

SUPPLEMENTARY AGENDA PLANNING COMMITTEE

Date: Wednesday, 14 December 2022

Time: 1.00 pm

Venue: Collingwood Room - Civic Offices

6. Planning applications and Miscellaneous Matters including an update on Planning Appeals

To consider a report by the Director of Planning and Regeneration on development control matters, including information regarding new planning appeals and decisions.

(10) UPDATE REPORT (Pages 1 - 9)



P GRIMWOOD
Chief Executive Officer
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14 December 2022

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UPDATES

for Committee Meeting to be held on 14/12/2022

ZONE 1 – WESTERN WARDS

6 (2) P/21/1780/RM Warsash

Land adjacent to 125 Greenaway Lane, Warsash

1.1 additional representation received raising the following queries:

a. Can the council confirm that a play area will be located on land to the south of Greenaway Lane and on which site?

b. Can the council clarify their position on the two junior football pitches as detailed in the draft local plan?

Officer comment:

a. The s106 secures a financial contribution towards a play area on land to the south of Greenaway Lane. The location of the play area has not yet been agreed but will be confirmed within the 'scheme of works' required by the s106.

b. Policy HA1 of the Emerging Local Plan states that 2 junior football pitches will be required within the area allocated for development within policy HA1. Officers can confirm that policy requirements will be sought as part of any future applications relating to land allocated under HA1.

2. Update to part A of the recommendation to confirm that the pedestrian and cycle routes will also be maintained by the management company:

A) DELEGATE to the Head of Development Management in consultation with the Solicitor to the Council to complete a legal agreement to ensure:

- i) the creation of a management company (funded by a residents' service charge) to maintain and manage the open space, sustainable urban drainage features, *pedestrian/cycle routes* and ecological corridors in perpetuity;
- ii) a mechanism for securing appropriate funding of the management company for the lifetime of the development;
- iii) a mechanism for ensuring collection and enforcement of the funding stream provided in ii) above to fund the monitoring and management of the communal areas of the development for the lifetime of the development;
- iv) the creation of and retention of an ecological corridor along part of the eastern boundary.

6 (3) P/22/1312/FP Warsash

14 Mariners Way, Warsash

One further letter of objection has been received in relation to the latest revision, raising the following concerns: -

- More overbearing and overlooking to all neighbours, and will materially increase the light shadow over us
- Affect the harmony of the existing roof lines on this side of Mariners Way making it a visual eyesore for everyone on the street

ZONE 2 – FAREHAM

6 (4) P/19/0437/FP Fareham North

Fareham Point

The following conditions has been included as part of the recommendation for Approval:

7) The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between FBC, SDNPA and Andrew Sellick of Gawthorpe Estate dated 1 April 2021 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.

REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

8) No development shall take place beyond damp proof course (dpc) level until details of how and where Electric Vehicle (EV) charging points will be provided at the following level:

At least one Electric Vehicle (EV) charging point per dwelling with allocated parking provision;

The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first occupation of the dwelling to which it serves.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

Welborne, Land north of Fareham

Recommendation:

The following conditions are included as part of the recommendation for Approval:

- 1) The works hereby approved shall be undertaken within three years from the date of this consent.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

- 2) The development shall be carried out in accordance with the following approved documents:

- Drawing WEL-PBF-WM-XX-DR-CH-00010 Revision S4-P10 Reserved Matters Application Redline Boundary
- Drawing WEL-PBF-WM-XX-DR-CH-00018 Revision S4-P01 Reserved Matters Application Construction Access Visibility
- Drawing WEL-PBF-HB-XX-DR-CD-00101 Revision S4-P01 Septic Tank
- Drawing WEL-PBF-WM-XX-DR-CH-00015 Revision S4-P03 Reserved matters Application Construction Compound & Access
- Drawing WEL-PBF-WM-XX-DR-CH-00001 Revision S4-P13 Engineering Layout Sheet 1 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00002 Revision S4-P11 Engineering Layout Sheet 2 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00003 Revision S4-P09 Engineering Layout Sheet 3 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00004 Revision S4-P10 Engineering Layout Sheet 4 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00005 Revision S4-P10 Engineering Layout Sheet 5 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00013 Revision S4-P02 Engineering layout Sheet 6 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00014 Revision S4-P06 Engineering Layout Sheet 7 of 8
- Drawing WEL-PBF-WM-XX-DR-CH-00017 Revision S4-P00 Engineering layout Sheet 8 of 8
- Drawing DD557L5-3 Revision C INF2 Landscape Mitigation Area F
- Drawing DD557L5-2 Revision D INF2 Landscape Mitigation Area C, D & E
- Drawing DD557L5-1 Revision D INF2 Landscape Mitigation Area A & B

REASON: To avoid any doubt over what has been permitted.

- 3) The development shall be undertaken in accordance with the Outline Construction Environmental Management Plan, dated October 2022, prepared by Mayer Brown and its associated appendices.

REASON: To protect the occupiers of nearby residential properties and surrounding ecological features against noise and disturbance during the construction period.

- 4) Notwithstanding the detail within the Construction Environmental Management Plan (CEMP) no work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

- 5) Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures all work in the affected area must stop immediately. A site investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed in writing by the Local Planning Authority for the affected area. The remediation shall be fully implemented in accordance with the approved method statement prior to work re-commencing in the affected area.

REASON: To protect the on site workers, future occupants of the site and nearby residential properties

- 6) No development shall take place within 50m of trees or hedgerows to be protected as identified in the Arboricultural Method Statement dated September 2022, reference JFA0173INF2 until the measures of tree and hedgerow protection as set out in Appendix JF3 of the same Arboricultural Method Statement have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site. There shall be no storage of materials, plant or equipment at any time within the areas of tree protection fencing.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

- 7) The new footpath for the diverted Right of Way 87, as shown on Drawing WEL-PBF-WM-XX-DR-CH-00014 Revision S4-P06 Engineering Layout Sheet 7 of 8, shall be constructed and laid out for public use within eight weeks from the commencement of development on any land north of Knowle Road and shall be retained thereafter with the exception of the connection directly adjacent to the A32. Until such time as the path connection directly adjacent to the A32 is provided and is open for public use a banksman shall be in place at the Heytesbury Farm/A32 access to manage any conflict between vehicles and the users of the path as set out within Paragraphs 5.13- 5.15 of the Construction Traffic Management Plan, titled "Use of Traffic Marshalls".

REASON: In the interest of public safety during the construction period.

- 8) The temporary haul roads hereby permitted shall be removed once they are no longer required for this purpose. Once removed, the land shall be restored to its former state unless a subsequent permission / permissions have been granted on the land, or unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interest of the visual amenities of the area.

6(6) P/22/1020/RM Fareham North

Welborne, Land north of Fareham

Consultations:

Lead Local Flood Authority: No Objection

- Infiltration rates have been provided and the calculations have been updated accordingly.
- Suitable storage is available for the proposals, and evidence has been provided to show that future phases can connect into this system subject to the proposed impermeable area.
- Any extra storage required for future development in addition to that proposed in this application is to be provided as phases are developed.

Recommendation:

The following conditions are included as part of the recommendation for Approval:

- 1) The works hereby approved shall be undertaken within three years from the date of this consent.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
- 2) The development shall be carried out in accordance with the following approved documents:
 - a) Drawing WEL-PBF-00-XX-DR-CH-00120 Revision S4-P03 "Reserved Matters Application Redline Boundary"
 - b) Drawing WEL-PBF-DW-XX-DR-CH-00101, Revision S4-P04 "Engineering layout Sheet 1 of 8"
 - c) Drawing WEL-PBF-DW-XX-DR-CH-00102, Revision S4-P04 "Engineering Layout Sheet 2 of 8"
 - d) Drawing WEL-PBF-DW-XX-DR-CH-00103, Revision S4-P04 "Engineering Layout Sheet 3 of 8"
 - e) Drawing WEL-PBF-CH-XX-DR-CH-00104, Revision S4-P03 "Engineering Layout Sheet 4 of 8"
 - f) Drawing WEL-PBF-CH-XX-DR-CH-00105, Revision S4-P03 "Engineering Layout Sheet 5 of 8"
 - g) Drawing WEL-PBF-CH-XX-DR-CH-00106, Revision S4-P03 "Engineering Layout Sheet 6 of 8"

- h) Drawing WEL-PBF-HB-XX-DR-CH-00107, Revision S4-P04 "Engineering Layout Sheet 7 of 8"
 - i) Drawing WEL-PBF-HB-XX-DR-CH-00108, Revision S4-P04 "Engineering layout Sheet 8 of 8"
 - j) Drawing WEL-PBF-00-XX-DR-CH-00130, Revision S4-P03 "Reserved Matters Application Site Compound, Spoil & Tracking"
 - k) Drawing WEL-BBF-00-XX-CD-CH-00151, Revision S4-P02 "Standard Details Highway Details"
 - l) Drawing WEL-PBF-00-XX-CD-CH-00152, Revision S4-P03 "Standard Details Drainage Details"
 - m) Drawing WEL-PBF-00-XX-DR-CH-00131, Revision S4-P01 "Reserved Matters Application Site compounds & Access Visibility"
 - n) Drawing DD557L06 Revision C "INF4 Interim Landscape Proposals"
 - o) Drawing A-200 "Substation Plan and Elevation"
 - p) Drawing A-201 "Communications Building Plan and Elevation"
- REASON: To avoid any doubt over what has been permitted.

- 3) The development shall be undertaken in accordance with the Outline Construction Environmental Management Plan, dated October 2022, prepared by Mayer Brown and its associated appendices.

REASON: To protect the occupiers of nearby residential properties and surrounding ecological features against noise and disturbance during the construction period.

- 4) Notwithstanding the detail within the Construction Environmental Management Plan (CEMP) no work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

- 5) No development shall take place in the locations identified in the Omnia Phase 1 Geo-Environmental Site Assessment (Ref: A11744/1.1) until the applicant has submitted to and had approved in writing by the Local Planning Authority an intrusive site investigation and an assessment of the risks posed to human health, and the wider environment including water resources for those specifically targeted areas within the application site. Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statement to address identified risks shall be part of the submission to the Local Planning Authority. The details shall include the nomination of a competent person to oversee the implementation of the measures.

REASON: To protect the on site workers, future occupants of the site and nearby residential properties

- 6) Prior to commencement of site operations (including works of site set up and demolition works) in the targeted areas as identified as locations in the Omnia Phase 1 Geo-Environmental Site Assessment (Ref: A11744/1.1) the agreed scheme of remedial measures in condition 5 shall be fully implemented.

Remedial measures shall first be validated in writing by an independent competent person as agreed with the approved remedial measures under condition 5. The validation shall include (where necessary) photographic evidence and as built drawings.

REASON: To protect the on site workers, future occupants of the site and nearby residential properties

- 7) Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures all work in the affected area must stop immediately. A site investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed in writing by the Local Planning Authority for the affected area. The remediation shall be fully implemented in accordance with the approved method statement prior to work re-commencing in the affected area.

REASON: To protect the on site workers, future occupants of the site and nearby residential properties

- 8) No development shall take place within 50m of trees or hedgerows to be protected as identified in the Arboricultural Method Statement dated September 2022, reference JFA0173INF4 until the measures of tree and hedgerow protection as set out in Appendix JF3 of the same Arboricultural Method Statement have been implemented and these shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site. There shall be no storage of materials, plant or equipment at any time within the areas of tree protection fencing.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

- 9) The new footpath for the diverted Right of Way 87, as shown on Drawing WEL-PBF-WM-XX-DR-CH-00014 Revision S4-P06 Engineering Layout Sheet 7 of 8, shall be constructed and laid out for public use within eight weeks from the commencement of development and shall be retained thereafter with the exception of the connection directly adjacent to the A32. Until such time as the path connection directly adjacent to the A32 is provided and is open for public use a banksman shall be in place at the Heytesbury Farm/A32 access to manage any conflict between vehicles and the users of the path as set out within Paragraph 5.15 of the Construction Traffic Management Plan, titled "Use of Traffic Marshalls".

REASON: In the interest of public safety during the construction period.

ZONE 3 – EASTERN WARDS

6(7) P/22/1012/FP Portchester East

Assheton Court, Castle Street

Two further comments have been received from members of the public, both of who had previously commented, raising no new matters.

The applicant has provided a roof plan which has been added to the application file. The list of approved drawings and documents under Condition 2 is therefore proposed to be expanded to include “Proposed Roof Plan – 20-026 0007 P01”.

Following discussions with the applicant, suggested Condition 3 a) & b) is proposed to be amended to read (additional wording underlined):

“a) Details of how provision is to be made on site or nearby for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles

b) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parking within the planning application site or nearby as identified in the details provided pursuant to a) above.”

6(8) P/22/1253/FP Portchester East

Cams Hill School, Shearwater Avenue

Condition 2 has been amended to include two additional plans which were omitted in error. The condition would read as follows with the additional plan numbers in bold;

2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

i) Location Plan S22-049 / DWG / 0001

ii) Proposed Site Plan S22-049 / DWG / 0003

iii) Proposed Layout S22-049 / DWG / 0005

iv) Proposed Layout S22-049/DWG/0006

v) Proposed Drainage S22-049 / DWG / 0007

vi) Proposed Structures S22-049/DWG/0009

vii) Proposed Elevations S22-049 / DWG / 0010

viii) Tree Survey Report and Arboricultural Impact Assessment (ref: JSL4460_770)

ix) Ecological Assessment (RPS, July 2022)

x) Flood Risk Assessment and Drainage Strategy (reference: R-FRA-24796-01-0)

xi) Flood Lighting Calculations (October 2022)

xii) Proposed Floodlights S22-049 / DWG / 0008 Rev 01
REASON: To avoid any doubt over what has been permitted.