

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 29 January 2014

Venue: Collingwood Room - Civic Offices

PRESENT:

N J Walker (Chairman)

A Mandry (Vice-Chairman)

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

Also Present: Councillor Mrs S Pankhurst (Minute 6(5)) and Councillor
Mrs S M Bayford (Minute 6(7))



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M J Ford, JP and B Bayford.

2. MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the following Planning Committee meetings be confirmed and signed as correct records:-

- (i) Minutes of 12 December 2013
- (ii) Minutes of 18 December 2013
- (iii) Minutes of 8 January 2014

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 Council's Code of Conduct Councillor Mrs Hockley declared an interest in application P/13/1104/FP – Fareham Leisure Centre, Park Lane Fareham (see minute 6(11) 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	Minute No/ Application No
Mrs A Vulliamy		69 Botley Road, Park Gate, Southampton - Outline application for 150 place children's nursery, access, parking and amenity area	Supporting	Item 6(3) P/13/0917/OA
Mr R Tate (Agent)		-ditto-	-ditto-	-ditto-
Mr G Palmer (Agent)		247 Titchfield Road, Titchfield – New dwelling with associated car parking and	Supporting	Item 6(4) P/13/09/19/FP

		driveway		
Mrs A Bedhoost	Mrs J Aylard Mrs C Folland Mr M Kimber	114 Locks Heath Park Road, Locks Heath – Erection of three bedroom bungalow on land to the rear of existing dwelling	Opposing	Item 6(5) P/13/0988/FP
Mr R Tutton (Agent)		-ditto-	Supporting	-ditto-
Mr R Tutton (speaking on behalf of Mr B Harverson (Agent)		-ditto-	-ditto-	-ditto-
Mr A Hennessey		63 Bridge Road, Park Gate – Demolition of existing bungalow and erection of 2 x three bedroom detached houses and 2 x three bedroom detached chalet bungalows incorporating car parking improvements	Opposing	Item 6(7) P/13/1045/FP
Mr R Pitman		-ditto-	-ditto-	-ditto-
Mr J Fricker (Agent)		-ditto-	Supporting	-ditto-
Mr K Ward		4 Balliol Close, Fareham – Erection of two storey side extension	Supporting	Item 6(8) P/13/1052/FP
Mr R Chivers (Agent)		Land to rear of 23 The Avenue, Fareham – Development to land to the rear of Blackbrook Grove	Supporting	Item 6(9) P/13/0891/FP

		with four detached four and five bedroom houses and access drive and ancillary parking and amenity space		
Ms J Patrick (Agent)		-ditto-	-ditto-	-ditto-
Mr O Olafsson (Agent)		34 Portchester Road, Fareham – Erection of two detached four bedroom dwellings at the rear of 34 Portchester Road,	Supporting	Item 6(13) P/13/1049/FP

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 information on planning appeals. An Update Report was tabled at the meeting.

(1) P/08/0611/MA/A - 12 MOUNTBATTEN DRIVE - (PLOT 103 - LOT 1 COLDEAST HOSPITAL) SARISBURY GREEN

Upon being proposed and seconded, the officer recommendation to approve a change to the original approved boundary treatment to southern side boundary of plot 103 from 1.8 metre high screen brick wall comprising 1.0metre high wall with piers and 0.8 metre high timber closeboard fencing infill, to 1.8M high timber closeboard fencing, was voted on and CARRIED.

(Voting: 6 in favour; 3 against)

RESOLVED that a change to the original approved boundary treatment to southern side boundary of plot 103 from 1.8 metre high screen brick wall comprising 1.0metre high wall with piers and 0.8 metre high timber closeboard fencing infill, to 1.8M high timber closeboard fencing, be APPROVED.

(2) P/12/0778/DP/A - BURRIDGE ROAD - LAND TO SOUTH WEST - BURRIDGE

The Committee was referred to the Update Report which provided the following information:- *The applicant has submitted details of an alternative*

lighting bollard design with a timber finish appearance. The bollard design is shown to be under a metre in height.

Upon being proposed and seconded, the officer recommendation to approve details pursuant to condition 8 (buffer zone protection) and condition 9 in part (foul drainage and surface water drainage, external lighting and landscaping scheme) of planning application P/12/0778/CU was voted on and CARRIED. (Voting 9 in favour, 0 against).

RESOLVED that details pursuant to condition 8 (buffer zone protection) and condition 9 in part (foul drainage and surface water drainage, external lighting and landscaping scheme) of planning application P/12/0778/CU be APPROVED.

(3) P/13/0917/OA - 69 BOTLEY ROAD PARK GATE

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

Upon being proposed and seconded, the officer recommendation to refuse outline planning permission was voted on and CARRIED. (Voting: 9 in favour; 0 against)

RESOLVED that outline planning permission be REFUSED.

Reasons for Decision:

The development would be contrary to Policies CS5, CS14 & CS17 of the adopted Fareham Borough Core Strategy and is unacceptable in that:

a) the car parking and amenity area represents an inappropriate form of development within the countryside for which there is no justification or overriding need. Furthermore the car parking and amenity area would be harmful to the landscape character, appearance and function of this area of countryside, and would fail to respond positively to the key characteristics of the surrounding area;

b) by virtue of the standard of the access (including available visibility to the south), its position relative to the other accesses and junctions within the immediate area, and the likely level of vehicle movements into and out of Botley Road, particularly during the peak period, the proposal would be harmful to the safety and convenience of users of the highway.

Policies: Approved Fareham Borough Core Strategy: CS5 - Transport Strategy and Infrastructure; CS6 - The Development Strategy; CS9 - Development in Western Wards and Whiteley; CS14 - Development Outside Settlements; CS15 - Sustainable Development and Climate Change; CS16 - Natural Resources and Renewable Energy; CS17 - High Quality Design.

Fareham Borough Local Plan Review: DG4 - Site Characteristics; C18 - Protected Species

(4) P/13/0919/FP - 247 TITCHFIELD ROAD TITCHFIELD

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

The Committee was referred to the Update Report which provided the following information:- *A revised Ecological Mitigation & Management Strategy was received 27th January 2014 in order to address the issues raised in the preliminary comments by the Director of Planning & Environment (Ecology). The revised ecology information submitted satisfactorily deals with those outstanding matters. The Director of Planning & Environment (Ecology) advises that there are no further concerns regarding the on-site ecological impacts of the proposals as long as the existing outbuilding is retained and all measures including long-term management of the site are secured through planning conditions. The advice also suggests that a condition concerning the need to address the management of onsite contamination in relation to drainage of surface water into nearby water bodies should also be imposed in the event permission was to be granted. The proposal is not considered to be contrary to Saved Policy C18 of the Fareham Borough Local Plan Review. Through the revised submission the applicant has satisfactorily addressed the issues around the likely impact of the development on protected species and habitat*

A motion was proposed and seconded to hold a site visit. Having been put to the vote the motion was LOST (Voting 7 against a site visit; 2 for a site visit).

A further motion was proposed and seconded to endorse the officer recommendation to refuse planning permission. The motion was voted on and CARRIED.

(Voting: 7 in favour of refusal; 2 against refusal)

RESOLVED that outline planning permission be REFUSED.

Reasons for Decision:

The development would be contrary to Policies CS14 & CS22 of the adopted Fareham Borough Core Strategy and Policy DG4 of the adopted Fareham Borough Local Plan Review and is unacceptable in that:

- i) the erection of a dwelling in this location would be contrary to countryside policies which seek to prevent additional dwellings in the countryside for which there is no justification or overriding need;
- ii) the proposed dwelling would harm the landscape character and appearance of the countryside;
- iii) the proposed dwelling would both physically and visually diminish the separation of settlements to the detriment of the integrity of the strategic gap.

Policies: Approved Fareham Borough Core Strategy: C18 - Protected Species; CS4 - Green Infrastructure, Biodiversity and Geological Conservation; CS5 - Transport Strategy and Infrastructure; CS6 - The Development Strategy; CS14 - Development Outside Settlements; CS15 - Sustainable Development and Climate Change; CS16 - Natural Resources and Renewable Energy; CS17 - High Quality Design; CS22 - Development in Strategic Gaps. Approved SPG/SPD; CCPS - Residential Car and Cycle Parking Standards

Supplementary Planning Document. Fareham Borough Local Plan Review: DG4 - Site Characteristics; C18 - Protected Species

(5) P/13/0988/FP - 114 LOCKS HEATH PARK ROAD LOCKS HEATH

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

At the invitation of the Chairman Councillor Mrs Pankhurst addressed the Committee on this matter.

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: 6 in favour; 3 against)

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

(6) P/13/0992/FP - ESPRIT ELECTRONICS, COAL PARK LANE LOWER SWANWICK

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.

(7) P/13/1045/FP - 63 BRIDGE ROAD PARK GATE

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

At the invitation of the Chairman, Councillor Mrs Bayford addressed the Committee on this application.

A motion was proposed and seconded that the application be refused. Upon being put to the vote the motion was CARRIED.

(Voting: 9 in favour of refusal; 0 against refusal)

RESOLVED that the application be REFUSED.

Reasons for Decision:

The proposed development is contrary to Policy CS17 of the adopted Fareham Borough Core Strategy and is unacceptable in that:

- i) by virtue of the number of proposed dwellings along with their layout and design, the proposal would result in a development which is not of high quality of design, and one representing overdevelopment of the site and a cramped form of development out of keeping with the character of the area;

ii) the proposal would involve a new access drive in close proximity to 19 Honeysuckle Close which would create a new focus of activity resulting in noise and disturbance from vehicular movements, detrimental to the amenities of the occupiers of that property.

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; CS16 - Natural Resources and Renewable Energy; CS17 - High Quality Design; CS20 - Infrastructure and Development Contributions. Fareham Borough Local Plan Review; C18 - Protected Species; DG4 - Site Characteristics

(8) P/13/1052/FP - 4 BALLIOL CLOSE 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 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.

(9) P/13/0891/FP - LAND TO REAR OF 23 THE AVENUE FAREHAM

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

The Committee was referred to the information provided in the Update Report as follows:- *For Members information, the comments of English Heritage are attached to this update (and are reproduced below.)*

*Notifications under Circular 01/2001, Circular 08/2009 & T&CP (Development Management Procedure) Order 2010
LAND TO REAR OF BLACKBROOK GROVE, 23 THE AVENUE, FAREHAM,
HAMPSHIRE
Application No P/13/0891/FP*

Thank you for your letter of 5 November 2013 notifying English Heritage of the above application. I visited the site on 5 September 2013, along with Mike Franklin and yourself, to assess any potential impact on the setting of Blackbrook Grove, a grade II listed house, as a result of development within the orchard area. I then submitted some pre application comments. It is disappointing that this proposal does not address the concerns raised at the pre application stage.*

Summary

Blackbrook Grove is a substantial house, built within extensive grounds. Both the house and gardens were designed in a romantic style in the early 19th

century and being designed together the setting of the grade II* listed house makes a positive contribution to its significance. The proposal is to build four houses within the grounds of the listed house. As a result of the extent, scale, design, and location of the housing this development would have an adverse impact on the setting of the listed building. Such harm must be weighed against public benefits to satisfy the requirements of the National Planning Policy Framework. I am not aware of any public benefits resulting from the development and therefore I recommend that this application should be refused.

English Heritage Advice

Blackbrook Grove (listed as Bishopwood) was built in the early part of the 19th century in the romantic cottage ornee style, which was popular at that time. It is an attractive example of the style with many of the key features such as the thatched roof, Gothick windows and rustic veranda still intact. It is now a large house, having been much extended over time, and sits within extensive grounds which are on the local Parks and Gardens Register.

This proposal is for the erection of four dwellings to the south west of the main house in an area which was formerly an orchard. This proposal will not have a direct impact on the listed building and therefore it is the setting of the house which must be considered.

The gardens comprise several character areas. Nearest to the house are formal lawns and mature trees. There is a former walled garden area to the west, a woodland area to the south and the former orchard to the south-west. The current setting of the house has already been affected by modern development and activity. There is a busy road to the north and new development to the west. These new houses are glimpsed in views from the house (largely because the current owners have established a 4 metre high hedge to screen the new development). However, when looking out from the house to east, west and south the setting is largely free from the intrusions of modern development because the garden is well stocked with trees, hedges and shrubs.

The gardens would have been laid out at the time the house was built. They were romantic and picturesque in style (as is the house) with woodland walks and a key vista down to a viewing platform which afforded views of the sea beyond. The key axial walkway still survives within the Blackbrook grounds (although I understand that the viewing mound, which is beyond this property boundary no longer exists). There was and is a strong association in historical design terms between the house and its gardens, they were constructed for use and enjoyment together (as the axial walkway illustrates) and therefore it can be concluded that the setting of the listed building contributes to its significance. In this case the gardens are not the incidental surroundings to the house; they were conceived as a whole.

In the English Heritage guidance The Setting of Heritage Assets under key principles for understanding setting there is a definition of setting given:

“Setting is the surroundings in which an asset is experienced. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to

appreciate that significance, or may be neutral.” The Guidance also explains that “Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset.”

Having visited the site I would conclude that the gardens to Blackbrook Grove make a positive contribution to the significance of the listed building and therefore a development which harms the setting would harm the significance of the listed building.

The orchard area is much diminished in terms of its historic interest and the contribution it makes to the significance of the house or the garden. Nevertheless it does retain some significance by being a surviving part of the former layout and it is still a green, undeveloped and open space. It would also be very easy to restore this area of the garden if so desired.

The proposed development is for four substantial houses (2 storeys and attics). Two are Georgian in style and two are Edwardian. They would be visible from the listed building as glimpsed views through trees. Although one would not have an open view of the new houses (provided the vegetation was retained) one would be conscious of the existence of development in an area currently perceived as an open space (via narrow views across the space to the trees on the far side of the plot). The design of the proposed houses bears no relation to the listed house or the gardens, nor are they true to modern design. While one would not want to dictate a style for new build there appears to be no logic to the styles selected. They are also large, although not as big as the listed house. I would suggest that if any development is to be acceptable in this location then it should be wholly subservient to the main house, collectively and individually

The area which would be taken up by this new development is a significant portion of the garden area. The development of houses in the former orchard would mean that this section of the garden could no longer be considered to be part of the setting of the listed building. In this regard the setting would be much reduced and (as stated above) the enjoyment of the house and the rest of the gardens would also be impinged upon by this intrusive development.

Taking the extent, scale and design of development into account along with the loss of garden area and the visibility of the houses from the listed building I would conclude that this development would harm the setting of the Blackbrook Grove.

The National Planning Policy Framework (NPPF) requires that ‘great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require a clear and convincing justification.’ (Para. 132).

This is a grade II listed building and therefore a proposal which would affect its setting must be given especially careful consideration. As set out above I conclude that the proposal would cause harm to the setting and therefore, as required by the NPPF, this harm must be weighed against the public benefits of the proposal.*

The benefits of the proposal would be the erection of four houses. Unless there is a need for such houses in the Fareham district and that this is reflected in your housing policies I would suggest that this would be a private benefit, not a public one. This is a matter for the planning authority to consider and weigh up.

My pre application comments suggested that there may be the opportunity to build some houses within the orchard site, but there were several key considerations:

- the number of units be reduced to say one or two*
- the development be confined to the southern half of the site, furthest from the house*
- the screening between the listed house and any new development be thickened*
- the northern part of the orchard could be restored to enhance the setting of the house*
- the access road required little change to the existing gravelled drive.*

I do not feel that this current proposal addresses these points.

Recommendation

I consider that the current proposal would cause a less than substantial level of harm to the setting of the grade II listed building. This degree of harm should be outweighed by some public benefit to meet the requirements of the NPPF, but I see no public benefit in this proposal and therefore I would recommend that this application be refused. I suggest that a reduced development could be accommodated within the orchard, if sensitively designed, which would have a negligible adverse impact on the setting of the listed building.*

Please contact me if we can be of further assistance. We would be grateful to receive a copy of the decision notice in due course. This will help us to monitor actions related to changes to historic places.

Yours sincerely

Marion Brinton *Inspector of Historic Buildings and Areas*

E-mail: marion.brinton@english-heritage.org.uk

Comments of the Director of Planning and Environment (Arborist) - no objection subject to conditions

Upon being proposed and seconded, the officer recommendation to refuse planning permission was voted on and CARRIED.
(Voting: 9 in favour of refusal ; 0 against refusal)

RESOLVED that planning permission be REFUSED.

Reasons for the decision:

The proposed development would be contrary to the guidance set out in the National Planning Policy Framework, to Policies CS6 and CS17 of the Fareham Borough Core Strategy and Policies DG4, C18 and HE10 of the Fareham Borough Local Plan Review and is unacceptable in that:-

- (i) by reason of the number, form of layout, bulk and design of the proposed dwellings, the development would result in the loss of an unacceptably large portion of the historic garden to new development not associated with this grade II* listed building and would be harmful to its important setting;
- (ii) the development would result in additional dwellings and therefore additional recreational pressure upon the nationally and internationally designated nature conservation sites including the Portsmouth Harbour Site of Special Scientific Interest (SSSI), the Portsmouth Harbour Special Protection Area (SPA) and RAMSAR site. In the absence of an appropriate assessment to ascertain that there will not be an adverse effect on the integrity of these designated sites or mitigation measures it is considered that the proposed development would result in significant harm to the nature conservation interests of these important sites.
- (iii) insufficient information has been provided to demonstrate that any protected species that may be present on the site will not be harmed or that adequate mitigation will be provided if necessary.

Policies: Approved Fareham Borough Core Strategy: CS2 - Housing Provision; CS5 - Transport Strategy and Infrastructure; CS6 - The Development Strategy; CS7 - Development in Fareham; CS15 - Sustainable Development and Climate Change; CS16 - Natural Resources and Renewable Energy; CS17 - High Quality Design; CS20 - Infrastructure and Development Contributions. Fareham Borough Local Plan Review: DG4 - Site Characteristics; C18 - Protected Species

(10) P/13/1006/MA/A - 77 GUDGE HEATH LANE FAREHAM

Upon being proposed and seconded, the officer recommendation to approve a minor amendment (reduction in the extension depth) to application P/13/1006/FP. was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that a minor amendment (reduction in the extension depth) to application P/13/1006/FP.be APPROVED.

(11) P/13/1104/FP - FAREHAM LEISURE CENTRE, PARK LANE FAREHAM

Councillor Mrs Hockley declared a personal interest in the application on the grounds that she is the Executive Portfolio holder for Leisure and Community.

Upon being proposed and seconded, the officer recommendation to grant planning permission for a temporary period up until the end of November 2014, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that TEMPORARY PLANNING PERMISSION be granted for a period up until November 2014.

(12) P/13/0911/FP - CAMS HILL SCHOOL SHEARWATER AVENUE, PORTCHESTER

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.

(13) P/13/1049/FP - 34 PORTCHESTER 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:- *Further comments of the Director of Planning and Environment: No objection subject to an informative and a condition securing the recommendations of the report with regards to compensation for loss of hedgerow and provision of biodiversity enhancements. Additional Condition: Works shall be carried out in accordance with the ecological measures set out within sections 5.2 and 5.3 of the Ecological Appraisal (Lindsay Carrington Ecological Services Ltd, January 2014), unless otherwise approved in writing by the LPA. Reason: in order to secure adequate ecological mitigation and enhancements. Note for information: Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord*

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

- (i) an informative and a condition to secure the recommendations of the report regarding compensation for loss of hedgerow and provision of biodiversity enhancements;
- (ii) an additional condition to require that Works shall be carried out in accordance with the ecological measures set out within sections 5.2 and 5.3 of the Ecological Appraisal (Lindsay Carrington Ecological Services Ltd, January 2014), unless otherwise approved in writing by the LPA;
- (iii) the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that subject to:-

- (i) an informative and a condition to secure the recommendations of the report regarding compensation for loss of hedgerow and provision of biodiversity enhancements;
- (ii) an additional condition to require that Works shall be carried out in accordance with the ecological measures set out within sections 5.2 and 5.3 of the Ecological Appraisal (Lindsay Carrington Ecological Services Ltd, January 2014), unless otherwise approved in writing by the LPA;
- (iii) the conditions in the report,

PLANNING PERMISSION be granted.

(14) Planning Appeals

The Committee noted the information contained in the report.

(15) UPDATE REPORT

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

7. TREE PRESERVATION ORDER

The Committee considered the confirmation of the following Fareham Tree Preservation Order to which no objection had been received.

(1) Tree Preservation Order No 686 - 43, Holly Grove Fareham

Order made on 9 August 2013 covering 3 individual oak trees.

RESOLVED that:-

- (i) Fareham Tree Preservation Order No.686 be confirmed without modification; and
- (ii) Fareham Tree Preservation Order No.203 be revoked as all the trees in the older order have, where appropriate, been included in the new order.

(The meeting started at 2.30 pm
and ended at 6.25 pm).