

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 10 October 2018

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

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

Also Present: Councillors Mrs P M Bryant (Items * (8) and (9)) and Mrs L E Clubley (Item 8 (8))



1. APOLOGIES FOR ABSENCE

An apology of absence was received from Councillor T M Cartwright.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 12 September 2018 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 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 – 2.30pm				
Ms J Sinclair		LAND TO THE EAST OF BYE ROAD SWANWICK SO31 7GX – 7NO. CUSTOM BUILD DWELLINGS WITH ASSOCIATED PARKING AND ACCESS FROM BYE ROAD	Opposing	8 (1) P/17/1317/OA Pg 43
Mr M Knappett (Agent)		-Ditto-	Supporting	-Ditto-
Ms K Little		LAND TO SOUTH OF ROOKERY AVENUE/ADJACENT TO 112 BOTLEY ROAD SWANWICK – RESIDENTIAL DEVELOPMENT OF 6NO. DWELLINGS, ASSOCIATED LANDSCAPING, AMENITY AREAS AND	Supporting	8 (2) P/18/0235/FP Pg 63

		A MEANS OF ACCESS FROM ROOKERY AVENUE		
Mr R Holford		LAND TO THE EAST OF BROOK LANE AND SOUTH OF BROOKSIDE DRIVE – OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS), FOR RESIDENTIAL DEVELOPMENT OF UP TO 85 DWELLINGS WITH PUBLIC OPEN SPACE, ACCESS FROM BROOK LANE, LANDSCAPING WORKS, INCLUDING DEMOLITION OF EXOSTING REDUNDANT NURSERY BUILDINGS	Opposing	8 (3) P/17/0746/OA Pg 82
Mr R Thomas		-Ditto-	-Ditto-	-Ditto-
Mrs H Megginson (Lead Petitioner)		-Ditto-	-Ditto-	-Ditto-
Mrs H Megginson (Lead Petitioner)		BROOK LANE – LAND TO THE EAST OF – WARSASH – OUTLINE PLANNIGN PERMISSION WITH ALL MATTERS RESERVED (EXPECT FOR ACCESS) FOR RESIDENTIAL DEVELOPMENT OF UP TO 180 DWELLINGS, ASSOCIATED LANDSCAPING AMENITY AREAS & ACCESS FROM BROOK LANE	Opposing	8 (4) P/17/0845/OA Pg 106
Ms K Little (Agent)		-Ditto-	Supporting	-Ditto-
Mr R Thomas		LAND EAST OF BROOK LANE NORTH OF WARSASH ROAD – OUTLINE	Opposing	8 (5) P/17/0752/OA Pg 130

		APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 140 RESIDENTIAL DWELLINGS, ACCESS FROM BROOK LANE, LANDSCAPING, OPEN SPACE AND ASSOCIATED WORKS		
Mr R Megginson	Warsash Residents Association	-Ditto-	Opposing	-Ditto-
Mr M Knappett (Agent)		LAND TO THE EAST OF BROOK LANE AND WEST OF LOCKSWOOD ROAD WARSASH SO31 9FG – OUTLINE APPLICATIONS FOR UP TO 157 DWELLINGS WITH ACCESS FROM BROOK LANE AND LOCKSWOOD ROAD, ASSOCIATED OPEN SPACE, SUSTAINABLE DRAINAGE AND LANDSCAPING	Supporting	8 (6) P/17/0998/OA Pg 154
Mr P Airey (Agent)		LAND TO THE EAST & WEST OF 79 GREENAWAY LANE WARSASH – OUTLINE APPLICATION FOR THE ERCECTION OF UP TO 30 RESIDENTIAL UNITS AND ASSOCIATED DETACHED GARAGES. REVISED SCHEME INCORPORATING ACCESS TO THE SOUTH	Supporting	8 (7) P/18/0107/OA Pg 181
ZONE 2 – 2.30pm				
Mr A Jackson		LAND NORTH OF FUNTELY ROAD FUNTLEY – OUTLINE PLANNING PERMISSION WITH ALL MATTERS	Opposing	8 (8) P/17/1135/OA Pg 205

		RESEVED (EXCEPT FOR ACCESS0, FOR RESIDENTIAL DEVELOPMENT OF UP TO 27 DWELLINGS (USE CLASS C3) WITH ASSOCIATED INFRASTRUCTURE, MEANS OF ACCESS AND DEMOLITION OF AGRICULTURAL BUILDING		
Mr D Ramirez (Agent)		-Ditto-	Supporting	-Ditto-
Mr A Jackson		LAND TO THE SOUTH OF FUNTLEY ROAD FUNTLEY – FOLLOWING DEMOLITION OF EXISTING BUILDINGS, RESIDENTIAL DEVELOPMENT OF UP TO 55 DWELLING (INCLUDING 3 CUSTOM-BUILD HOMES) (USE CLASS C3), COMMUNITY BUILDING INCORPORATING A LOCAL SHOP 250 SQM (USE CLASSES A1, A3, D1 & D2), ACCESSES AND ASSOCIATED LANDSCAPING, INFRASTRUTURE AND DEVELOPMENT	Opposing	8 (9) P/18/0067/OA Pg 227
Mr D Ramirez (Agent)		-Ditto-	Supporting	-Ditto-
Mr A Munton		-Ditto-	-Ditto-	-Ditto-
ZONE 3 – 2.30pm				

6. CONSIDERATION OF PLANNING APPLICATIONS ON THIS AGENDA

The Committee considered a report by the Director of Planning and Regulation on the consideration of Planning Applications on this agenda.

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

A letter has been received from Harrison Grant Solicitors dated the 9th October, on behalf of 'Save Warsash and the Western Wards'. The letter requested that Item 6 along with all of the planning applications are removed from the Agenda, until the following four main points have been addressed and rectified.

- 1. Planning Officers should set out the details and conclusions of each appropriate assessment, so that the Planning Committee can adequately consider the acceptability of the appropriate assessment (AA) and the planning application.*
- 2. It is unclear whether adequate levels of consultation was undertaken with Natural England on the AA and the report does not mention relevant documents in the background papers. The Council has failed to consider whether to take the opinion of the general public for the purposes of the AA.*
- 3. It is not clear that each planning application has been reconsidered in full in light of all the changes in policy law.*
- 4. The second report contains inaccurate references to development plan policies. For example, policy DSP40 is referred to as Housing Allocations, when in fact it is the Fareham Local Biodiversity Action Plan Review.*

Following consultation with the Council's planning Solicitors, Officers are satisfied that the reports are legally and procedurally robust. In specific response to the four main points raised:

- 1. As explained in paragraph 8 of the report of 12 September 2018 (page 22 of this agenda), under regulation 63 of the Conservation of Habitats and Species Regulation 2017 the council (and therefore members) "may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site". A summary of the conclusions of the relevant appropriate assessment has been set out in each report. Members have before them a copy of the appropriate assessment for each application site. The appropriate assessments have been on the council website for each application.*
- 2. Natural England's position is summarised in each individual report. Their letter states "In cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is fully in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's Appropriate Assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation." There is no legal requirement to consult members of the public on the appropriate assessment. Members of the public have had the opportunity to make representations on each application and these have been taken into account. Further, it is noted that the Solent Recreation Mitigation Strategy was the subject of public consultation at the time. In view of the SRMS, the conclusions in each appropriate assessment, the likely effects of development and the proposed*

mitigation, which is secured through planning obligations, it is not considered appropriate to consult members of the public further on the appropriate assessment.

3. *Officers are satisfied that all relevant considerations (having regard to changes in policy and law) are set out in the reports in front of members.*
4. *The report correctly refers to policy DSP40 as Housing Allocations.*

RESOLVED that the Committee notes the content of the report.

7. FIVE YEAR HOUSING LAND SUPPLY POSITION

The Committee considered a report by the Director of Planning and Regulation on the Council's Five Year Housing Land Supply Position.

RESOLVED that the Committee notes:

- (i) the content of the report and the current 5-Year Housing Land Supply Position;
- (ii) that the 5-Year Land Supply Position set out in the attached report (which will be updated regularly as appropriate) is a material consideration in the determination of planning applications for residential development;
- (iii) that the Government are considering adjustments to the new standard method used to calculate Local Housing Need, following publication of the new household growth projections on 20th September 2018; and
- (iv) the Council will likely be required to apply a 20% buffer to the 5-Year Housing Land Supply position following publication by the Government of the Housing Delivery Test result in November.

8. 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/17/1317/OA - LAND TO THE EAST OF BYE ROAD SWANWICK SO31 7GX

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: -

One further letter of objection has been received regarding the application, highlighting that due to the nature of the proposal (self/custom build), the build-out period would likely to be protracted, resulting in an extended period of disruption for neighbours.

The Local Planning Authority is not able to restrict the timeframe for the completion of developments, but conditions have been imposed to ensure any disruption to neighbours during the construction period is minimised.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to 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 to secure an equivalent 30% of off-site contribution for affordable housing.

and the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that subject to, 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 to secure an equivalent 30% of off-site contribution for affordable housing,

and the conditions in the report, PLANNING PERMISSION be granted.

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

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 completed legal agreement secured under Section 106 of the Town and Country Planning Act 1990 which secures:
 - a) A financial contribution towards the Solent Recreational Mitigation Strategy (SRMS);
 - b) A financial contribution towards a traffic regulation order (TRO) to secure adequate visibility at the site access with Rookery Avenue,

and the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that subject to:

- the completed legal agreement secured under Section 106 of the Town and Country Planning Act 1990 which secures:
 - a) A financial contribution towards the Solent Recreational Mitigation Strategy (SRMS);
 - b) A financial contribution towards a traffic regulation order (TRO) to secure adequate visibility at the site access with Rookery Avenue, and the conditions in the report, PLANNING PERMISSION be granted.

(3) P/17/0746/OA - LAND TO THE EAST OF BROOK LANE AND SOUTH OF BROOKSIDE DRIVE WARSASH

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

At the invitation of the Chairman, Councillor T M Cartwright addressed the Committee on this item. He left room after making his representation and was not present for the discussion or vote on this item.

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

One further letter of objection has been received commenting that FBC and the Planning Committee has a duty to the residents of Warsash to wait until the NPPF and outcome of the new housing supply figures are published as it may have implications regarding the application.

As no reports from Natural England have been obtained in any of the Warsash cluster applications, the applications need to be refused or rescinded as necessary until one has been obtained.

Officer response: An update on the Five Year Housing Land Supply Position including reference to the publication by the Government of the Housing Delivery Test result in November has been reported elsewhere on this agenda.

Natural England's approach since the CJEU judgement is reflected in the officer report.

Other matters raised which include traffic and education impacts and lack of mitigation have been already discussed within the officer report.

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

- 1) 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 contributions to provide for 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 contributions towards highway improvements to highway network resulting from impacts of the development;

- . The provision of the open space to the Council, including provision for its maintenance;
 - . A financial contribution towards the delivery of a play area and associated maintenance;
 - . Vehicular, cycle and pedestrian access to adjoining land;
 - . The delivery of 40% of the permitted dwellings as affordable housing; and
 - . A financial contribution towards education provision.
- 2) 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 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 the conditions in the report, was voted on and CARRIED.
(Voting: 7 in favour; 2 against)

RESOLVED that subject to:

- 1) 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 contributions to provide for 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 contributions towards highway improvements to highway network resulting from impacts of the development;
 - . The provision of the open space to the Council, including provision for its maintenance;
 - . A financial contribution towards the delivery of a play area and associated maintenance;
 - . Vehicular, cycle and pedestrian access to adjoining land;
 - . The delivery of 40% of the permitted dwellings as affordable housing; and
 - . A financial contribution towards education provision.
- 2) 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 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,
PLANNING PERMISSION be granted.

(4) P/17/0845/OA - BROOK LANE - LAND TO THE EAST OF - WARSASH

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:

Two further letters of objection have been raised. FBC and the Planning Committee has a duty to the residents of Warsash to wait until the NPPF and outcome of the new housing supply figures are published as it may have implications regarding the application.

As no reports from Natural England have been obtained in any of the Warsash cluster applications, the applications need to be refused or rescinded as necessary until one has been obtained.

Officer response: An update on the Five Year Housing Land Supply Position including reference to the publication by the Government of the Housing Delivery Test result in November has been reported elsewhere on this agenda.

Natural England's approach since the CJEU judgement is reflected in the committee report. In this case Natural England's specific comment is set out in the officer report.

Other matters raised which include traffic and education impacts, highway safety and lack of mitigation have been already discussed within the officer report.

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

- 1) 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 impacts of the development.
 - . 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.
 - . Vehicular, pedestrian and cycle access to adjoining land.
 - . The delivery of 40% of the permitted dwellings as affordable housing.
 - . Travel Plan and related monitoring cost and bond.
 - . Financial contribution towards education.

- 2) 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 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 the conditions in the report, was voted on and CARRIED.
(Voting: 7 in favour; 2 against)

RESOLVED that, subject to:

- 1) 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 impacts of the development.
 - . 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.
 - . Vehicular, pedestrian and cycle access to adjoining land.
 - . The delivery of 40% of the permitted dwellings as affordable housing.
 - . Travel Plan and related monitoring cost and bond.
 - . Financial contribution towards education.
- 2) 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 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 the conditions in the report, PLANNING PERMISSION be granted.

(5) P/17/0752/OA - LAND EAST OF BROOK LANE, NORTH OF WARSASH ROAD

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: -

One further letter of objection has been received commenting that FBC and the Planning Committee has a duty to the residents of Warsash to wait until the NPPF and outcome of the new housing supply figures are published as it may have implications regarding the application.

As no reports from Natural England have been obtained in any of the Warsash cluster applications, the applications need to be refused or rescinded as necessary until one has been obtained.

Officer response: An update on the Five Year Housing Land Supply Position including reference to the publication by the Government of the Housing Delivery Test result in November has been reported elsewhere on this agenda.

Natural England's approach since the CJEU judgement is reflected in the committee report. In this case Natural England's specific comment is set out in the officer report.

Other matters raised which include traffic and education impacts and lack of mitigation have been already discussed within the officer report.

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

1) 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 impacts of the development.

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

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

. Access to adjoining land.

. The delivery of 40% of the permitted dwellings as affordable housing.

. Travel Plan and related costs.

. A financial contribution towards education provision.

- 2) 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 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 the conditions in the report, was voted on and CARRIED.
(Voting: 7 in favour; 2 against)

RESOLVED that, subject to:

- 1) 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 impacts of the development.

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

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

. Access to adjoining land.

. The delivery of 40% of the permitted dwellings as affordable housing.

. Travel Plan and related costs.

. A financial contribution towards education provision.

- 2) 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 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 the conditions in the report, PLANNING PERMISSION be granted.

(6) 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.

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

One further letter of objection has been received commenting that FBC and the Planning Committee has a duty to the residents of Warsash to wait until the NPPF and outcome of the new housing supply figures are published as it may have implications regarding the application.

As no reports from Natural England have been obtained in any of the Warsash cluster applications, the applications need to be refused or rescinded as necessary until one has been obtained.

Officer response: An update of the Five Year Housing Land Supply Position including reference to the publication by the Government of the Housing Delivery Test result in November has been reported elsewhere on this agenda.

Natural England's approach since the CJEU judgement is reflected in the committee report.

Other matters raised which include traffic and education impacts and lack of mitigation have been already discussed within the officer report.

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

- 1) 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 impacts of the development.
 - . Travel Plan and related monitoring cost and bond.
 - . Payment towards a Traffic Regulation Order on Brook Lane and Lockswood 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 the permitted dwellings as affordable housing.
 - . A financial contribution towards education provision.
- 2) 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 head 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 the conditions in the report, was voted on and CARRIED.
(Voting: 7 in favour, 2 against)

RESOLVED that subject to:

- 1) 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 impacts of the development.

. Travel Plan and related monitoring cost and bond.

. Payment towards a Traffic Regulation Order on Brook Lane and Lockswood 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 the permitted dwellings as affordable housing.

. A financial contribution towards education provision.

- 2) 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 head 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 the conditions in the report, PLANNING PERMISSION be granted.

(7) P/18/0107/OA - LAND TO THE EAST & WEST OF 79 GREENAWAY LANE WARSASH

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 commenting that FBC and the Planning Committee has a duty to the residents of Warsash to wait until the NPPF and outcome of the new housing supply figures are published as it may have implications regarding the application.

As no reports from Natural England have been obtained in any of the Warsash cluster applications, the applications need to be refused or rescinded as necessary until one has been obtained.

Officer response: An update on the Five Year Housing Land Supply Position including reference to the publication by Government of the Housing Delivery Test result in November has been reported elsewhere on this agenda.

Officers have undertaken an Appropriate Assessment as already reported.

Other matters raised which include traffic and education impacts and lack of mitigation have been already discussed within the officer report.

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

- 1) 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.

. The delivery of 40% of the permitted dwellings as affordable housing.

- 2) Delegate to the Head of Development 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 the conditions in the report, was voted on and CARRIED.
(Voting: 7 in favour; 2 against)

RESOLVED that, subject to:

- 1) 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.

. The delivery of 40% of the permitted dwellings as affordable housing.

- 2) Delegate to the Head of Development 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 the conditions in the report, PLANNING PERMISSION be granted.

(8) P/17/1135/OA - LAND NORTH OF FUNTLEY ROAD FUNTLEY

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

At the invitation of the Chairman, Councillor's Mrs L E Clubley and Mrs P M Bryant.

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

- 1) The applicant 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 in respect of the following:
 - a) To secure the delivery of 40% of the permitted dwellings as affordable housing.
 - b) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP) in order to mitigate the 'in combination' effects that an increase in residential units on the site would cause

through increased recreational disturbance on the Solent Coastal Special Protection Areas;

- c) To secure submission and implementation of travel plan;
 - d) To secure the provision of a permissive footpath from Funtley Road to Thames Drive, a scheme for which must be submitted to and approved by Fareham Borough Council before development commences; associated works to upgrade bridge over M27 motorway (including structural survey);
 - e) To secure a financial contribution towards the revision of the existing traffic regulation order (TRO) to allow the speed limit restrictions on Funtley Road to be amended (£5,000);
 - f) To secure a financial contribution towards improvements to sustainable transport links (£21,950);
 - g) To secure the installation of a bell mouth access from the site onto Funtley Road and footpath extension as shown on drawing no. 16/0822/SK01e.
- 2) 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 the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:

- 1) The applicant 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 in respect of the following:
 - a) To secure the delivery of 40% of the permitted dwellings as affordable housing.
 - b) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP) in order to mitigate the 'in combination' effects that an increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;
 - c) To secure submission and implementation of travel plan;
 - d) To secure the provision of a permissive footpath from Funtley Road to Thames Drive, a scheme for which must be submitted to and approved by Fareham Borough Council before development commences;

associated works to upgrade bridge over M27 motorway (including structural survey);

- e) To secure a financial contribution towards the revision of the existing traffic regulation order (TRO) to allow the speed limit restrictions on Funtley Road to the amended (£5,000);
 - f) To secure a financial contribution towards improvements to sustainable transport links (£21,950);
 - g) To secure the installation of a bell mouth access from the site onto Funtley Road and footpath extension as shown on drawing no. 16/0822/SK01e.
- 2) 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 the conditions in the report, PLANNING PERMISSION be granted.

(9) P/18/0067/OA - LAND TO THE SOUTH OF FUNTLEY ROAD FUNTLEY

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

At the invitation of the Chairman, Councillor Mrs P M Bryant addressed the Committee on this item.

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

Two further letters from the same person have been received in objection to this application raising concerns over access for railway contractors and the potential for mudslides.

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

- 1) The applicant 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 in respect of the following:
 - a) To secure the delivery of 40% of the permitted dwellings as affordable housing;
 - b) To secure three of the permitted dwellings as customer built properties;
 - c) To secure provision of a pedestrian and cycle public right of way through the site from Funtley Road (north) to Thames Drive (south);

associated works to upgrade bridge over M27 motorway (including structural survey) and commuted sum for future maintenance;

- d) To secure provision of, laying out (including provision of a capital equipment required to establish the park) and transfer of community park land to Fareham Borough Council and a financial contribution of £802,000 towards the associated ongoing maintenance costs of operating the community park;
 - e) To secure the on-site provision of public open space including local equipped area of play (LEAP) in accordance with the Council's adopted Planning Obligations SPD, a financial contribution towards associated maintenance costs and transfer of the public open space to Fareham Borough Council;
 - f) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP) in order to mitigate the 'in combination' effects that an increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;
 - g) To secure a financial contribution towards the production of school travel plans in the area (£15,000);
 - h) To secure a financial contribution towards the revision of the existing traffic regulation order (TRO) to allow the speed limit restrictions on Funtley Road to be amended (5,000);
 - i) To secure submission and implementation of travel plan;
 - j) To secure details of the delivery of the community building, the transfer of land 0.1 hectares in size on application site and funding on a pro-rata basis of £2,000 per sq. m of community use floorspace (to a maximum of £500,000) for provision of community/shop building and associated management arrangements for community use element along with pedestrian and vehicular access rights between the site of the community building and Funtley Road, or at the request of the local planning authority the same sum for the provision or improvement of community facilities within Funtley calculated on a pro-rata basis minus the floorspace of any remaining shop use on the application site.
- 2) Delegate to the Head of Development Management in consultation with the Solicitor to the Council to make any minor modifications to 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 or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions,

and the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to:

- 1) The applicant 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 in respect of the following:
 - a) To secure the delivery of 40% of the permitted dwellings as affordable housing;
 - b) To secure three of the permitted dwellings as customer built properties;
 - c) To secure provision of a pedestrian and cycle public right of way through the site from Funtley Road (north) to Thames Drive (south); associated works to upgrade bridge over M27 motorway (including structural survey) and commuted sum for future maintenance;
 - d) To secure provision of, laying out (including provision of a capital equipment required to establish the park) and transfer of community park land to Fareham Borough Council and a financial contribution of £802,000 towards the associated ongoing maintenance costs of operating the community park;
 - e) To secure the on-site provision of public open space including local equipped area of play (LEAP) in accordance with the Council's adopted Planning Obligations SPD, a financial contribution towards associated maintenance costs and transfer of the public open space to Fareham Borough Council;
 - f) To secure a financial contribution towards the Solent Recreation Mitigation Partnership (SRMP) in order to mitigate the 'in combination' effects that an increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas;
 - g) To secure a financial contribution towards the production of school travel plans in the area (£15,000);
 - h) To secure a financial contribution towards the revision of the existing traffic regulation order (TRO) to allow the speed limit restrictions on Funtley Road to be amended (5,000);
 - i) To secure submission and implementation of travel plan;
 - j) To secure details of the delivery of the community building, the transfer of land 0.1 hectares in size on application site and funding on a pro-rata basis of £2,000 per sq. m of community use floorspace (to a maximum of £500,000) for provision of community/shop building and associated management arrangements for community use element along with pedestrian and vehicular access rights between the site of the community building and Funtley Road, or at the request of the local planning authority the same sum for the provision or improvement of community facilities within Funtley calculated on a pro-rata basis minus the floorspace of any remaining shop use on the application site.

- 2) Delegate to the Head of Development Management in consultation with the Solicitor to the Council to make any minor modifications to 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 or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions,

and the conditions in the report, PLANNING PERMISSION be granted.

(10) UPDATE REPORT

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

9. PLANNING APPEALS

The Committee noted the information in the report.

(The meeting started at 2.30 pm
and ended at 6.29 pm).