



## **Place Service Planning Committee Addendum**

### **The agenda**

You will find copies of the agenda in the public seating area of the Council Chamber. At the front of agenda, the planning applications being discussed are listed in order of the application number.

### **Introducing the Committee**

Below is a list of the 11 members of the Planning Committee in alphabetical order:

Councillor Simon Ambler  
Councillor Brian Blewett  
Councillor Graham Cockarill  
Councillor Angela Delaney  
Councillor John Kennett  
Councillor Alan Oliver (Chairman)

Councillor Richard Quarterman  
Councillor James Radley  
Councillor Tim Southern  
Councillor Sharyn Wheale  
Councillor Jane Worlock

### **FIRE EVACUATION OFFICERS:**

**Lead Officer: Mark Jaggard**

**Deputy Lead Officer: Steph Baker** (responsible for ensuring evacuations procedures are read out by the Chairman, bringing evacuation procedures and other equipment. - checking the 2nd floor only to include toilets, Members' Room, Chairman's Room)

**Public Officer: Steph Baker** (responsible for guiding and evacuating members of the public)

**Member Officer: Mark Jaggard** (responsible for guiding and evacuating members of the Committee)

**If you have any more comments about the Planning Committee process, please telephone the Committee Officer, Sabrina Cranny on (01252) 774141.**

### **Fire Evacuation Procedure**

At the beginning of the meeting the fire evacuation procedures are both displayed on the screen and read out. Please listen carefully to the instructions and follow the advice of staff in the event of the alarm sounding.

### **URGENT ITEM**

In respect of the Hawley Park Farm urgent item reported to Planning Committee on 13 October under 'Chairman's Announcements' the Council was subsequently contacted to investigate whether internal painting and decorating activities on a

Sunday, and siting of generators at the same site, amounted to a breach of planning control regarding application 18/00334/FUL.

The Planning (Action) Sub-Committee comprises any three members of Planning Committee to be called if an urgent decision needs to be made. Four members of the Planning Committee responded to the call for the meeting: Cllrs Oliver (Chairman of Planning Committee), Radley (who is also the deputy Leader of the Council), Worlock (who is also the Chairman of Overview and Scrutiny Committee), and Cockarill (who is also the Portfolio Holder for Place).

### The Temporary Stop Notice

A Temporary Stop Notice was on 13 October 2021 served, because building operation activity over the past few weekends had been observed to take place at Hawley Park Farm site (planning permission 18/00334/FUL). This was considered to amount to a breach of Condition 13 of the planning permission granted by the Planning Inspector on behalf of the Secretary of State.

### Condition 13

Condition 13 says:

*“No development or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours on Mondays to Fridays or 08:00 hours to 13:00 hours on Saturdays. No development or deliveries of materials shall take place on Sundays or Bank Holidays.”*

### Consideration

The Action Committee was pleased that Hart Enforcement Officers reacted so quickly on Sunday 17 October 2021 to the allegations of working outside allowed hours. The Action Committee has decided that it does not agree in this instance that the internal painting and decorating activities seen by the Planning Enforcement Officer amounted to a breach of the terms of the Temporary Stop Notice.

Regarding the two generators that were also operational on Sunday the Committee recognised that they comprise “chattels” rather than operational development. They had a long-standing use on site to provide power to both the show home and the compound office which is manned by the security guard. These are proper uses for the generator.

The generators presence is granted by Class A of part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Committee accepted that the generators are separately permitted and as a result are not subject to the controls imposed by planning Condition 13.

## **DECISION**

The Planning (Action) Sub-Committee did not agree that there was a breach of planning control or that material harm had been caused to the amenities of residents

by these activities. The conclusion was that it was neither expedient nor in the public interest to pursue the matter further.

The Planning (Action) Sub-Committee noted also that the use of the two generators to provide power to the show home and the site compound are not the subject of controls exercised by Condition 13 of planning permission (18/00334/FUL) granted on appeal by an Inspector on behalf of the Secretary of State.

This was a formal decision made by the Planning (Action) Sub-Committee on behalf of the Planning Committee

<b>Item No:</b>	6	<b>Reference No:</b>	20/03185/FUL
Construction of a Solar Photovoltaic Farm with an output capacity not to exceed 49.9MW of energy, with associated battery storage and supporting infrastructure including inverters and a transformer, fencing, CCTV installation and landscaping works			
<b>At</b>			
Chosley Farm, Bidden Road, North Warnborough, RG29 1BW			

**OFFICER PRESENTING:** Mr Miguel Martinez

## UPDATE

A Members Site Visit took place at 10:00am on Tuesday 9 November 2021.

Members in attendance were: Councillors Ambler, Kennett and Worlock.

Issues considered included: visual impact of the proposal; impact on residential amenities of the occupiers of the two dwellings outside of, but in the centre of the site and access arrangements.

### Background Section in the Committee report

The first paragraph of the Committee report states that this item was referred to Planning Committee at the discretion of the Head of Place. However given the number of objections received, it would also have been a planning application that had to be referred to Planning Committee in line with the Council's Constitution due to the Officer recommendation for approval.

### Additional Consultee Responses

Internal Planning Policy comments were received on 03.11.2021, summarised as follows:

No objection in principle. Whilst the local plan and national policy encourage renewable energy development, they must be at suitable locations where any negative impacts are outweighed by the positive benefits of renewable energy generation. These will tend to be, by their nature, in the countryside and so one cannot object to the principle of this proposal. However, it is emphasised that not all locations or proposals will be suitable, and a judgement needs to be reached in each case.

### Amendments to recommended conditions:

- Condition no. 3

The date of the restoration of the land to be amended to request it 40 years after the date of electricity being exported to the national grid. Planning condition no.3 to read:

“Any operational development carried out above, on, or underground to enable the

solar farm hereby approved with the exception of landscaping, shall be removed together with any equipment, structures or paraphernalia and the land restored to its former condition/use as agricultural land no later than 40 years after the First Export Date.

REASON: In the interests of the landscape and scenic quality of the area and to limit development in the countryside for a timescale when it demonstrates a benefit in sustainability terms and/or is contributing towards reducing the reliance on fossil fuels and offsetting the associated environmental impacts at that time. In accordance with Policies NBE1 and NBE2 of the Hart Local Plan (Strategy and Sites) 2016-2032, saved policy GEN1 of the Hart District Local Plan 1996-2006, Policy 12 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the aims of the NPPF 2021."

- Condition no. 6

Replacement of 'construction environmental management plan' for 'construction management plan', removal of subheading xii) and references to policy NBE4. Planning condition no. 6 to read:

"No development shall commence until details of a construction management plan are submitted to and approved in writing by the Local Planning Authority and shall include but not limited to the following:

- i) Construction worker and visitor parking;
- ii) anticipated number, frequency and size of construction vehicles;
- iii) dust and Noise/Vibration mitigation measures;
- iv) dust suppression measures;
- v) Site security;
- vi) vehicle manoeuvring/ turning and measures to avoid conflicts along the site access track with vehicles not associated with the construction of the development;
- vii) locations for the loading/unloading and storage of plant, building materials and construction debris and contractors offices;
- viii) procedures for on-site contractors to deal with complaints from local residents;
- ix) measures to mitigate impacts on neighbouring highways; and
- x) details of wheel water spraying facilities;
- xi) Protection of pedestrian routes during construction;

The details approved shall be fully implemented and retained for the duration of the works.

REASON: To protect the amenity of local residents, the ecology networks of the area and to ensure adequate highway and site safety in accordance with Policies NBE11 and INF3 of the Hart Local Plan (Strategy and Sites) 2016-2032 and the aims of the NPPF 2021."

- Condition no. 9

Removal of 'full archaeological reports/survey' and replacement with a 'written scheme of investigation'. Planning condition to read:

“No development shall commence until a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority, in consultation with the County Archaeologist, prior to the commencement of the development hereby approved. The reports shall contain:

- Targeted trial trenching results (at agreed locations with the County Archaeologists)
- Recording of Archaeological remains.
- Archaeological watching brief, reporting and publication of results if appropriate.

REASON: To mitigate the effect of groundworks associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance in accordance with the objectives of Policies NBE8 and NBE9 of the Hart Local Plan (Strategy and Sites) 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the aims of the NPPF 2021.”

- Additional pre-commencement condition (17) to request a construction environmental management plan:

“No development shall commence until details of a construction environmental management plan are submitted to and approved in writing by the Local Planning Authority to demonstrate how the construction of the development would be dealing with environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works.

This shall include how construction activities would be controlled /managed to avoid adverse impacts on surrounding SSSI, SINC's, RVEI's and retained trees/hedgerows within/adjacent the site. The details approved shall be fully implemented and retained for the duration of the works.

REASON: To protect ecology and biodiversity of the locality in accordance with Policies NBE4 and NBE11 of the Hart Local Plan (Strategy and Sites) 2016-2032 and the aims of the NPPF 2021.”

### **Speaker Details**

\*Speaking for The Parish Council: Cllr Angela McFarlane (Odiham Parish Council)

\*Speaking Against the Application: Mr Michael Mates

\*Speaking For the Application: Mr Ben Pratt (Clearstone Energy)

<b>Item No:</b>	7	<b>Reference No:</b>	21/00552/FUL
Construction of solar farm and battery stations together with all associated works, equipment and necessary infrastructure.			
<b>At</b>			
Bunkers Hill Farm, Reading Road, Rotherwick, RG27 9DA			

**OFFICER PRESENTING:** Mr Miguel Martinez

## **UPDATE**

### Background Section in the Committee report

The first paragraph of the Committee report states that this item was referred to Planning Committee at the discretion of the Head of Place. However given the number of objections received, it would also have been a planning application that had to be referred to Planning Committee in line with the Council's Constitution due to the Officer recommendation for approval.

### Additional Consultee Response

An additional consultation response has been received from the Local Highway Authority to withdraw their objection subject to the inclusion of planning conditions as follows:

- Method Statement to deal with washing of wheels/chassis of vehicles leaving the site.
- Construction of vehicular access as per approved documents/drawings
- Road condition surveys before and at the end of the construction of the development
- Compliance with the Construction Management Plan and the Construction Workers Travel Plan

Modifications to the planning conditions listed in the Committee report (where necessary) are suggested below to address the matters requested by the Local Highway Authority.

### Amendments to recommended conditions:

- Condition no. 4

The date of the restoration of the land to be amended to request it 40 years after the date of electricity being exported to the national grid. Planning condition no.4 to read:

“Any operational development carried out above, on, or underground to enable the solar farm hereby approved with the exception of landscaping, shall be removed together with any equipment, structures or paraphernalia and the land restored to its former condition/use as agricultural land no later than 40 years after the First Export Date.

REASON: In the interests of the landscape and scenic quality of the area and to limit development in the countryside for a timescale when it demonstrates a benefit in sustainability terms and/or is contributing towards reducing the reliance on fossil fuels and offsetting the associated environmental impacts at that time. In accordance with Policies NBE1 and NBE2 of the Hart Local Plan (Strategy and Sites) 2016-2032, saved policy GEN1 of the Hart District Local Plan 1996-2006, Policy 12 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the aims of the NPPF 2021.”

- Condition no. 6

This condition set out in the Committee report is to be replaced by the following condition:

“No development shall commence until a method statement for the cleaning of wheels/chassis of all HGV’s and all other vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during the construction process is submitted to and approved in writing by the Local Planning Authority.

The details approved shall be fully implemented and retained for the duration of the works.

REASON: To ensure adequate highway and site safety in accordance with policy INF3 of the Hart Local Plan (Strategy and Sites) 2016-2032, the Rotherwick Neighbourhood Plan 2016-2032 and the aims of the NPPF 2021.”

- Condition no. 7

Additional wording to clarify works requested are within the application site and removal of last item requested for the buffer zone scheme. Planning condition no. 7 to read:

“No development shall commence until a protection scheme for the undeveloped Buffer Zones within the site in close proximity to the Whitewater River, the Dorchester Stream, the Great Sheldon’s Stream, ditches and ponds is submitted to and approved by the Local Planning Authority. The scheme shall contain:

- Plans detailing extent/layout of buffer zone
- Planting with native species to create a mosaic of different habitats
- Details to eradicate non-native species from the site (Himalayan Balsam)
- Details of buffer zone protection during construction and long-term management
- Details of any fencing or footpaths

The protection scheme shall be fully implemented as approved, and the buffer zone shall remain free from built development, lighting and formal landscaping.

REASON: In the interest of nature conservation and enhancement to riverine environments, in accordance with Policy NBE4 of the Hart Local Plan (Strategy and Sites) 2016-2032, saved local policy CON7 of the Hart District Local Plan 1996-2006 and the aims of the NPPF 2021.”



- Additional pre-commencement condition (16) to request a construction environmental management plan:

“No development shall commence until details of a construction environmental management plan are submitted to and approved in writing by the Local Planning Authority to demonstrate how the construction of the development would be dealing with environmentally sensitive areas, their aftercare and maintenance together with a plan detailing the works to be carried out showing how the environment will be protected during the works.

This shall include how construction activities would be controlled /managed to avoid adverse impacts on surrounding SSSI, SINCs, RVEIs and retained trees/hedgerows within/adjacent the site and details of Nature Conservation enhancements to the river channel morphology and bankside habitats

The details approved shall be fully implemented and retained for the duration of the works.

REASON: To protect ecology and biodiversity of the locality in accordance with Policies NBE4 and NBE11 of the Hart Local Plan (Strategy and Sites) 2016-2032 and the aims of the NPPF 2021.”

- Additional pre-commencement conditions and an informative condition requested by the Local Highway Authority:

“No development shall commence until the means of vehicular access to the site shall be constructed and fully completed in accordance with the approved plan drawing no. Figure 1 Rev. A contained in the approved Construction Management Plan Rev. A.

No structure or planting exceeding 1m in height shall thereafter be placed within the visibility splays agreed on the approved documents/plans.

REASON: To ensure adequate highway and site safety in accordance with policy INF3 of the Hart Local Plan (Strategy and Sites) 2016-2032, the Rotherwick Neighbourhood Plan 2016-2032 and the aims of the NPPF 2021.”

“No development shall commence until a road condition survey of the B3349 - Reading Road from the site access to its junction with Woodgate is submitted to and approved in writing by the Local Planning Authority.

At the end of the construction works a final survey shall be undertaken, submitted to and approved in writing by the Local Planning Authority. Any defects/damage reported and attributable to the construction activity undertaken on the site shall be rectified by the developer at their expense within 3 months of the approval of the final survey.

REASON: To ensure adequate highway and site safety in accordance with policy INF3 of the Hart Local Plan (Strategy and Sites) 2016-2032, the Rotherwick Neighbourhood Plan 2016-2032 and the aims of the NPPF 2021."

- Additional Informative:

The planning permission does not authorise the undertaking of any works within the highway (carriageway, footpath or verge) or any traffic management measures. A licence/ permit should be obtained from Hampshire County Council. Also any highway works would require to be approved by a Section 278 Agreement.

### **Speaker Details**

\*Speaking for The Parish Council: Jonathan Wort (Rotherwick Parish Council)

\*Speaking Against the Application: Ms Candy Burnyeat (Whitewater Valley Preservation Society)

\*Speaking For the Application: Robin Johnson (JBM Solar)