

FAREHAM

BOROUGH COUNCIL

Minutes of the Executive

(to be confirmed at the next meeting)

Date: Monday, 2 September 2019

Venue: Collingwood Room - Civic Offices

Present:

S D T Woodward, Policy and Resources (Executive Leader)
T M Cartwright, MBE, Health and Public Protection (Deputy
Executive Leader)
F Birkett, Housing
Miss S M Bell, Leisure and Community
K D Evans, Planning and Development

Also in attendance:

S Cunningham, for item 8(1)
Mrs K K Trott, for item 9(1)



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S D Martin, Executive Member for Streetscene.

2. MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 01 July 2019 be confirmed and signed as a correct record.

3. EXECUTIVE LEADER'S ANNOUNCEMENTS

There were no Executive Leader announcements made at this meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. PETITIONS

There were no petitions submitted at this meeting.

6. DEPUTATIONS

There were no deputations made at this meeting.

7. REFERENCES FROM OTHER COMMITTEES

Planning and Development Scrutiny Panel – 30 August 2019

Minute 6 – Interim Nitrogen Mitigation Solution

The Panel considered a report on the Interim Nitrogen Mitigation Solution which is to be delivered to the Executive on 02 September 2019.

The Director of Planning and Regeneration directed members' attention to an update on this report which was tabled at the meeting (and attached as Appendix A to these minutes)

The Principal Planner (Strategy and Regeneration) took Members through the Executive report at Appendix A and, together with the Head of Development Management took questions from Members as they went along.

Members discussed this item at length, in particular the proposed mitigation measures listed at point 15 a)-f) where the Panel raised concerns in relation to the effectiveness of the potential package of mitigation measures and expressed concern as to the Council's ability to grant the level of planning consents the housing numbers needed to meet future Housing Delivery Tests.

RESOLVED that the Panel recommends to the Executive the following comments, when it considers this item at its meeting on 2 September 2019:-

- (a) the Panel raised concerns as to whether the proposed mitigation measures set out in the report (and the tabled item) would effectively provide the level to nitrate mitigation to new development recommended by Natural England; and
- (b) the Panel also raised concerns as to the Council's ability to meet future Housing Delivery Test requirements in light of the continuing impact on the level of planning consents and hence housing completions.

This item is listed at item 9(1) for consideration by the Executive.

8. HOUSING

- (1) Consultation: Draft Housing Allocations Policy

At the invitation of the Executive Leader, Councillor Mrs K K Trott addressed the Executive on this item.

RESOLVED that the Executive approves that the draft Housing Allocation Policy, as provided at Appendix A to the report, be published for a six-week period of public consultation, subject to the additional wording at paragraph 10.2 of "or otherwise occupied under a licence arrangement".

9. PLANNING AND DEVELOPMENT

- (1) Interim Nitrogen Mitigation Solution

At the invitation of the Executive Leader, Councillor S Cunningham addressed the Executive on this item.

In considering this item, the Executive took into account the comments of the Planning and Development Scrutiny Panel, see minute 7 above.

A tabled item was presented in respect of this item to provide additional wording to paragraphs 16, 17, 20 and 21 of the report and to put forward an additional recommendation. A copy of the tabled item is attached to these minutes as Appendix A.

RESOLVED that the Executive:

- (a) approves the approach to mitigation as set out in paragraph 16 of the report;
- (b) notes that the Planning Committee will be advised of the mitigation approach agreed by the Executive, as a material planning consideration in their determination of planning applications; and
- (c) notes that the detail of the potential mitigation measures will be provided to the Executive where they have material resource

implications to the Council, along with details of any developer contributions.

(2) Eastern Solent Coastal Partnership Agreement 2019

RESOLVED that the Executive approves entering into the Eastern Solent Coastal Partnership Agreement 2019 set out at Appendix A.

10. POLICY AND RESOURCES

(1) Award of Contract: Daedalus Gate Guardian

RESOLVED that the Executive agrees to procure the shortlisted design favoured by the public, Daedalus in Flight by Peter Clutterbuck, selected during the comprehensive public consultation.

(The meeting started at 6.00 pm
and ended at 6.46 pm).

Statement to be read out in relation to the report on Interim Nitrogen Mitigation Solution

In order to provide greater clarity on both the process for developing the nitrogen mitigation solution and the potential costs to the Council, the following amendments are tabled on the report.

A new recommendation to read;

(c) (It is recommended that the Executive) notes that the detail of the potential mitigation measures will be provided to the Executive where they have material resource implications to the Council, along with details of any developer contributions.

The 'costs of proposals' section of the report to be updated to read;

It is anticipated that the proposal will be cost neutral to the Council as developers will be required to make a financial contribution to fully cover any costs involved in the mitigation solutions.

Paragraph 16 to be amended to read;

Further discussions are required with third parties to advance many of these options. Early work suggests that a combination of measures would be sufficient to provide a solution for housing development going forward. The package of mitigation measures would be further developed as the nitrate mitigation solution available to those developers that cannot find their own mitigation solutions or demonstrate nutrient neutrality. The Executive would be further updated on the development of these package of measures and any upfront costs that may need to be borne by the Council. As the mitigation measures are being worked up, the Council would be able to issue permissions with Grampian conditions, subject to agreement with applicants, which would prevent occupation of the dwellings until such a time as the Council can be satisfied that sufficient mitigation is secured to be able to conclude that there would be no adverse effect on the European sites. For those developments that will depend upon the Council's mitigation solution, there will be a financial charge to the developer secured through a legal agreement or similar.

Paragraph 17 to be amended to read;

However, it is important to note that not all planning applications would need to utilise the Council's mitigation solution and each case will be dealt with on its merits. Alternative mitigation may be proposed or secured by applicants depending on the circumstances. For example, if the development can provide sufficient mitigation on or off-site to demonstrate nitrate neutrality, the planning application can be determined on that basis and Grampian conditions need not apply. The Council may be able to conclude no adverse effect on integrity of designated sites in a number of

ways.

Paragraph 20 to be amended to read;

It is anticipated that the mitigation solution will be cost neutral to the Council in overall terms as developments that need to utilise the Council's solution will be required to make a financial contribution equivalent to the cost of mitigation and any interim costs of implementing the arrangements.

Paragraph 21 to be amended to read;

The financial implications will be set out in greater detail as the package of measures is being developed, in a further report(s) to the Executive.