

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 23 May 2018

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors: T M Cartwright, MBE, P J Davies, K D Evans, M J Ford, JP,
R H Price, JP, S Dugan (deputising for Mrs K Mandry) and
Mrs C L A Hockley (deputising for F Birkett)

**Also
Present:**



1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors F Birkett and Mrs K Mandry.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that, subject to the inclusion of the wording ‘The Committee expressed concern over issues arising from the previous permitted application at this site and as such, requested that Officers bring a report to a future meeting of the Planning Committee in respect of increases of ground level at the site beyond those previously permitted, the rainwater harvesting system and Japanese Knotweed’, the minutes of the Planning Committee held on 25 April 2018 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the newly elected Councillors I Bastable and S Dugan to the meeting.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council’s Code of Conduct, the following Councillors declared interests in the items indicated below:

Councillor Cartwright declared a personal interest in item 6 (1) – land to the East of Brook Lane and West of Lockswood Road in that his son lives in the property opposite the application site, and in addition to this he has been vocal in his views as Ward Councillor on this item and as such believes that he is pre-determined on this item. He made a representation as Ward Councillor and then left the room for the remainder of the item, and took no part in the discussion or decision on this application.

Councillor Bastable declared a non-pecuniary interest in this item as he has a family friend who lives in Brook Lane.

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 Application No/Page No
ZONE 1 – 2.30pm				
Mr B Jezeph (Agent)		LAND TO THE EAST OF BROOK LANE AND WEST OF	Supporting	6 (1) P/17/0998/OA Pg 7

		<p>LOCKSWOOD ROAD WARSASH SO31 9FG – OUTLINE APPLICATION FOR UP TO 157 DWELLINGS WITH ACCESS FROM BROOK LANE AND LOCKSWOOD ROAD, ASSOCIATED OPEN SPACE, SUSTAINABLE DRAINAGE AND LANDSCAPING</p>		
Mr C Ward		<p>CONIFER RISE THE AVENUE FAREHAM PO14 3QR – SINGLE AND TWO STOREY SIDE EXTENSIONS, RAISE RIDGE AND EAVES HEIGHT, DORMER WINDOWS, CANOPY PORCH, EXTERNAL FLUE TO SERV LOG BURNER AND ALTERATIONS TO FENESTRATION</p>	Supporting	<p>6 (2) P/17/1500/FP Pg 30</p>
Mr P Esson		<p>23 BURRIDGE ROAD BURRIDGE SO31 1BY – REPLACEMENT 4- BEDROOM DETACHED DWELLING</p>	Supporting	<p>6 (3) P/18/0072/FP Pg 37</p>
Ms K Little (Agent)		<p>LAND TO SOUTH OF ROOKERY AVENUE/ADJACENT TO 112 BOTLEY ROAD SWANWICK – RESIDENTIAL DEVELOPMENT OF 6NO. DWELLINGS, ASSOCIATED LANDSCAPING, AMEINTY AREAS AND A MEANS OF ACCESS FROM ROOKERY AVENUE</p>	Supporting	<p>6 (5) P/18/0235/FP Pg 48</p>
Reverend G Foster		<p>LOCKS HEATH MEMORIAL HALL 122 LOCKS HEATH PARK ROAD LOCKS HEATH SO31 6LZ – OUTLINE PLANNING PERMISSION WITH ALL MATTERS</p>	Opposing	<p>6 (6) P/18/0246/D4 Pg 64</p>

		RESERVED FOR DEMOLITION OF EXISTING COMMUNITY CENTRE AND CONSTRUCTION OF SINGLE CHALET STYLE BUNGALOW		
Mr M Knappett (Agent)		LAND OFF SOPWITH WAY SWANWICK SO31 7AY – ERECTION OF UP TO 42 DWELLINGS WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING AND SURFACE WATER DRAINAGE (OUTLINE APPLICATION CONSIDERING ACCESS ONLY) RESUBMISSION	Supporting	6 (7) P/18/0317/OA pg 70
Mr R Gambie		-Ditto-	Opposing	-Ditto-
Mr M Jones		-Ditto-	Opposing	-Ditto-
ZONE 2 – 2.30pm				
ZONE 3 – 5.00pm				
Mr J Swanson		NATIONAL GRID IFA2 LTD ROOM 25/26 FAREHAM INNOVATION CENTRE MERLIN HOUSE METEOR WAY PO13 9FU – DETAILS PURSUANT TO PLANNING CONDITION 48 (ALTERNATING AND DIRECT CURRENT CABLES AND COMPASS DEVIATION AT AIRFIELD TAXIWAY CROSSINGS) OF PLANNING PERMISSION P/16/0557/OA	Supporting	6 (8) P/16/0557/DP/K Pg 88

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

The Committee noted a report by the Director of Planning and Regulation on the development management matter applications and miscellaneous matters including the information on Planning Appeals.

(1) P/17/0998/OA - LAND TO THE EAST OF BROOK LANE AND WEST OF LOCKSWOOD ROAD WARSASH SO31 9FG

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

Councillor Cartwright declared a personal interest in item 6 (1) – land to the East of Brook Lane and West of Lockswood Road in that his son lives in the property opposite the application site, and in addition to this he has been vocal in his views as Ward Councillor on this item and as such believes that he is pre-determined on this item. He made a representation as Ward Councillor and then left the room for the remainder of the item, and took no part in the discussion or decision on this application.

Councillor Bastable declared a non-pecuniary interest in this item as he has a family friend who lives in Brook Lane.

The Committee’s attention was drawn to the Update Report which contained the following information:-

Further concerns have been raised in respect of the loss of trees; impact on pedestrians and the need to view all developments together.

Since the publication of the report, 3 further representations have been received which raised the following concern:

The proposed highway mitigation works (mini roundabout at the bottom of Barnes Lane) will create a traffic hazard.

The cumulative effect of this planning application and all other planning applications for sites in and around Brook Lane and Lockswood Road must be considered. It cannot be considered in isolation. There needs to be a master plan bringing all aspects of highways and access for all sites together.

That we must be approaching a thousand new dwellings for Warsash now, concern over process and that arguments not taken into account.

In respect of the proposed highway mitigation works and that there needs to be a master plan to bring all aspects of highways and access for all sites together; the impact as a result of this development and others within Warsash has been considered. The Highway Authority is satisfied that the impact of the development can be mitigated.

Officers recommend no change to the recommendation as set out in the report.

Upon being proposed and seconded the Officer Recommendation to grant planning permission, subject to:-

(i) 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:

. Financial contribution to secure satisfactory mitigation of the 'in combination' effects that the increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.

. Financial contribution towards highway improvements to the highway network resulting from the impact of the development.

. Travel Plan and related monitoring cost and bond.

. Payment towards a Traffic Regulation Order on Brook Lane and Lockwood Road to install parking controls.

. The provision of open space, to the Council, including provision for its maintenance;

. A financial contribution towards the delivery of a play area and associated maintenance;

. The provision of ecological corridors and subsequent maintenance arrangements;

. The provision of two additional hibernacula on the receptor site (Warsash Common LNR);

. Vehicular, pedestrian and cycle access connectivity to adjoining land;

. The delivery of 35% of permitted dwellings as affordable housing;

. Education contribution.

(ii) Delegate to the Head of Development Management in consultation with the Solicitor to the Council to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification which may include the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions; and

(iii) the conditions in the report was voted on and CARRIED.
(Voting: 6 in favour; 2 against)

RESOLVED that, subject to:-

- (i) 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:

. Financial contribution to secure satisfactory mitigation of the 'in combination' effects that the increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas.

. Financial contribution towards highway improvements to the highway network resulting from the impact of the development.

. Travel Plan and related monitoring cost and bond.

. Payment towards a Traffic Regulation Order on Brook Lane and Lockwood Road to install parking controls.

. The provision of open space, to the Council, including provision for its maintenance;

. A financial contribution towards the delivery of a play area and associated maintenance;

. The provision of ecological corridors and subsequent maintenance arrangements;

. The provision of two additional hibernacula on the receptor site (Warsash Common LNR);

. Vehicular, pedestrian and cycle access connectivity to adjoining land;

. The delivery of 35% of permitted dwellings as affordable housing;

. Education contribution.

- (ii) Delegate to the Head of Development Management in consultation with the Solicitor to the Council to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification which may include the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions; and

- (iii) the conditions in the report

PLANNING PERMISSION is granted.

(2) P/17/1500/FP - CONIFER RISE THE AVENUE FAREHAM PO14 3QR

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:-

The proposed development would increase the number of bedrooms in this property to seven rather than six, as stated in the officer report.

Upon being proposed and seconded the officer recommendation to refuse planning permission was voted on and CARRIED.
(Voting: 8 in favour; 0 against; 1 abstention)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for the Refusal

The development would be contrary to Policy CS17 of the Adopted Fareham Borough Core Strategy 2011 and Policy DSP3 of the adopted Local Plan Part 2: Development Sites and Policies and advice contained within the Fareham Borough Design Guidance Supplementary Planning Document 2015: and is unacceptable in that:

1. The proposed development would, due to its siting the number of windows proposed at first floor level result in the loss of privacy and overlooking of Fairview, Mount Drive, to the detriment of the amenities of the occupiers of this property.
2. The proposed development, due to its width, height and siting directly opposite the garden and windows of the neighbouring property at Fairview, Mount Drive, would result in an unneighbourly and overbearing form of development, detrimental to the outlook from the windows and the garden of this property.
3. The proposed development, due to its scale, bulk and form, would result in a development form which would appear out of proportion and scale with the group of modest size dwellings located immediately to the east to the detriment of the character and appearance of the area.

(3) P/18/0072/FP - 23 BURRIDGE ROAD BURRIDGE SO31 1BY

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.

(4) P/18/0182/VC - 44 THORNTON AVENUE WARSASH SO31 9FJ

The Committee received a verbal update on this item, which informed them that an additional condition was recommended to ensure that permitted

development rights for the land within the blue line (to the west of the area outlined in red) remain restricted in order to protect the character of the area.

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.

(5) P/18/0235/FP - LAND TO SOUTH OF ROOKERY AVENUE/ADJACENT TO 112 BOTLEY ROAD SWANWICK

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:-

One further letter of objection has been received reiterating several of the issues already raised by other residents and also mentioning that the site is too small to accommodate six luxury houses. Concern is also raised over the potential for development on the adjacent land in the future.

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

(i) The conditions in the report; and

(ii) An amendment to Condition 12, to include the wording 'and at no time shall any garage or other structures or outbuildings be erected on the permitted parking bays,'

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:

(i) The conditions in the report; and

(ii) An amendment to Condition 12, to include the wording 'and at no time shall any garage or other structures or outbuildings be erected on the permitted parking bays.'

PLANNING PERMISSION be granted.

(6) P/18/0246/D4 - LOCKS HEATH MEMORIAL HALL 122 LOCKS HEATH PARK ROAD SO31 6LZ

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: 8 in favour; 0 against; 1 abstention)

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

(7) P/18/0317/OA - LAND OFF SOPWITH WAY SWANWICK SO31 7AY

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

The Committee's attention was drawn to the Update Report and contained the following information:-

Once additional objection has been received, however it does not raise any concerns not already summarised in the report.

The previous application reference P/17/0895/OA was refused for the following reasons:

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS9, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP14, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan; And, Paragraph 109 of the National Planning Policy Framework; and is unacceptable in that:

- (a) The provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location. Furthermore, the development would not be sustainably located adjacent to or well-integrated with neighbouring settlements;*
- (b) The density of the proposed development would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominately undeveloped nature, which would be out of character with the prevailing pattern of development in the area;*
- (c) Insufficient information has been provided to demonstrate that the development could provide adequate north-south connectivity for wildlife including protected species;*
- (d) Had it not been for the overriding reasons for refusal the Council would have sought details of the SuDS strategy including the mechanism for securing its longterm maintenance;*
- (e) Had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of local plan;*
- (f) Had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measure to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance agreements;*
- (g) In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the*

proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;

- (h) In the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met;*
- (i) In the absence of a legal agreement to secure such, the proposal fails to mitigate against the adverse effects of the development on the safety and operation of the strategic and local highway network in the form of a financial contribution towards a Traffic Regulation Order;*
- (j) In the absence of a legal agreement securing provision of a financial contribution towards education; the educational needs of residents of the proposed development would not be met.*

Note for information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address point d) above through the imposition of a suitably worded planning agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990.

The application is supported by a SUDS maintenance strategy, however the maintenance of the SUDS hasn't been secured via a completed s106, therefore a reason for refusal (part c) relating to securing the maintenance of SUDS is included in the recommendation.

The proposed updated recommendation is:

Recommendation

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS9, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP6, DSP13, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan; And, Paragraph 109 of the National Planning Policy Framework; and is unacceptable in that:

- (a) The provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location. Furthermore, the development would not be sustainably located adjacent to or well-integrated with neighbouring settlements;*
- (b) The density of the proposed development would fail to respond positively to and be respectful of the key characteristic of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;*

- (c) *Had it not been for the overriding reasons for refusal the Council would have sought to secure the long term maintenance of the SuDS;*
- (d) *Had it not been for overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of the local plan;*
- (e) *Had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;*
- (f) *In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;*
- (g) *In the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met;*
- (h) *In the absence of a legal agreement to secure such, the proposal fails to mitigate against the adverse effects of the development on the safety and operation of the strategic and local highway network in the form of a financial contribution towards a Traffic Regulation Order;*
- (i) *In the absence of a legal agreement securing provision of a financial contribution towards education; the educational needs of residents of the proposed development would not be met.*

Note for information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address points d) – j) above by inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town and Country Planning Act 1990.

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

(Voting: 4 in favour; 4 against, the Chairman then exercised his casting vote to make it 5 in favour; 4 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The development would be contrary to Policies CS2, CS4, CS5, CS6, CS14, CS16, CS17, CS18, CS20 and CS21 of the Adopted Fareham Borough Core

Strategy 2011 and Policies DSp6, DSP14, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan; And Paragraph 109 of the National Planning Policy Framework; and is unacceptable in that:

- (a) The provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location. Furthermore, the development would not be sustainably located adjacent to or well-integrated with neighbouring settlements;
- (b) The density of the proposed development would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;
- (c) Had it not been for the overriding reasons for refusal the Council would have sought to secure the long term maintenance of the SuDS;
- (d) Had it not been for the overriding reasons for refusal the Council would have sought to secure the on-site provision of affordable housing at a level in accordance with the requirements of the local plan;
- (e) Had it not been for the overriding reasons for refusal the Council would have sought ecological mitigation, compensation and enhancement measures to ensure that all protected species are taken into account during and after construction. These would include alternative provision for habitats, including networks and connectivity and future management and maintenance arrangements;
- (f) In the absence of a legal agreement to secure such, the proposal would fail to provide satisfactory mitigation of the 'in combination' effects that the proposed increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;
- (g) In the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met;
- (h) In the absence of a legal agreement to secure such, the proposal fails to mitigate against the adverse effects of the development on the safety and operation of the strategic and local highway network in the form of a financial contribution towards a Traffic Regulation Order;
- (i) In the absence of a legal agreement securing provision of a financial contribution towards education; the educational needs of residents of the proposed development would not be met.

Note for information:

Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address points d) – j) above by

inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990.

**(8) P/16/0557/DP/K - NATIONAL GRID IFA2 LTD ROOM 25/26
FAREHAM INNOVATION CENTRE MERLIN HOUSE METEOR WAY
PO13 9FU**

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:-

REPRESENTATIONS:

Officers and Members have been sent a further comment from the Hill Head Residents Association:

- *The CAA has not answered the question put to their Head of Safety.*
- *The questions have, therefore, been put again.*
- *The point to Committee is that whilst you may approve this on the planning criteria, your approval does not rule out the CAA being very concerned about air operations at Daedalus after OFA2 is fully operational.*

CONSULTATIONS:

Airport Manager, Regional and City Airports:

- *By way of thorough processes I am content that the planning and testing has satisfied the airports requirements.*

PLANNING CONSIDERATIONS:

Members will be aware, via the Officer Report, the Aerodrome safeguarding responsibility rests with the aerodrome licence holder/operator according to the CAA Guidance on Planning Consultation requirements. The Aerodrome Licensing regime is separate to the Planning Assessment of the proposal.

In this case the condition, the subject of this application, requires a deviation not more than 1 degree when 12 metres or more away from the Direct Current cables, measured at 1.5m above ground level. The condition sets no minimum deviation at distances less than 12m from the cables. As such the requirements of the condition are met. Members of the Committee will also note that the Airport Operator is content with the testing that has been undertaken and the results have been provided to address the condition.

Upon being proposed and seconded, officer recommendation for the approval of details pursuant to condition 48 of hybrid planning permission P/16/0557/OA as submitted within application P/16/0557/DP/K, was voted on and CARRIED. (Voting: 9 in favour; 0 against)

RESOLVED that APPROVAL of DETAILS PURSUANT to condition 48 of the hybrid planning permission P/16/0557/OA as submitted within application P/16/0557/DP/K.

(9) P/17/1519/FP - 7 FRANCIS PLACE FAREHAM PO14 2RX

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.

(10) P/18/0154/CU - 55 CONDOR AVENUE FAREHAM PO16 8PP

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.

(11) UPDATE REPORT

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

7. PLANNING APPEALS

The Committee noted the information in the report.

(The meeting started at 2.30 pm
and ended at 6.01 pm).