



NOTICE OF MEETING

Meeting:	Planning Committee
Date and Time:	Wednesday 9 June 2021 7.00 pm
Place:	Council Chamber
Telephone Enquiries to:	Committee Services Committeeservices@hart.gov.uk
Members:	Ambler, Blewett, Cockarill, Delaney, Kennett, Oliver (Chairman), Quarterman, Radley, Southern, Wheale and Worlock

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

This Agenda and associated appendices are provided in electronic form only and are published on the Hart District Council Website.

Please download all papers through the Modern.Gov app before the meeting.

- **At the start of the meeting, the Lead Officer will confirm the Fire Evacuation Procedure.**
- **The Chairman will announce that this meeting will be recorded and that anyone remaining at the meeting has provided their consent to any such recording.**

1 MINUTES OF PREVIOUS MEETING (Pages 3 - 10)

The Minutes of the meeting held 26 May 2021 to be confirmed and signed as a correct record.

2 APOLOGIES FOR ABSENCE

To receive any apologies for absence from Members*.

***Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they will be absent.

3 DECLARATIONS OF INTEREST

To declare disclosable pecuniary, and any other, interests*.

***Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they may have an interest to declare.

4 CHAIRMAN'S ANNOUNCEMENTS

5 PLANNING (ENFORCEMENT) SUB COMMITTEE

To appoint members to the Planning (Enforcement) Sub Committee.

6 PLANNING (MAJOR SITES) SUB-COMMITTEE

To appoint members to the Planning (Major Sites) Sub Committee.

7 PLANNING COMMITTEE WORKING PARTY

To appoint members to sit on the Planning Committee Working Party.

8 QEB TRANSPORT STEERING GROUP

To appoint Hart District Council Members to the QEB Transport Steering Group.

1. Portfolio Holder for Environment and Technical Services.
2. One District Councillor from Church Crookham East Ward.
3. One District Councillor from Church Crookham West Ward.

9 DEVELOPMENT APPLICATIONS (Pages 11 - 15)

To consider the planning reports from the Head of Place, and to accept updates via the Addendum.

10 21/00374/HOU - THE TURRET, MOUNT PLEASANT, HARTLEY WINTNEY, HOOK RG27 8PW (Pages 16 - 27)

Date of Publication: Tuesday, 1 June 2021

PLANNING COMMITTEE

Date and Time: Wednesday 26 May 2021 at 7.00 pm

Place: Council Chamber

Present:

Ambler, Blewett, Cockarill, Davies (substitute), Delaney, Kennett, Quarterman, Radley, Southern and Worlock

In attendance:

Officers:

Mark Jaggard Head of Place
Peter Lee Planning Team Leader
Maxine Lewis Planning and Enforcement Team Leader
Miguel Martinez Principal Planner Officer
Robert Moorhouse Principal Planner Officer
Tola Otudeko Shared Legal Services
Sabrina Cranny Committee Services Officer

1 ELECTION OF VICE CHAIRMAN

Councillor Quarterman was elected as vice chairman.

2 MINUTES OF PREVIOUS MEETING

It was confirmed there had been no objections to item 57 Decision A from the previous minutes.

The Minutes of the meeting held on 10 March 2021 were confirmed and signed as a correct record.

3 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Oliver substituted by Councillor Davies.

4 DECLARATIONS OF INTEREST

None.

5 CHAIRMAN'S ANNOUNCEMENTS

None.

6 DEVELOPMENT APPLICATIONS

7 20/03111/ADV - FORMER DAIRY CREST SITE, ADJ. 36 MILL LANE, YATELEY, GU46 7TN

Display of 1 x non illuminated mounted signage, 2 x non illuminated off fence mounted signage and 1 x non illuminated fascia signage.

Members considered the application and discussed the following:

- Whether three signs were required at the entrance.
- The semi-rural location and the possibility of increased traffic.
- If the signs changed the nature of the environment and were they visually unappealing.
- Permissions for Use Class B8 on a residential road suggested large signs were not commensurate with that expectation.
- Whether the signs are not in keeping with the site's Use Class.
- That some of the signs could be approved and some refused.
- Whether the fence could be seen from either direction.
- Over emphasising the commercial nature of the business and proliferation.

Members were informed:

- That investigations were ongoing regarding the use of the site and its possible change of class.
- Potential breaches of planning conditions may have taken place and enforcement were involved.

Members voted for an amendment to the proposal which was carried.

DECISION – GRANT in favour of an amendment to the proposal:

1. APPROVAL OF EXPRESS ADVERTISEMENT CONSENT FOR ONE FASCIA SIGN (SIGN 3) TO THE FRONT OF THE BUILDING AND ONE FENCE-MOUNTED SIGN (SIGN 2) TO THE NORTHERN (RIGHT HAND) SIDE OF THE SITE'S ACCESS.

2. REFUSAL OF EXPRESS ADVERTISEMENT CONSENT FOR ONE POLE MOUNTED SIGN (SIGN 1) AND ONE FENCE-MOUNTED SIGN (SIGN 2) TO THE SOUTHERN (LEFT HAND) SIDE OF THE SITE'S ACCESS.

The Planning Authority APPROVES express advertisement consent for the fascia sign (Sign 3) to the front of the building within the site and one fence-mounted sign (sign 2) to the northern (left hand) side of the site's access in accordance with your application which was registered on 16 March 2021 and the plans submitted therewith, subject to the following conditions:

CONDITIONS

1 This consent shall expire at the end of a period of five years from the date of this notice.

REASON: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations.

2 The advertisements hereby approved shall be installed in accordance with document ref: 78021, Pages Titled - Sign Number 1, Sign Number 2, Sign Number 3, drawings no. LaVasstu/2017/141/02 (x 2 Location Plan)

REASON: To ensure that the advertisements are carried out in accordance with the approved details and in the interest of proper planning.

3 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

REASON: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations

4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

REASON: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations.

The Planning Authority REFUSES express advertisement consent for one pole-mounted sign (sign 1) and one fence-mounted sign (sign 2) to the southern side of the site's access for the following reason:

1. The advertisements (sign 1 and one sign 2 to the southern (right hand) side of the site's access), by virtue of their number, close position to each other, and in conjunction with other signs in a limited area to the front of the site, would result in an excessive proliferation of advertisements in this predominantly residential area that would detrimentally affect the visual amenity and residential character of the locality, contrary to the objectives of policy NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 and URB24 of the Hart District Council Local Plan (Replacement) 1996 – 2006 and paragraph 132 of the NPPF.

Notes: Dr J G Leadley spoke against the application.

8 21/00151/FUL - CO-OPERATIVE RETAIL SERVICES LTD, 13 READING ROAD, YATELEY, GU46 7UH

Replacement petrol station, including pumps, canopy and shop

Members considered the application and discussed the following:

- Height of single storey building.
- Proximity and loss of light to the neighbour's property.
- Possible rise in litter and night disturbances.
- The increased use of the petrol garage.

- Lack of pedestrian access.
- Approved lighting and landscaping requirements prior to proposed renovation.
- Whether screening refers to blocking a view of the development or making the development visually appealing.

Members discussed planting:

- Suggested the developer research, provide and maintain adequate planting.
- That neighbour's planting should not be affected.
- Any enhanced planting would need to be agreed in writing formally.
- Trees would require safeguarding.
- If there was no planting would there be a request for more planting for screening?

Members discussed opening hours:

- As there are no current restrictions on opening hours is it reasonable to impose hours?
- 11pm closing time is satisfactory according to environmental health legislation.
- Concerns regarding residential amenities.
- There are no restrictions on the opening hours of the petrol filling station or the shop, but there were restrictions on the hours of use of the car wash.

Members discussed electric charging points:

- Possibility of using electricity powered by renewable energy such as a green tariff.

Members voted for an amendment to the proposal conditions which was carried.

DECISION – GRANT as per Officer recommendation, with the addition of an Informative relating to renewable energy and screening, an amendment to condition No 8 to include a landscape management plan approved by HDC tree officers and condition No 12 to modify the opening hours to 07:00 hours to 22.00 hours.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following plans:

Proposed Site Elevations 190508-04C

Proposed Site Layout 190508-03J
Proposed Site Layout (1:200 Scale) 190508-03-1I
Proposed Building Details 190508-05B
Tracking Layout 190508-06E
Landscape Plan 4630 01 Rev C

Reason

To ensure that the development is carried out in accordance with the approved plans and particulars.

3 No development shall commence until a Remediation Strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy shall include:

- a. A site investigation scheme, based on the Phase One Environmental Risk Assessment Report (Preliminary Risk Assessment) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall take place in accordance with the approved Remediation Strategy.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE11 and the National Planning Policy Framework.

4 No construction shall take place until a Surface Water Drainage Scheme for the site, based on sustainable drainage principles, has been submitted to, and approved in writing by, the Local Planning Authority.

Any proposed drainage system for the infiltration of surface water to the ground must be supported by an assessment of the risks to controlled waters.

The development shall take place in accordance with the approved Surface Water Drainage Scheme.

REASON

To ensure that the proposed development would not increase the risk of flooding elsewhere, be safe from flooding and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE5 and the National Planning Policy Framework.

5 Prior to the installation of any external fixed plant or machinery, details of such plant and machinery shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include:

1. Proposed location(s)
2. Specific manufacturer's details
3. Expected noise emissions
4. An assessment of the expected cumulative noise impact of all fixed plant and equipment for which approval is sought under this condition
5. Specifications for any noise mitigation measures proposed.

The development shall take place in accordance with the approved external fixed plant details and plant and equipment shall be maintained so as to operate in accordance with the submitted details.

Reason

To ensure a satisfactory noise environment and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE11, saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and the National Planning Policy Framework.

6 Prior to the installation of any external lighting, an External Lighting Scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The Scheme shall include details of locations, direction, Lux levels, hours of operation and maintenance.

External lighting shall only be installed, operated and maintained in accordance with the approved External Lighting Scheme.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE11 and Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

7 Prior to the occupation and use of the development hereby approved details of two passive electric vehicle charging points shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include the location and necessary infrastructure. The passive electric vehicle charging points shall be installed and maintained in accordance with the approved details.

Reason

To contribute to the reduction of climate change and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9.

8 The development shall take place in accordance with Arboricultural Method Statement (Version 2).

Reason

To safeguard off-site trees and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9.

9 The approved parking facilities for vehicles and cycles as identified on drawing no. Proposed Site Layout 190508-03J shall not be used for any purpose other than the parking of vehicles and cycles and access shall be maintained at all times to allow them to be used as such.

Reason

To ensure that the development is provided with adequate parking to prevent the likelihood of on-street car parking and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policies NBE9 and INF3 and Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

10 The development shall take place in accordance with the Demolition and Construction Method Statement (January 2021) and Addendum (22.04.21).

Reason

To protect the amenity of nearby residential occupiers and to satisfy Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

11 Notwithstanding Condition 10, no demolition, construction or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours weekdays or 08:00 to 13:00 hours Saturdays. No demolition, construction or delivery of materials shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

12 The development hereby approved shall only be open for customers between 07:00 hours and 23:00 hours.

Reason

To protect the amenities of the area and to satisfy Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1

13 Deliveries to, and waste collection from, the convenience store shall only take place between 07:30 and 18:00 hours Monday to Saturday. No deliveries or waste collection shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Hart D District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

INFORMATIVES

The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance the applicant was advised of the necessary information needed to process the application and once received, the application was acceptable and no further engagement with the applicant was required.

Notes: Mr James Berggren spoke for the application.

Amy Stevens spoke against the application.

9 CHANTRYLAND

These minutes are exempt from publication.

The meeting closed at 9.01 pm



HEAD OF REGULATORY SERVICES **REPORT TO THE PLANNING COMMITTEE**

1. INTRODUCTION

This agenda considers planning applications submitted to the Council, as the Local Planning Authority, for determination

2. STATUS OF OFFICER'S RECOMMENDATIONS AND COMMITTEE'S DECISIONS

All information, advice, and recommendations contained in this agenda are understood to be correct at the time of preparation, which is approximately two weeks in advance of the Committee meeting. Because of the time constraints, some reports may have been prepared before the final date for consultee responses or neighbour comment. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting or where additional information has been received, a separate "Planning Addendum" paper will be circulated at the meeting to assist Councillors. This paper will be available to members of the public.

3. THE DEBATE AT THE MEETING

The Chairman of the Committee will introduce the item to be discussed. A Planning Officer will then give a short presentation and, if applicable, public speaking will take place (see below). The Committee will then debate the application with the starting point being the officer recommendation.

4. SITE VISITS

A Panel of Members visits some sites on the day before the Committee meeting. This can be useful to assess the effect of the proposal on matters that are not clear from the plans or from the report. The Panel does not discuss the application or receive representations although applicants and Town/Parish Councils are advised of the arrangements. These are not public meetings. A summary of what was viewed is given on the Planning Addendum.

5. THE COUNCIL'S APPROACH TO THE DETERMINATION OF PLANNING APPLICATIONS

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. This means that any discussions with applicants and developers at both pre-application and application stage will be positively framed as both parties work together to find solutions to problems. This does not necessarily mean that development that is unacceptable in principle or which causes harm to an interest of acknowledged importance, will be allowed.

The development plan is the starting point for decision making. Proposals that accord with the development plan will be approved without delay. Development that conflicts with the development plan will be refused unless other material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date the Council will seek to grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Local Plan taken as a whole; or
- Specific policies in the development plan indicate that development should be restricted.

Unsatisfactory applications will however, be refused without discussion where:

- The proposal is unacceptable in principle and there are no clear material considerations that indicate otherwise; or
- A completely new design would be needed to overcome objections; or
- Clear pre-application advice has been given, but the applicant has not followed that advice; or
- No pre-application advice has been sought.

6. PLANNING POLICY

The relevant development plans are, the Saved policies Hart District Council Local Plan Replacement and First Alterations 1996 – 2006, Policy NRM6 South East Plan, Hampshire, Portsmouth, Southampton, New Forest National Park and South Downs National Park Minerals and Waste Local Plan 2013, Dogmersfield Neighbourhood Plan, Odiham and North Warnborough Neighbourhood Plan, Rotherwick Neighbourhood Plan, Winchfield Neighbourhood Plan, Fleet Neighbourhood Plan, Hartley Wintney Neighbourhood Plan.

Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item.

7. THE NATIONAL PLANNING POLICY FRAMEWORK AND PLANNING PRACTICE GUIDANCE

Government statements of planning policy are material considerations that must be taken into account in deciding planning applications. Where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them.

The Government has also published the Planning Practice Guidance which provides information on a number of topic areas. Again these comments, where applicable, are a material consideration which need to be given due weight.

8. OTHER MATERIAL CONSIDERATIONS

Material planning considerations must be genuine planning considerations, i.e. they must be related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest. Relevant considerations will vary from circumstance to circumstance and from application to application.

Within or in the settings of Conservation Areas or where development affects a listed building or its setting there are a number of statutory tests that must be given great weight in the decision making process. In no case does this prevent development rather than particular emphasis should be given to the significance of the heritage asset.

The Council will base its decisions on planning applications on planning grounds alone. It will not use its planning powers to secure objectives achievable under non-planning legislation,

such as the Building Regulations or the Water Industries Act. The grant of planning permission does not remove the need for any other consents, nor does it imply that such consents will necessarily be forthcoming.

Matters that should not be taken into account are:

- loss of property value
- land and boundary disputes
- the impact of construction work
- need for development (save in certain defined circumstances)
- ownership of land or rights of way
- change to previous scheme
- or matters that are dealt with by other legislation, such as the Building Regulations (e.g. structural safety, fire risks, means of escape in the event of fire etc.). - The fact that a development may conflict with other legislation is not a reason to refuse planning permission or defer a decision. It is the applicant's responsibility to ensure compliance with all relevant legislation.
- loss of view
- matters covered by leases or covenants
- property maintenance issues
- the identity or personal characteristics of the applicant
- moral objections to development like public houses or betting shops
- competition between firms,

The Council will base its decisions on planning applications on planning grounds alone. It will not use its planning powers to secure objectives achievable under non-planning legislation, such as the Building Regulations or the Water Industries Act. The grant of planning permission does not remove the need for any other consents, nor does it imply that such consents will necessarily be forthcoming.

9. PLANNING CONDITIONS AND OBLIGATIONS

When used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. Planning conditions should only be imposed where they are:

- necessary;
- relevant to planning and;
- to the development to be permitted;
- enforceable;
- precise and;
- reasonable in all other respects."

It may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation. In such cases the Council will use a condition rather than seeking to deal with the matter by means of a planning obligation.

Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms. Obligations should meet the tests that they are

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010. There are also legal restrictions as to the number of planning obligations that can provide funds towards a particular item of infrastructure.

10. PLANNING APPEALS

If an application for planning permission is refused by the Council, or if it is granted with conditions, an appeal can be made to the Secretary of State against the decision, or the

conditions. Reasons for refusal must be

- Complete,
- Precise,
- Specific
- Relevant to the application, and
- Supported by substantiated evidence.

The Council is at risk of an award of costs against it if it behaves “unreasonably” with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:

- Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
- Failure to produce evidence to substantiate each reason for refusal on appeal
- Vague, generalised or inaccurate assertions about a proposal’s impact, which are unsupported by any objective analysis.
- Refusing planning permission on a planning ground capable of being dealt with by conditions risks an award of costs, where it is concluded that suitable conditions would enable the proposed development to go ahead
- Acting contrary to, or not following, well-established case law
- Persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable
- Not determining similar cases in a consistent manner
- Failing to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances
- Refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage
- Imposing a condition that is not necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects, and thus does not comply with the guidance in the NPPF on planning conditions and obligations
- Requiring that the appellant enter into a planning obligation which does not accord with the law or relevant national policy in the NPPF, on planning conditions and obligations
- Refusing to enter into pre-application discussions, or to provide reasonably requested information, when a more helpful approach would probably have resulted in either the appeal being avoided altogether, or the issues to be considered being narrowed, thus reducing the expense associated with the appeal
- Not reviewing their case promptly following the lodging of an appeal against refusal of planning permission (or non-determination), or an application to remove or vary one or more conditions, as part of sensible on-going case management.
- If the local planning authority grants planning permission on an identical application where the evidence base is unchanged and the scheme has not been amended in any way, they run the risk of a full award of costs for an abortive appeal which is subsequently withdrawn

Statutory consultees (and this includes Parish Council’s) play an important role in the planning system: local authorities often give significant weight to the technical advice of the key statutory consultees. Where the Council has relied on the advice of the statutory consultee in refusing an application, there is a clear expectation that the consultee in question will substantiate its advice at any appeal. Where the statutory consultee is a party to the appeal, they may be liable to an award of costs to or against them.

11. PROPRIETY

Members of the Planning Committee are obliged to represent the interests of the **whole** community in planning matters and not simply their individual Wards. When determining planning applications they must take into account planning considerations only. This can include views expressed on relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons.

12. PRIVATE INTERESTS

The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Covenants or the maintenance/protection of private property are therefore not material planning consideration.

13. OTHER LEGISLATION

Non-planning legislation may place statutory requirements on planning authorities, or may set out controls that need to be taken into account (for example, environmental legislation, or water resources legislation). The Council, in exercising its functions, also must have regard to the general requirements of other legislation, in particular:

- The Human Rights Act 1998,
- The Equality Act 2010.

14. PUBLIC SPEAKING

The Council has a public speaking scheme, which allows a representative of the relevant Parish Council, objectors and applicants to address the Planning Committee. Full details of the scheme are on the Council's website and are sent to all applicants and objectors where the scheme applies. Speaking is only available to those who have made representations within the relevant period or the applicant. It is not possible to arrange to speak to the Committee at the Committee meeting itself.

Speakers are limited to a total of three minutes each per item for the Parish Council, those speaking against the application and for the applicant/agent. Speakers are not permitted to ask questions of others or to join in the debate, although the Committee may ask questions of the speaker to clarify representations made or facts after they have spoken. For probity reasons associated with advance disclosure of information under the Access to Information Act, nobody will be allowed to circulate, show or display further material at, or just before, the Committee meeting.

15. LATE REPRESENTATIONS

To make sure that all documentation is placed in the public domain and to ensure that the Planning Committee, applicants, objectors, and any other party has had a proper opportunity to consider further or new representations no new additional information will be allowed to be submitted less than 48 hours before the Committee meeting, except where to correct an error of fact in the report. Copies of individual representations will not be circulated to Members.

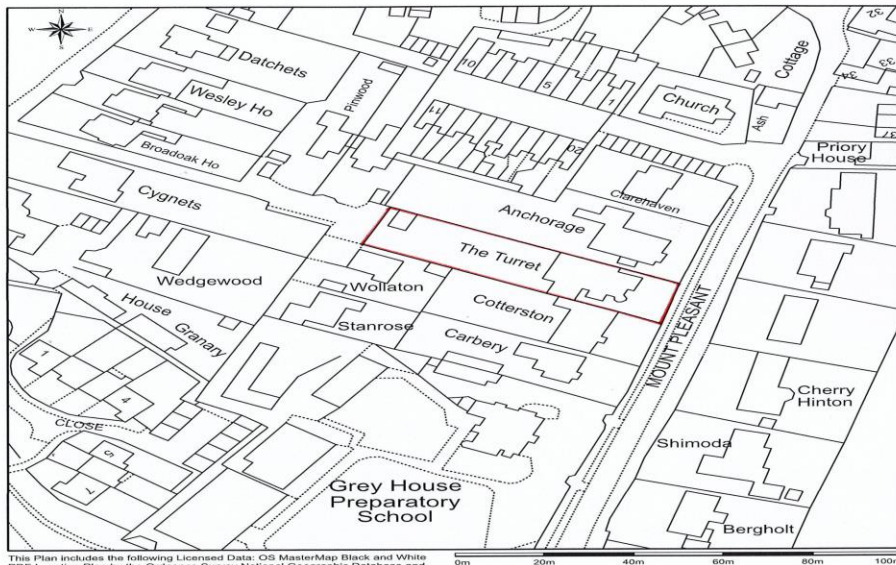
16. INSPECTION OF DRAWINGS

All drawings are available for inspection on the internet at www.hart.gov.uk

COMMITTEE REPORT

ITEM NUMBER: 101

APPLICATION NO.	21/00374/HOU
LOCATION	The Turret Mount Pleasant Hartley Wintney Hook RG27 8PW
PROPOSAL	Erection of a summer house for use as a store, garden room and gym.
APPLICANT	Mr and Mrs Miller
CONSULTATIONS EXPIRY	12 March 2021
APPLICATION EXPIRY	05 April 2021
WARD	Hartley Wintney
RECOMMENDATION	Grant



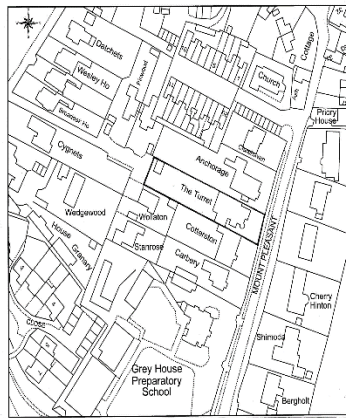
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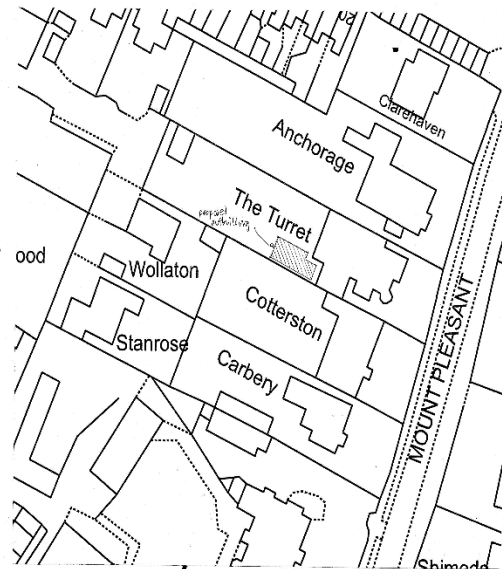
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plans

Prepared by: Guy Everson, 02-02-2021



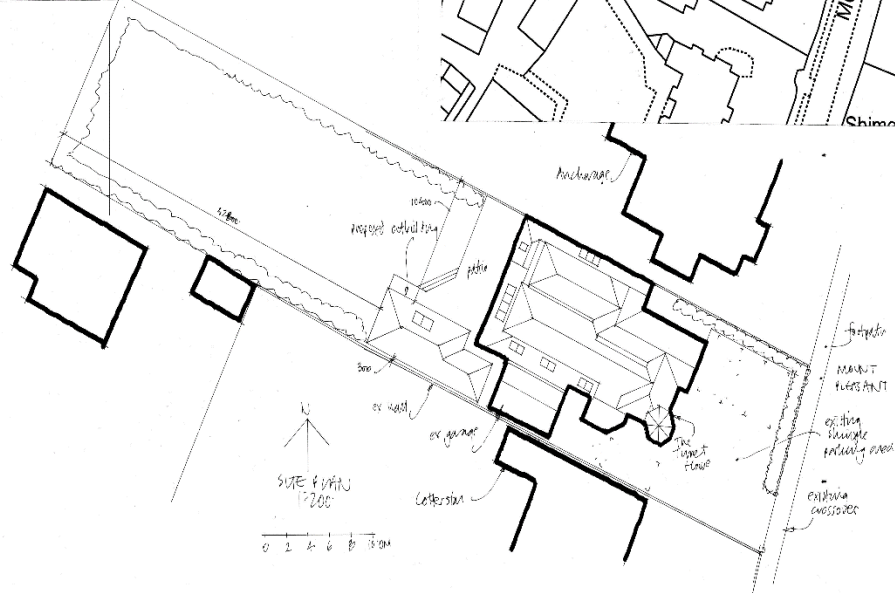
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SCALE PLAN
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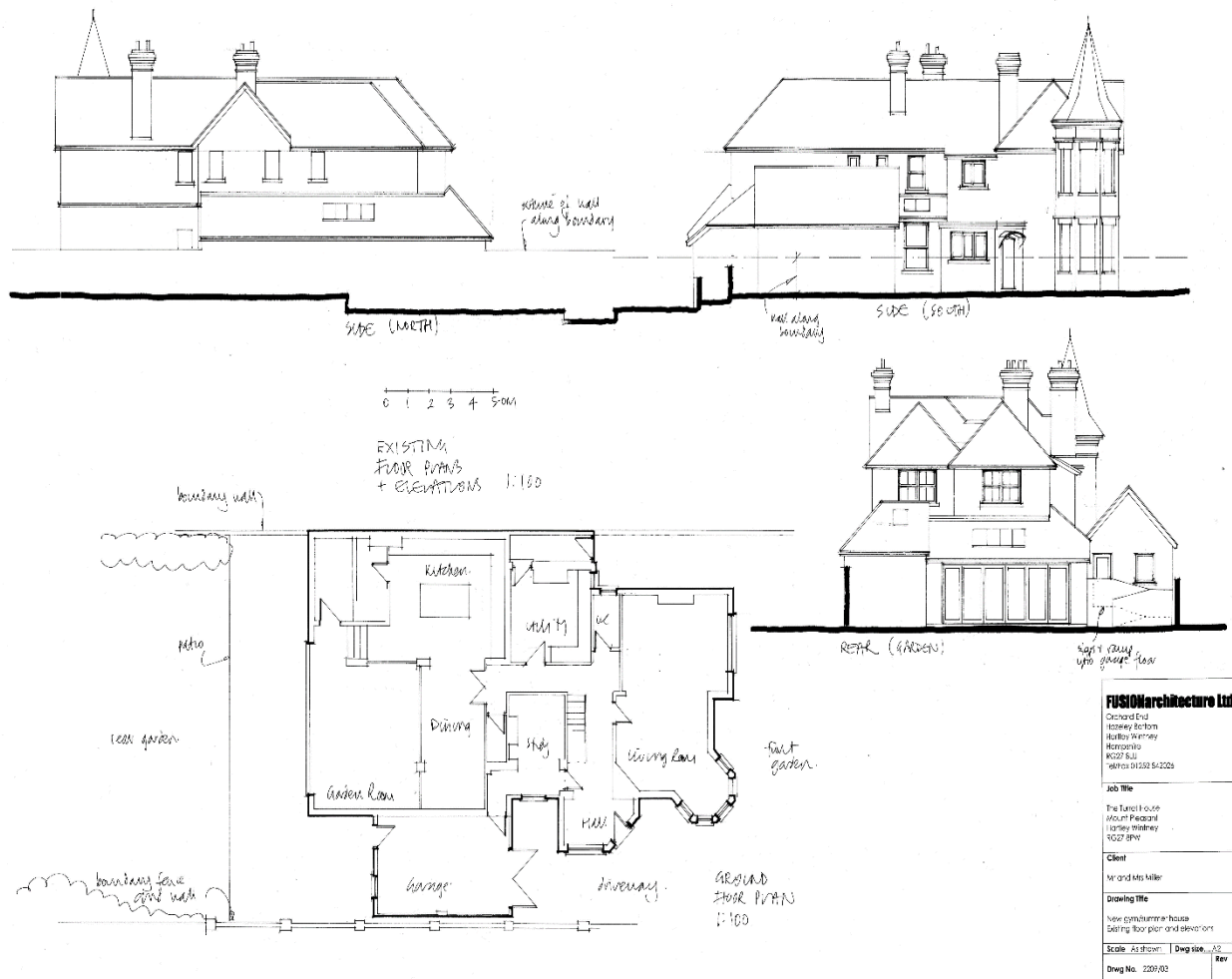


FUSION Architecture Ltd	
Orchard Road Worley Station Hertfordshire SG9 6JL Tel: 01223 512224	
Job Title	
The Turret House About 1200sqm Home & Office 12/06/12	
Client	
Mr and Mrs Alder	
Drawing Title	
New gymnasium house Site, block and location plans	
Scale As shown	Dwg No. 223/02
	Rev

© Copyright reserved to Fusion Architecture



BLOCK PLAN / LOCATION PLAN/ SITE PLAN



EXISTING PLANS

Background

The application is being presented at Planning Committee at the request of a District Councillor following several objections received.

The Site

The Turret is a two-storey, gable roof detached dwellinghouse with detached garage which lies on the west side of Mount Pleasant, Hartley Wintney. The front boundary is enclosed by a brick wall with a high dense hedge behind. The frontage is a shingled driveway with access to the left side of the dwellinghouse and is able to accommodate in excess of four vehicles.

The site is within the urban settlement of Hartley Wintney, located in the Hartley Wintney Conservation Area and is subject to an Article 4 Direction.

Proposal

The erection of a summer house for use as a store, garden room and gym.

Planning History

Erection of a part two-storey and part single storey rear extension 14/02824/HMC Approved 10.02.2015.

Planning Policy

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

The development plan for the site is the Hart Local Plan (Strategy & Sites) 2032 (HLP32), Saved Policies of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 (HLP96). The Saved Policies of the HLP96 are identified in the appendices of HLP32.

The application site is located within the designated settlement area of Hartley Wintney.

National Planning Policy Framework (NPPF) (February 2019)

Section 12 (Achieving well-designed places)

Section 16 (Conserving and enhancing the historic environment).

Hart Local Plan (Strategy & Sites) 2032

NBE8 (Historic Environment)

NBE9 (Design)

INF3 (Transport).

Hart District Local Plan (Replacement) 1996-2006 Saved Policies

GEN1 (General policy for development)

URB1 (Definition of areas covered by URB policies)

Hartley Wintney Neighbourhood Plan 2017-2032

Policy 2 - (Design Guide)

Policy 5 - (Conservation Areas)

Other Guidance

BRE Report - Site layout planning for daylight and sunlight: a guide to good practice (2011)

Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 - Conservation Area

Consultee Responses

Hartley Wintney Parish Council

Objection: The Turret lies within the Causeway Green and Cricket Green Conservation Area and therefore it is desirable to preserve and enhance its character or appearance, to quote the Planning Act 1990. The rear garden has already been developed with a games room which, while it does not appear on the plans, we are reliably informed stretches across the width of the garden at its furthest point from the house. The Hartley Wintney Conservation Area statement, para.9.3.1 states that where backland sites are developed, the existing open character of private gardens should be maintained, and that existing open green space, including private gardens should be protected from unsympathetic development. Councillors feel that this application represents a creeping over-development to the rear of the property with a significant loss of amenity to the neighbour due to the considerable height of the building above the shared boundary wall and should therefore be refused.

Conservation Officer

No objection

Neighbour Comments

Sixteen letters of objection have been received from thirteen households and the Hartley Wintney Heritage Society stating that they consider the proposal conflicts with the Conservation Area policy, would represent an overdevelopment of the site, would impact on neighbours amenity and result in loss of light, would be of an inappropriate design and

size, would be an overbearing structure and would be constructed of inappropriate materials.

Assessment

Principle of the Development

The site is located within the urban settlement boundary of Hartley Wintney; it is therefore considered that the principle of development is acceptable, subject to compliance with relevant development plan policies and that no unacceptable harm to residential amenity, the environment, highway safety or any other material planning considerations arise.

Local Plan Policy GEN1 permits development where, amongst other requirements, the design, scale, massing, height and prominence of the proposal is in character with the local area and is sympathetic to the existing dwelling and surrounding properties. Local Plan Policy NBE8 states that development proposals should conserve or enhance heritage assets and their settings, taking account of their significance. Policy NBE9 states that all developments should seek to achieve a high quality design and positively contribute to the overall appearance of the local area.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires special attention be paid to the desirability of preserving or enhancing the character of appearance of that area.

Design and Impact on the Character of the Area

Local Plan policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06 state that development should be permitted where the proposal is well designed, is in keeping with the local area and sympathetic to the existing dwelling.

The National Planning Policy Framework (February 2019) promotes good design which responds to local character and reflects the identity of local surroundings. Section 12 of the NPPF explains that development should good design should:

- a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

The proposed structure would be constructed to the rear of the existing garage. New Plans were submitted and accepted on the 10.3.21 reducing the ridge height.

The proposed development, by virtue of its location to the rear of the property, would not be visible within the public realm and as such would not give rise to any detrimental impacts upon the character of the area, street scene or Conservation Area. The structure would be seen protruding above the existing side boundary wall with Cotterston by approximately 1.7 metres in height. The rooflights on the front elevation would be relatively discreet and would sit comfortably within the roofslope.

By virtue of size, design and siting the proposal would not dominate or compete with the character of the host dwelling or neighbouring dwellings. Given its location within the rear garden it would be mostly screened by the existing garage and host dwellinghouse. The single storey nature and footprint of the extension would result in a subservient relationship with the host dwelling. The structure would serve as a gym/store/summer room with covered area. Ample rear amenity space to serve the occupants of the dwelling would be retained.

Given the proposed development is to be located within an existing residential plot, it is considered that no important views would be affected by this proposal and there would be no harm to the Conservation Area. The Conservation Officer has raised no objections.

The proposed materials have been considered and are deemed appropriate in this context.

As such, it is considered, having regard to the points made above, and having due regard for the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that the proposals would accord with the National Planning Policy Framework (February 2019), policies NBE8 and NBE9 of the HLP32, saved policy GEN1 of the HLP06 and Neighbourhood Plan policies 2 and 5.

Neighbour Amenity

Policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06 seek to ensure that developments will be permitted where they avoid any material loss of amenity to adjoining residential uses.

The rear extension would not be visible from the public realm by virtue of its location to the rear of the host property, therefore this aspect of the proposal would not directly disrupt the rhythm of the existing street scene.

Given the orientation of the site and the distances between the proposed extension and the adjacent properties it is considered the proposed development would not give rise to

any unacceptable impacts on neighbouring amenity by virtue of overlooking, dominance or loss of privacy.

The height of the proposed building would only be some 1.7 metres higher than the boundary wall with the dwelling at Cotterston and the structure would be 1.3 metres lower than the existing garage of The Turret which abuts the boundary between the two properties. Cotterston is located to the south of the application site and the development would therefore have no impact in terms of daylight and sunlight received by the rear windows and amenity area of the dwelling.

As such, the proposed development would not have any adverse impact on neighbouring residential amenity.

Historic Environment

Policy NBE8 of the HLP32 stated that development proposals which conserve or enhance heritage assets and their settings, taking account of their significance, will be permitted.

The Turret is noted as a Positive Building in the Hartley Wintney Conservation Area Character Appraisal and Management Proposals document (November 2008) and is shown to be located in Character Area 3: Causeway Green and Cricket Green.

It is acknowledged that the gardens in the vicinity of the application site create a pleasant open green space to the rear of these buildings, but it is not considered that the proposed development would result in any harm to the character and appearance of the area.

The roof slopes have been reduced in pitch, so as to reduce the height of the building by 1 metre from the original proposal, and this change is supported. Plain clay roof tiles are normally recommended for roof pitches at 37 degree or steeper, to protect the roofs from water ingress when there is driving rain, although there are select instances where plain clay tiles can achieve a lesser degree.

The external materials of the building would comprise brickwork and tiles to match the existing dwelling. An appropriately worded condition can be imposed to require the submission of details of the materials to ensure they match the existing dwelling.

The Council's Conservation Officer has raised no objection to the proposal.

As such, the proposal is acceptable in heritage terms and would accord with the requirements of policy NBE8 of the HLP32 as it would preserve the character and appearance of the area.

Parking

Policy INF3 of the HLP32 and saved policy GEN1(vii) of the HLP06 require that developments have adequate arrangements for the parking and servicing of vehicles. The development would not result in any increase in parking demand and therefore the proposal would have no impact in parking terms.

Conclusion

It is considered that the design and appearance of the proposal would be acceptable and that there would be no material loss of amenity to the neighbouring properties or harm to the street scene and the Hartley Wintney Conservation Area would be preserved. It is therefore considered that the proposal would comply with the relevant saved policies of the Local Plan.

The application is therefore recommended for approval.

RECOMMENDATION – Grant, subject to conditions.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Site, Block and Location Plan - 2209-02

Proposed Floor Plans and Elevations - 2209-04A

REASON:

To ensure that the development is carried out in accordance with the approved details.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described in the application form, emails submitted regarding roof tiles and as annotated on the approved plans.

REASON:

To ensure a satisfactory visual relationship of the new development and conservation area in accordance with the guidance contained within Section 16 of the National Planning Policy Framework (February 2019), Policy GEN1 of the Hart District Council Local Plan 1996-2006 (Saved Policies) and Policies NBE8 and NBE9 of the Hart Local Plan (Strategy & Sites) 2032.

4. No development above damp proof course level shall commence until details of the roof tiles, including their colour, the manufacturer's product links, brochures or samples (as relevant) of those to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Once approved, the

development shall be carried out in accordance with the submitted details. All other external materials shall be in accordance with the details supplied on the application form.

REASON:

Details are required in the interests of the visual amenities of the area in accordance with Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032, saved Policy GEN1 of the Hart District Council Local Plan 1996-2006 (Saved Policies) and Policy 5 of the Hartley Wintney Conservation Area.

INFORMATIVES

1. The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance:

The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.

2. You may require Building Regulations Consent and we advise that you should contact Building Control on 01252 398715.