the minutes of the meeting of the Planning Committee held on 18 July 2012 be confirmed and signed as a correct record ([pc-120718-m](#)).

**3. CHAIRMAN'S ANNOUNCEMENTS**

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

**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 Davies declared a personal interest in the application relating to Collingwood House, Gibraltar Close, Fareham (see minute 6(16) below).
- (ii) Councillor Mrs Trott declared a personal interest in the application relating to Collingwood House, Gibraltar Close, Fareham and the application

relating to Cams Hall Estate, Portchester Road, Fareham (see minute 6(16) and 6(20) below).

- (iii) Councillor Swanbrow declared a personal interest in the application relating to Collingwood House, Gibraltar Close, Fareham (see minute 6(16) below).
- (iv) Councillor Evans declared a personal interest in the application relating to Collingwood House, Gibraltar Close, Fareham (see minute 6(16) below).
- (v) Councillor Cartwright declared a personal interest in the application relating to Collingwood House, Gibraltar Close, Fareham (see minute 6(16) 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 R Pellew	Mr Friedrich, Mr Richardson, Ms French and Ms Ward	233 Swanwick Lane, Lower Swanwick - Erection of four detached dwellings and provision of access from Lower Swanwick Road	<b>Opposing</b>	Minute 6(4) P/12/0462/OA
Ms H Croft-Phillips		18 Lipizzaner Fields, Whiteley - Fell one oak and carry out works to one oak and two willows covered by FTOP184	<b>Opposing</b>	Minute 6(5) P/12/0474/TO
Ms H Croft-Phillips		11 Camargue Close, Whiteley - Carry out work to cherry, willow, oak and ash and hawthorn trees covered by FTPO 183 and FTPO 184	<b>Opposing</b>	Minute 6(7) P/12/0518/TO
<b>ZONE 2</b>				

Mr A Harris (Agent)		Rear of 80 The Avenue, Fareham - Variation of condition no.2 applied to application ref. P/11/0352/FP to enable regularisation of the rear boundary	<b>Supporting</b>	Minute 6(17) P/12/0523/VC
<b>ZONE 3</b>				
Mr P Cope	Mrs S Bell Mr S Cunningham	Cams Hall Estate, Portchester Road, Fareham - Reconstruction of Cams Tidal Mill incorporating restaurant, bar, kitchen stores, ancillary accommodation, service yard, car park and re-alignment of coastal footpath and create new intertidal area: discharge of conditions numbers 22 & 23 related to details of tidal lagoon and ecological management plan	<b>Opposing</b>	Minute 6(20) P/12/0892/DP/B
Mr G Lismore		"ditto"	<b>Opposing</b>	"ditto"
The Fareham Society (Mrs B Clapperton)		"ditto"	<b>Opposing</b>	"ditto"
Mr S Waring		"ditto"	<b>Supporting</b>	"ditto"
Mr P Street (Agent)		Land off Old Street, Stubbington - Removal of telecommunications lattice tower at Meon View Farm and erection of a	<b>Supporting</b>	Minute 6(21) P/12/0415/FP

		shared telecommunications base station, comprising of a 26.6m high lightweight lattice tower, associated 6 no. antennas, 1 no.300mm diameter dish, associated equipment cabin and ancillary development on land to the west of Old Street		
Mr R Tutton (Agent)		47 St Marys Road, Fareham - Proposed erection of a detached three-bedroomed house with integral garage	<b>Supporting</b>	Minute 6(23) P/12/0522/FP
Mr M Garvey	Ms Mills Mr Banks	Unit 6 Castle Trading Estate Fareham - Change of use of building from car sales to B1 (business) and B8 (storage and distribution)	<b>Opposing</b>	Minute 6(26) P/12/0538/CU
Mr A Davis	Ms Haley & Mr Abery Mr & Mrs Penny Mr & Mrs Weightman Mrs Newby Ms Cooper Mr & Mrs Kemp	10 Down End Road, Fareham Retrospective Application for retention of fencing and new vehicular access	<b>Opposing</b>	Minute 6(27) P/12/0547/FP

## 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-120815-r04-lsm](#) circulated with agenda). An [Update Report](#) was tabled at the meeting).

#### **Item (1) P/12/0371/FP - 31 Middle Road, Park Gate**

The Committee was referred to the Update Report which provided the following information:- *This application has been withdrawn from the agenda.*

#### **Item (2) P/12/0405/FP - 33 St Pauls Road, Sarisbury Green**

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 9 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 Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

#### **Item (3) P/12/0443/FP - Land adjacent to 24 Sherwood Gardens, Sarisbury Green**

The Committee was informed that the application had been withdrawn from the agenda.

#### **Item (4) P/12/0462/OA - 233 Swanwick Lane, Lower Swanwick**

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 ecological monitoring proposed has been altered to the satisfaction of the Director of Planning and Environment (Ecology). The future*

*security of the reptile receptor site needs to be demonstrated, including details of ownership and management responsibility, plus long term security, through a legal agreement. The ecology condition needs to be amended to reflect the changes to the ecology report.*

A motion was proposed and duly seconded that the application be refused. Upon being put to the vote the motion was CARRIED.  
(Voting 9 for refusal; 0 against refusal).

RESOLVED that planning permission be REFUSED.

Reasons for the Decision - The proposed development is contrary to Policies CS5, CS17, CS20 and CS21 of the Adopted Fareham Borough Core Strategy (2011), the Council's Supplementary Planning Guidance on Open Space (2002) and Hampshire County Council's Transport Contributions Policy (2007) and is unacceptable in that:-

- i) The proposed point of vehicular access diminishes the developable area of the site, compromising the layout of the development, particularly with regard to in-curtilage car parking arrangements, which would lead to on street parking, to the detriment of highway safety; and
- ii) The proposal fails to provide appropriate contributions in respect of public open space and highway infrastructure. In the absence of a sealed legal agreement to secure contributions for public open space and highway infrastructure, the proposal would fail to mitigate against the impacts arising and meeting the needs of future residents.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing Provision, CS6 - The Development Strategy, CS9 - Development in Western Wards and Whiteley, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - High Quality Design, CS18 - Provision of Affordable Housing, CS20 - Infrastructure and Development Contributions and CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review - DG4 - Site characteristics; C18 - Protected Species.

**(5) P/12/0474/TO - 18 Lipizzaner Fields, Whiteley**

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

It was proposed and seconded that consideration of the application be deferred to enable Committee members, together with the Council's Principal Tree Officer, to inspect the site and that a decision on the application be made at the site visit. The proposal was voted on and CARRIED  
(Voting: 9 in favour; 0 against).

RESOLVED that consideration of the application be deferred for inspection of the site on Wednesday 29 August 2012 and that a decision on the application be made at the site visit.

Reasons for the Decision - The reason for the site visit was in order for the Committee to fully understand the extent of the proposed works.

**(6) P/12/0509/FP - 32 St Johns Road, Locks Heath**

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 9 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 likely to result in an impact on the amenity of adjoining occupiers or the visual amenity 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 Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

**(7) P/12/0518/TO - 11 Camargue Close, Whiteley**

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

The Committee was referred to the Update Report which provided the following information:-*Planning Considerations - Key issues. References to the Council's Principal Officer in this section of the Officer report should be taken to be referring to the Council's Principal Tree Officer.*

It was proposed and seconded that consideration of the application be deferred to enable Committee members, together with the Council's Principal Tree Officer, to inspect the site and that a decision on the application be made at the site visit. The proposal was voted on and CARRIED  
(Voting: 9 in favour; 0 against).

RESOLVED that consideration of the application be deferred for inspection of the site on Wednesday 29 August 2012 and that a decision on the application be made at the site visit.

Reasons for the Decision - The reason for the site visit was in order for the Committee to fully understand the extent of the proposed works.

**Item (8) - P/12/0524/FP - 18 Painswick Close, Sarisbury Green**

The Committee was referred to the Update Report which provided the following information:- *Amended plans have been received on 9<sup>th</sup> August showing minor changes to the dummy pitch roof over existing garage at the property. As a result the consultation period for this application has been extended for a further 14 days. Officers recommend that the application be permitted subject to no further material points being raised during this period which ends on 24<sup>th</sup> August.*

*The following policies are relevant to this application:*

*Policy CS17 (High Quality Design) of the adopted Fareham Borough Core Strategy. Approved Extension Design Guide. Adopted Residential Car and Cycle Parking Standards SPD.*

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report and to no further material points being raised during the extended consultation period, was voted on and CARRIED.

(Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report and to no further material points being raised during the extended consultation period, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development as set out above. The proposed extensions would not harm the amenities of neighbours, the appearance or character of the streetscene or highway safety. 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.

**Item (9) - P/12/0541/FP - 29 Brook Lane, Warsash**

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

- (i) the comments of the Director of Regulatory and Democratic Services (Contamination);
- (ii) 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 to secure a financial contribution towards off-site public open space and/ or facilities and highway infrastructure improvements by the 16 October 2012; and
- (iii) the conditions in the report,

was voted on and CARRIED.

(Voting 9 in favour; 0 against).



RESOLVED that, subject to:-

- (i) the comments of the Director of Regulatory and Democratic Services (Contamination);
- (ii) 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 to secure a financial contribution towards off-site public open space and/ or facilities and highway infrastructure improvements by the 16 October 2012; and
- (iii) 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 significant impact on the amenity of adjoining occupiers, the character of the area or on highway safety. There would be no adverse impacts on protected trees on or near to the site or on protected species. 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 Core Strategy - CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS9 - Development in Western Wards and Whiteley, CS15 - Sustainable Development and Climate Change, CS17 - High Quality Design and CS20 - Infrastructure and Development Contributions. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document. Fareham Borough Local Plan Review - DG4 - Site Characteristics; C18 - Protected Species.

**Item (10) P/12/0566/FP - 141 Hunts Pond Road, Park Gate**

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

- (i) the applicant 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 the payment of necessary developer contributions including public open space and transport infrastructure by 28th September 2012; and
- (ii) the conditions in the report,

was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

RESOLVED that, subject to:-

- (i) the applicant 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 the payment of necessary developer contributions including public open space and transport infrastructure by 28th September 2012; and
- (ii) 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 acceptable in respect of its design, layout and impact on the character of the area. It would have no adverse impact upon highway safety, the health of nearby protected trees, adjoining amenity or on the amenity of future occupiers of the development. 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 Core Strategy - CS2 - Housing Provision, CS6 - The Development Strategy; CS11 - Development in Portchester, Stubbington and Hill Head, CS15 - Sustainable Development and Climate Change, CS17 - High Quality Design; CS20 - Infrastructure and Development Contributions; CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review - DG4 - Site Characteristics

**Item (11) P/12/0571/FP - 112 Locks Road, Locks Heath**

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

- (i) 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 to secure a financial contribution towards off-site public open space and /or facilities and highway infrastructure improvements by the 30 September 2012; and
- (ii) the conditions in the report,

was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

RESOLVED that subject to:-

- (i) 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 to secure a financial contribution towards off-site public open space and /or facilities and highway infrastructure improvements by the 30 September 2012; and

- (ii) the conditions 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 Core Strategy - CS2 - Housing Provision, CS4 - Green Infrastructure, Biodiversity and Geological Conservation, CS5 - Transport Strategy and Infrastructure, CS9 - Development in Western Wards and Whiteley, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - 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 (12) P/12/0577/TO - 30 Ranvilles Lane, Fareham**

Upon being proposed and seconded, the officer recommendation to:-

- (a) Consent to proposal (A) - (in front garden fell one sycamore tree and carry out works to one oak, one sycamore and one beech tree, and in rear garden carry out works to two sycamore trees all covered by FTPO65), subject to the conditions in the report; and
- (b) Refuse consent for proposal (B) - (in rear garden fell one sweet chestnut and one sycamore tree both covered by FTPO65),

was voted on and carried  
(Voting 9 in favour; 0 against).

RESOLVED that:-

- (a) For proposal (A), subject to the conditions in the report, CONSENT be granted; and
- (b) For proposal (B), consent be REFUSED.

Reasons for the Decision -

Proposal (A) - Tree to be felled in the front garden is assessed as being poor quality and removal of the tree, together with the proposed remedial works, is not considered to have an adverse impact on local public amenity.

Proposal (B) - The Sweet Chestnut and Sycamore trees, as shown and numbered 6 and 7 on the submitted site layout plan, are considered to be in sound and healthy condition and make an important contribution to the local landscape. On the basis of the submitted information, the felling of these trees is unnecessary and would be harmful to the visual amenities and character of the area.

Policies - Fareham Borough Local Plan Review - DG4 - Site Characteristics

**Item (13) P/12/0394/FP - Fareham Hockey Club, Henry Cort Drive, Fareham**

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

- (i) Comments of the Director of Regulatory and Democratic Services (Environmental Health - Noise) and any conditions that they may consider appropriate; and
- (ii) Reinstatement of the relevant conditions imposed on the original planning application P/04/1836/FP.

was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

RESOLVED that subject to:-

- (i) Comments of the Director of Regulatory and Democratic Services (Environmental Health - Noise) and any conditions that they may consider appropriate; and
- (ii) Reinstatement of the relevant conditions imposed on the original planning application P/04/1836/FP,

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan, notably Fareham Borough Core Strategy Policy CS17. 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, 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 Core Strategy - CS17 - High Quality Design.

**Item (14) P/12/0436/FP - 128 Gosport Road, Fareham**

The Committee was informed that this application had been withdrawn.

**Item (15) P/12/0461/FP - 49 St Michaels Grove, Fareham (retrospective application)**

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 9 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. Other material considerations 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 Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993). Fareham Borough Local Plan Review - DG4 - Site Characteristics.

**(16) P/12/0470/FP - Collingwood House, Gibraltar Close, Fareham**

The following members declared a personal interest in this application on the grounds that matters relating to the proposed development of Collingwood House had been considered at Board, Panel and Executive meetings of the Council, of which they were members (see minute 4 above):-

Councillor Davies - Chairman of Housing Tenancy Board and former member of Housing Policy Development and Review Panel; Councillor Mrs Trott - Member of Housing Tenancy Board and Housing Policy Development and Review Panel; Councillor Swanbrow - Deputy Member of Housing Policy Development and Review Panel; Councillor Evans - Executive Member (Strategic Planning and Environment) and Councillor Cartwright - Executive Member (Public Protection).

The Committee was referred to the Update Report which provided the following information:- *Amended plan received 6<sup>th</sup> August 2012.*

*The Director of Planning and Environment (Highway) is satisfied that the amended plan demonstrates that the junction design between Stow Crescent and the new access road is acceptable.*

*The Director of Planning and Environment (Ecology) - The LPA has sufficient information upon which to determine the application, and I am satisfied that there is no material risk of bats being present and impacted by the works. The assessment does provide further information about the nature of the building to be lost to the proposals, and particularly due to the materials present combined with the area in which the building is located, I would conclude that there is no material risk and therefore it is not appropriate to request further survey. No objection subject to informatives.*

The Committee was requested to approve an application under S 257 of the 1990 Town and Country Planning Act for the stopping up of the vehicle access to Gibraltar Close and diversion of the footpath to the existing right of Way at Gibraltar Close.

A motion was proposed and seconded to :-

- (a) approve the officer recommendation to grant planning permission, subject to the conditions in the report;
- (b) authorise the stopping up of the vehicle access to Gibraltar Close and diversion of the footpath to the existing right of Way at Gibraltar Close; and
- (c) that a condition be imposed to ensure that an appropriate form of enclosure is secured around the gardens serving the residents.

The motion was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

RESOLVED -

- (a) subject to the conditions in the report, PLANNING PERMISSION be granted;
- (b) to authorise the stopping up of the vehicle access to Gibraltar Close and diversion of the footpath to the existing right of Way at Gibraltar Close; and
- (c) a condition be imposed to ensure that an appropriate form of enclosure is secured around the gardens serving the residents

Reasons for the Decision - The development is acceptable taking into account the above policies and proposals of the Development Plan. 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 upon highway safety, 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 the 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 Core Strategy - CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - High Quality Design, CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure and CS7 - Development in Fareham. Fareham Borough Local Plan Review - C18 - Protected Species; DG4 - Site Characteristics.

**(17) P/12/0523/VC - Rear of 80 The Avenue, Fareham**

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:-

- (i) 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 facilities and highway infrastructure by the 1 October 2012; and
- (ii) the conditions in the report,

was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

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 likely to result in an impact on the amenity of adjoining occupiers, the character of the area, or the local highway network. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the applications, 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 Core Strategy - CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS7 - Development in Fareham, CS17 - High Quality Design and CS20 - Infrastructure and Development Contributions. Fareham Borough Local Plan Review - DG4 - Site Characteristics.

**(18) P/12/0560/FP - 1 Heath Lawns, Catisfield**

Upon being proposed and seconded, the officer recommendation to grant planning permission was voted on and CARRIED.  
(Voting 9 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, 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 Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993).

**(19) P/12/0578/FP - 19 The Glade, Fareham**

Upon being proposed and seconded, the officer recommendation to grant planning permission was voted on and CARRIED.  
(Voting 9 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. Other material considerations including impact on the appearance of the area and residential amenities, in terms of a loss of outlook, privacy and overshadowing 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 Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXTDG - Extension Design Guide (1993). Fareham Borough Local Plan Review - DG4 - Site Characteristics

**(20) P/09/0892/DP/B - Cams Hall Estate, Portchester Road, Fareham**

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

Councillor Mrs Trott declared a personal interest in this matter (three of the deputees are known to her).

The Committee was referred to the Update Report which provided the following information:-

*In light of the issues raised by the Environment Agency and Natural England, the applicant has submitted additional and amended plans and supplementary information. The information includes the following documentation:*

- *Amended JFA Environmental Planning - Tidal Lagoon Habitat Scheme and Environmental Management Plan to clarify Zone 3 Planting;*
- *Overall Plan showing extent of Enkamat types within lagoon, siting of aeration equipment and Zone 3 planting;*
- *Section clarifying Zone 3 planting;*
- *Longitudinal section through lagoon;*
- *Manufacturers details on aeration equipment to be installed with lagoon;*
- *Manufactures details of ultrasound equipment to be installed to control algae growth within lagoon;*
- *Details of how sediment and algae will be removed from the lagoon, should their build-up prove problematic and where it will be disposed of;*
- *Draft terms for a unilateral undertaking to ensure monitoring of lagoon water quality and installation, maintenance and operation of aeration equipment and algae control equipment. The terms agree to installation of water quality monitoring, aeration and algae control equipment and to its future maintenance. It agrees to continuous monitoring of water quality and provision of an annual report to the Council on water quality. The agreement would be on the premise that if after a two year settling in period, the annual report demonstrates that on three contiguous years the lagoon has not suffered oxygen depletion or algae bloom, necessitating intervention of the aeration and algae control equipment, there will be no further requirement to retain the equipment.*

*The additional information has been forwarded to consultees who comment:*



*THE ENVIRONMENT AGENCY are satisfied with the proposed aeration equipment/maintenance and dissolved oxygen monitoring, subject to completion of a Section 106/Unilateral Undertaking to secure long term management of the lagoon structure and environment. Concern raised over the proposal to remove equipment and monitoring after 5 years, if water quality issues do not arise, as it is unclear how water quality may be managed further down the line if problems arise thereafter. We are pleased to see the applicant would put in place quarterly monitoring and measures to mitigate potential water quality issues, along with a commitment to implement further measures, if monitoring shows action if required. It should be noted that the land owner/site operator will be responsible for lagoon water quality and/or associated pollution. We have a duty to investigate all pollution events, if necessary we may take action in accordance with our published enforcement and prosecution policy.*

*It is likely that the lagoon will accumulate sediment. No objection is raised to the proposals for removal of sediment from the lagoon, though the spreading of waste on the estate will need a permit issued by the Agency.*

*The proposed algae control measures are generally satisfactory, although the technology is still in its infancy. EA's primary concern was for potential ultrasonic noise to impact on marine life, primarily fish, though the specification shows there to be little risk.*

*THE DIRECTOR OF PLANNING AND ENVIRONMENT (Ecology) acknowledges that, subject to advice from EA being taken regarding issues relating to water quality and fish, the proposal is unlikely to have a significant effect on the designated sites.*

*Consider that water quality monitoring at greater frequency may be needed, the recommendations of the Mott MacDonald reports are followed, and use of aeration equipment is secured by legal agreement.*

*Queries are raised in respect of the potential impacts on migratory fish by proposed piling works, whether construction activity would involve physical works within the designated sites and what the implications of carrying out restoration of the bank works from the harbour side might be. (These matters will be addressed through the discharge of condition no. 24 relating to the Construction Environmental Management Plan).*

*A query is raised over deposition of sediment and how or when it removal would be carried out and where the resulting material would be deposited. (The applicant has submitted these details and the Environment Agency are satisfied with the proposed method of removal).*

*In light of the above, officers are satisfied that the outstanding issues within the Committee report have been addressed.*

**REVISED RECOMMENDATION**

*That subject to:*

*the applicant/owner entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms draft by the Solicitor to the Council or submitting to the Council a unilateral undertaking drafted to the satisfaction of the Local Planning Authority and Solicitor to the Council to secure:*

- (a) the long term management of the lagoon structure and lagoon environment;*
- (b) secure the ongoing monitoring of water quality with the lagoon; and*
- (c) ensure installation and maintenance of aeration and ultrasound equipment in perpetuity, unless it can first be demonstrated that such equipment is not required to maintain lagoon water quality.*

*Members APPROVE the details submitted pursuant to condition numbers 22 and 23 of P/09/0892/FP.*

The meeting was attended by a representative from the independent consultants Mott Macdonald who had been appointed by the Council to advise on hydrological and ecological issues.

Upon being proposed and seconded, the revised recommendation to approve the details submitted pursuant to condition numbers 22 and 23 of P/09/0892/FP, (shown in the Update Report referred to above) subject to:-

The applicant/owner entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms draft by the Solicitor to the Council or submitting to the Council a unilateral undertaking drafted to the satisfaction of the Local Planning Authority and Solicitor to the Council to secure:-

- (a) the long term management of the lagoon structure and lagoon environment;
- (b) secure the ongoing monitoring of water quality with the lagoon; and
- (c) ensure installation and maintenance of aeration and ultrasound equipment in perpetuity, unless it can first be demonstrated that such equipment is not required to maintain lagoon water quality.

was voted on and CARRIED.

(Voting 6 in favour; 3 against).

(Councillor Price, JP, Councillor Mrs Trott and Councillor Davies wished it to be recorded that they had voted against the application).

RESOLVED that subject to:-

The applicant/owner entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms draft by the Solicitor to the Council or submitting to the Council a unilateral undertaking drafted to the satisfaction of the Local Planning Authority and Solicitor to the Council to secure:-

- (a) the long term management of the lagoon structure and lagoon environment;
- (b) secure the ongoing monitoring of water quality with the lagoon; and

- (c) ensure installation and maintenance of aeration and ultrasound equipment in perpetuity, unless it can first be demonstrated that such equipment is not required to maintain lagoon water quality.

The details submitted pursuant to condition numbers 22 and 23 of P/09/0892/FP be APPROVED.

Reasons for the Decision - The proposals would not materially alter or extend the remit of the original planning permission, are not considered to encroach upon or result in harm to the statutorily designated SSSI, SPA and RAMSAR sites, or cause any unacceptable harm to the proposed lagoon environment itself. Other material considerations being judged not to have sufficient weight or direction to justify refusal of the application.

**(21) P/12/0451/FP - Land off Old Street, Stubbington**

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; 1 abstention).

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 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 Core Strategy - CS14 - Development Outside Settlements, CS17 - High Quality Design and CS22 - Development in Strategic Gaps. Fareham Borough Local Plan Review - FS7 - Telecommunications.

**(22) P/12/0485/FP - 36 Stubbington Lane, Stubbington**

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 9 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, notably Fareham Borough Core Strategy Policy CS17. 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 upon 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 Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXTDG - Extension Design Guide (1993).

**(23) P/12/0522/FP - 47 St Marys Road, 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 start of the first sentence, paragraph 4 on page 110 of the agenda should read: 'Whilst the rear private garden is shallower than normal'. The applicant has requested that the period for completion of the unilateral undertaking be extended to 26<sup>th</sup> October 2012, which officers have no objection to.*

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

- (i) the applicant/owner 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 the payment of necessary developer contributions including public open space and transport infrastructure by 26 October 2012; and
- (ii) the conditions in the report,

was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

RESOLVED that subject to :-

- (i) the applicant/owner 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 the payment of necessary developer contributions including public open space and transport infrastructure by 26 October 2012; and
- (ii) 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 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 Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing Provision, CS6 - The Development Strategy, CS11 - Development in Portchester, Stubbington and Hill Head, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - High Quality Design, CS20 - Infrastructure and Development Contributions and CS21 - Protection and Provision of Open Space.

**(24) P/12/0526/TO - 25 The Causeway, Down End Road, Fareham**

Upon being proposed and seconded, the officer recommendation to grant consent, subject to the conditions in the report, was voted on and CARRIED. (Voting 9 in favour; 0 against).

RESOLVED that, subject to the conditions in the report, CONSENT 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 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: Fareham Borough Local Plan Review - DG4 - Site Characteristics

**(25) P/12/0527/FP - 38 Castle Street, Portchester**

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

- (i) completion of a legal agreement by 14 September 2012 to prevent the annexe from being occupied as a separate dwelling; and
- (ii) the condition in the report,

was voted on and CARRIED.

(Voting 6 in favour; 0 against; 2 abstentions). (N.B. Councillor Davies had left the meeting before consideration of this matter).

RESOLVED that subject to:-

- (iii) completion of a legal agreement by 14 September 2012 to prevent the annexe from being occupied as a separate dwelling; and
- (iv) the condition 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 likely to result in an impact on the amenity of adjoining occupiers, highway safety or the visual amenity 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 Core Strategy - CS17 - High Quality Design. Fareham Borough local Plan Review - H9 - Annexes for Dependent Relatives.

**(26) P/12/0538/CU - Unit 6 Castle Trading Estate, Fareham**

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

The Committee was informed of the following comments received from the Director of Regulatory and Democratic Services (Environmental Health) - *Due to the proximity of the proposed use to neighbouring residential premises and the likely potential for noise issues arising from storage and distribution activities including the use of lifting and moving machinery, deliveries and the inclusion of open air storage permitted in the B8 category, I ask that a condition is added to any permission granted, to require the applicant prior to the use commencing, submits in writing, to the satisfaction of the Local Authority, a noise report in line with British Standard 4142 and implement any remedial measures required to ensure that there is no loss of amenity to neighbouring residential premises, including outside areas to those residential dwellings.*

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

- (i) amended condition stating that the use hereby permitted shall not operate (either within the buildings or the rear service yard) outside of the following times; 08:00-18:00 Monday-Friday, 08:00-13:00 Saturdays and not at all on Sundays or Bank Holidays.
- (ii) Additional condition requiring a noise report to be submitted and approved in writing by the local planning authority prior to commencement of the use. The noise report shall include any remedial measures required to ensure that there is no loss of amenity to neighbouring residential premises, including outside areas to those residential dwellings. The use of the site shall be carried out in accordance with the agreed remedial measures at all times.

was voted on and CARRIED.  
(Voting 9 in favour; 0 against).

RESOLVED that, subject to:-

- (i) amended condition restricting hours of operation as referred to above; and
- (ii) prior to the use commencing, submission and approval of a satisfactory noise report and implementation of any remedial measures required.

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 likely to result in an impact on the amenity of adjoining occupiers, the visual amenity of the area or 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 Core Strategy - CS1 - Employment Provision and High Quality Design. Fareham Borough Local Plan Review - E1 - Existing Employment Areas in the Urban Area.

**(27) P/12/0547/FP - 10 Down End Road, Fareham (retrospective application)**

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

The Committee was referred to the Update Report which provided the following information:- *Additional condition to be added for the car parking and turning on site to be retained at all times.*

A motion was proposed and duly seconded that the application be refused. Upon being put to the vote the motion was CARRIED.  
(Voting 8 for refusal; 1 against refusal).

RESOLVED that planning permission be REFUSED.

Reasons for the Decision - The boundary fence is contrary to Policy CS17 of the Adopted Fareham Borough Core Strategy and is unacceptable in that by virtue of its height, materials and prominent siting alongside the highway, the fence results in a visually obtrusive, incongruous and unsympathetic feature detrimental to the visual amenities of the streetscene.

(The meeting started at 2:30pm  
and ended at 6.46pm.