

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 22 April 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

N J Walker (Chairman)

A Mandry (Vice-Chairman)

Councillors: B Bayford, T M Cartwright, MBE, K D Evans, M J Ford, JP,
R H Price, JP, D C S Swanbrow and P J Davies

**Also
Present:**



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 25 March 2015 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

The Committee received a deputation 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/Page No
ZONE 1 - 2.30				
Mr N Ellis		67 Church Road, Locks Heath – Demolition of existing bungalow and erection of 2 no. two storey semi-detached garage and associated access and parking	Supporting	Item (1) P/15/0168/FP Page 9
Ms J Coleman		Plot 4, 67 Church Road, Locks Heath – Erection of a detached chalet bungalow style dwelling with garage and driveway	Opposing	Item (2) P/15/0207/FP Page 16
Mr N Westbrook		-ditto-	Supporting	-ditto-

ZONE 2 – 2.30				
Mr Ford		13 Longfield Avenue, Fareham – Detached timber outbuilding to rear (retrospect application)	Opposing	Item (4) P/14/1127/FP Page 29
Mr A Tondeur		-ditto-	Supporting	-ditto-
Mrs M North		80 – 84 Fareham Park Road, Fareham – Construction of access road (as a partial alternative to permission P/13/0059/OA)	Opposing	Item (5) P/15/0074/VC Page 34
Mr R Tutton (Agent)		94 Arundel Drive, Fareham – Proposed change of use from retail (class A1) to hot food takeaway (class A5), together with the provision of an extraction duct on the side elevation	Supporting	Item (6) P/15/0191/FP Page 39
ZONE 3 – 2.30				

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

The Committee noted a report by the Director of Planning and Development on development control matter applications and miscellaneous matters, including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/15/0168/FP - 67 CHURCH ROAD LOCKS HEATH FAREHAM SO31 6LS

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.

**(2) P/15/0207/FP - 67 CHURCH ROAD - PLOT 4 - LOCKS HEATH
FAREHAM HAMPSHIRE SO31 6LS**

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

The Committee's attention was drawn to the Update Report which contained the following information:- *Amended plans were received 14th April 2015 removing the proposed south facing balcony and replacing it with a dormer window only.*

As such Condition 02 is updated to reflect the amended plans received:

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan

1693-01a – Site Layout

0299/15 – Hedge Survey Plan

X01 Revision G – Proposed Elevations

X02 Revision I – Proposed Floor and Roof Plans

Ecological Survey – Roslyne Ecological (Nov.2013)

Hedge Method Statement – N J Trowell (20th February 2015)

Planning Design and Access Statement January 2015

Reason: For the avoidance of doubt and in the interests of proper planning.

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

- (i). the conditions in the report;
- (ii). the revised condition in the update report; and
- (iii). an additional condition for the retention of and strengthening of the southern boundary planting.

Was voted on and CARRIED.

(Voting: 7 in favour; 0 against and 2 abstentions)

RESOLVED that, subject to:-

- (i). the conditions in the report;
- (ii). the revised condition in the update report; and
- (iii). an additional condition for the retention of and strengthening of the southern boundary planting.

PLANNING PERMISSION be granted.

(3) P/15/0256/TO - 181A SEGENSWORTH ROAD WEST FAREHAM HAMPSHIRE PO15 5EH

At the Invitation of the Chairman, Councillor Mrs Hockley addressed the Committee on this item.

Upon being proposed and seconded the officer recommendation to refuse the felling of one Monkey Puzzle tree, was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that PLANNING PERMISSION be REFUSED to fell one Monkey Puzzle tree.

Reasons for Refusal:

The proposed felling is considered to be contrary to Policy DG4 of the Fareham Borough Local Plan Review and Policy CS4 of the Fareham Borough Core Strategy in that it would represent poor arboricultural practice for which there is insufficient justification. Furthermore felling the tree would be detrimental to the public amenity value, harmful to the visual amenities and to the character of the area.

(4) P/14/1127/FP - 13 LONGFIELD AVENUE FAREHAM PO14 1DA

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

The Committee's attention was drawn to the update report which provided the following information:- *5 letters of support from neighbours in Longfield Avenue have been received.*

The Committee were informed that there was an error in the report under the description of the proposal in paragraph two which should be read 'the section nearest to the house is 6.16m wide with a shallow pitched roof. The section which is further away from the house is 3.1m wide and also has a pitched roof'.

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; 1 against)

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

(5) P/15/0074/VC - 80 & 84 FAREHAM PARK ROAD FAREHAM HAMPSHIRE PO15 6LW

The Committee received the deputation referred to minute 5 above.

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 stating that three parking spaces be provided for the property at 80 Fareham Park Road.

Was voted on and CARRIED.
(Voting: 8 in favour; 1 against)

RESOLVED that subject to:-

- (i). the conditions in the report; and
- (ii). an additional condition stating that three parking spaces be provided for the property at 80 Fareham Park Road.

PLANNING PERMISSION be granted.

(6) P/15/0191/FP - 94 ARUNDEL DRIVE FAREHAM HAMPSHIRE PO16 7NU

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

The Committee's attention was drawn to the Update Report which contained the following information:- *6 further objections received from 3 households raising similar issues to those already reported but adding:*

- *concern that food scraps could encourage vermin*
- *with schools nearby Fareham should be promoting healthy eating*
- *possible increase in early morning deliveries with consequent disturbance*
- *adverse impact on improved recreation park to the rear*

The applicant has requested that the application be amended to be for a takeaway use specifically for Chinese food only and has indicated that a planning condition could be imposed to this effect. The applicant also advises that the submitted extraction equipment would be adequate for the cooking of oriental food and that customers using Chinese takeaways are less likely to linger around the site and cause a nuisance to local residents as a result of the type of packaging of the food generally used being less suitable for facilitating instant consumption. The applicant has further provided details of acoustic insulation between the unit and the flat above.

It is considered that the Use Classes have been defined by Government to allow free movement of users within specified Classes; Government advice in the Planning Practice Guidance is that freedoms granted by statute should be constrained by condition only in 'exceptional circumstances'. Officers are not only of the view that the circumstances at the application site are not sufficiently 'exceptional' to consider granting permission with such a restriction but also that insufficient evidence has been provided to demonstrate that the proposed extraction equipment would indeed be adequate to prevent unacceptable nuisance by reason of smells even for the single specified food type. In short, it is considered that if the site is unsuitable for a takeaway use then it is unsuitable for all takeaway food types.

The applicant's views concerning the likely habits of customers of different types of takeaway food outlet is moot if Members agree with the Officers view

concerning a restriction of the type of food sold; further, the 2002 Appeal inspector did not consider there to be any difference and did not propose to grant permission subject to conditions but rather to dismiss the appeal.

Noise disturbance between the unit and the flat above has not been highlighted by the Director of Community (Environmental Health) as an issue in this case; it would be expected that the internal acoustic insulation with the flat above would be a matter for the Building Regulations.

Upon being proposed and seconded the officer recommendation to refuse planning permission, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposed development is contrary to Policy CS17 of the Fareham Borough Core Strategy, Policy S12 of the adopted Fareham Borough Local Plan Review and draft Policies DSP2 (previously DSP3) and DSP 39 of the Fareham Borough Local Plan Part 2: Development Sites and Policies and is otherwise unacceptable in that the proposed use would not respond positively to the character of the area and would be likely to give rise to smells, noise and disturbance particularly in the evenings to the detriment of the residential amenities of the occupiers of adjacent residential properties.

(8) P/15/0201/FP - 32A SOLENT ROAD FAREHAM HAMPSHIRE PO14 3LD

The Committee's attention was drawn to the Update Report which contained the following information:- *Four further letters have been received following the receipt of revised drawings on the 2nd April.*

The letters are from residents of Osborne View Road who previously wrote in to object to the application. The residents remain concerned over the appearance of the rear dormer window, the potential for obscure glazing to be replaced at some point in the future with clear glass and the precedent that the development might set.

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.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that it is in the public interest to exclude the public and representatives of the Press from the remainder of the meeting on the grounds that the matters to be dealt with involve the likely disclosure of exempt information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

(7) P/15/0238/OD - 70 TRINITY STREET FAREHAM PO16 7SJ

Upon being proposed and seconded the officer recommendation to vary the terms of the Section 106 Planning Obligation completed in connection with affordable housing and open space obligations relating to planning application P/07/0848/FP, was voted on and CARRIED.
(Voting: 6 in favour; 1 against; 2 abstentions)

RESOLVED that the request to vary the terms of the Section 106 Planning Obligation completed in connection with affordable housing and open space obligations relating to planning application P/07/0848/FP be APPROVED.

(9) Planning Appeals

The Committee noted the information in the report.

(10) UPDATE REPORT

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

7. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which had been made by officers under delegated powers and to which no formal objections had been received.

(a) Fareham Tree Preservation Order No 643 (2015) – Inwood House, The Thatched House, Tanglemere and Broomhill, Holly Hill Lane, Sarisbury.

Order made in 20 February 2015 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 643 be confirmed and made and served.

(b) Fareham Tree Preservation Order no 646 (2015) – Byeways, Woodpeckers, Dunnotar, Sarisbury Lodge. Holly Hill Lane and land to the north of Hook Nature Reserve, Sarisbury.

Order made on 20 February 2015 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 646 be confirmed and made and served.

(c) Fareham Tree Preservation Order No 703 (2014) – 26 Ranvilles Lane, Titchfield.

Order made on 1 December 2014 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 703 be confirmed and made and served.

(d) Fareham Tree Preservation Order No 704 (2015) – Three Oaks, Duneagle, Ashwick House, Otterholme, Hamble View, The Walled Garden and land fronting the River Hamble, Holly Hill Lane, Sarisbury.

Order made on 20 February 2015 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 704 be confirmed and made and served, with the following modifications; the addition of 'Three Oaks' in the title and to amended the position of T14, T15 and T16.

(The meeting started at 2.30 pm
and ended at 5.20 pm).