

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Friday, 23 July 2021

**Venue:** Council Chamber - Civic Offices

**PRESENT:**

**Councillor** N J Walker (Chairman)

**Councillor** I Bastable (Vice-Chairman)

**Councillors:** Miss J Bull, T M Cartwright, MBE, P J Davies,  
Mrs C L A Hockley, R H Price, JP and S Dugan (deputising for  
M J Ford, JP)

**Also Present:** Councillor Mrs P M Bryant (Item 5)



**1. APOLOGIES FOR ABSENCE**

An apology of absence was received from Councillor's F Birkett and M J Ford.

**2. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman used the Chairman's announcements to outline how he intended to run the meeting.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**4. 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	Supporting or Opposing Application	Dep Type
<b>WELBORNE – LAND NORTH OF FAREHAM P/17/0266/OA</b>			
Mr M Rogers	CCG	Supporting	In Person
Mr J Beresford	Buckland Development	Supporting	In Person

**5. DEVELOPMENT MANAGEMENT**

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: -

Fareham East, Fareham North

P/17/0266/OA

Welborne, Land North of Fareham

**Introduction:**

To help Members identify the appendices in the hard copy agenda papers, the following page numbers are identified to help:

- Appendix A from page 208;
- Appendix B from page 272;
- Appendix C from page 320;
- Appendix D from page 310; and

- Appendix E from page 331

**Guidance and Policies:**

*On 20<sup>th</sup> July the Government updated the National Planning Policy Framework (NPPF). Officers have reviewed the new NPPF and consider that both the policies of the Welborne Plan and the content of the planning application are in line with the Framework as revised.*

**Representations:**

*The applicant, Buckland Development Limited, has responded to the CCG consultation comments as follows:*

- Buckland reiterates it is wholly committed to delivering health facilities at Welborne;*
- Buckland are committed to delivering these facilities significantly earlier than their expected requirements, to ensure that positive and sustainable health opportunities are embedded in Welborne as early as possible;*
- It is also important to point out that Welborne's health facilities (and indeed the aims for the Health and Wellbeing Hub) hope to contain more than just facilities operated by the NHS, ensuring that the new community can also access other elements key to maintaining a healthy lifestyle;*
- Buckland are grateful to have received these comments from the CCG, which are extremely positive and provide a good basis for ongoing discussions;*
- Over the years, the position of the CCG in their role for securing facilities at Welborne has varied, primarily due to the constantly changing nature of NHS provision and the difficulty in forecasting how health will be provided for a community which will be developed over a twenty-year period;*
- The need to future proof the delivery of the health facility has significantly influenced our desire to create flexibility, to enable the health facilities to be provided in a manner which suits the needs of the new community, and suits the ever evolving working practices at the NHS;*
- Buckland wholly support the approach advocated by FBC in their committee report at 8.15.24, with the Health Steering Group guiding the approach to the delivery of Health Facilities as both Welborne and the NHS evolves;*
- Buckland are also happy to agree that the details of any transfer or lease would reasonably enable the CCG to provide primary and community services for Welborne;*

- *This would be incorporated into the S106, alongside the trigger points for the delivery of health facilities at Welborne, currently anticipated as prior to the occupation of 690<sup>th</sup> dwelling for a temporary facility, and prior to the occupation of the 3600<sup>th</sup> dwelling for the Health and Wellbeing hub.*

### **Planning Considerations:**

#### Health:

*The applicant is keen to see health facilities at Welborne and the application proposes that these facilities would be retained by the applicant and leased to the service providers at terms to be agreed in the future. The CCG has stated that their preference is for the land and buildings to be transferred into the NHS Estates to be able to efficiently deliver healthcare services.*

*Notwithstanding the terms of occupation of the buildings there is broad agreement between the two parties over the timing of the Health and Wellbeing Hub, namely at 3,600 occupations. The parties differ again regarding the timings for delivery of the Temporary Health Outreach Facility, to be located in the Local Centre. The applicant proposes that it be delivered by the time 690 dwellings are occupied and the CCG believes that a figure nearer the occupation of 2,000 dwellings would be more appropriate.*

*The Applicant's response to the consultation comments from the CCG are encouraging. The support indicated for the framework proposed in the main agenda (at paragraph 8.15.24) to secure the health facilities at Welborne through the Section 106 legal agreement is also welcomed despite the differences between the two parties.*

*Officers are of the view that FBC can enable and facilitate the delivery of the health facilities at Welborne through the Section 106 legal agreement as a result of the applicant's comments and those of the CCG.*

*To that end, Officers recommend that this Local Planning Authority's position in the delivery of health facilities at Welborne is as per paragraph 8.15.24 of the main agenda.*

*The imposition of a pre-commencement trigger within the Section 106 legal agreement for the establishment of a Health Steering Group will ensure that healthcare delivery is being considered from the start of work on the site.*

*This Steering Group will then endeavour to agree a detailed scheme of works for the two healthcare facilities (the Temporary Healthcare Outreach Facility and the Health and Wellbeing Hub) as well as the terms of any lease or transfer. Ultimately this Council in its capacity as the Local Planning Authority will decide whether the works should be approved or not.*

*The Section 106 legal agreement will be explicit that by a certain level of occupation details of the healthcare services to be provided, the scheme(s) of work for the delivery of healthcare, timings for delivery and details of any lease or transfer must be submitted to and approved by the Local Planning Authority. Officers recommend that the developer is prevented from occupying more than*

1,250 dwellings unless the Council has given its approval for these details in connection with the Temporary Healthcare Outreach Facility and 2,750 dwellings for the Health and Wellbeing Hub.

A second trigger for each of the healthcare facilities will be detailed within the Section 106 legal agreement that prevents the occupation of dwellings until the facilities are provided on site and open for use. Officers believe that these thresholds should be 2,000 occupations for the Temporary Healthcare Outreach Facility, and 3,500 occupations for the Health and Wellbeing Hub.

The triggers are drafted to align with the later levels of occupation proposed by the CCG. If a party opts to deliver a facility earlier than that trigger that would still accord with the planning obligations.

**Recommendation:**

In light of the recent changes to the Use Classes Order, condition 07 of the recommendation is amended to remove references to specific Use Classes as follows:

**07 The development for the following uses will not exceed:**

- 3,200m<sup>2</sup> of food store retail;
- 3,500m<sup>2</sup> of non-food retail;
- 3,300m<sup>2</sup> of other non-convenience/comparison retail use, financial and professional services restaurant and cafes, drinking establishments, and hot-food takeaway;
- 30,000m<sup>2</sup> of commercial and employment namely as offices, research and development or other industrial process;
- 35,000m<sup>2</sup> of general industrial use;
- 40,000m<sup>2</sup> of warehousing space for storage or distribution.

**REASON:** *The distribution of land uses on the parameter plans is the subject of an Environmental Impact Assessment and any material alteration to the layout may have an impact that has not been assessed by that process. To ensure a comprehensive and appropriate form of the interest of protecting the vitality of Fareham Town Centre and other surrounding centres in Fareham and surrounding Districts.*

Upon being proposed and seconded the officer recommendation at 10.1 of the report, to confirm the inclusion of the Applicant's document titled "Welborne Shadow Appropriate Assessment UPDATE", dated November 2020 comprises the Council's Habitat Regulation Assessment, was voted on and CARRIED. (Voting: 8 in favour; 0 against)

RESOLVED that the Committee CONFIRM the inclusion of the report at Appendix A, of the report titled "Welborne Shadow Appropriate Assessment UPDATE", dated November 2020 comprising the Council's Habitats Regulation Assessment.

Upon being proposed and seconded the officer recommendation at 10.2 of the report, to delegate to the Head of Development Management to take receipt of the final written comments of any further outstanding consultation responses

with the inclusion of any further condition or informatives that may be recommended;

And

The officer recommendation at 10.3 of the report, to delegate to the Head of Development Management in consultation with the Solicitor to the Council for the prior completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure:

- The creation of an Estate Management Company;
  - Inclusion of FBC on the board of the Company;
  - Service charge arrangements;
  - Step in provisions;
- The appointment of a New Community Development Worker for a period of not less than 10 years;
- Provision for an Education Steering Group;
- Contribution and land for the delivery of three primary schools;
- Contribution and land for the delivery of one secondary school;
- A Community Use Agreement(s) for the school(s) facilities for public use outside of the times needed for educational use;
- Nursery and pre school marketing strategy;
- Provision of the Local Centre;
- Local Centre Community Building;
- Provision of the District Centre;
- District Centre Community building;
- Provision of healthcare facilities;
- Provision of the Community Hub;
- Delivery of Green Infrastructure (GI) – to include:
  - All Weather Pitch;
  - Tennis Courts;
  - Neighbourhood Play Space;
  - Youth Play Space;
  - Playground Play Equipment;
  - Parks and Amenity Open Spaces;
  - Playing Pitches and Outdoor Sports Facilities;
  - Allotments; and
  - Semi Natural Greenspace;
- GI Delivery and management arrangements;
- Delivery of the Temporary SANGS Strategy;
- Provision of Sites of Alternative Natural Green Space (SANGS);
- In perpetuity management of SANGS including step-in rights by the Estate Management Company;
- SRMP Contribution;
- Public Transport – BRT provisions on site and contributions;
- Safeguarding of the Rail Halt Land;
- A32 access works;
- Off site Highway Works Contributions for locations identified by HCC;
- Applicant's £40 million contribution towards the cost of junction 10;
- Proportionate reduction of affordable housing in the event that the applicant makes a financial contribution towards Junction 10 costs overruns up to a total of £10m;
- Off site Local Highway Network mitigation and safety schemes;
- Framework residential travel plan;

- Neighbourhood travel plans;
- Framework employment travel plan;
- Safeguarding the land for the Household Waste Recycling Centre;
- Contribution towards the Household Waste Recycling Centre to include a proportionate cost of the legal fees;
- Affordable housing;
  - Amount;
  - Tenure;
  - Upward review mechanisms;
  - Wheelchair accessible homes;
- Self Build Housing;
- Passivhaus where viability allows;
- Lifetime homes where viability allows;
- Extra Care accommodation where viability allows;
- Mechanism to recover and recycle HIG Funding in accordance with Homes England's requirements (subject to approval by this Council's Executive);
- Business incubation centre;
- Employment and training plan for construction;
- Equalisation arrangements for the Sawmills site;
- Public access to the site;
- Improvements to existing rights of way;
- Closure, stopping up and diversion of existing rights of way;

And the officer recommendation at 10.4 of the report, to delegate to the Head of Development Management:

- To make any necessary modification, deletion or addition to the proposed conditions or heads of terms; and
- To make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions

And was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that the Committee AGREE to delegate to the Head of Development Management: -

- (i) to take receipt of the final written comments of any further outstanding consultation responses with the inclusion of any further condition or informatives that may be recommended;
- (ii) in consultation with the Solicitor to the Council for the prior completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure:
  - The creation of an Estate Management Company;
    - Inclusion of FBC on the board of the Company;
    - Service charge arrangements;
    - Step in provisions;

- The appointment of a New Community Development Worker for a period of not less than 10 years;
- Provision for an Education Steering Group;
- Contribution and land for the delivery of three primary schools;
- Contribution and land for the delivery of one secondary school;
- A Community Use Agreement(s) for the school(s) facilities for public use outside of the times needed for educational use;
- Nursery and pre school marketing strategy;
- Provision of the Local Centre;
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  - Playground Play Equipment;
  - Parks and Amenity Open Spaces;
  - Playing Pitches and Outdoor Sports Facilities;
  - Allotments; and
  - Semi Natural Greenspace;
- GI Delivery and management arrangements;
- Delivery of the Temporary SANGS Strategy;
- Provision of Sites of Alternative Natural Green Space (SANGS);
- In perpetuity management of SANGS including step-in rights by the Estate Management Company;
- SRMP Contribution;
- Public Transport – BRT provisions on site and contributions;
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- Contribution towards the Household Waste Recycling Centre to include a proportionate cost of the legal fees;
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- Lifetime homes where viability allows;
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- Mechanism to recover and recycle HIG Funding in accordance with Homes England's requirements (subject to approval by this Council's Executive);
- Business incubation centre;
- Employment and training plan for construction;
- Equalisation arrangements for the Sawmills site;
- Public access to the site;
- Improvements to existing rights of way;
- Closure, stopping up and diversion of existing rights of way;

And

(iii) The recommendation at 10.4 of the report;

- To make any necessary modification, deletion or addition to the proposed conditions or heads of terms; and
- To make any necessary changes arising out of detailed negotiations with the applicant which may necessitate the variation, addition or deletion of the conditions and heads as drafted to ensure consistency between the two sets of provisions.

Upon being proposed and seconded the officer recommendation at 10.5 of the report, to grant outline planning permission, subject to the conditions in the report and Update Report was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

RESOLVED that subject to the conditions in the report at 10.5 and the Update Report, OUTLINE PLANNING PERMISSION be granted.

## **6. UPDATE REPORT**

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

(The meeting started at 9.30 am  
and ended at 11.40 am).