

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee (to be confirmed at the next meeting)

*Minutes of a meeting held on 27 March 2013
at the Civic Offices, Fareham*

PRESENT:

Councillor N J Walker
(Chairman)

Councillor A Mandry
(Vice-Chairman)

Councillors P J Davies, K D Evans (deputising for B Bayford), M J Ford, R H Price, JP, D C S Swanbrow and D M Whittingham.



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Bayford and P W Whittle, JP.

2. MINUTES

RESOLVED that the minutes of the meeting of the Planning Committee held on 27 February 2013 be confirmed and signed as a correct record ([pc-130227-m](#)).

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman invited the Head of Development Management and Trees to address the Committee on the following matters:-

- (i) Community Infrastructure Levy (CIL) - Members were informed that a report on the Adoption of Fareham Borough Community Infrastructure Levy will be considered by the Executive and subsequently by Council in April 2013. Briefings on CIL will be held for all members of the Council; and
- (ii) The concerns expressed by members about the quality of photographs taken by officers and displayed at Planning Committee meetings had been investigated. It had been decided to trial the use of a desk screen for each member, as demonstrated by Head of Development Management and Trees. Councillor Price observed that a large screen would still need to be made available in the committee room so that the photographs displayed were also clearly visible for members of the public. It was agreed that Councillor Price's request would be pursued.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct Councillor Price declared a non-pecuniary interest in minute 6 (19).

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 Partner	Mrs S Golby Mr A Edwards Mr P Waghorn Mrs V Read	397 Warsash Road, Fareham, - Renovation and extension of existing dwelling, erection of four new dwellings , vehicular and pedestrian access, parking and landscaping	Opposing	6(1) P/12/0951/FP
Mr P Goodbody		"ditto"	Opposing	"ditto"
Mr C Patrick (Agent)		Dental Surgery, 37 Warsash Road, Warsash, Southampton, - Variation of conditions 3 & 4 of P/07/1217/FP to enable use of existing dental practice by four dental practitioners from four surgery rooms and revisions to existing parking layout to provide three staff parking spaces to rear	Supporting	6 (3) P/13/0023/VC
Mr R Pellew	Mr D Cox Mrs S Pargeter	Land to rear of 233 Swanwick Lane, Lower Swanwick, - Erection of four detached dwellings with garaging/parking and provision of access from Lower Swanwick Road	Opposing	6 (6) P/13/0062/FP

ZONE 2				
Mr G Coates		260 West Street, Fareham, Hants, - Variation of condition 5 of P/12/0138/VC to permit cooking at the premises for a further temporary period of 6 months	Opposing	6(14) P/13/0187/VC
ZONE 3				
Mr S Barlow (Agent)		Land at Nyewood Avenue, Portchester - Erection of two detached dwellings (full renewal of P/10/0029/FP to extended the time limit for implementation)	Supporting	6(15) P/13/0083/FR
Mr R Tutton (Agent)		18 Haven Crescent, Fareham, - Variation of condition 3 of planning permission P/11/0237/VC to allow roof light in south east elevation serving en-suite to be of an opening design	Opposing	6(17) P/13/0117/VC
Mr P Hankin		Portchester Community School, White Hart Lane, Fareham - Removal of the existing dilapidated concrete post and chain link mesh fence along part of the east and northern boundary to the sports field. Replace with powder coated	Opposing	6 (19) P/13/0126/CC

		steel mesh fence 3.030M high supported on steel box section posts. Replacement of existing vehicle gates		
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DECISIONS UNDER DELEGATED POWERS

6. 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 (copy of report [pc-130327-r04-lsm](#) circulated with agenda). An [Update Report](#) was tabled at the meeting.

Item (1) P/12/0951/FP - 397 Warsash Road, Fareham

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

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

- (i) the conditions in the report; and
- (ii) an additional condition prohibiting use of the existing access onto The Tanners to heavy vehicles during construction of the property to the north of the site.

was voted on and CARRIED.
(Voting 7 in favour; 1 against).

RESOLVED that subject to:-

- (i) the conditions in the report; and
- (ii) an additional condition prohibiting use of the existing access onto The Tanners to heavy vehicles during construction of the property to the north of the site,

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, highway safety or ecology. 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 2004 and thus planning permission should therefore be granted.

Policies - Approved Fareham Borough Core Strategy - CS2 - Housing Provision, CS5 - Transport Strategy and Infrastructure, 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. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document. Fareham Borough Local Plan Review DG4 - Site Characteristics. Approved SPG/SPD - RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document. Fareham Borough Local Plan Review - DG4 - Site Characteristics

Item (2) P/12/1048/AD - Silver Fern - 19 Warsash Road, Warsash

The Committee was referred to the Update Report which provided the following information: *One further objection has been received in relation to the amended plans stating that the sign would still be out of keeping with the character of the centre of Warsash and although raising the sign may improve visibility it will also have a greater impact on the surrounding area. For Members' information, the sign has been erected*

A motion was proposed and seconded that the application for advertisement consent be deferred. On being put to the vote the motion was CARRIED. (Voting 8 in favour; 0 against).

RESOLVED that the application for advertisement consent be deferred.

Reasons for the Decision - To allow officers to enter into negotiations with the applicant to agree a more acceptable top element of the sign (company details) from that currently submitted. Application to be reported back to committee.

Policies - Fareham Borough Local Plan Review - DG7 - Signs and Advertisements.

Item (3) P/13/0023/VC - 37 Warsash Road, Warsash - Dental Surgery

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

Upon being proposed and seconded the officer recommendation to grant planning permission to vary conditions 3 and 4 of P/07/1217/FP was CARRIED. (Voting 8 in favour; 0 against).

RESOLVED that

- (i) all conditions originally attached to planning permission P/07/1217/FP which have been discharged and remain in force be re-imposed, with the exception of condition 4 of that consent being revised to the following:-

No more than four dental surgery rooms shall operate from the dental practice that this decision notice relates to.

REASON: In the interests of highway safety in accordance with Policy CS5 of the Fareham Borough Core Strategy.

- (ii) the addition of conditions covering the access, delivery of the car-parking spaces and ensuring they are retained, ensuring the spaces to the rear of the building are used only by staff and provision of cycle parking within the site and ensuring site lines (to the standard as set out by the Inspector on the 2011 appeal decision) are provided.

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 below. The increase to four dentist's chairs will not give rise to situations prejudicial to highway safety or neighbouring amenity, and the provision of three staff car parking spaces to the rear of the property would not give rise to any undue impacts on neighbouring amenity, particularly in the light that the northern portion of the site has an extant permission for a dwelling (which would give rise to potentially far greater a level of activity). Other material considerations including the representations made have been carefully considered and are 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 - CS5 - Transport Strategy and Infrastructure and CS17 - High Quality Design.

Item (4) P/13/0057/FP - 121 Fleet End Road, Warsash

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).

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below.. The proposal, subject to conditions, is not considered likely to result in any significant or unacceptable impact on the amenity of adjoining occupiers or the character of the countryside/strategic gap 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, CS14 - Development Outside Settlement and CS22 - Development in Strategic Gaps.

Item (5) P/13/0058/FP - 121 Fleet End Road, Warsash

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).

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below.. The proposal, subject to conditions, is not considered likely to result in any significant or unacceptable impact on the amenity of adjoining occupiers or the character of the countryside/strategic gap 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, CS14 - Development Outside Settlements and CS22 - Development in Strategic Gaps.

Item (6) P/13/0062/FP - Land to the rear of 233 Swanwick Lane, Lower Swanwick

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

The Committee was informed of the following relevant policies which applied to the application and which had been omitted from the officer's report:- *Fareham Borough Core Strategy: CS2 - Housing Provision; 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; CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review: DG4 - Site Characteristics and C18 - Protected Species*

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 6 in favour; 2 against).

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below and the recent decision made by the Planning inspectorate. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers or 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 - Fareham Borough Core Strategy: CS2 - Housing Provision; 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; CS21 - Protection and Provision of Open Space. Fareham Borough Local Plan Review: DG4 - Site Characteristics and C18 - Protected Species

Item (7) P/13/0063/FP - 29 Nutash, Fareham

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).

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers or 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. Fareham Borough Local Plan Review: DG4 - Site Characteristics

Item (8) P/13/0115/FP - 144 Brook Lane, Sarisbury Green

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

(Voting 7 in favour; 1 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 below. The enlarged dormer window does not detract from the appearance of the house, the character of the streetscene or the privacy of neighbours. 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 - CS17 - High Quality Design

Item (9) P/13/0153/FP - 233 Botley Road, BurrIDGE

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).

RESOLVED that, subject to the conditions in the report, 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 below.. The proposal is of an acceptable appearance and will not unduly harm neighbouring amenity. Other material considerations including the representations raised are 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.

Item (10) P/13/0167/CU - Warwick House, Beacon Bottom, Park Gate

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 7 in favour; 0 against; 1 abstention).

RESOLVED that, subject to the conditions in the report, 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 below. The proposal would not detract from the character of the surrounding area or the living conditions of neighbours. The level of parking provision provided is acceptable and the proposal would have no adverse implications for highway safety. Other material considerations are 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.

Miscellaneous Item (1) P/12/0299/FP - Land at Coldeast Hospital (Lot 2) Sarisbury Green

A motion was proposed and seconded that, subject to addition of the word "external" in the sentence in paragraph 3 so that it reads " *that the necessary funds to enable the partial **external** restoration are secured and made available for such use if no developer has been secured within two years*" the officer recommendation as stated in the report be agreed.

(Voting 8 for; 0 against).

RESOLVED that in addition to those matters already secured through the resolution of the Planning Committee on the 23rd October 2012, that the Section 106 planning obligation also secures the following:

- (i) the applicant/owner undertakes the partial external restoration of the Mansion House in the event that a developer is not signed up to undertake the refurbishment/ restoration of the Mansion House within two years;
- (ii) that the necessary funds to enable the partial external restoration are secured and made available for such use if no developer has been secured within two years;
- (iii) the details of the precise scheme of restoration works are agreed with Fareham Borough Council prior to their execution.

Item (11) - P/13/0122/FP - 33 Fairfield Avenue, Fareham

The Committee was referred to the Update Report which provided the following information:

Amend Recommendation: -

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 a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.

Upon being proposed and seconded, the officer recommendation as revised, 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 a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply; and
- (ii) the conditions in the report

was voted on and CARRIED.
(Voting 8 in favour; 0 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 a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply; and
- (ii) the conditions in the report

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into the account the policies of the Local Plan as set out below. The proposal is not considered likely to result in an impact on the amenity of adjoining occupiers, the character of the area or on 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 - CS5 - Transport Strategy and Infrastructure, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, 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

Item (12) P/13/0143/FP - 67 The Avenue, Fareham

The Committee was referred to the Update Report which provided the following information:- *The application was withdrawn on 22 March 2013.*

Item (13) P/13/0168/FP - 66 Wynton Way, Fareham

The Committee was referred to the Update Report which provided the following information:-

Amend Recommendation:-

Subject to:-

(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 open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.

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

- (i) the consideration of any representations received by 22 March 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 open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply;
- (iii) the conditions in the report; and
- (iv) an additional Grampian condition requiring the developer to submit and agree a scheme with officers for appropriate relocation of the bus stop which has been removed from outside the proposed new access from Fareham Park Road prior to the commencement of development

was voted on and CARRIED
Voting 8 in favour; 0 against).

RESOLVED that subject to:-

- (i) the consideration of any representations received by 22 March 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 open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply;
- (iii) the conditions in the report; and
- (iv) an additional Grampian condition requiring the developer to submit and agree a scheme with officers for appropriate relocation of the bus stop which has been removed from outside the proposed new access from Fareham Park Road prior to the commencement of development

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below. 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, CS7 - Development in Fareham, CS15 - Sustainable Development and Climate Change, CS16 - Natural Resources and Renewable Energy, CS17 - High Quality Design, CS20 - Infrastructure and Development Contribution 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

Item (14) P/13/0187/VC - 260 West Street, Fareham

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).

RESOLVED that, subject to the conditions in the report, 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 below. The extension of the temporary period of consent for a further six months is considered appropriate taking into account those material considerations set out above. The potential for cooking odour to adversely affect the living conditions of neighbours is not considered to have sufficient weight to justify a refusal of the application for such a temporary period, and as such applicable conditions have been applied in order to satisfy these matters and in order to ensure that in light of this the usage can be reviewed after a further six months. 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 - CS5 - Transport Strategy and Infrastructure and CS17 - High Quality Design. Fareham Borough Local Plan Review: S12 - Hot Food Shops

Item (15) P/13/0083/FR - Land at Nyewood Avenue, Portchester

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

The Committee was referred to the Update Report which provided the following information:

Amend Recommendation -

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 a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.

Upon being proposed and seconded, the officer recommendation as revised, to grant a full renewal of planning permission granted under P/10/0029/FP, 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 a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply; and

(ii) the conditions in the report

was voted on and CARRIED.
(Voting 8 in favour; 0 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 a financial contribution towards off-site open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply; and

(ii) the conditions in the report

FULL RENEWAL of planning permission granted under P/10/0029/FP be granted.

Reasons for the Decision - The development is acceptable taking into account the policies of the Development Plan as set out below. 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, CS11 - Development in Portchester, Stubbington and Hill Head, CS15 - Sustainable Development and Climate Change, CS17 - High Quality Design, CS20 - Infrastructure and Development Contributions RCCPS - Residential Car and Cycle Parking Standards Supplementary Planning Document 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

Item (16) P/13/0105/FP - Portsdown Inn, 1 Leith Avenue, Fareham

The Committee was referred to the Update Report which provided the following information:- *Members are advised that the Officer recommendation included in the report should read as follows:-*

Subject to:-

(i) the comments of the Director of Regulatory and Democratic Services (Contamination);

(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 open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.

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

- (i) the comments of the Director of Regulatory and Democratic Services (Contamination);
- (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 open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.
- (iii) the conditions in the report,

was voted on and CARRIED.
(Voting 8 in favour; 0 against).

RESOLVED that subject to:-

- (i) the comments of the Director of Regulatory and Democratic Services (Contamination);
- (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 open space facilities and highway infrastructure provided that the planning obligation is completed prior to the Community Infrastructure Levy charging schedule being brought into effect. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then planning permission be granted without the need for the obligation as the community infrastructure levy will apply.
- (iii) the conditions in the report,

PLANNING PERMISSION be granted.

Reasons for the Decision - The development is acceptable into account the policies and proposals of the Development Plan as set out below. The proposed new dwelling is to be located within a sustainable urban location where the principle of new housing provision is supported by local and national planning guidance. The proposal would not detract from the character of the surrounding area or the living conditions of neighbours. The level of parking provision provided is acceptable and the proposal would have no adverse implications for highway safety. Other material considerations are 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 - CS2 - Housing Provision, CS6 - The Development Strategy, CS15 - Sustainable Development and Climate Change, 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

Item (17) P/13/0117/VC - 18 Haven Crescent, Fareham

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

The Committee was referred to the Update Report which provided the following information: *Officers have discussed the suggested provision of a restrictor to the roof light with the applicant. The applicant has indicated they would not be willing to fit a 2.5cm opening restrictor to the roof light however they would be prepared to install one allowing the roof light to open to a maximum opening of 10cm. In light of the discussions with the applicant Officers consider there is little prospect of any planning permission conditional on a 2.5cm restrictor being implemented. The applicant's suggested restriction to 10cm would not prevent overlooking of the neighbouring property to the rear. Officers therefore recommend that planning permission should be refused for the variation of this condition. Officers will be discussing the serving of a Breach of Condition Notice with Southampton Legal Department in order secure compliance with the original planning condition. Recommendation: REFUSE: roof light gives rise to the overlooking of neighbouring property (7 Old Street) harmful to the privacy of the occupants*

A motion was proposed and seconded that the revised officer recommendation to refuse the application to vary condition 3 of planning permission P/11/0237/VC and was voted on and CARRIED.
Voting 8 in favour; 0 against).

RESOLVED that the application to vary condition 3 of planning permission P/11/0237/VC be REFUSED.

Reasons for the Decision - The roof light gives rise to the overlooking of neighbouring property (7 Old Street) harmful to the privacy of the occupants

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

Item (18) P/13/0119/FP - 45 Old Farm Lane, Stubbington

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).

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out below. 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.

Item (19) P/13/0126/CC - Portchester Community School, White Hart Lane, Fareham

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

Councillor Price declared a non-pecuniary interest in this application as he is a Hampshire County Councillor and member of the County Council body who will determine the application.

A motion was proposed and seconded that an OBJECTION be raised to the proposal to increase the height of the fence from its existing height, to a height of 3.03m, only for the length of boundary fence which runs from the gates at Sunningdale Road northward along the east boundary. Upon being put to the vote the motion was CARRIED.

(Voting 8 in favour; 0 against).

RESOLVED that Fareham Borough Council raise OBJECTION to the proposal to increase the height of the fence from its existing height, to a height of 3.03m, only for the length of boundary fence which runs from the gates at Sunningdale Road southward along the east boundary.

Reasons for the Decision - The increase in the height of the fence from the gates in Sunningdale Road northward along the eastern boundary is considered to result in a significant impact on the amenity of occupiers of properties which are adjacent

to the existing boundary fence running north from Sunningdale Road. The Committee therefore raises an objection to this element of the proposal.

Policies - Approved Fareham Borough Core Strategy - CS17 - High Quality Design. Fareham Borough Local Plan Review: DG4 - Site Characteristics.

Item (20) P/13/0150/FP - 70 St Marys Road, Fareham

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the condition in the report, was voted on and CARRIED.

(Voting 8 in favour; 0 against).

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

Reasons for the Decision - The development is acceptable taking into account the policies of the Local Plan as set out below. . 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.

7. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the two following Fareham Tree Preservation Orders which had been made by officers under delegated powers and to which no formal objections had been received:-

(i) TPO680 - 22 Peters Road, Park Gate

Order made on 23 November 2012 covering 1No. Oak tree.

RESOLVED that Fareham Tree Preservation Order No. 680 be confirmed without modification as made and served.

(ii) TPO651 – Lynton Gardens, Highlands Road, The Cedars and Kiln Road

Order made on 7 December 2012 covering 26 No. individual trees, (2 No. Yew, 5 No Oak, 2 No Horse Chestnut, 6 No Sycamore, 5 No Lime, 1 No Walnut, 1 No Cypress, 2 No Pine, 1 No Wellingtonia and 1 No Cedar) and 4 groups (G1 - 5 No Pine trees, G2 - 2 No Pine, 2 No Oak & 1 No Sycamore, G3 - 9 No Sycamore and G4 - 6 No Pine).

RESOLVED that:-

- (a) Fareham Tree Preservation Order No. 651 be confirmed with modification to the description for T14, which should read '*Front garden of 77 Kiln Road*'; and
- (b) Fareham Tree Preservation Order No.17 and Fareham Tree Preservation Order No. 415 be revoked, as all the trees in the older Orders have, where appropriate, been included in the new Order.

8. URGENT MATTERS

Under agenda item 6(ii) the Committee were informed that Councillor Whittle had made the request that the Committee be advised upon matters relating to Cams Hill as urgent business. The terms of the request were read out at the meeting.

The Solicitor to the Council advised members that Councillor Whittle was not present to move the motion and that there was no procedure under standing orders for urgent motions to be added onto the agenda. She proposed to advise Councillor Whittle that it was deemed more appropriate for the issues raised to be discussed directly with the Head of Development Management and Trees.

(The meeting started at 2:30pm
and ended at 5.25pm).