

# FAREHAM

BOROUGH COUNCIL

## AGENDA PLANNING AND DEVELOPMENT SCRUTINY PANEL

**Date:** Tuesday, 1 February 2022

**Time:** 6.00 pm

**Venue:** Council Chamber - Civic Offices

**Members:**

Councillor M R Daniells (Chairman)

Councillor P J Davies (Vice-Chairman)

Councillors T Davies

J S Forrest

N R Gregory

L Keeble

N J Walker

**Deputies:** Mrs T L Ellis

G Fazackarley

G Kelly



**1. Apologies for Absence**

**2. Minutes (Pages 5 - 8)**

To confirm as a correct record the Minutes of the Planning and Development Scrutiny Panel meeting held on the 25 November 2021.

**3. Chairman's Announcements**

**4. Declarations of Interest and Disclosures of Advice or Directions**

To receive and declarations of interest from Members in accordance with the Standing Orders and the Council's Code of Conduct and disclosures of advice or directions received from Group Leaders or Political Groups, in accordance with the Council's Constitution.

**5. Deputations**

To receive any deputations of which notice has been lodged.

**6. Planning Strategy Update - Presentation (Pages 9 - 10)**

To consider an update from the Head of Planning Strategy and Economic Development on prevailing planning strategy matters.

**7. Executive Business**

To consider any items of business dealt with by the Executive since the last meeting of the Panel, that falls under the remit of Planning and Development Portfolio. This will include any decisions taken by individual Members during the same time period.

**(1) Fareham Borough Solent Waders and Brent Geese Mitigation Solution**  
(Pages 11 - 12)

**(2) Implications of Natural England advice on New Forest Recreational Disturbance** (Pages 13 - 14)

**(3) Council Owned Trees - Ash Dieback Disease** (Pages 15 - 16)

**8. Planning and Development Scrutiny Panel Priorities**

To provide an opportunity for Members to consider the scrutiny priorities for the Planning and Development Panel.



P GRIMWOOD  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
24 January 2022

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# FAREHAM

BOROUGH COUNCIL

## Minutes of the Planning and Development Scrutiny Panel (to be confirmed at the next meeting)

**Date:** Thursday, 25 November 2021

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** M R Daniells (Chairman)

**Councillor** P J Davies (Vice-Chairman)

**Councillors:** N R Gregory, L Keeble, N J Walker and G Kelly (deputising for J S Forrest)

**Also Present:** S D Martin (Item 6)



**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillors J S Forrest and T Davies

**2. MINUTES**

Councillor L Keeble asked officers to confirm if they had been able to investigate the use of satellite technology to assist in the Tree Teams inspections of the Council's tree stock. The Head of Development Management addressed the Panel to advise that this technology had been discussed with the Principal Tree officer following the comments made at the previous Panel meeting. On reflection it was decided that this was not something that the Council would pursue any further for inspections. It is felt by officers that hands on, close contact with the trees is vital in carrying out a thorough inspection to ensure that disease and damage is discovered at the earliest possible opportunity.

It was AGREED that the Minutes of the Planning and Development Scrutiny Panel held on the 14 September 2021 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no announcements made by the Chairman.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

There were no declarations received from Members of the Panel.

**5. DEPUTATIONS**

There were deputations received at this meeting.

**6. IMPLICATIONS OF NATURAL ENGLAND ADVICE ON NEW FOREST RECREATIONAL DISTURBANCE**

The Panel received a report by the Director of Planning and Regeneration on the Implications of Natural England advice on the New Forest Recreational Disturbance. The report outlined the issues surrounding the impact of increased recreational pressure on the New Forest National Park designated sites following advice from Natural England.

Members discussed the report at length and expressed their concerns over Natural England's interpretation of the research commissioned by a group of local planning authorities to assess the impact of new development on protected sites in the New Forest. The data has subsequently led to the new advice from Natural England and Members asked if this data had been challenged. The Head of Planning Strategy and Economic Development explained that the Council must have regard to the Natural England advice as a statutory consultee. The pragmatic solution that has been development by

officers to mitigate the impact on the protected sites is an interim solution agreed by Natural England. Officers intend to carry out their own research during the interim period to ensure that the Council's approach continues to offer proportionate mitigation effectively.

Members commented that, although paragraph 17 of the report states that letters have already been sent to both the Department for Levelling Up Housing and Communities (DLUHC) and the Department for the Environment, Food and Rural Affairs (DEFRA), more must be done to lobby Central Government to address the implications the advice from Natural England has on local Planning Authorities such as Fareham. The Panel agreed that this be put forward as a recommendation to the Executive.

RESOLVED that the Planning and Development Scrutiny Panel: -

- a) note the contents of the Executive report at appendix 1 to the reports; and
- b) request that the Executive consider an additional recommendation (d) in their report at the meeting on the 07 December 2021, being that this Council continues to lobby Government for responses to the letter sent to them by the Leader, relating to the advice provided by Natural England on this issue.

## **7. FAREHAM BOROUGH SOLENT WADERS AND BRENT GEESE MITIGATION SOLUTION**

The Panel received a report by the Director of Planning and Regeneration on the Fareham Borough Solent Waders and Brent Geese Mitigation Solution. Mitigation measures are required to avoid adverse effects on the Solent Waders and Brent Geese populations at sites which have been allocated for housing and employment in the Fareham Local Plan 2037. The report, which will be considered by the Executive on the 07 December 2021, seeks to brief the Executive on the mitigation solutions for these sites.

RESOLVED that the Planning and Development Scrutiny Panel: -

- a) note the contents of the Executive report at appendix 1 to the report; and
- b) support the recommendation as set out in the Executive report at appendix 1.

## **8. PLANNING STRATEGY UPDATE**

There were no Planning Strategy Updates provided at the meeting.

## **9. EXECUTIVE BUSINESS**

The Chairman asked Members of the Panel to consider the items of Executive Business which included a tabled item which has been appended to these Minutes.

**(1) Council Tree Service Review**

No comments were received.

**10. PLANNING AND DEVELOPMENT SCRUTINY PANEL PRIORITIES**

Members of the Panel were invited to consider the Scrutiny Priorities for the Planning and Development Scrutiny Panel.

Members asked that an item on increasing sea levels be brought to a future meeting of the Panel. The data that is gathered by the Environment Agency and the Coastal Partners on the rising tides could provide a topic of interest due to this data's influence on local development and the coastal management work.

At the invitation of the Chairman, Councillor M J Ford addressed the Panel to suggest that Members consider an item on Bird Aware Solent. The Council funds a proportion of the work that Bird Aware Solent undertakes in light of the Mitigation Strategy, so a greater understanding of this work and how the funds are used could form an interesting topic for the Panel.

RESOLVED that the Panel considered the Scrutiny Priorities for the Planning and Development Scrutiny Panel.

(The meeting started at 5.38 pm  
and ended at 6.59 pm).



# FAREHAM

## BOROUGH COUNCIL

### **Presentation to Planning and Development Scrutiny Panel**

**Date:** 01 February 2022  
**Report of:** Director of Planning and Regeneration  
**Subject:** PLANNING STRATEGY UPDATES

#### **SUMMARY**

The presentation will provide an opportunity to communicate to members of the Panel any relevant updates pertaining to Planning Strategy matters, including the Local Plan examination, the Authority Monitoring report for 2020/21 and the Infrastructure Funding Statement for 2020/21.

#### **RECOMMENDATION**

It is RECOMMENDED that Members note the contents of the presentation.



# FAREHAM

## BOROUGH COUNCIL

2021/22  
Decision No.  
2324

### Record of Decision by Executive

Tuesday, 7 December 2021

<b>Portfolio</b>	Planning and Development
<b>Subject:</b>	<b>Fareham Borough Solent Waders and Brent Geese Mitigation Solution</b>
<b>Report of:</b>	Director of Planning and Regeneration
<b>Corporate Priority:</b>	Dynamic, prudent and progressive Council; Protect and enhance the environment; Providing housing choices

**Purpose:**

The Fareham Local Plan 2037, which is now at examination, allocates sites for housing and employment on land which is designated as important for Solent Wader and Brent Geese (SWBG) populations. Mitigation measures are therefore required to avoid adverse effects on those populations and this report seeks to brief the Executive on the mitigation solutions for those Local Plan allocations.

The Solent supports a significant overwintering population of Solent Waders and Brent Geese (SWBG) and there are several Special Protection Areas (SPAs) designated throughout the region due to their legal protection. The populations of SWBG rely on the availability of a network of terrestrial feeding and roosting sites which are designated as part of the Solent Wader and Brent Goose Network. Development can result in negative impacts to the SWBG Network and as such this is a matter for consideration when preparing a Local Plan. The emerging Local Plan 2037 has been subject to the Habitat Regulations Assessment (HRA) process which identified 5 particular site allocations that would require mitigation in relation to potential adverse impacts on such designated sites. As Local Planning Authority, the Council is required to demonstrate the deliverability of the Local Plan including the site allocations. Not doing so presents a risk to the soundness of the Local Plan through the Examination process. The Local Mitigation Solutions (LMS) have been produced to demonstrate the deliverability of the Local Plan allocations through identification of the individual mitigation for those sites.

**Options Considered:**

The comments of the Planning and Development Scrutiny Panel were taken into account in considering this item.

As recommendation.

**Decision:**

RESOLVED that the Executive notes the availability of mitigation schemes in support of allocations in the submitted Fareham Local Plan 2037, which is now at examination.

**Reason:**

To provide further evidence to demonstrate the deliverability of those Local Plan allocations which result in negative impacts to the Solent Wader and Brent Goose Network.

**Confirmed as a true record:**

Councillor SDT Woodward (Executive Leader)

Tuesday, 7 December 2021

# FAREHAM

## BOROUGH COUNCIL

2021/22  
Decision No.  
2323

### Record of Decision by Executive

Tuesday, 7 December 2021

<b>Portfolio</b>	Planning and Development
<b>Subject:</b>	<b>Implications of Natural England advice on New Forest Recreational Disturbance</b>
<b>Report of:</b>	Director of Planning and Regeneration
<b>Corporate Priority:</b>	Dynamic, prudent and progressive Council; Leisure opportunities for health and fun; Protect and enhance the environment; Providing housing choices

**Purpose:**

To provide Members with information on a new position from Natural England in relation to recreational disturbance impacts from new occupiers of development in Fareham on protected sites on the New Forest, and the implications thereof, and to agree an interim mitigation solution.

This report outlines the issues surrounding the impacts of increased recreational pressure on the New Forest designated sites, the advice from Natural England as statutory advisors on protected sites, and the interim mitigation solution. This report seeks Executive approval for the interim mitigation solution set out in the report, which will be a material consideration in the determination of planning applications.

**Options Considered:**

At the invitation of the Executive Leader, Councillor N J Walker addressed the Executive on this item.

The comments of the Planning and Development Scrutiny Panel were taken into account in considering this item.

As recommendation.

**Decision:**

RESOLVED that the Executive:

- (a) approves the approach to interim mitigation solution as set out in paragraphs 18-30 of the report;

- (b) agrees to the carrying out of works identified in the proposed solution on receipt of appropriate funds received through planning obligations;
- (c) notes that, where appropriate, the Planning Committee will be advised that the Executive has agreed to the carrying out of the works identified in the proposed solution upon receipt of financial contributions; and
- (d) agrees with the recommendation suggested by the Planning and Development Scrutiny Panel to continue to lobby Government for responses to the letter sent to them by the Executive Leader, relating to the advice provided by Natural England on this issue

**Reason:**

To ensure sufficient options for mitigation to address any adverse effect of recreational impacts upon protected sites in the New Forest from new residential and overnight accommodation in the Borough.

**Confirmed as a true record:**

Councillor SDT Woodward (Executive Leader)

Tuesday, 7 December 2021

# FAREHAM

## BOROUGH COUNCIL

2021/22  
Decision No.  
2335

### Record of Decision by Executive

Monday, 10 January 2022

<b>Portfolio</b>	Planning and Development
<b>Subject:</b>	<b>Council Owned Trees – Ash Dieback Disease</b>
<b>Report of:</b>	Director of Planning and Regeneration
<b>Corporate Priority:</b>	Dynamic, prudent and progressive Council; Protect and enhance the environment

**Purpose:**

This report sets out the implications of Ash Dieback Disease for ash trees owned by this Council, how diseased trees should be managed and the estimated costs to the Council to manage this disease.

Many ash trees within the Borough are suffering from the effects of Ash Dieback Disease. Ash Dieback Disease is expected to kill the majority of ash trees within the Borough over the next 5-10 years. The nature of the disease means that ash trees become brittle and can regularly fail in whole or in part as the disease becomes established in the tree. Failing ash trees therefore pose an increased risk of harm to people and property. It is necessary for the Council to have a clear regime in place to monitor the ash trees it owns and arrange for works to, or the felling of ash trees, which are significantly affected by the disease.

**Options Considered:**

As recommendation.

**Decision:**

RESOLVED that the Executive:

- (a) approves the annual inspection of the Council's ash trees;
- (b) agrees that £294,345 is allocated from the General Fund Reserves to cover the costs of the necessary tree works and felling resulting from Ash Dieback Disease;

(c) notes that Officers will continue to monitor the actions taken by other authorities in respect of Ash Dieback and will continue to explore opportunities with other authorities to manage Ash Dieback, particularly where this would achieve notable cost savings; and

(d) notes that a report for information will be presented to the Planning and Development Scrutiny Panel on an annual basis setting out the number of ash trees which required work/felling in the preceding 12 months and the cost of the associated inspections and works.

**Reason:**

Many ash trees will be infected and killed by Ash Dieback. Infected ash trees pose a risk to life and property when they fail. By adopting a clear regime for managing infected trees, the risk to people and property will be minimised.

**Confirmed as a true record:**

Councillor SDT Woodward (Executive Leader)

Monday, 10 January 2022