

## **PLANNING COMMITTEE**

**Thursday, 11 April 2019**

Attendance:

Councillors  
Ruffell (Chairman)

|            |                                      |
|------------|--------------------------------------|
| Read       | Izard                                |
| Clear      | McLean                               |
| Cunningham | Rutter (for Agenda Items 7 & 8 only) |
| Evans      | Berry                                |

Others in attendance who addressed the meeting:

Councillors Achwal, Bentote, Huxstep and Porter.

### 1. **DISCLOSURES OF INTERESTS**

Councillor Rutter declared a personal and prejudicial interest in respect of Item 9 (99-103 Springvale Road, Kings Worthy) as the developer, Shorewood Homes, had made a donation to sponsor The Worthy's Festival of which she is Chairman. Whilst having no connection with this application, Councillor Rutter considered that, due to her involvement with the festival and to avoid any suggestion of impropriety she would sit apart from the Committee taking no part in the discussion or vote thereon.

### 2. **MINUTES**

RESOLVED:

That the minutes of the meeting held on 14 March 2019, be approved and adopted.

### 3. **WHERE APPROPRIATE, TO ACCEPT THE UPDATE SHEET AS AN ADDENDUM TO THE REPORT.**

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1131.

### 4. **PLANNING APPLICATIONS (PDC1131)**

A copy of each planning application decision is available to view on the Council's website under the respective planning application.

**Applications outside the area of the South Downs National Park (WCC)**

## **5 LAND OFF SOLENT WAY, WHITELEY, FAREHAM**

Item 7: The erection of a drive-thru restaurant (Class A3/A5 - Sui Generis) with associated advertisements, car parking, access, servicing, landscaping, engineering works and ancillary works.

Land Off Solent Way, Whiteley

Case number: 18/02163/FUL

The Development Manager referred Members to the Update Sheet which set out in full an amendment to Condition 10 and an amendment to the 'Recommendation' regarding the requirement of the legal agreement to read as follows: 'Application Approved subject to:

(a) the successful completion of a legal agreement (unilateral undertaking or section 106) to obtain the following:

- The provision of the Travel Plan and associated approval and monitoring fees/bond of £9,750;
- The provision of KEEP CLEAR marking at the site access as shown in principle on Drawing 3042.01; and
- A financial contribution of £38,000 towards the Parkway South Roundabout Improvement Scheme
- Details of Ecological Enhancements and the location of the selected receptor site
- A financial contribution toward the management of other local SINC's to compensate for the loss of habitat
- A financial contribution to secure the future of a suitable receptor site in perpetuity

**(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)**

In addition, a verbal update was provided stating that a petition had been handed in prior to the meeting with a list of signatories from the group 'Whiteley Residents Matter', seeking further development to be stopped in Whiteley in respect of congestion and pollution.

In response to questions from Members, the Highways Engineer from Hampshire Highways clarified that the contribution for the scheme would not be available until development had commenced and that preliminary works to Junction 9 of M27 and Parkway South had commenced with full works scheduled to start during Summer 2019 and an expected completion date anticipated for Summer 2021. In addition, it was noted that works to the road network would be expected to be carried out once development was complete, or at least underway.

During public participation, Whendie Blackwell, Ruth Horton and Town Councillor Mike Evans (Whiteley Town Council) spoke in objection to the application and Andrew Kenyon and Naomi Taylor spoke in support of the application and all answered Members' questions thereon.

During public participation, Councillors Huxstep and Achwal spoke on this item as Ward Members.

In summary, Councillor Huxstep raised the following points:

- Significant existing traffic issues;
- Endorsed the comments of Whiteley Town Council; Investigate powers to delay the start of this development for road works to be completed in advance of development;
- Contrary to Policy SHUA3 as the application fails to achieve B1, B2 or B8 type of employment use;
- Queuing/Idling traffic experienced regularly into and out of Whiteley causing a detrimental impact on air pollution;
- KFC traffic modelling based on the site at Andover; unsure if this provided a true reflection of the issues at Whiteley; and
- Staff parking on site would only work if sanctions were in place to prevent employees using this facility.

In summary, Councillor Achwal raised the following points:

- Disappointed no visit to the site had taken place prior to the meeting and that the Applicant had not carried out any public or community engagement regarding the application.
- Future of children with an increasing amount of fast food outlets; contrary to NICE Public Health England guidance by increasing unhealthy food choices.
- Drive-thru situated next to offices with an increase in litter and Anti-Social Behaviour already experienced since the opening of the Lidl Store, adjacent to the proposed application site;
- Inadequate parking provision with buses in operation only one every two hours and services ending at 7pm and not operational on a Sunday; How would staff travel to work if not by vehicle?
- With the contribution of £38,000 from the Applicants towards mitigation measures, it was suggested that this be ring fenced towards a pedestrian crossing in Rookery Avenue.

At the conclusion of debate, the Committee agreed to refuse permission for the following reason: Proposal does not accord with Policy SHUA3 by means of the type of employment generated and places an additional burden on the highway infrastructure. Contrary to Policies: CP9, CP10 and DM18.

The precise wording of conditions to be delegated to the Head of Development Management, in consultation with the Chairman.

## 6. **FULCRUM 6 SOLENT WAY, WHITELEY, FAREHAM**

Item 8: Development of business park units for B1(c) light industry, B2 general industry and/or B8 storage and distribution uses, together with associated landscape and infrastructure.

Fulcrum 6, Solent Way, Whiteley

Case number: 18/02879/FUL

The Development Manager referred Members to the Update Sheet which set out in full an addition to Condition 24.

In addition, a verbal update was provided stating that a petition had been handed in prior to the meeting with a list of signatories from the group 'Whiteley Residents Matter', seeking further development to be stopped in Whiteley in respect of congestion and pollution.

During public participation, Whendie Blackwell and Town Councillor Mike Evans (Whiteley Town Council) spoke in objection to the application and Nick Brooks (applicant) spoke in support of the application and all answered Members' questions thereon.

During public participation, Councillors Bentote and Huxstep spoke on this item as Ward Members.

In summary, Councillor Bentote raised the following points:

- Travel Plan does not address reality. Cyclists are rarely seen and the bus service for Whiteley is infrequent and inadequate;
- Whiteley residents are against further development at this stage;
- The HCC Flood and Water Management Team requested further information; has this been addressed?
- Feel sympathy for the residents facing the issues in and out of Whiteley due to the persistent gridlocked roads in the area from the volume of traffic; and
- Oppose the application due to the existing traffic issues and possible flood concerns.

In summary, Councillor Huxstep raised the following points:

- Agreed with the points previously raised by the fellow Ward Member and the concerns expressed by residents; and
- Made reference to the Local Plan which stated that site access should be adequate and sufficient to utilise the site and suggested that the application was Contrary to Policy DM18 at this time.

In response to questions raised during public participation, the Planning Case Officer clarified that a response from the HCC Flood and Water Management Team had been received on 21 March 2019 stating that the information provided addressed all of the points previously raised, with the exception of the discharge to the sewer as opposed to the watercourse. However, they were satisfied that this would not lead to an additional flood risk and as such raised no objection to the application.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the S106 legal agreement, the conditions and informatives set out in the Report and the Update Sheet.

7. **99 - 103 SPRINGVALE ROAD , KINGS WORTHY**

Item 9: Amended Plans - Redevelopment of the site following demolition of the existing dwelling houses at 99, 101 and 103 Springvale Road, and the erection of 13 no. dwellings (6 x 2-bedroom, 4 x 3-bedroom and 3 x 4-bedrom), with associated access, landscaping and parking  
99 - 103 Springvale Road Kings Worthy  
Case number: 18/01083/FUL

The Development Manager referred Members to the Update Sheet which stated 'Condition 16 to be removed as a duplicate of Condition 6. All subsequent conditions re-numbered accordingly.'

During public participation, Parish Councillor Ian Gordon (Kings Worthy Parish Council) spoke in objection to the application and Bryony Stala (Agent) spoke in support of the application and both answered Members' questions thereon.

During public participation, Councillor Porter spoke on this item as Ward Member. In summary, Councillor Porter raised the following points:

- Springvale Road suffers from existing flooding issues which are unpleasant for residents; this application would further exacerbate the position
- Content with the design of the dwellings but the principle of flooding has been taken up by HCC – preference is for the site to be adoptable but this does not look to be the intention;
- Hedges splay into road from Haydn Close. If continue to grow out this causes difficulty and restricts highway access. The Parish Council can take action if the road is adopted; and
- Viability testing with 4 bedroomed dwellings now proposed in the scheme.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the S106 legal agreement, the conditions and informatives set out in the Report and the Update Sheet, also subject to additional information in relation to hedging and highways. Applicant notified of requirement for Advance Payments Code (APC) upfront by HCC Hampshire Highways by way of an informative.

**Applications inside the area of the South Downs National Park (SDNP)**

8. **LAND AT BUTTS FARM, BUTTS FARM LANE, BISHOPS WALTHAM**

Item 10: Approximately 50m of stock proof fencing and gate on grassland off Butts Farm Lane  
Land at Butts Farm, Butts Farm Lane, Bishops Waltham  
Case number: SDNP/19/00026/FUL

During public participation, Tim Gardner (Agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

RESOLVED:

1. That the decisions taken on the Planning Applications in relation to those applications inside and outside the area of the South Downs National Park be agreed as set out in the decision relating to each item, subject to the following:

(i) That in respect of item 7, permission be refused for the following reason: Proposal does not accord with Policy SHUA3 by means of the type of employment generated and places an additional burden on the highway infrastructure. Contrary to Policies: CP9, CP10 and DM18. The precise wording of conditions to be delegated to the Development Manager, in consultation with the Chairman; and

(ii) That in respect of item 9, permission be granted for the reasons and subject to the S106 legal agreement, the conditions and informatives set out in the Report and the Update Sheet, also subject to additional information in relation to hedging and highways. Applicant notified of requirement for Advance Payments Code (APC) upfront by HCC Hampshire Highways by way of an informative.

9. **CONFIRMATION OF TREE PRESERVATION ORDER TPO2238 - ABBOTTS LEA COTTAGES, WORTHY ROAD, WINCHESTER**  
(Report PDC1129 refers)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2238 be confirmed.

10. **MEMBER BRIEFING UPDATE - LOVEDEAN INTERCONNECTOR**  
(Report PDC1132 refers)

The Committee received a presentation and Report which provided an update on the background and current status regarding the Aquind National Strategic Infrastructure Project (NSIP). The project was currently under consideration by the Council for a level of officer delegation to be agreed, in consultation with the Portfolio Holder.

Members attention was drawn to the Update Sheet which set out in full the contents of the last two briefing notes that had been circulated to local Ward Members and the surrounding Parish Council's.

The presentation set out the schematics of the overall scheme at Lovedean which effects a number of other local authorities in Hampshire, including Portsmouth City Council, Havant Borough Council and East Hampshire District Council particularly in respect of the burying of underground cabling.

All parties were expected to engage in the application process going forward and representations were being submitted to Aquind to clarify building design and further details. However, the final design was not expected until the tender process had commenced later in the year.

During discussion, a Member stated that he wished to see a report come back to Committee once the application design details and further information becomes available which would be when the formal application was submitted to the inspectorate for examination.

RESOLVED:

1. That the report be noted; and
2. That Members agree to delegate to officers, in consultation with the Portfolio Holder for Built Environment, the role of responding to the planning inspectorate with regard to the Councils responsibilities as the host authority for the Aquind National Strategic Infrastructure Project, excluding the response at the formal examination stage which shall be presented to the planning committee for consideration before its submission.

The meeting commenced at 9.30am, adjourned between 12.50pm and 2.00pm and concluded at 4.05pm.

Chairman