

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 16 September 2020

Venue: Microsoft Teams Virtual Meeting

PRESENT:

Councillor N J Walker (Chairman)

Councillor I Bastable (Vice-Chairman)

Councillors: F Birkett, T M Cartwright, MBE, P J Davies, K D Evans,
M J Ford, JP, L Keeble and R H Price, JP

Also Present: Councillor Miss S M Bell (Item 6 (2))



1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of Planning Committee meeting held on 19 August 2020 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman used the Chairman's announcements to inform the Committee how he intended to run the Virtual Planning Committee meeting.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct the following Councillors declared the following interests on the items identified:-

Councillor N J Walker declared a Personal Interest in items 6 (4) and 6 (5) – 84 Merton Avenue as the applicant is known to him.

Councillor R H Price, JP declared a Personal Interest in Items 6 (4) and 6 (5) – 84 Merton Avenue as he had previously employed the applicant to undertake some work on his property.

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	Type of Dep
ZONE 1 – 2.30pm					
ZONE 2 – 2.30pm					
Mr and Mrs Copperwheat		4 JUSTIN CLOSE FAREHAM – GARAGE CONVERSION TO HABITABLE ROOM & FRONT SINGLE STOREY EXTENSION, DRIVEWAY TO FIT 4	Supporting	6 (1) P/20/0635/FP Pg 12	Written

		CARS & DROP KERB			
ZONE 3 – 2.30pm					
Mr S Carrington (Agent)		LAND TO SOUTH OF ROMSEY AVENUE – OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 225 DWELLINGS, BIRD CONSERVATION AREA AND AREA OF PUBLIC OPEN WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS	Supporting	6 (2) P/18/1073/FP Pg 21	Written
Mr R Tutton		-Ditto-	Opposing	-Ditto-	Written
Ms C Martin		-Ditto-	-Ditto-	-Ditto-	Video
Ms G Marshall		-Ditto-	-Ditto-	-Ditto-	Video
Mr M Townson		-Ditto-	Opposing	-Ditto-	Video
Mr R Tutton (Agent)		84 MERTON AVENUE PORTCHESTER PO16 9NH – REMOVAL OF CONDITION 6: (LIMITING USE OF GARAGE) OF APPROVED PLANNING P/09/0797/FP – ERECTION OF DETACHED GARAGE	Supporting	6 (4) P/20/0656/VC Pg 54	Video
Mr & Mrs Penny		-Ditto-	Opposing	-Ditto-	Written
Mr S Freeman			Opposing	-Ditto-	Written
Ms P Freeman			Opposing	-Ditto-	Written
Ms P Clark			Opposing	-Ditto-	Written
Ms L Burtenshaw			Opposing	-Ditto-	Written
Mr R Tutton (Agent)		84 MERTON AVENUE PORTCHESTER PO16 9NH – TEMPORARY CONSENT FOR A TAKEAWAY COFFEE SHOP	Supporting	6 (5) P/20/0811/CU Pg 64	Video
Mr & Mrs Penny		-Ditto-	Opposing	-Ditto-	Written

Mr S Freeman			Opposing	-Ditto-	Written
Ms P Freeman			Opposing	-Ditto-	Written
Ms P Clark			Opposing	-Ditto-	Written
Ms S Tyson			Opposing	-Ditto-	Written
Mr R Hatton			Opposing	-Ditto-	Written
Mrs K Wiltshire			Opposing	-Ditto-	Written
Ms L Burtenshaw			Opposing	-Ditto-	Written

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

The Committee noted a report by the Director of Planning and Regeneration on development control matters, including information regarding new appeals and decisions.

(1) P/20/0635/FP - 4 JUSTIN CLOSE FAREHAM PO14 1SY

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:-

A complete set of amended plans were received altering the finished external materials from a rendered finish to brick finish, with bricks to match those on the existing property.

As such Condition 2 is amended as follows:

2. The development shall be carried out in accordance with the following approved documents:

- a) Location Plan (Drawing: 08);*
- b) Existing and Proposed Site Plan (Drawing: Design 5d – 08.09.20: 01);*
- c) Existing GF Plan (Drawing: Design 5d – 08.09.20: 02);*
- d) Existing F Plan (Drawing: Design 5d – 08.09.20: 03);*
- e) Existing FF Plan (Drawing: Design 5d – 08.09.20: 04);*
- f) Proposed FF Plan (Drawing: Design 5d – 08.09.20: 05);*
- g) Existing Elevations (Drawing: Design 5d – 08.09.20: 06);*
- h) Proposed Elevations (Drawing: Design 5d – 08.09.20: 07).*

REASON: To avoid any doubt over what is permitted.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report and amended condition 2 in the update report, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report and the amended condition 2 in the update report, PLANNING PERMISSION be granted.

**(2) P/18/1073/FP - LAND TO THE SOUTH OF ROMSEY AVENUE
FAREHAM**

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:-

A further five objections have been received raising no additional material planning considerations than those detailed in the Officer report. In total 494 objections have been received from 308 residents.

(During the debate on this item Councillor P J Davies lost his connection to the meeting, and, as he was unable to take part in the full debate on this item he took no further part in this item and did not vote on the application)

At the invitation of the Chairman, Councillor Miss S Bell addressed the Committee on this item.

A additional reason for refusal was put forward to Members as follows:

“The proposal would result in extra parking restrictions being places on Beaulieu Avenue and Romsey Avenue and on-street parking being displaced from the access road into the development site onto Romsey Avenue. As a result the development would lead to an increase in car parking on both Beaulieu Avenue and Romsey Avenue which would be inconvenient to user of the highway and harmful to highway safety;”

Upon being proposed and seconded the officer recommendation to refuse the application, for the reasons in the report and the above mentioned reason for refusal, was voted on and CARRIED.
(Voting: 8 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The development is contrary to Policies CS2, CS4, CS5, CS6, CS14, CS16, CS17 & CS18 of the Adopted Fareham Borough Core Strategy 2011 and Policies DSP2, DSP6, DSP13 & DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plan,

And paragraph 170 of the National Planning Policy Framework (NPPF), and is unacceptable in that:

- a) The provision of residential development in this location would be contrary to adopted Local Plan policies which seek to prevent additional residential development in the countryside;
- b) The proposal fails to appropriately mitigate the likely effects on the integrity of European Protected Sites which would arise as a result of

the effect of the development on, and loss of part of, a Primary Support Area for Brent geese and waders;

- c) The proposal would result in extra parking restrictions being placed on Beaulieu Avenue and Romsey Avenue and on-street parking being displaced from the access road into the development site onto Romsey Avenue. As a result the development would lead to an increase in car parking on both Beaulieu Avenue and Romsey Avenue which would be inconvenient to users of the highway and harmful to highway safety;
- d) The proposal fails to provide sufficient information to demonstrate that protected and priority species would be protected and enhanced;
- e) The proposal fails to provide sufficient information to demonstrate the satisfactory disposal of surface water;
- f) The proposal would result in the loss of best and most versatile agricultural land;
- g) In the absence of a legal agreement to secure such, the proposal fails to appropriately secure financial contributions towards off-site highway improvements to mitigate the impact of the development on the strategic highway network; improvements and measures to promote sustainable modes of travel; measures to mitigate the increase in traffic in the vicinity of Wicor Primary School; the introduction and/or amendment of traffic regulation orders in Beaulieu Avenue and Romsey Avenue, and; travel plan approval and monitoring fees;
- h) In the absence of a legal agreement to secure such, the proposal fails to appropriately secure mitigation of the likely adverse effects on the integrity of European Protected Sites which, in combination with other developments, would arise due to the impacts of recreational disturbance;
- i) In the absence of a legal agreement to secure the provision of public open space and contributions towards the associated management and maintenance of the open space, the recreational needs of residents of the proposed development would not be met;
- j) In the absence of a legal agreement to secure such, the proposal fails to make on-site provision of affordable housing at a level in accordance with the requirements of the local plan;
- k) In the absence of a legal agreement to secure contributions to education, the needs of residents of the proposed development would not be met;
- l) In the absence of a legal agreement to secure a financial contribution towards improvements to the local public rights of way network, the proposal fails to mitigate the harm from the increased usage of public rights of way as a direct result of the development.

Notes 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 g) – l) 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.

(3) P/20/0738/VC - LAKE WORKS UNIT C1 CRANLEIGH ROAD PORTCHESTER PO16 9DR

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

An amended site plan has been received to clearly indicate the location of staff and customer parking and to increase overall provision.

Additional Consultation Response.

Environmental Health – Further to the consultation for pollution and suitability of use matters, I can advise that there are no adverse comments in respect of this application.

One additional representation has been received raising no further material planning considerations.

Members agreed to delegate to the Head of Development Management authority to reword condition 3, to ensure that the use of the site remains in line with the state business model of the applicant in relation to vehicle sales, and authority to reword condition 7 to require the submission of an ecologically sensitive external lighting scheme at the site in order to minimise disturbance to bats.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report and delegating authority to the Head of Development Management conditions 3 and 7, was voted on and CARRIED.

(Voting: 7 in favour; 2 against)

RESOLVED that, subject to the conditions in the report and delegating authority to the Head of Development Management to amend conditions 3 and 7, PLANNING PERMISSION be granted.

(4) P/20/0656/VC - 84 MERTON AVENUE PORTCHESTER PO16 9NH

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 comment in support of the application has been received. No additional planning considerations were raised.

Councillor Walker declared a Personal Interest in this item as the applicant is known to him.

Councillor R H Price, JP declared a Personal Interest in this item as he had previously employed the applicant to undertake some work on his property.

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

(Voting 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The proposal is contrary to Policies CS5 of the Adopted Fareham Borough Core Strategy 2011 and DSP2 of the Adopted Local Plan Part 2: Development Sites and Policies, and is unacceptable in that the removal of condition 6 of P/09/0797/FP may result in the garage being used for ancillary uses which in turn may harm the living conditions of occupants of nearby residential properties and the safety of highway users.

(5) P/20/0811/CU - 84 MERTON AVENUE PORTCHESTER PO16 9NH

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:-

Four further comments in support of the application have been received. No additional planning considerations were raised.

Comments from the Council's Environmental Health Officer have been received as follows:

Further to our discussion today regarding application P/20/0811/CU and in particular the potential for noise arising from the use of a commercial coffee machine, I do not anticipate that the use of the coffee machine and milk steamer associated with this, is likely to be of a volume that would give rise to noise levels that would materially affect neighbouring residential premise. In considering this, the orientation of any openings in proximity to neighbours, distance to neighbouring properties, the construction of building in which the activity would be undertaken and the proposed times of operation have all been taken into account.

In order to be sure that this is the case I would suggest that the applicant submits to the LPA the coffee machine manufacturers specifications for sound levels associated with this equipment being used so that we can better determine any likely impact on neighbours.

I would also add that most commercial coffee machines are pressurised systems and as such are required to be checked periodically, normally every 14 months. This should ensure that the equipment used is working as it should be and does not lead to excess noise being created. If you are minded to grant permission I would suggest a condition to require the maintenance and servicing of equipment in line with manufacturers guidelines.

In light of the above comments the Officer recommendation is amended to include a further condition (no.8) relating to the coffee machine as follows:

8. The use hereby permitted shall not be carried out until details of the coffee machine to be used on the premises have been submitted to and approved by the local planning authority in writing. Such details shall include the technical specification of the coffee machine including associated sound levels when in use. At no time shall any coffee machine, other than that expressly authorised by this condition, be used on the premises unless otherwise first agreed in writing by the local planning authority.

REASON: To protect the occupiers of nearby residential properties from possible disturbance from the permitted use.

The comments regarding maintenance of the coffee machine are noted, however given that the applicant is requesting consent for the use over a temporary period of 12-months a condition relating to this matter is not considered necessary.

Councillor Walker declared a Personal Interest in this item as the applicant is known to him.

Councillor R H Price, JP declared a Personal Interest in this item as he had previously employed the applicant to undertake some work on his property.

A motion to refuse the application was proposed and seconded, and was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposal is contrary to Policies DSP2, DSP3, DSP37 and DSP38 of the Adopted Local Plan Part : Development Sites and Policies, and is unacceptable in that:

- a) The proposed use would lead to noise and disturbance from the coffee machine at the premises, visiting customer, an increase in vehicles to the road and deliveries to the site which would be harmful to the living conditions of occupants of neighbouring properties;
- b) Customers of the proposed use would overlook neighbouring properties harmful to the privacy of the occupants of those properties;
- c) The proposed use is a main town centre use which would be located in an out-of-centre, residential area. The proposal fails to provide a full sequential test to demonstrate that there are no more centrally located sites that are available, suitable and viable. The proposed use is not a local shop intended to meet the day-to-day shopping needs of the immediate locality.

(6) Planning Appeals

The Committee noted the information in the report.

(7) UPDATE REPORT

The Update Report was circulated prior to the meeting and was considered along with the relevant agenda item.

(The meeting started at 2.30 pm
and ended at 7.08 pm).