

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 27 February 2013

Venue: Collingwood Room - Civic Offices

PRESENT:

N J Walker (Chairman)

A Mandry (Vice-Chairman)

Councillors: B Bayford, P J Davies, M J Ford, JP, R H Price, JP,
D C S Swanbrow, D M Whittingham and P W Whittle, JP

Also Present: Councillor Miss S M Bell, Chairman of Leisure and Community
Policy Development and Review Panel and Mrs K K Trott
(Minute 6(8))



1. APOLOGIES FOR ABSENCE

There were no apologies for absence made at this meeting.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on 30 January 2013 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements made at this meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

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
ZONE 1				
Mr A Amor	Mrs Gamblen P Mrs L Amor Mr J Ennis	Locks Heath Sports and Social Club 419 Warsash Road, Fareham, Hampshire, PO14 4JX - Variation of conditions 1 & 2 applied to P/01/01387/VC to allow use of floodlights for training as well as matches and on 72 occasions per annum	Opposing	Item 6(2) P/12/0936/VC
Mr D Leask		"ditto"	Supporting	"ditto"
Mr P Ramswell		Land at Peters Road, Locks Heath	Opposing	Item 6(3) P/12/0974/FP

		- Residential development comprising erection of 49 dwellings with new access, associated car parking and open space		
Ms A Lissaman		"ditto"	Supporting	"ditto"
Mr C Ward		Eastlands Boatyard, Coal Park Lane, Swanwick, Southampton, SO31 7GW - Construction of eight twin caravans providing short term holiday rental accommodation and associated service building, in conjunction with recreational water activities	Supporting	Item 6(4) P/12/0994/FP
Ms H McCrudden (Agent)		"ditto"	Supporting	"ditto"
Mr N Jenkins		12 Lawson Close, Swanwick - Erection of part single part two storey side extension	Supporting	Item 6(6) P/13/0051/FP
Mr R Tutton (agent)		18 Locks Heath Park Road, Locks Heath, Southampton, Demolition of existing bungalow and erection of two detached dwellings (outline application)	Supporting	Item 6(7) P/13/0060/OA
ZONE 2				
Ms K Galliford		Manor Lodge, 3 Church Path,	Supporting	Item 6(8) P/12/1017/VC

		Fareham - Variation of condition 2 of P/06/0764/VC (to allow opening of the premises between 07.30 hours to 18.00 hours Monday to Friday)		
Mr Murray	M	Mrs O Potter Mr I Gray	17 Peak Drive, Fareham - Fell oak tree covered by FTPO 667	Opposing Item 6(9) P/12/1040/TO
Miss Smith	S		"ditto"	Supporting "ditto"
Mr Palmer	C		Unity Buildings, Fort Fareham Industrial Site, Fareham, Hants - erection of single storey front extension	Supporting Item 6(10) P/12/1056/FP

6. DEVELOPMENT CONTROL - 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 the current situation regarding planning appeals. An Update Report was tabled at the meeting.

(1) N/13/0001 - PROPOSED CINEMA SITE - WHITELEY WAY - WHITELEY HAMPSHIRE

The Committee was referred to the Update Report which provided the following information:- *Typing mistake: Page 7, first line of paragraph entitled "Scale" - should read, "Whilst it is conceded that Whiteley is designated as a"*

Upon being proposed and seconded, the officer recommendation that Fareham Borough Council object to the proposal for a nine screen multiplex cinema and 2633sq metres of supporting ground floor units within use classes A3, A4, D1 and D2; adjustments to the landscaping and car parking provision, introduction of an acoustic fence and associated ancillary works at Whiteley Town Centre for the reason set out in the report, was voted on and CARRIED. (Voting 7 in favour of objection; 2 against objection).

RESOLVED that :-

1. Fareham Borough Council object to the proposal for a nine screen multiplex cinema and 2633sq metres of supporting ground floor units within use classes A3, A4, D1 and D2; adjustments to the landscaping and car parking provision, introduction of an acoustic fence and associated ancillary works at Whiteley Town Centre for the reason set out below; and
2. in the event that Winchester City Council resolves to grant planning permission, authority be delegated to the Head of Development Management and Trees to request that the Secretary of State directs Winchester City Council refer the application to him for determination.

Reasons for the Decision - The proposal is considered to be out of scale with a settlement and Centre of the size of Whiteley and is based on incomplete evidence. Were this to be permitted it is likely to have a seriously detrimental impact on the long term viability of Fareham Town Centre's existing cinema and will have further ramifications on the night time economy of Fareham as well as any likely future proposals in all of the Borough's Centres.

(2) P/12/0936/VC - LOCKS HEATH SPORTS & SOCIAL CLUB 419 WARSASH ROAD FAREHAM

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

The Committee was referred to the Update Report which provided the following information: *Members are asked to note that at paragraph 3 of section (iv) of the officer report, reference is made to no complaints having been received by the Council's Environmental Health office in relation to the use of the lights. For the avoidance of doubt, it should be clarified that this is with the exception of a recent complaint relating to the floodlights being left on after a match for the purposes of pitch maintenance. This complaint is mentioned in the comments received from the Environmental Health officer.*

A motion was proposed and duly seconded that the planning application be refused on the grounds that the proposal caused material harm to local residents primarily in terms of the effects of noise and lighting. Upon being put to the vote the motion was LOST.

(Voting 4 in favour of refusal; 5 against refusal).

A further motion was proposed and seconded that the officer recommendation to grant a new planning permission varying conditions 1 and 2, imposed on P/01/01387/VC, subject to the conditions in the report, be approved but with a variation to conditions 1 and 2 set out on page 17 of the report as follows:-

Condition (1) The flood lights shall be used on no more than 50 occasions during any one calendar year, of which no more than 25 occasions shall be matches with the remainder being for training sessions; and

Condition (2) The flood lights shall not be used on more than one occasion from Monday to Friday during any one week.

Upon being put to the vote the motion was CARRIED.

(Voting: 6 in favour; 2 against; 1 abstention). Councillor Whittle wished it to be recorded that he had abstained from voting on this matter.

RESOLVED that planning permission be granted subject to conditions 1 and 2 below and the conditions as set out in the report

Condition (1) The flood lights shall be used on no more than 50 occasions during any one calendar year, of which no more than 25 occasions shall be matches with the remainder being for training sessions; and .

Condition (2) The flood lights shall not be used on more than one occasion from Monday to Friday during any one week

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. Subject to the imposition of conditions, the proposed increase in usage of the flood lights would not materially harm the amenities of residents living nearby nor would it have any adverse implications on the availability of street parking nearby. The proposal is considered to make a positive contribution towards enhancing the recreational value of the site. There are no other material considerations judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS21 - Protection and Provision of Open Space.

(3) P/12/0974 /FP - LAND AT PETERS ROAD LOCKS HEATH

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

The following information was reported to the Committee at the meeting: *Two additional letters of representation had been received which stated concern over the position of the garage/carport buildings and the height of the building in relation to their properties.*

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

- (i) Receipt of amended plans to cover the outstanding highway matters set out in the report;
- (ii) the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council or a deed of variation to the same effect to secure:
 - a) a financial contribution towards off-site public open space and/or facilities;
 - b) the provision and maintenance of the on-site open space and play area;

- c) to secure the long term management, monitoring and funding of the reptile receptor site;
- d) secure access to the adjoining site;

by the 30th May 2013;

(iii) the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to Hampshire County Council to secure a financial contribution towards education facilities and transport infrastructure improvements by the 30th May 2013; and

(iv) a further condition requiring submission of details of the construction and height of a wall and its subsequent construction to block the end of Chichester Close which adjoins the site

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

RESOLVED that subject to:-

(i) receipt of amended plans to cover the outstanding highway matters set out in the report;

(ii) the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council or a deed of variation to the same effect to secure:

- a) a financial contribution towards off-site public open space and/or facilities;
- b) the provision and maintenance of the on-site open space and play area;
- c) to secure the long term management, monitoring and funding of the reptile receptor site;
- d) secure access to the adjoining site;

(iii) the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to Hampshire County Council to secure a financial contribution towards education facilities and transport infrastructure improvements by the 30th May 2013; and

by the 30th May 2013;

(iii) the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to Hampshire County Council to secure a financial contribution towards education facilities and transport infrastructure improvements by the 30th May 2013; and

(iv) a further condition requiring submission of details of the construction and height of a wall and its subsequent construction to block the end of Chichester Close which adjoins the site

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan and adopted Development Brief for the site. The built form of the proposal is well related to existing development to the north and west and development of this portion of the allocated site, in isolation, would not prejudice development of the wider site. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, nature conservation interests or on highway safety. The proposal has justified provision for infrastructure enhancements in respect of affordable housing, open space, highways/transport and education. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing Provision, CS4 - Green Infrastructure, Biodiversity and Geological Conservation, 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, CS18 - Provision of Affordable Housing, CS20 - Infrastructure and Development Contributions and CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review - C18 - protected Species; DG4 - Site Characteristics; H1- Housing Allocations.

(4) P/12/0994/FP - EASTLANDS BOATYARD - EASTLANDS - COAL PARK LANE SWANWICK

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

A motion was proposed and duly seconded that the Committee undertake a site visit. Upon being put to the vote the motion was LOST
(Voting 4 in favour of a site visit; 4 against a site visit, whereupon the Chairman exercised his casting vote against the proposal for a site visit).

Upon being proposed and duly seconded, the officer recommendation to refuse planning permission was voted on and CARRIED.
(Voting: 6 in favour of refusal; 3 against refusal).

RESOLVED that planning permission be **REFUSED**

Reasons for the Decision - The development is unacceptable taking into account the policies and proposals of the Development plan as set out above, in particular Policy CS14 of the Fareham Borough Core Strategy. In the absence of any demonstrable overriding needs, the development proves to be contrary to Policy CS14 of the Fareham Borough Core Strategy which seeks to prevent development in the countryside that is not essential for agricultural, forestry or horticultural purposes. Furthermore, by reason of the size and scale and associated activity the proposal would result in a visually intrusive form of development harmful to the character and appearance of this countryside

location. There are no other material considerations judged to have sufficient weight to outweigh this harmful impact. In accordance therefore with Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused.

Policies - Approved Fareham Borough Core Strategy - CS14 - Development Outside Settlements, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renew Energy, CS17 - High Quality Design, CS4 - Green Infrastructure, Biodiversity and Geological Conservation, CS5 - Transport Strategy and Infrastructure and CS6 - The Development Strategy. Fareham Borough Local Plan Review - C17 - Sites of Nature Conservation Value; C18 - Protected Species DG4 - Site Characteristics; R9 - Camping and Caravanning; E11 - Boatyards.

(5) P/13/0006/FP - 18 FRIARS POND ROAD FAREHAM

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.

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan set out in this report. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers and the character of the area. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design.

(6) P/13/0051/FP - 12 LAWSON CLOSE SWANWICK

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

A motion was proposed and duly seconded that the planning application be approved. Upon being put to the vote the motion was CARRIED.
(Voting 6 in favour; 3 against).

RESOLVED that PLANNING PERMISSION be granted.

Reasons for the Decision - The Committee were of the opinion that the development is acceptable and the proposed extension would not have an adverse impact on the spatial character and visual amenities of the streetscene..

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993) ; RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document

(7) P/13/0060/OA - 18 LOCKS HEATH PARK ROAD LOCKS HEATH

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

The Committee was referred to the Update Report which provided the following information:- *Four letters have been received objecting on the following grounds:- overcrowding; increased traffic; vehicles parked on the road at school times already restrict access and limit visibility; visitors will park on the road; garden grabbing; surely there is sufficient land in the Borough to make this unnecessary; the plot will become a small estate of four houses very little garden and no garages; overshadowing; loss of light and heat to kitchen door within side elevation of No. 20; increased energy consumption on lighting/heating will incur an additional cost; the northern boundary line is not accurate and should be the centre of the hedge; light reflection from south facing windows; overlooking and loss of privacy; construction, delivery and contractors vehicles would cause danger to road users and pedestrians; profit driven enterprises such as this impinge on the quality of life for many; loss of property value.*

The following information was reported to the Committee at the meeting :- *amended plan received 25 February 2013 which showed:-single storey front projecting garage added to No.20 for clarity; northern site boundary adjusted by minimal amount relocating approx 6 inches to south; note added to plan on this boundary- replacement fence to be agreed with neighbour*

One additional letter had been received raising the following additional concerns:-a further 18 months of construction and inconvenience; a perfectly habitable family home and medium sized garden to be destroyed; front garden to be used as a car park; the proposed houses would tower above adjacent bungalows Nos.14&15); increased noise.

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

- (i) consideration of any representations received by 21 February 2013;
- (ii) the applicant/owner first 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 to secure a financial contribution towards off-site public open space facilities and highway infrastructure by 22 March 2013; and
- (iii) the conditions in the report

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

RESOLVED that subject to:-

- (i) consideration of any representations received by 21 February 2013;
- (ii) the applicant/owner first 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 to secure a financial contribution towards off-site public open space facilities and highway infrastructure by 22 March 2013; and
- (iii) the conditions in the report

OUTLINE PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, or highway safety. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure, CS6 - The Development Strategy, CS 9 - Development in Western Wards and Whiteley, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy and CS17 - High Quality Design, CS20 - Infrastructure and Development Contributions and CS21 - Protection and Provision of Open Space. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document. Fareham Borough Local Plan Review - DG4 - Site Characteristics..

(8) P/12/1017/VC - MANOR LODGE 3 CHURCH PATH FAREHAM

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

At the invitation of the Chairman Councillor Mrs Trott addressed the Committee regarding this application.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to the conditions in the report together with a further condition preventing access to the rear garden prior to 0730 hours and restricting the use of the rear garden from 0730- 0800 hours to allow entrance and exit to the premises only, was voted on and CARRIED.
(Voting 8 in favour; 1 against).

RESOLVED that subject to the conditions in the report, together with a further condition preventing access to the rear garden prior to 0730 hours and restricting the use of the rear garden from 0730- 0800 hours to allow entrance and exit to the premises only, PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out in the report. The proposal is not considered likely to result in an impact on adjoining occupiers and the character of the area. Other material considerations not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design and CS5 - Transport Strategy and Infrastructure.

(9) P/12/1040/TO - 17 PEAK DRIVE FAREHAM

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

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

(Voting 8 in favour of refusal; 0 against refusal; 1 abstention).

RESOLVED that consent be REFUSED for the reason set out below.

Reasons for the Decision - In the absence of sufficient justification to support the felling of the tree, it is considered that the tree is in sound and health condition and its removal would be harmful to the visual amenities and character of the area.

Policies - Fareham Borough Local Plan Review - DG4 - Site Characteristics.

(10) P/12/1056/FP - UNITY BUILDINGS FORT FAREHAM INDUSTRIAL SITE FAREHAM

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

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.

Reasons for the Decision - The development is acceptable taking into account the policies and proposals of the Development Plan as set out above. The proposal is not considered to result in unacceptable impacts upon the streetscene or character of the area, or on the local highway network, other material considerations being judged not to have sufficient weight or direction to justify a refusal of the application, and, where applicable, conditions having been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design and CS15 - Sustainable Development and Climate Change. Fareham Borough Local Plan Review - E1 - Existing Employment Areas in the Urban Area.

(11) P/13/0038/FP - 52 BLACKBROOK PARK AVENUE FAREHAM

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 development is unacceptable taking into account the policies and proposals of the Development Plan as set out above, in particular Policy CS17 of the Fareham Borough Core Strategy. The proposed extension would, by virtue of its height, depth, bulk, scale, massing and design (particularly lack of subservience), be an unsympathetic addition to the dwelling harmful to its appearance and the character of the streetscene. Furthermore, the extension would be an overbearing and unneighbourly form of development detrimental to the living conditions of those neighbours at 50 Blackbrook Park Avenue. There are no other material considerations judged to have sufficient weight to outweigh this harmful impact. In accordance therefore with Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Approved SPG/SPD - EXT DG - Extension Design Guide (1993) ; RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document

(12) Planning Appeals

(13) UPDATE REPORT

The update report was tabled at the meeting and considered with the relevant agenda items.

7. URGENT MATTERS

8. PLANNING APPEALS

The Committee considered a report by the Director of Planning and Environment which provided a summary of the appeal decisions received during the period 1 April 2012 to 31 January 2013.

Councillor Whittle requested that for a future meeting, officers prepare a further planning appeals summary report showing appeal decisions received over the last 3 to 5 years so that members can review whether there are any

particular trends to be aware of. The Head of Development Management and Trees agreed to provide this information.

RESOLVED that:-

- (a) the contents of the report be noted; and
- (b) officers prepare a planning appeals summary report, showing appeal decisions received over the last 3 to 5 years, for consideration at a future Committee meeting.

9. DISPLAY OF PHOTOGRAPHS AT PLANNING COMMITTEE

Councillor Price, together with other Committee members expressed concern about the quality of photographs taken by officers when they were displayed in the Collingwood Room. It was noted that although the photographs themselves were of good quality, the problem occurred when they were projected onto the wall. The poor quality meant it was difficult for Committee members, applicants and members of the public to understand the issues raised by the officers in their presentation and gave a poor public perception of the information presented councillors which formed part of the decision making process.

The Committee was informed that this concern had been raised before and officers had been requested to investigate the matter. From previous enquiries, it was understood that the problem may lie with the surface of the wall onto which images were projected. Members suggested that a solution might for a screen to be erected instead of using the surface of the wall.

RESOLVED that the concerns expressed by Councillor Price and other Committee members be further investigated and action taken to improve the display of photographs at Planning Committee meetings.

(The meeting started at 2.30 pm
and ended at 5.40 pm).