

# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Planning Committee

(to be confirmed at the next meeting)

**Date:** Wednesday, 10 April 2024

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** N J Walker (Chairman)

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

**Councillors:** Miss J Burton, D G Foot, M J Ford, JP, S Ingram, P Nother, Mrs S M Walker and S Dugan (deputising for Mrs C L A Hockley)

**Also Present:** Councillor Ms C Bainbridge (Item 5(2)) and Councillor F Birkett (Item 5(2))



**1. APOLOGIES FOR ABSENCE**

An apology of absence was received from Councillor Mrs C L A Hockley.

**2. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements made at this meeting.

**3. DECLARATIONS OF INTEREST**

In accordance with Standing Orders and the Council's Code of Conduct the following Councillors made the following declarations in respect of the items indicated.

The Chairman, Councillor N J walker declared a non-pecuniary interest in Item 5(4) – Alcotts Yard, Castle Street in that the applicant's father is known to him.

Councillor Mrs S Walker declared a non-pecuniary interest in Item 5(4) – Alcotts Yard, Castle Street in that the applicant's father is known to her.

**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	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No	Dep Type
<b>ZONE 1 – 2.30pm</b>					
Mr Hugh Marie		3 HILLCROFT FAREHAM – FELL ONE OAK PROTECTED BY TPO 450	<b>Opposing</b>	5(2) P/24/0151/TO Pg 29	<b>In Person (2 mins)</b>
Ms Laura Ancell		-DITTO-	<b>Opposing</b>	-Ditto-	<b>In Person (2 mins)</b>
Mr Timothy Bishop		-DITTO-	<b>Opposing</b>	-Ditto-	<b>In Person (2 mins)</b>
<b>ZONE 2 – 3.30pm</b>					

<b>ZONE 3 – 3.30pm</b>					
Mr Jake Lawrence		ALCOTTS YARD CASTLE STREET PORTCHESTER – CONSTRUCTION OF A DETACHED GARAGE WORKSHOP/MOT CENTRE WITH ASSOCIATED PARKING FOLLOWING THE DEMOLITION OF THE EXISTING COMMERICAL BUILDINGS	<b>Supporting</b>	5(4) P/23/1594/FP Pg 41	<b>In Person 3 minutes</b>
Mr Alan Horner		-DITTO-	<b>Supporting</b>	-Ditto-	<b>Written</b>

**(1) WRITTEN DEPUTATIONS**

The Committee noted the content of the written deputation that had been published on the Council’s website prior to the meeting.

**5. 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 on new appeals and decisions.

**(1) P/18/0590/OA - LAND WEST OF LOCKSWOOD ROAD WARSASH SO31 1BX**

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

*Since the publication of the Committee Report, one further third party letter of representation has been received regarding the application, querying the change in the education contribution. A reduction in secondary school contributions was requested by the Local Education Authority following discussions with them and the changing requirements since the original request was made in July 2021. Modular classrooms have been provided locally at Brookfield School, and the LEA are currently reviewing whether or not these will need to be changed to permanent structure in due course.*

Upon being proposed and seconded the officer recommendation: -

- (i) Subject to the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:

- a) To secure the timely delivery of the areas of open space and the option for these spaces to be adopted by Fareham Borough Council;
  - b) To secure the provision of an Open Space Management and Enhancement Plan;
  - c) To secure the necessary open space commuted maintenance sums prior to adoption by the Council; or
  - d) In the event that the Council does not adopt the delivered open space, then the creation of a management company to maintain the open space in perpetuity including details of how that management company would be funded to ensure the management and maintenance of the open space in perpetuity;
  - e) To secure a financial contribution towards a locally equipped area of play (LEAP);
  - f) To secure a financial contribution towards the Solent Recreational Mitigation Partnership (SRMP);
  - g) To secure 40% of the proposed units as on-site affordable housing; the type, size, mix and tenure to be agreed to the satisfaction of Officers;
  - h) To secure 10% of the proposed units as self and custom build houses;
  - i) To secure provision of Category M4(2) and M4(3) adaptable and accessible homes;
  - j) To secure pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity and a financial contribution towards the maintenance and associated lighting of the pedestrian and cycle link;
  - k) To secure a financial contribution towards primary and secondary education provision;
  - l) To secure a financial contribution towards primary and secondary education provision;
  - m) To secure a Travel Plan and related monitoring cost and bond;
  - n) To secure a sustainable travel contribution to be used towards off site improvements;
  - o) To secure to provision of ecological buffers along the north, east and south boundaries;
  - p) To secure a financial contribution for the maintenance of trees;
  - q) To secure the preparation and provision of the off-site reptile translocation area.
- (ii) GRANT outline planning permission, subject to the conditions in the report; and

THEN

- (iii) DELEGATE authority to the Head of Planning to:
- a) Make any necessary modification, deletion or additions to the proposed conditions or heads of terms for the Section 106 legal agreement; and

- b) 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 of terms as drafted to ensure consistency between the two sets of provisions.

Was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that: -

- (i) Subject to the applicant/owner first entering into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council in respect of the following:
  - a) To secure the timely delivery of the areas of open space and the option for these spaces to be adopted by Fareham Borough Council;
  - b) To secure the provision of an Open Space Management and Enhancement Plan;
  - c) To secure the necessary open space commuted maintenance sums prior to adoption by the Council; or
  - d) In the event that the Council does not adopt the delivered open space, then the creation of a management company to maintain the open space in perpetuity including details of how that management company would be funded to ensure the management and maintenance of the open space in perpetuity;
  - e) To secure a financial contribution towards a locally equipped area of play (LEAP);
  - f) To secure a financial contribution towards the Solent Recreational Mitigation Partnership (SRMP)
  - g) To secure 40% of the proposed units as on-site affordable housing; the type, size, mix and tenure to be agreed to the satisfaction of Officers;
  - h) To secure 10% of the proposed units as self and custom build houses;
  - i) To secure provision of Category M4(2) and M4(3) adaptable and accessible homes;
  - j) To secure pedestrian and cycle connectivity access to adjoining land for members of the public through the site in perpetuity and a financial contribution towards the maintenance and associated lighting of the pedestrian and cycle link;
  - k) To secure a financial contribution towards primary and secondary education provision;
  - l) To secure a financial contribution towards highway improvements;
  - m) To secure a Travel Plan and related monitoring cost and bond;
  - n) To secure the provision of ecological buffers along the north, east and south boundaries;
  - o) To secure a financial contribution for the maintenance of trees;
  - p) To secure the preparation and provision of the off-site reptile translocation area;

- (ii) OULINE PLANNING PERMISSION be granted, subject to the conditions in the report; and

THEN

- (iii) AUTHORITY BE DELEGATED to the Head of Planning to:
  - a) Make any necessary modification, deletion or additions to the proposed conditions or heads of terms for the Section 106 legal agreement; and
  - b) 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 of terms as drafted to ensure consistency between the two sets of provisions.

**(2) P/24/0151/TO - 3 HILLCROFT FAREHAM PO15 5ES**

The Committee received the deputations referred to in Minute 4 above.

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

*A letter from Suella Braverman MP has been received following receipt of a third party letter of objection to the felling of the Oak tree. The MP has asked for the application to be deferred, if possible, to explore other avenues without resorting to the removal of the tree.*

At the invitation of the Chairman, Councillor F Birkett addressed the Committee on this item.

At the invitation of the Chairman, Councillor Ms C Bainbridge addressed the Committee on this item.

Members requested that a replacement tree, of a more substantial size than a whip, be planted following removal of the Oak Tree.

Upon being proposed and seconded, the officer recommendation to grant consent to fell one oak tree protected by TPO 450, subject to a replacement tree – size and species to be agreed, was voted on and CARRIED.  
(Voting: 5 in favour; 4 against)

RESOLVED that, subject to a replacement tree – size and species to be agreed, CONSENT be granted to fell one oak tree protected by TPO 450.

**(3) P/24/0296/TO - 37 HIGHLANDS ROAD FAREHAM PO15 6AU**

Upon being proposed and seconded the officer recommendation to consent to fell two oak trees protected by TPOs 304 & 305, subject to two replacement trees – size and species to be agreed, was voted on and CARRIED.  
(Voting: 5 in favour; 4 against)

RESOLVED that, subject to two replacement trees – size and species to be agreed, CONSENT be granted to fell two oak trees protected by TPOs 304 & 305.

**(4) P/23/1594/FP - ALCOTTS YARD CASTLE STREET PORTCHESTER PO16 9PY**

The Committee received the deputations referred to in Minute 4 above.

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

*Amend paragraph 8.25 of Officer's Report to remove reference to the flooring business which was included in error.*

*Since the publication of the Committee Report, two further representations (one of which relates to an existing objection) have been received raising the following concerns;*

- *Increase in vehicle movements would result in highway safety issues;*
- *Limited visibility from existing access on to Castle Street;*
- *Intensification of existing use on the site would affect the character of the area;*
- *Noise and disturbance as a result of the existing use.*

*The above concerns have been addressed within the Officer's Report.*

Members carefully considered all the submitted material and representations. Members had regard for the fact that Alcott's Yard was a long-established commercial site and the principle of the proposed use was considered acceptable. Whilst members acknowledged that the proposed building would be larger than those presently at the site. Members concluded the proposal would result in the tidying up of the area through the removal of existing run-down buildings and an existing builder's yard. In terms of the scale of the proposed building, Members were also mindful of the substantial building recently permitted on the land at Assheton Court very close by.

Having weighed up all relevant material planning considerations, a proposal to GRANT PLANNING PERMISSION for the application was proposed. The Chairman adjourned the meeting at this point to allow the Officers time to prepare the draft planning conditions.

Officers returned to the meeting and put forward the following conditions to accompany the proposal to grant planning permissions:

- a. Time limit;
- b. Approved plans;
- c. Details of materials to be submitted;
- d. No vehicle repairs to be carried out outside of the approved workshop;
- e. Use of existing workshop;
- f. Operating hours;
- g. Noise mitigation measures to be implemented;
- h. Parking and turning area to be provided;

- i. Development in accordance with approved Flood Risk Assessment;
- j. Details of any external lighting to be submitted;
- k. Contaminated land; and
- l. Construction hours

with Authority delegated to the Head of Planning to agree the detailed wording of conditions, was proposed and seconded, and was voted on and CARRIED. (Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be granted subject to conditions covering:

- a. Time limit;
- b. Approved plans;
- c. Details of materials to be submitted;
- d. No vehicle repairs to be carried outside of the approved workshop;
- e. Use of existing workshop;
- f. Operating hours;
- g. Noise mitigation measures to be implemented;
- h. Parking and turning areas to be provided;
- i. Development in accordance with approved Flood Risk Assessment;
- j. Details of any external lighting to be submitted;
- k. Contaminated land; and
- l. Construction hours

and AUTHORITY BE DELEGATED to the Head of Planning to agree the detailed wording of the conditions.

## **(5) UPDATE REPORT**

The Update Report was circulated prior to the meeting and considered alongside the relevant agenda items.

## **(6) Planning Appeals**

The Committee noted the information in the report.

## **6. PLANNING DESIGNATION ACTION PLAN**

The Committee considered a report by the Head of Planning which provided an update on the Planning Designation Action Plan.

Members were pleased to note that the Council has now been de-designated following correspondence from the Minister for Housing, Planning and Building Safety.

Members welcomed the proposal for questions on major applications that may raise potential concerns or issues at Planning Committee to be submitted to Officers prior to the meeting, as they acknowledged the benefit this would provide.

The Planning Committee discussed the potential options for Member involvement in pre-application planning proposals and provided comments to Officers for consideration in developing future approaches.



RESOLVED that the content of the report be noted.

(The meeting started at 2.30 pm  
and ended at 5.25 pm).

..... Chairman

..... Date