

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 17 February 2021

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, M J Ford, JP, Mrs C L A Hockley, L Keeble and R H Price, JP

Also Present: Councillor J S Forrest (Item 7 (4)) and Councillor Mrs K Mandry (Item 7 (4))



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meetings held on 13 January 2021 and 20 January 2021 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcement:

“Members will recall that I have provided updates at previous meetings regarding two judicial review claims; one relating to a development of 8 houses at Egmont Nurseries, Brook Avenue, and one relating to a development of 6 houses adjacent to 79 Greenaway Lane.

Starting first with the Brook Avenue claim, I have previously advised the Committee that the court has granted the claimant, Brook Avenue Residents Against Development, permission to proceed with a judicial review on all 8 grounds of challenge.

Turning to the Greenaway Lane case, the High Court initially refused permission for the claimant, Save Warsash and the Western Wards, to bring a judicial review claim on all grounds on 7 December 2020. I recently advised this Committee that the claimant had asked the court to reconsider whether to grant permission to bring the claim. The reconsideration by the Court took place at a hearing on 5 February 2021. At that hearing the court granted the claimant permission to proceed on 7 grounds of challenge (one ground relating to ‘apparent bias’ was not pursued by the Claimant).

The Greenaway Lane claim is to be heard consecutively with the Brook Avenue claim. The same judge will be hearing the two claims on account of the similarities between the two. The hearings for these two claims are due to be held from the 8 to 10 June, 2021.”

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	Spokespers on representing the persons listed	Subject	Supporting or Opposing the Application	Item No/ Application No/Page No	Dep Type

ZONE 1					
Mr David Newell (Agent)		EDENHOLME DUNCAN ROAD PARK GATE SO31 1BD – PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF TWO DWELLING HOUSES AND CARPORTS	Supporting	7 (1) P/20/0931/FP Pg 30	Written
ZONE 2					
ZONE 3					
Mr M Hindry		THE GRANGE OAKCROFT LANE STUBBINGTON – DEVELOPMENT COMPRISING 9 DWELLINGS, TOGETHER WIT ACCESS, LANDSCAPING, CAR PARKING AND ASSOCIATED WORKS	Opposing	7 (2) P/19/0483/FP Pg 45	Written
Ms S Boyce		-Ditto-	-Ditto-	-Ditto-	Written
Mr M Sennitt (Agent)		-Ditto-	Supporting	-Ditto-	Written
Mr M Hindry		THE GRANGE OAKCROFT KANE STUBBINGTON PO14 2EB – OUTLINE APPLICATION FOR THE PROVISION O UP TO 16 DWELLINGS AND TWO NEW VEHICULAR ACCESSES ONTO RANVILLES LANE AND THE RELOCATION OF THE EXISTING ACCESS ONTO OAKCROFT LANE	Opposing	7 (3) P/20/0418/OA Pg 73	Written

		(RE-SUBMISSION OF P/18/0263/OA)			
Ms S Boyce		-Ditto-	-Ditto-	-Ditto-	Written
Mr M Sennitt (Agent)		-Ditto-	Supporting	-Ditto-	Written
Caroline Dineage (MP)		LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE STUBBINGTON – DEVELOPMENT COMPRISING 206 DWELLINGS, ACCESS ROAD FROM PEAK LANE MAINTAINING LINK TO OAKCROFT LANE, STPPING UP A SECTION OF OAKCROFT LANE (FROM OLD PEAK LANE TO ACCES ROAD), WITH CAR PARKING, LANDSCAPING, SUB-STATION, PUBLIC OPEN SPACE AND ASSOCIATED WORKS	Opposing	7 (4) P/20/0522/FP Pg 104	Written
Mrs P Andrews		-Ditto-	-Ditto-	-Ditto-	Written
Mr & Mrs Titheridge		-Ditto-	-Ditto-	-Ditto-	Written
Mr N John		-Ditto-	-Ditto-	-Ditto-	Written
Mr B Murphy		-Ditto-	-Ditto-	-Ditto-	Written
Mr R Marshall	The Fareham Society	-Ditto-	-Ditto-	-Ditto-	Written
Mr & Mrs Feetam		-Ditto-	-Ditto-	-Ditto-	Written
Mr P Lloyd-Henry		-Ditto-	-Ditto-	-Ditto-	Written
Mr T Parrott		-Ditto-	-Ditto-	-Ditto-	Video
Mr & Mrs Knott		-Ditto-	-Ditto-	-Ditto-	Written
County Cllr Pal Hayre		-Ditto-	-Ditto-	-Ditto-	Video
Mr J McIntosh		-Ditto-	-Ditto-	-Ditto-	Written
Mr D Buczynskyj		-Ditto-	Supporting	-Ditto-	Written

(Agent)					
Ms Harriett Newman		TPO 769 – 8 LAMBOURN CLOSE FAREHAM	Opposing	Item 8 Pg 151	Video

6. FIVE YEAR HOUSING LAND SUPPLY POSITION UPDATE

The Committee received a report by the Director of Planning and Regeneration which provided an update on the Council's Five-Year Housing Land Supply position.

RESOLVED that the Committee note:-

- (i) the content of the report and the current 5-Year Housing Land Supply position; and
- (ii) that the 5-Year Housing 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.

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

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

(1) P/20/0931/FP - EDENHOLME DUNCAN ROAD PARK GATE SO31 1BD

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:-

1. *An additional representation from April Rise (south of the site) has been received confirming that the boundary hedge along the southern boundary has been changed. The representation requests that the hedge is retained.*
2. *The development will generate 0.75kg/N/year not 2.1 as stated in 8.23 of the report. The applicant has provided evidence to confirm that they have purchased 0.75 nitrate credits from the Hampshire and Isle of Wight Wildlife Trust therefore condition no. 3 is not required.*

Upon being proposed and seconded the officer recommendation to grant planning, subject to the conditions in the report and an additional condition removing permitted development rights from the carports to prevent them from being enclosed, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report and the additional condition removing permitted development rights from the carports to prevent them from becoming enclosed, PLANNING PERMISSION be granted.

(2) P/19/0483/FP - THE GRANGE OAKCROFT LANE PO14 2EB

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 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 and Southampton Water, Portsmouth Harbour, and the Solent and Dorset Coast Special Protection Areas;
- Financial contribution of £95,774.00 towards the provision of off-site affordable housing provision;
- Traffic Regulation Order for highways to extend the speed reduction along Ranvilles Lane to 30mph;
- The widening of Ranvilles Lane in accordance with approved plans; and
- Provision and long-term management and maintenance of the paths within the site, and for their use by the general public.

(ii) The conditions in the report; and

(iii) An additional condition removing the permitted development rights for the carports to prevent them from being enclosed.

Was voted on and CARRIED.
(Voting: 8 in favour; 1 against)

RESOLVED that, subject to:-

(i) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure:

- Financial 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 and Southampton Water, Portsmouth Harbour, and the Solent and Dorset Coast Special Protection Areas;

- Financial contribution of £95,774.00 towards the provision of off-site affordable housing provision;
- Traffic Regulation Order for highways to extend the speed reduction along Ranvilles Lane to 30mph;
- The widening of Ranvilles Lane in accordance with approved plans; and
- Provision and long-term management and maintenance of the paths within the site, and for their use by the general public.

(ii) The conditions in the report; and

(iii) An additional condition removing the permitted development rights for the carports to prevent them from being enclosed.

PLANNING PERMISSION be granted.

(3) P/20/0418/OA - THE GRANGE OAKCROFT LANE PO14 2EB

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) Receipt of comments from the Environment Agency confirming no objection to the proposal, and delegate to the Head of Development Management to make any minor modifications to the proposed conditions or any subsequent minor changes arising after having had regard to these comments;
- (ii) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) on terms drafted by the Solicitor to the Council to secure:
 - On-site provision of 4 dwellings as affordable housing and a financial contribution to secure an equivalent of 2.4 units of off-site contribution of £249,638.00 for affordable housing. The type, size, mix and tenure to be agreed to the satisfaction of Officers.
 - 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 of the Solent Coastal Special Protection Areas;
 - TRO for highway to extend the speed reduction along Ranvilles Lane to 30mph;
 - The widening Ranvilles Lane in accordance with the approved plans;

- Provision and long-term management and maintenance of the paths and open space within the site, and for their use by the general public; and

(iii) The conditions in the report.

Was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that, subject to:-

- (i) Receipt of comments from the Environment Agency confirming no objection to the proposal, and delegate to the Head of Development Management to make any minor modifications to the proposed conditions or any subsequent minor changes arising after having had regard to these comments;
- (ii) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) on terms drafted by the Solicitor to the Council to secure:
 - On-site provision of 4 dwellings as affordable housing and a financial contribution to secure an equivalent of 2.4 units of off-site contribution of £249,638.00 for affordable housing. The type, size, mix and tenure to be agreed to the satisfaction of Officers.
 - 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 of the Solent Coastal Special Protection Areas;
 - TRO for highway to extend the speed reduction along Ranvilles Lane to 30mph;
 - The widening Ranvilles Lane in accordance with the approved plans;
 - Provision and long-term management and maintenance of the paths and open space within the site, and for their use by the general public; and

(iii) The conditions in the report.

PLANNING PERMISSION be granted.

(4) P/20/0522/FP - LAND EAST OF CROFTON CEMETERY AND WEST OF PEAK LANE STUBBINGTON

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

At the invitation of the Chairman, Councillor J Forrest, and Councillor Mrs K Mandry addressed the Committee on this item.

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

- i) In respect of the Recommendation, Section 9.0, iii), e) with regard to the Heads of Term, in addition to the provision of 82 on site affordable dwellings, a financial contribution towards off-site provision equivalent to 0.4 units is also required.*
- ii) A further 36 letters (from 34 addresses) from Third Parties have been received since the publication of the Committee Report. One letter was in support of the application, and the remaining letters were objections, although none raised any further matters than those listed in the Committee Report.*

Upon being proposed and seconded the officer recommendation to grant planning permission was voted on and declared LOST.
(Voting: 3 in favour; 6 against)

A motion was proposed and seconded to refuse planning permission, and was voted on and CARRIED.
(Voting: 6 in favour; 3 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal

The development would be contrary to Policies CS2, CS4, CS6, CS14, CS15, CS17, CS18, CS20 and CS21 of Adopted Fareham Borough Core Strategy 2011 and Policies DSP1, DSP2, DSP3, DSP6, DSP13, DSP14, DSP15 and DSP40 of the Adopted Local Plan Part 2: Development Sites and Policies Plan, and is unacceptable in that:

- i) The provision of dwellings in this location would be contrary to adopted local plan policies which seek to prevent residential development in the Countryside.
- ii) The development of the site would result in an adverse visual effect on the immediate countryside setting around the site.
- iii) The introduction of dwellings in this location would fail to respond positively to and be respectful of the key characteristics of the area, in this countryside, edge of settlement location, providing limited green infrastructure and offering a lack of interconnected green/public spaces.
- iv) The quantum of development proposed would result in a cramped layout and would not deliver a housing scheme of high quality which respects and responds positively to the key characteristics of the area. Some of the house types also fail to meet the Nationally Described Space Standards.
- v) Had it not been for the overriding reasons for refusal the Council would have sought to secure the details of the SuDS strategy including the mechanisms for securing its long term maintenance.

- vi) In the absence of a legal agreement to secure such, the development proposal would fail to secure a provision of affordable housing at a level in accordance with the requirements of the Local Plan.
- vii) In the absence of a legal agreement to secure such, the proposal would fail to; a) provide satisfactory mitigation of the 'in combination' effects that the propose increase in residential units on the site would cause through increased recreational disturbance on the Solent Coastal Special Protection Areas, and b) secure the creation of the ecological enhancement area and its long term management and maintenance to enhance the Wider Solent Wader and Brent Goose network.
- viii) In the absence of a legal agreement securing provision of open space and facilities and their associated management and maintenance, the recreational needs of residents of the proposed development would not be met.
- ix) In the absence of a legal agreement to secure the submission and implementation of a full Travel Plan, payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Travel Plan, the proposed development would not make the necessary provision to ensure measures are in place to assist in reducing the dependency on the use of the private motorcar.
- x) In the absence of a legal agreement to secure such, the proposal would fail to provide a financial contribution towards education provision.

(5) Planning Appeals

The Committee noted the information in the report.

(6) UPDATE REPORT

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

8. FAREHAM TREE PRESERVATION ORDER NO. 769 2020 - 8 LAMBOURN CLOSE, FAREHAM

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

The Committee considered a report by the Director of Planning and Regeneration on TP) no.769 – 8 Lambourn Close, to which one objection to the making of a provisional order was raised.

RESOLVED that the Committee agreed that Tree Preservation Order no. 769 is NOT CONFIRMED.

(The meeting started at 2.30 pm
and ended at 7.53 pm).

