

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 20 November 2013

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor N J Walker (Chairman)

Councillor A Mandry (Vice-Chairman)

Councillors: B Bayford, T M Cartwright (deputising for K D Evans)
P J Davies, M J Ford, JP, Mrs C L A Hockley (deputising for D C
S Swanbrow), R H Price, JP and Mrs K K Trott,

Also Present: Councillor L Keeble (Minute 7(15) and Councillor D J Norris
(Minute 7 (18))



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors K D Evans and D C S Swanbrow.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 9 October 2013 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed members that this was the last meeting to be attended by the Committee's legal advisor Ann Greaves, (Principal Solicitor, Southampton City Council) before she takes up a new post . On behalf of the Committee Ann was thanked for her contribution to the work of the Committee and sent good wishes in her new job.

4. DECLARATIONS OF INTEREST

In accordance with Standing Orders and the Council's Code of Conduct Councillor Mrs Hockley declared a non-pecuniary interest in application P/13/0754/FP – Bath Lane Recreation Ground, Fareham (minute 7(11) refers)

DECISIONS UNDER DELEGATED POWERS

(It was proposed and agreed by the Committee that agenda Item 6 be brought forward for consideration)

5. SPENDING PLANS 2014/15

The Committee considered a report by the Director of Finance and Resources which set out the overall level of revenue spending on the Committee's services and sought approval for the revised budget for 2013/14 and the base budget for 2014/15.

RESOLVED that:-

- (a) the revised budget for 2013/14 be approved;
- (b) the 5% increase for pre-application advice for 2014/15 be approved;
and
- (c) the base budget for 2014/15 be approved.

6. DEPUTATIONS

The Committee received deputations from the following in respect of the applications indicated and the deputees were thanked accordingly:-

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No
Ms S Green		69 Swanwick Lane, Swanwick – Formation of manege and extension to stable block	Supporting	Minute 7(4) P/13/0769/FP
Mr J McNaught (on behalf of Ms N Fisher)		167 Hunts Pond Road, Park Gate, – Erection of single storey rear extension and conservatory, provision of front and rear dormers with first floor side roof light to serve loft conversion	Opposing	Minute 7(5) P/13/0774/FP
Mrs A Marodeen		239 West Street, Fareham – Change of use from alarm company office (use class B1) to a children's day nursery (use class D1)	Supporting	Minute 7(12) P/13/0785/CU
Mr B Alldis	Ms H Lovett Mr D Turner Mr A Robinson Mr R Lacey Mr Cataroche	28 Langstone Walk, Fareham – Erection of single storey side extension to create garage, family room and utility room	Opposing	Minute 7(15) P/13/0858/FP
Mr J Romer		166 Old Street, Fareham – Erection of front porch, single storey rear and side extensions	Supporting	Minute 7(17) P/13/0779/FP

Mr S Cunningham		2-3 New Parade, 38 West Street, Portchester – Change of use of double unit to retail, day nursery, small meeting/training room	Supporting	Minute 7(18) P/13/0789/CU
Ms P Houghton Clarke (Agent)		-ditto-	-ditto-	-ditto-
Mr J Hancock		-ditto-	-ditto-	-ditto-
Mr R Reay (Agent)		20-26 Titchfield Road, Fareham – Erection of four two bedroom detached bungalows with associated access, parking and landscaping	Supporting	Minute 7(19) P/13/0807/FP
Mr P Sweetenham		TPO 684 – 6 & 8 Abshot Close, Titchfield Common	Opposing	Minute 8(3) TPO 684

7. 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. An Update Report was tabled at the meeting.

(1) P/13/0714/FP - 22 DENE CLOSE 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:9 in favour; 0 against)

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

(2) P/13/0742/OA - 33 LOWER DUNCAN ROAD PARK GATE

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

(Voting: 9 in favour; 0 against)

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

(3) P/13/0760/FP - 48 SHORE 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: 9 in favour; 0 against)

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

(4) P/13/0769/FP - 69 SWANWICK LANE SWANWICK

The Committee received the deputation referred to in minute 6 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: 9 in favour; 0 against)

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

(5) P/13/0774/FP - 167 HUNTS POND ROAD PARK GATE

The Committee received the deputation referred to in minute 6 above.

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: 9 in favour; 0 against)

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

(6) P/13/0805/FP - 56 SHORE ROAD WARSASH

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: 9 in favour; 0 against)

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

(7) P/13/0818/TO - 5 THE FARTHINGS TITCHFIELD COMMON

Upon being proposed and seconded, the officer recommendation to grant consent to fell one oak tree protected by Tree Preservation Order no. 501, subject to the conditions in the report, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, CONSENT be granted to fell one oak tree protected by Tree Preservation Order no. 501.

(8) P/13/0843/TO - 11 SOUTHAMPTON ROAD PARK GATE

Upon being proposed and seconded, the officer recommendation to grant consent, subject to the conditions in the report, for the removal of the following:-

- (i) one lower left lateral limb,
- (ii) three lowest limbs back to source,
- (iii) deadwood; and
- (iv) three old stubs

on one oak tree protected by Tree Preservation Order no. 334, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, CONSENT be granted for the removal of one lower left lateral limb, three lowest limbs back to source, deadwood and three old stubs, on one oak tree protected by Tree Preservation Order no. 334.

(9) P/09/1024/FP - 69 BOTLEY ROAD PARK GATE

Upon being proposed and seconded, the officer recommendation that the applicant/owner enters into a Deed of Variation on terms drafted by the Solicitor to the Council to allow deferment of open space contributions until the first dwelling granted under planning permission P/09/1024/FP is first occupied, was voted on and CARRIED.
(Voting: 9 in favour; 0 against)

RESOLVED that the applicant/owner enters into a Deed of Variation on terms drafted by the Solicitor to the Council to allow deferment of open space contributions until the first dwelling granted under planning permission P/09/1024/FP is first occupied.

(10) P/12/0974/FP - LAND AT PETERS ROAD LOCKS HEATH

The Head of Development Management and Trees provided the Committee with a verbal update. Members were advised that the amount of open space which had been secured through the planning permission exceeds the minimum amount the Council would normally seek based on the number and size of houses provided. To meet the Environment Agency's requirements for a balancing pond, a portion of the approved public open space would need to be used to accommodate the pond. Consequently a variation is required to the current legal agreement entered into as part of the planning permission concerning the amount of land on the site restricted for use as public open space.

A motion to approve was proposed and seconded as follows:-

- (1) Subject to the applicant/ owner first entering into a deed of variation to the existing planning obligation (s) in place at this site, on terms drafted by the Solicitor to the Council, to secure the following matters:-
 - (i) Remove the area occupied by the balancing pond from the area of public open space as defined on the plan attached to the earlier planning obligation;
 - (ii) A requirement to ensure that the balancing pond is within the responsibility of a management company
 - (iii) A requirement to provide details of how the management company who will be responsible for the future maintenance and upkeep of the balancing pond will be formed and their responsibilities; and
 - (iv) A requirement to erect a fence around the balancing pond (details to be agreed) and to ensure its future maintenance and upkeep by the management company.

The motion was CARRIED.

(Voting: 8 in favour; 0 against; 1 abstention).

RESOLVED to APPROVE the amendments to the approved layout for Planning Application P/12/0974/FP:-

- (1) Subject to the applicant/ owner first entering into a deed of variation to the existing planning obligation (s) in place at this site, on terms drafted by the Solicitor to the Council, to secure the following matters:
 - (i) Remove the area occupied by the balancing pond from the area of public open space as defined on the plan attached to the earlier planning obligation;
 - (ii) A requirement to ensure that the balancing pond is within the responsibility of a management company
 - (iii) A requirement to provide details of how the management company who will be responsible for the future maintenance and upkeep of the balancing pond will be formed and their responsibilities; and

- (iv) A requirement to erect a fence around the balancing pond (details to be agreed) and to ensure its future maintenance and upkeep by the management company.

(11) P/13/0754/FP - BATH LANE RECREATION GROUND FAREHAM

Councillor Mrs Hockley declared a non-pecuniary interest in this application as Executive Member for Leisure and Community.

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)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

(12) P/13/0785/CU - 239 WEST STREET FAREHAM

The Committee received the deputation referred to in minute 6 above.

The Committee was referred to the update report which provided the following information:- *Comments of the Director of Regulatory and Democratic Services (Environmental Health) - Further to the receipt of a revised acoustic report in support of the application, I can advise that I am satisfied with the information provided, subject to the following conditions being applied in line with the reports findings: - The applicants shall submit, prior to the use commencing, a written noise management plan, to be approved in writing by the LPA. - The external play area is to be limited to Play area 2 furthest away from the majority of noise sensitive premises.*

Additional conditions: Noise management plan, Limit external play to Play Area 2, Contaminated land site investigation required if soft landscaping of external play area is proposed.

It was reported that the age range of children to be accommodated should read 0 – 2yrs 7 months and not 30 months as stated.

Upon being proposed and seconded, the officer recommendation to grant permission for a change of use subject to:-

- (a) the conditions in the report; and
- (b) the additional conditions proposed in the Update Report.

was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

Note: The Committee also requested the inclusion of an informative note to the applicant requesting that where possible parents should be discouraged from using the car park for Western Court as a dropping off/collection point for children attending the nursery.

RESOLVED that, subject to:-

- (a) the conditions in the report; and
- (b) the additional conditions proposed in the update report.

Add an informative note to the applicant requesting that where possible parents should be discouraged from using the car park for Western Court as a dropping off/collection point for children attending the nursery.

(13) P/13/0790/VC - 1-3 PEAK LANE FAREHAM

Upon being proposed and seconded, the officer recommendation to grant planning permission for the variation of condition 13 of P/12/0246/FP (to gain permitted development rights for plots JT1 and JT2), subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted for the variation of condition 13 of P/12/0246/FP (to gain permitted development rights for plots JT1 and JT2).

(14) P/13/0839/FP - 42 HILL PARK 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)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

(15) P/13/0858/FP - 28 LANGSTONE WALK FAREHAM

The Committee received the deputation referred to in minute 6 above.

At the invitation of the Chairman, Councillor Keeble addressed the Committee on this application.

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: 5 in favour; 3 against; 1 abstention)

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

(16) P/13/0759/FP - 25 LONSDALE AVENUE PORTCHESTER

The Committee was referred to the Update Report which provided the following information:- *Further details have been submitted by the applicant to satisfy the requirements of the conditions suggested in the Officer's committee report and to avoid the need for them to be imposed. The materials to be used include stonewold concrete slate-effect roof tiles to match those currently on the dwelling. The gable end to be constructed will be rendered and colour washed in a light colour. A block plan has been submitted demonstrating space on the frontage of the property for parking three vehicles.*

Recommendation: PERMISSION

Upon being proposed and seconded the officer recommendation to grant planning permission, as per the Update Report, was voted on and CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that PLANNING PERMISSION be granted.

(17) P/13/0779/FP - 166 OLD STREET FAREHAM

The Committee received the deputation referred to in minute 6 above.

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)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

(18) P/13/0789/CU - 2-3 NEW PARADE 38 WEST STREET PORTCHESTER

The Committee received the deputations referred to in minute 6 above.

At the invitation of the Chairman Councillor Norris addressed the Committee on this application.

A motion was proposed and seconded, that the officer recommendation to grant planning permission for change of use, subject to the conditions in the report, be approved. The motion was voted on and was NOT CARRIED.

(Voting: 2 in favour; 6 against). (N.B. Councillor Bayford had left the meeting when this matter was considered).

A further motion was proposed and seconded that the application be granted planning permission for a change of use subject to:-

- (i) the conditions in the report, and
- (ii) a condition stating that the development of the nursery element of the proposal shall not commence until evidence has been provided to the satisfaction of the local planning authority that the nursery meets the requirements of Ofsted.

The motion was voted on and CARRIED.

(Voting: 7 in favour; 1 abstention).

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that subject to:-

- (i) the conditions in the report, and
- (ii) a condition stating that the development of the nursery element of the proposal shall not commence until evidence has been provided to the satisfaction of the local planning authority that the nursery meets the requirements of Ofsted.

PLANNING PERMISSION be granted.

(19) P/13/0807/FP - 20-26 TITCHFIELD ROAD FAREHAM

The Committee received the deputation referred to in minute 6 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)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

(20) P/13/0922/FP - 5 FARM HOUSE CLOSE 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)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

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

(21) Planning Appeals

The Committee noted the information contained in the report. It was requested that officers prepare a report for a future meeting which provided an analysis of the appeal decisions received from 31 January 2013 when details were last reported to members.

RESOLVED that a summary report analysing Planning Appeal decisions received from 31 January 2013 be prepared for the next meeting of the Committee on 18 December 2013.

(22) Update Report

The Update Report was tabled at the meeting and considered with the relevant agenda items.

8. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Orders to which objections had been received.

(1) Fareham Tree Preservation Order 645 - Land at Sarisbury Court: Sarisbury Court Gardens & woodland to the east, The Birches, The Dell, Alban House, Timbers and Fynone 91 Holly Hill Lane.

The Committee considered a report by the Director of Planning and Environment regarding confirmation (subject to minor amendment) of Fareham Tree Preservation Order No 645 to which an objection (in respect of a provisional order made in July 2013) had been received.

A motion was proposed and seconded that, subject to the removal of T14 and T42 from the order and an amendment to the description of woodland (W1) to read "all species", Fareham Tree Preservation Order No 645 be confirmed. Upon being put to the vote the motion was CARRIED.

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that, subject to the removal of T14 and T42 from the order and an amendment to the description of woodland (W1) to read "all species", Fareham Tree Preservation Order No 645 be confirmed.

(2) Fareham Tree Preservation Order 652 - The Glade, The Copse & Kingston Gardens, Fareham.

The Committee considered a report by the Director of Planning and Environment regarding confirmation (subject to a minor modification) of Fareham Tree Preservation Order No 652 to which an objection (in respect of a provisional order made in July 2013) had been received. It was also requested that should Fareham Tree Preservation Order No 652 be confirmed then the existing Fareham Tree Preservation Order No 33 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

A motion was proposed and seconded that, subject to the re-plotting of the position of trees T1, T2 and T40 on the TPO map, Fareham Tree Preservation Order No 652 be confirmed and Fareham Tree Preservation Order No 33 be revoked. Upon being put to the vote the motion was CARRIED

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that:-

- (a) Subject to the re-plotting of the position of trees T1, T2 and T40 on the TPO map, Fareham Tree Preservation Order No 652 be confirmed; and
- (b) Fareham Tree Preservation Order No 33 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

(3) Fareham Tree Preservation Order No 684 - 6 and 8 Abshot Close, Titchfield Common

The Committee received the deputation referred to in minute 6 above.

The Committee considered a report by the Director of Planning and Environment regarding confirmation of Fareham Tree Preservation Order No 684 to which an objection (in respect of a provisional order made in July 2013) had been received.

A motion was proposed and seconded that Fareham Tree Preservation Order No 684 be confirmed as made and served. Upon being put to the vote the motion was CARRIED.

(Voting: 5 in favour; 3 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that Fareham Tree Preservation Order No 684 be confirmed as made and served.

(4) Fareham Tree Preservation Order No 685 - Priestfields, Ascot Close & Locks Heath Free Church, Titchfield Common

The Committee considered a report by the Director of Planning and Environment regarding confirmation of Fareham Tree Preservation Order No 685 to which an objection (in respect of a provisional order made in July 2013) had been received. It was also requested that should Fareham Tree Preservation Order No 685 be confirmed then the existing Fareham Tree Preservation Orders No 154 and 315 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

A motion was proposed and seconded that, Fareham Tree Preservation Order No 685 be confirmed and Fareham Tree Preservation Orders No 154 and 315 be revoked. Upon being put to the vote the motion was CARRIED

(Voting: 8 in favour; 0 against)

(N.B. Councillor Bayford had left the meeting when this matter was considered).

RESOLVED that:-

- (a) Fareham Tree Preservation Order No 685 be confirmed as made and served; and
- (b) Fareham Tree Preservation Orders No 154 and 315 be revoked as, where appropriate, those trees currently worthy of protection have been included in the new Order.

(The meeting started at 2.30 pm
and ended at 6.16 pm).