

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 26 March 2014

Venue: Collingwood Room - Civic Offices

PRESENT:

N J Walker (Chairman)

A Mandry (Vice-Chairman)

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

Also Present: L Keeble (Executive Member for Streetscene)



1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs Trott.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the meetings of the Planning Committee held on 24 February 2014 and 26 February 2014 be confirmed and signed as correct records.

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 the following members declared an interest in the items indicated:-

| Name | Pecuniary/Non-Pecuniary Interest | Planning Application/Site Address | Minute Number |
|-------------------------------|----------------------------------|--|---------------|
| Councillor P J Davies | Non-Pecuniary | P/ 14/0116/FP – 45, Beaumont Rise, Fareham | 6(5) |
| Councillor P W Whittle, JP | Non-Pecuniary | -ditto- | 6(5) |
| Councillor B Bayford | Non-Pecuniary | P/14/001/FP – Innovation Centre, Daedalus, Hangars East, Lee on the Solent | 6(8) |
| Councillor K D Evans | Non-Pecuniary | -ditto | -ditto |
| Councillor M J Ford, JP | Non-Pecuniary | -ditto | -ditto |
| Councillor A Mandry | Non-Pecuniary | -ditto | -ditto |

5. DEPUTATIONS

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

| Name | Spokesperson representing the persons listed | Subject | Supporting or Opposing the Application | Minute No/ Application No |
|---------------------------------------|--|--|--|------------------------------|
| Mr R Edwards | | 40 Admirals Road, Park Gate – Erection of first floor and single storey rear extensions and insertion of first floor side window (resubmission of P/13/0748/FP) | Opposing | 6 (1) P/14/0073/FP |
| Mr S Garnett (Agent) | | Land to rear of Red Lion Hotel, Fareham – Construction of two, part 2 and part 3 storey buildings (with roof accommodation) comprising 55 dwellings with a mix of 27 x 1 bed units and 28 x 2 bedroom units with associated landscaping, parking, servicing and refuse areas | Supporting | 6 (2) P/13/0408/FP |
| Mr T Reader | | 49-51 Crofton Lane, Fareham – Erection of two detached four bedroomed dwellings following demolition of existing classroom and garage buildings | Opposing | 6 (7) P/13/1080/FP |
| Mr T Reader (speaking for Mr J Scott) | | -ditto- | -ditto- | -ditto- |
| Mr J Tyrrell (Agent) | | -ditto- | Supporting | -ditto- |
| Mr C Mitchell | | Innovation Centre, Daedalus, Hangars East, Lee on the Solent – | Supporting | 6 (8) P/14/0081/FP |

| | | | | |
|--|--|---|--|--|
| | | Construction of new purpose built innovation centre comprising two storey office block, single storey workshop blocks and associated external works | | |
|--|--|---|--|--|

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/14/0073/FP - 40 ADMIRALS ROAD PARK GATE

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

A motion was proposed and seconded to approve the officer recommendation to grant planning permission, subject to a condition preventing the insertion of any windows in the side elevation at ground floor or first floor level without planning permission.

It was also recommended that by means of an informative, the applicant be reminded of their duties under the Party Wall Act 1996.

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

RESOLVED that subject to a condition preventing the insertion of any windows in the side elevation at ground floor or first floor level without planning permission, PLANNING PERMISSION be granted.

(2) P/13/0408/FP - LAND TO REAR OF RED LION HOTEL FAREHAM

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

The Committee’s attention was drawn to the Update Report which provided the following information:- *Further comments of the Director of Community (Strategic Housing) - The applicant is offering 11 units all for affordable rent. These would be delivered as nine x one bed two person flats and two x two bed three person flats. This is acceptable to Strategic Housing. An additional condition is required to secure the affordable housing. Amend the recommendation as follows: -*

Prior to the granting of planning permission, 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 in respect of the following:-

- a) To secure the funding of a Traffic Regulation Order to prevent parking on the site access road and;
- b) Works and contributions to mitigate the impact of the development on the Solent Special Protection Area.

A further amendment to the recommendation was reported at the meeting. In relation to the Section 106 Agreement, point (a), it was proposed to add the words "and to secure improvements to the junction of Bath Lane and East Street".

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 in respect of the following:-
 - a) To secure the funding of a Traffic Regulation Order to prevent parking on the site access road and to secure improvements to the junction of Bath Lane and East Street;
 - b) Works and contributions to mitigate the impact of the development on the Solent Special Protection Area.
- (ii) an additional condition to secure the affordable housing ; and
- (iii) the conditions in the report

was voted on and CARRIED.
(Voting: 8 in favour; 1 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 in respect of the following:-
 - (a) to secure the funding of a Traffic Regulation Order to prevent parking on the site access road and to secure improvements to the junction of Bath Lane and East Street;
 - (b) works and contributions to mitigate the impact of the development on the Solent Special Protection Area.
- (ii) an additional condition to secure the affordable housing ; and
- (iii) The conditions in the report ,

PLANNING PERMISSION be granted.

(3) P/14/0025/FP - 68 HIGH STREET FAREHAM

The Committee's was referred to the Update Report which provided the following information: *PARKING AND DESIGN: Since the drafting of the main agenda, and further to additional discussion with the Highway Officer, it is considered that the second reason for refusal should be amended and combined with the first reason to reflect the implications for the loss of the parking provision on the future viable uses for the listed building.*

The reason for refusal is also expanded to include the impact that the design and size of the building has on the setting of the listed building and the character of the Conservation Area.

SOLENT DISTURBANCE MITIGATION PROJECT CONTRIBUTIONS: Recently gathered evidence demonstrates that new development can reduce the quality of the important bird habitat in the Solent Special Protection Areas (SPAs). Any development that would result in an increase in the local population may have an impact either alone or in combination with other developments upon the SPAs. Development can increase the population at the coast and thus increase the level of disturbance and the resultant effect on the SPA's conservation objectives.

In the absence of a legal agreement to secure a financial contribution towards the Solent Disturbance Mitigation Project interim strategy, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas. A reason for refusal is added to this effect.

AMENDED RECOMMENDATION:

REFUSE for the reasons:

1) The proposed development is contrary to Policies DG4 of the Fareham Borough Local Plan Review, Policies CS5, CS6 and CS17 of the Adopted Fareham Borough Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Site and Policies, in that: -

The siting of the development in this position will give rise to the severing and development of a historic burgage plot, which is integral to the setting of the Grade II Listed Building and the High Street Conservation Area. The erosion of this burgage plot plus the size, scale and design of the proposed dwelling would harm the setting of the Grade II* Listed Building and would fail to preserve or enhance the character and appearance of the Conservation Area. Furthermore the proposal fails to identify an adequate number of off-street vehicle car parking spaces to be retained in order to enable the established lawful restaurant use of No. 68 to continue or to make provision for an alternative viable use of the listed building. In the absence of adequate provision of car parking spaces the development fails to cater for both future and existing uses in the listed building.*

2) In the absence of a legal agreement to secure a financial contribution towards the Solent Disturbance Mitigation Project, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent

Coastal Protection Areas. The development would therefore be contrary to Policy CS4 (Green Infrastructure, Biodiversity and Geological Conservation) of the adopted Fareham Borough Core Strategy, Policy DSP14 (Recreational Disturbance on the Solent Special Protection Areas) of the emerging Local Plan Part 2: Development Sites and Policies and paragraph 118 of the National Planning Policy Framework

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 refusal:-

(1) The proposed development is contrary to Policies DG4 of the Fareham Borough Local Plan Review, Policies CS5, CS6 and CS17 of the Adopted Fareham Borough Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Site and Policies, in that:-

The siting of the development in this position will give rise to the severing and development of a historic burgage plot, which is integral to the setting of the Grade II* Listed Building and the High Street Conservation Area. The erosion of this burgage plot plus the size, scale and design of the proposed dwelling would harm the setting of the Grade II* Listed Building and would fail to preserve or enhance the character and appearance of the Conservation Area. Furthermore the proposal fails to identify an adequate number of off-street vehicle car parking spaces to be retained in order to enable the established lawful restaurant use of No. 68 to continue or to make provision for an alternative viable use of the listed building. In the absence of adequate provision of car parking spaces the development fails to cater for both future and existing uses in the listed building.

(2) In the absence of a legal agreement to secure a financial contribution towards the Solent Disturbance Mitigation Project, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas. The development would therefore be contrary to Policy CS4 (Green Infrastructure, Biodiversity and Geological Conservation) of the adopted Fareham Borough Core Strategy, Policy DSP14 (Recreational Disturbance on the Solent Special Protection Areas) of the emerging Local Plan Part 2: Development Sites and Policies and paragraph 118 of the National Planning Policy Framework.

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. Approved SPG/SPD RCPSPG - Residential Car Parking Guide (replaced 11/2009). Development Sites and Policies:- DSP6 - Protecting and Enhancing the Historic Environment. Fareham Borough Local Plan Review: DG4 - Site Characteristics.

(4) P/14/0056/CU - 68 HIGH STREET FAREHAM

The Committee's was referred to the Update Report which provided the following information:- *SOLENT DISTURBANCE MITIGATION PROJECT CONTRIBUTIONS: Recently gathered evidence demonstrates that new development can reduce the quality of the important bird habitat in the Solent Special Protection Areas (SPAs). Any development that would result in an increase in the local population may have an impact either alone or in combination with other developments upon the SPAs. Development can increase the population at the coast and thus increase the level of disturbance and the resultant effect on the SPA's conservation objectives. In the absence of a legal agreement to secure a financial contribution towards the Solent Disturbance Mitigation Project interim strategy, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas. A reason for refusal is added to this effect*

AMENDED RECOMMENDATION: REFUSE for the reasons:

2) In the absence of a legal agreement to secure a financial contribution towards the Solent Disturbance Mitigation Project, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas. The development would therefore be contrary to Policy CS4 (Green Infrastructure, Biodiversity and Geological Conservation) of the adopted Fareham Borough Core Strategy, Policy DSP14 (Recreational Disturbance on the Solent Special Protection Areas) of the emerging Local Plan Part 2: Development Sites and Policies and paragraph 118 of the National Planning Policy Framework.

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

RESOLVED that permission for change of use be REFUSED.

Reasons for refusal: The proposed development is contrary to Policy DG4 of the Fareham Borough Local Plan Review, Policies CS5, CS6 and CS17, of the adopted Fareham Borough Core Strategy and Policy DSP6 of the Local Plan Part 2: Development Site and Policies and is unacceptable in that:

(i) the proposed change of use would give rise to the severing of an historic burgage plot which is integral to the setting of the Grade II* Listed Building and the High Street Conservation Area. The erosion of this burgage plot would harm the setting of the Grade II* Listed Building and would fail to preserve or enhance the character and appearance of the Conservation Area;

(ii) the application plans fail to identify where the proposed 3 (No.) car parking spaces are to be provided. In the absence of such information it is considered that inadequate provision for the parking of cars has been made at the site in accordance the Council's adopted Residential Car and Cycle Parking Supplementary Planning Document (2009).

(iii) in the absence of a plan identifying the contrary, it is considered that the provision of car parking to comply with reason (ii) above would require such

provision being made within the application site resulting in further harm to the setting of the listed building.

(iv) in the absence of a legal agreement to secure a financial contribution towards the Solent Disturbance Mitigation Project, the proposed development fails to mitigate its impact and would, in combination with other developments, increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas. The development would therefore be contrary to Policy CS4 (Green Infrastructure, Biodiversity and Geological Conservation) of the adopted Fareham Borough Core Strategy, Policy DSP14 (Recreational Disturbance on the Solent Special Protection Areas) of the emerging Local Plan Part 2: Development Sites and Policies and paragraph 118 of the National Planning Policy Framework.

Policies: Approved Fareham Borough Core Strategy:- CS2 - Housing Provision; CS5 - Transport Strategy and Infrastructure;; CS7 - Development in Fareham;; CS17 - High Quality Design. Approved SPG/SPD RCPSPG - Residential Car Parking Guide (replaced 11/2009). Development Sites and Policies; DSP6 - Protecting and Enhancing the Historic Environment.

(5) P/14/0116/FP - 45 BEAUMONT RISE FAREHAM

Councillor Davies and Councillor Whittle both declared a non-pecuniary interest in this matter on the grounds that the person objecting to the application is known to them.

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

- (i) The receipt of amended plans showing a first floor window within the side elevation; and
- (ii) The conditions in the report

was voted on and CARRIED.
(Voting: 7 in favour; 0 against; 2 abstentions).

RESOLVED that subject to:-

- (i) The receipt of amended plans showing a first floor window within the side elevation; and
- (ii) The conditions in the report

PLANNING PERMISSION be granted.

(6) P/14/0126/TO - 14 CHALFORD GRANGE FAREHAM

Upon being proposed and seconded, the officer recommendation to grant consent for the following works to one oak protected by Tree Preservation Order No 573:-

- 1) Tip reduce by 2 metres on east side of tree to provide 3 metres clearance from dwelling; maximum diameter of live pruning wounds < 75mm;
- 2) Crown raise to 3 metres above ground level by removing small diameter branches - maximum diameter of live pruning wounds < 50mm;
- 3) Removal of group of small diameter epicormic branches on east side of main stem.

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

RESOLVED that CONSENT be granted for the following works to one oak protected by Tree Preservation Order No 573:-

- 1) Tip reduce by 2 metres on east side of tree to provide 3 metres clearance from dwelling; maximum diameter of live pruning wounds < 75mm;
- 2) Crown raise to 3 metres above ground level by removing small diameter branches - maximum diameter of live pruning wounds < 50mm;
- 3) Removal of group of small diameter epicormic branches on east side of main stem.

(7) P/13/1080/FP - 49 - 51 CROFTON LANE, 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 entering into a planning obligation under Section 106 of the Town & Country Planning Act 1990 to secure a financial contribution towards strategic mitigation measures to offset the harm to nationally and internationally designated nature conservation sites by 23rd May 2014;

(ii) the conditions in the report; and

(iii) an additional condition requiring substantial boundary treatment along the western boundary of the site adjacent to 28 A and 2B Cottes Way, details to be agreed to the satisfaction of the planning authority

was voted on and CARRIED.
(Voting: 9 for;0 against)

RESOLVED that subject to:-

(i) the applicant/owner entering into a planning obligation under Section 106 of the Town & Country Planning Act 1990 to secure a financial contribution towards strategic mitigation measures to offset the harm to nationally and internationally designated nature conservation sites by 23rd May 2014;and

(ii) the conditions in the report,

- (iii) an additional condition requiring substantial boundary treatment along the western boundary of the site adjacent to 28 A and 2B Cottis Way, details to be agreed to the satisfaction of the planning authority

PLANNING PERMISSION be granted.

(8) P/14/0081/FP - DAEDALUS - INNOVATION CENTRE - HANGARS EAST LEE ON THE SOLENT

Councillor Bayford and Councillor Evans declared a non-pecuniary interest in the application on the grounds that, as members of the Council's Executive, they had participated in approving the Daedalus Investment Project and as Executive members have overall responsibility for its completion. Councillor Ford declared a non-pecuniary interest in the application on the grounds that he is a member of the Daedalus Investment Project Member Working Group which was set up to act in an advisory role to the project team to oversee and guide delivery of the project. In consideration of the significant level of their interest in this matter, all of the above members left the room before the application was discussed and took no part in the debate or voting thereon.

Councillor Mandry also declared a non-pecuniary interest in the application as he is a member of Daedalus Strategy Group. He remained in the meeting.

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

The Committee's attention was drawn to the Update Report which provided the following information: *Amended drawings have been submitted providing further details on vehicle tracking. This detail is now considered to be acceptable*

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

- (i) the conditions in the report; and
- (ii) an additional condition requiring submission of a travel plan which meets with the satisfaction of the local planning authority.

was voted on and CARRIED.
(Voting: 6 in favour; 0 against).

RESOLVED that subject to:-

- (i) the conditions in the report; and
- (ii) an additional condition requiring submission of a travel plan which meets with the satisfaction of the local planning authority.

PLANNING PERMISSION be granted.

(9) Planning Appeals

The Committee noted the information contained in the report.

(10) Update Report

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

(The meeting started at 2.30 pm
and ended at 4.55 pm).