



NOTICE OF MEETING

Meeting:	Planning Committee
Date and Time:	Wednesday 14 July 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 - 5)

The Minutes of the meeting held on 9 June 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 DEVELOPMENT APPLICATIONS (Pages 6 - 11)

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

6 21/00403/FUL - 8 CROWNFIELDS, ODIHAM (Pages 12 - 30)

7 20/02368/AMCON - LAND BETWEEN MOULSHAM LANE AND BROOME CLOSE, YATELEY (Pages 31 - 46)

8 21/01336/HOU - 66 FERNDAL ROAD, CHURCH CROOKHAM, FLEET (Pages 47 - 52)

Date of Publication: Tuesday, 6 July 2021

PLANNING COMMITTEE

Date and Time: Wednesday 9 June 2021 at 7.00 pm

Place: Council Chamber

Present:

Ambler, Cockarill, Delaney, Kennett, Lamb (substitute), Oliver, Southern and Worlock

Officers:

Mark Jaggard	Head of Place
Maxine Lewis	Planning & Enforcement Team Leader
Peter Lee	Planning Team Leader
Fehintola Otudeko	Shared Legal Services
Joanne Baxter	Planning Assistant
Lee Rome	Committee Services Officer

10 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 26 May 2021 were confirmed and signed as a correct record.

11 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Blewett, Councillor Radley and Councillor Quarterman substituted by Councillor Lamb.

12 DECLARATIONS OF INTEREST

Councillor Southern declared a non-pecuniary, non-prejudicial interest having met Mrs Frances Childley speaking against the application as a constituent in his Ward.

13 CHAIRMAN'S ANNOUNCEMENTS

The role of the Planning (Enforcement) Sub Committee and the Development Control Action plan were referred to the Planning Committee Working Party for review.

14 PLANNING (ENFORCEMENT) SUB COMMITTEE

Councillors Blewett, Southern, Delaney and Kennett were appointed as members of the Planning (Enforcement) Sub Committee.

15 PLANNING (MAJOR SITES) SUB-COMMITTEE

Councillors Cockarill, Radley, Worlock and Ambler were appointed as members of the Planning (Major Sites) Sub Committee.

16 PLANNING COMMITTEE WORKING PARTY

Councillors Quarterman (Vice Chair), Cockarill (Portfolio Holder), Southern, Ambler and Kennett were appointed as members of the Planning Committee Working Party. All members of the Planning Committee were encouraged to attend subject to availability.

17 QEB TRANSPORT STEERING GROUP

Councillors Oliver, Ambler and Radley were appointed as Hart District Council Members of the QEB Transport Steering Group.

18 DEVELOPMENT APPLICATIONS

The planning reports from the Head of Place were considered, and the updates via the Addendum were accepted.

19 21/00374/HOU - THE TURRET, MOUNT PLEASANT, HARTLEY WINTNEY, HOOK RG27 8PW

Item No: 101 Reference No: 21/00374/HOU Erection of a summer house for use as a store, garden room and gym. At The Turret, Mount Pleasant, Hartley Wintney Hook, RG27 8PW

Members considered the application and discussed the following:

- The position of the Parish Council regarding the application.
- Previous extensions and development on the site.
- The height of the proposed development.
- Development at neighbouring properties.
- Permitted development fall-back position, including Conservation Area restrictions.
- Impact of the development on the character and appearance of the Conservation Area and on neighbouring residential amenity.

DECISION – GRANT as per officer recommendation, incorporating the updates via the Addendum.

Notes: Mr Bill Miller spoke for the application.

Mrs Frances Chidley spoke against the application.

The meeting closed at 7.42 pm



HEAD OF PLACE
REPORT TO THE PLANNING COMMITTEE OF
2021

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:

- Hart Local Plan (Strategy and Sites) 2032, adopted April 2020
- Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (updated 1st May 2020)
- Policy NRM6 (Thames Basin Heaths Special Protection Area) of the South East Plan (adopted May 2009)
- Hampshire, Portsmouth, Southampton, New Forest National Park and South Downs National Park Minerals and Waste Local Plan 2013
- 'Made' Neighbourhood Plans for the following Parishes: Crondall; Crookham Village; Dogmersfield; Fleet; Hartley Wintney; Hook; Odiham and North Warnborough; Rotherwick; Winchfield.

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

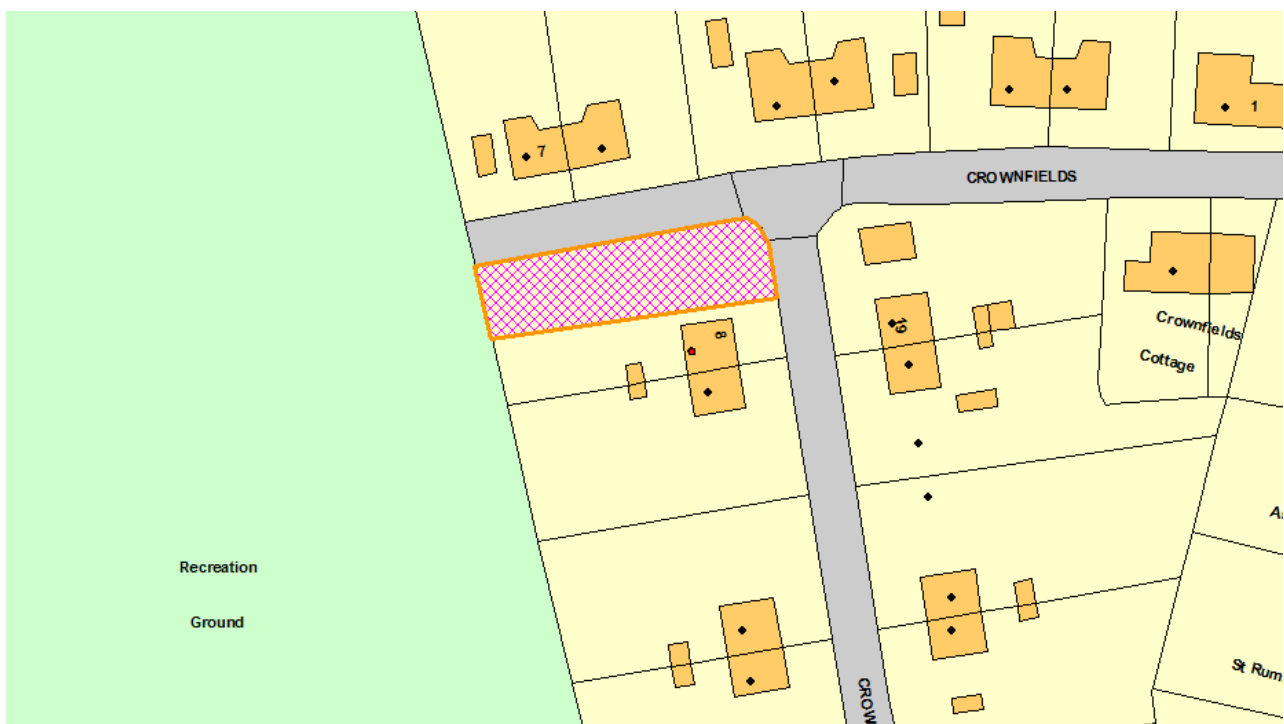
To make sure that all documentation is placed in the public domain and to ensure that the Planning Committee, applicants, objectors, and any other party has had a proper opportunity to consider further, or new representations no new additional information will be allowed to be submitted less than 48 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.	21/00403/FUL
LOCATION	8 Crownfields Odiham Hook RG29 1PL
PROPOSAL	Construction of a three-bedroom dwelling with associated car parking and hard/soft landscaping.
APPLICANT	John Waterfield
CONSULTATIONS EXPIRY	25 March 2021
APPLICATION EXPIRY	21 April 2021
WARD	Odiham
RECOMMENDATION	Grant, subject to planning conditions.



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BACKGROUND

This planning application is brought to Planning Committee at the request of Ward Councillors who have asked it to be referred for the following reasons:

- Number of objections received.
- Limited distance between proposal and no.8 Crownfields (adjoining property) and impacts of this on the character and appearance of the locality.
- Daylight/ outlook of no.8 Crownfields.
- Affordability and sustainability matters.

SITE DESCRIPTION

The application site is currently part of a corner plot and accommodates a semi-detached residential property. The plot of land the subject of this application is the south-western corner of the site fronting onto the two arms of Crownfields.

The site falls within the settlement boundary of Odiham and adjoins residential development to the north, south and east. Recreation grounds adjoin the application site to the west.



Figure 1 - Application site outlined in red

PROPOSAL

The proposal would subdivide the plot of land into two. A detached three-bedroom property is proposed to be constructed on the northern section of the existing plot with associated garden space, car parking and refuse storage.

The dwelling would have an 'L' shaped footprint and would be sited towards the eastern end of the application site so as to follow the front building line of the adjoining semi-detached properties (nos. 8 and 9 Crownfields). The new property would have a maximum width of 8.25m and a depth of 6.25m on the southern end of the dwelling (facing no.8 Crownfields) and 8.15m on the northern end of the dwelling (facing the street).

The car parking area proposed would accommodate 5 vehicles (one space would be assigned to no.8 Crownfields). The car parking would be located to the western end of the site. The refuse storage is proposed to the front adjoining the shared boundary with no. 8 Crownfields.

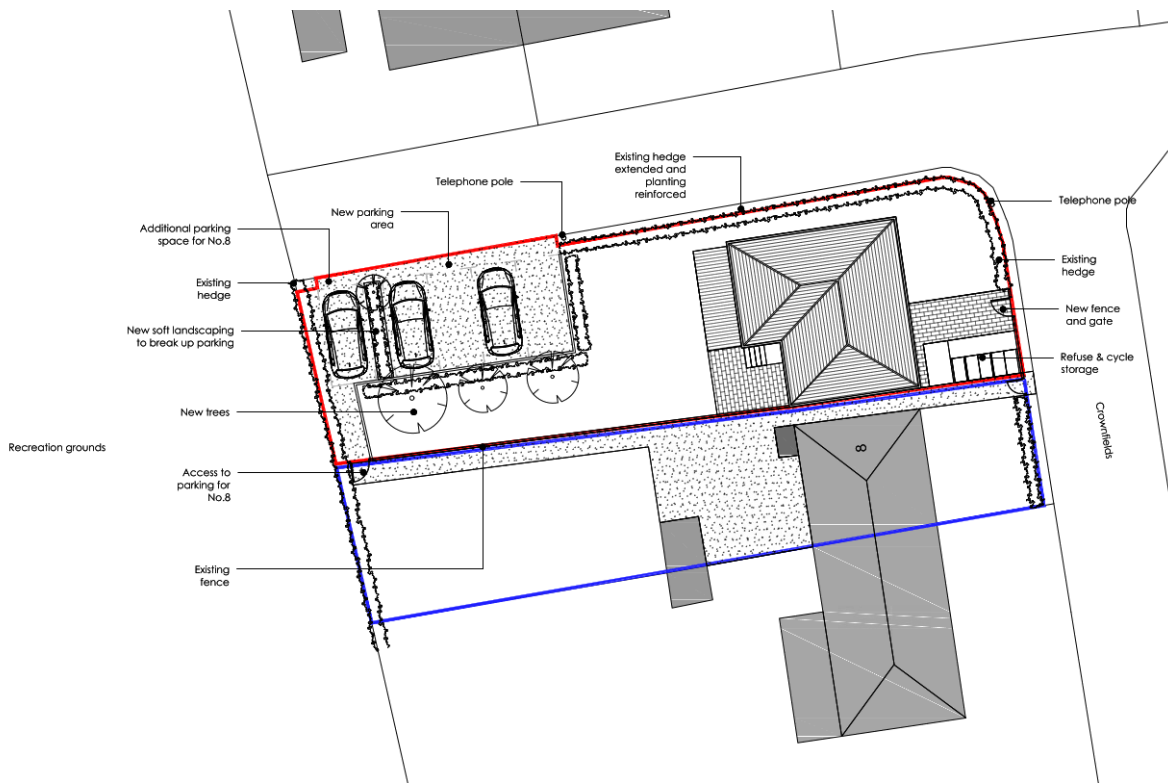
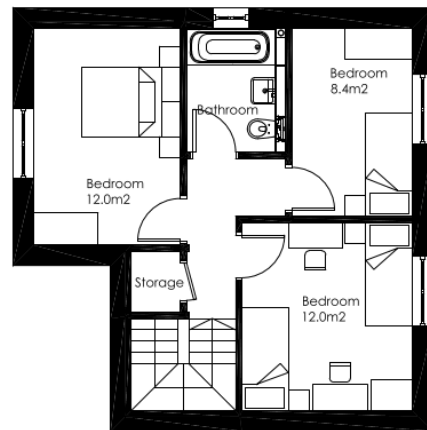
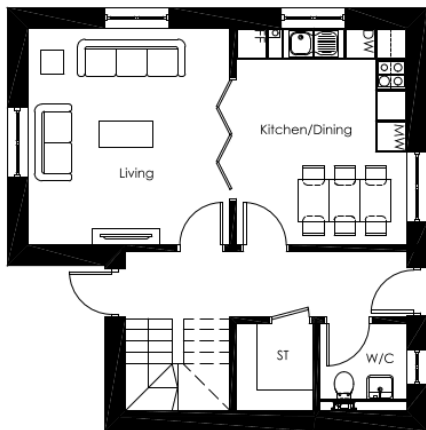


Figure 2 - Proposed Site Plan



1 Proposed Ground Floor Plan

2 Proposed First Floor Plan

Figure 3 - Proposed Floorplans

The height of the dwelling (ridgeline and eaves) would follow that of the adjoining semi-detached properties (no. 8 and 9 Crownfields) as the plans show them horizontally aligned. However, the height of the proposal if measured from the ground would vary as the ground is not level.

The property is proposed with a pitched roof and hip end profile, and it would feature a traditional elevational design and there would be a combination of render and facing brick as external materials.

The application form submitted states the proposed dwelling would be social/affordable rent.



Figure 4 – Front Elevation (proposal at right hand side).

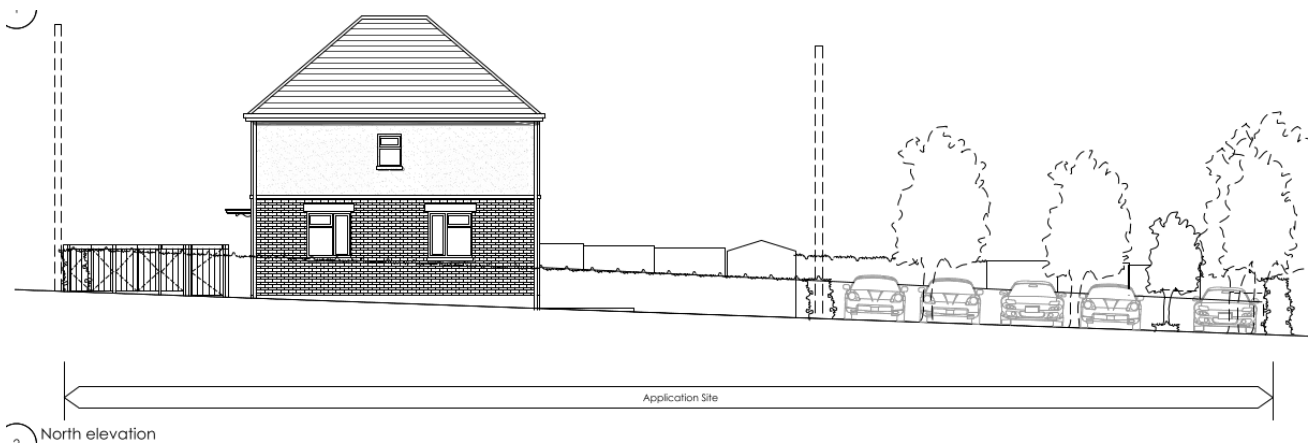


Figure 5 - Proposed Side Elevation.



Figure 6 - Proposed Rear Elevation (proposal at left hand side).

RELEVANT PLANNING HISTORY

N/A

CONSULTEES RESPONSES

Odiham Parish Council

Objection.

- OPC considers this application to be contrary to NP Policy 5, General Design Principles; too large for the small plot and too close to 8 Crownfields.

Housing (Internal)

No objection.

- The 1 x 3 bedroom 5-person affordable house to be owned and managed by VIVID.
- It is understood by the Housing Service that this proposed affordable property will be offered as a rented affordable unit with the rent to be set at a Social Rent level, which would be supported by Housing.
- Housing request that this property is built to Building Regulations Part M4(2) requirements - accessible and adaptable dwellings.
- Housing is pleased to see that the application confirms that the proposed home will exceed NDSS.
- The number of car parking spaces proposed for the new home alongside one additional car parking space for No. 8 Crownfields is welcomed.
- It is welcomed that the proposed property will provide private outdoor garden space for this family home.
- The rented affordable home should be allocated in accordance with the nomination agreement in place between VIVID and the Council and in line with the Council's Allocations Policy.
- Affordable housing should also be affordable in perpetuity and rents set in accordance with Local Housing Allowance rates for the Broad Market Rental Area (BRMA) where the home is situated.

Streetcare Officer (Internal)

No objection.

- Occupiers to move wheeled containers out of the site for collection on Crownfields.

Hampshire County Council (Highways)

No objection, subject to conditions.

- Implementation of visibility splays of 2m x 43m.
- Informative condition - Agreement required with HCC for drop kerb (crossover).

NEIGHBOUR COMMENTS

It should be noted that the statutory requirements for publicity, as set out in the DMPO 2015 (as amended) are in this case the notification of the adjoining properties or the display of a

site notice. The Council's SCI has now been amended so that we are only required to carry out the statutory publicity requirements.

Neighbour letters were posted giving interested parties 21 days to respond. The consultation period expired on 25.03.2021. At the time of writing the officer's report there had been 5 public representation letters received in objection to the proposal. The grounds of objection are summarised below.

- Loss of light for adjoining dwellings
- Gap between proposal and no.8 is too narrow.
- Parking facilities and turning area on narrow road unsuitable.
- Access for emergency vehicles is restricted.
- Parking stress/issues would increase.
- Impact on views of adjoining fields.
- Housing not needed.
- Tenant in no. 8 was never made aware of the subdivision proposed.

A representation from a Ward Councillor was received raising the following concerns:

- The new dwelling is far too close to 8 Crownfields. Not only is this contrived within the street scene and therefore "harmful", but would have an awful outlook for the windows of 8 Crownfields. This appears contrary to ONP, policy 5.i.
- The report's claims that 8 Crownfields doesn't need light through the occluded windows, I'd argue that its needs all the light it can get!.
- I'm very uncomfortable with the notion that Vivid have an intention to make this an affordable house and don't understand how that could prejudice funding. Affordability should be a condition.
- Such an in-fill development will encourage many others in that area and would materially decimate the street scene over time.
- Any CMS needs to deal very carefully with access and materials storage issues down this very narrow road. Would the mature hedge be protected during construction?
- Would Vivid maintain the extra parking spaces in perpetuity? Condition 8 doesn't seem very clear on this.
- Should we condition for solar panels or other climate improvement features? The D&AS mentions it but does not commit to it.
- Adjusting the design to make it longer in the east-west direction and setting it further away from No.8 would improve the fit with the street scene and provide a larger south-facing area for PV.

CONSIDERATIONS

1. Planning Policy
2. Principle of Development
3. Design and Impacts to the Character/Appearance of the Area
4. Neighbouring Residential Amenity
5. Quality of Proposed Accommodation
6. Landscaping
7. Flooding
8. Parking and Access
9. Refuse
10. Climate Change and Equality
11. Other Matters

1. PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant plan for Hart District is the Hart Local Plan: Strategy and Sites 2016-2032 (HLP32), the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (HDLP06) and the Odiham and North Warnborough Neighbourhood Plan (2017). Adopted and saved policies are up-to-date and consistent with the NPPF (2019).

Hart Local Plan - Strategy and Sites 2016-2032 (HLP32)

SD1 - Sustainable Development
SS1 - Spatial Strategy and Distribution of Growth
H1 - Housing Mix - Market Housing
H2 - Affordable Housing
H6 - Internal Space Standards for New Homes
NBE2 - Landscape
NBE4 - Biodiversity
NBE5 - Managing Flood Risk
NBE9 - Design
NBE11 - Pollution
INF3 - Transport

Saved Policies of the Hart District Council Local Plan (Replacement) 1996 - 2006 (DLP06)

GEN1 - General Policy for Development

Odiham and North Warnborough Neighbourhood Plan 2014-2032 (ONP)

Policy 1 - Spatial Plan for Parish
Policy 5 - General Design Principles
Policy 12 - The Natural Environment

Other relevant material considerations

National Planning Policy Framework 2019 (NPPF)
Planning Practice Guidance (PPG)
Technical Housing Standards - nationally described space standard (DCLG 2015)
BRE Report - Site layout planning for daylight and sunlight: a guide to good practice (2011)
Parking Provision Interim Guidance (2008)

The starting point for the determination of any application is whether or not the proposal accords with the Development Plan; where a development is in accordance with the Development Plan it should be approved. However, if a development conflicts with the provisions of the Development Plan then it will be necessary to consider if there are any material considerations that indicate that planning permission should be granted.

2. PRINCIPLE OF DEVELOPMENT

Policy SS1 sets out that development will be focused within the defined settlement boundaries as well as on previously developed land. The policy goes on to set out the Council's Housing requirement and indicate that this will in part be delivered through

development or redevelopment within settlement boundaries. The supporting text makes it clear that some of the Council's housing requirements will be delivered through windfall sites such as the application site.

Policy 1 of the ONP also supports development within the settlement boundaries subject to compliance with other relevant planning policies at local and National levels.

The subject development site lies within the settlement boundary of Odiham, flanks residential development and the majority of development in the vicinity of the site is also residential. As such the principle of a residential development on the site would accord with overarching surrounding uses and objectives of HLP32 which directs development to occur within settlement boundaries but on previously developed land (PDL), in accordance with the strategic objectives of the NPPF.

The general principle of development is considered to be acceptable as far as it is within settlement boundary, but the land is not PDL. The proposal would have to comply with all other relevant policies and objectives and the ultimate acceptability of the proposal would depend on all other material considerations relevant to the case.

3. DESIGN AND IMPACTS TO THE CHARACTER/APPEARANCE OF THE AREA

HLP32 Policy NBE9 seeks to ensure that development achieves a high-quality design and that it would positively contribute to the overall character of the area. The NPPF also reinforces the need to promote good design in developments and states that development should be refused for poor design (para. 130). Policy 5 of the ONP also supports good design that reflects high quality local design references, reinforces local distinctiveness and is in keeping with neighbouring properties.

The proposal would be sited towards the eastern end of the plot to follow the building line of adjoining properties, as such the set back of the proposal from the road along its frontage would be similar to that of existing properties.



Figure 7 - Application site and no.8 Crownfields.

The north facing flank elevation of the property would be 1.4m, at the closest, from the side boundary of the site (facing onto the different arm of Crownfields). Also, it is noted the proposal would be a metre away from the adjoining existing property, no. 8 Crownfields. These limited distances from the side boundary and adjoining property differs from the more spacious distances between properties and their boundaries seen in the surroundings.

None of the adopted policies specify strict distances between properties that should be followed by new development, therefore there is flexibility built into design policies to establish if there is an impact or not and that impact is of a minor degree and therefore acceptable or if it is a significant material harm then unacceptable.



Figure 8 - Properties surrounding application site.

The gap between the proposal and no.8 would differ from that seen in the locality. However, this in itself would not adversely impact on the character of the locality such as to sustain a refusal on this ground. The siting of the property as proposed and resulting distances described above would not amount to causing demonstrable harm to the character and appearance of the area.

The architectural design of the proposal would follow that seen along Crownfields, as the property would reflect a similar scale/ height to those of adjoining properties. It would also reflect the door and window openings with similar proportions to those of neighbouring properties, a flat roof canopy above the main entrance and a combination of facing brick at ground floor and render on the upper level of the elevations, which would match that of neighbouring properties. As a result of the proportions and elevational design of the dwelling, it would be integrated in a satisfactory manner to the locality and the residential character of the area.



Figure 9 - Character/appearance the proposal would achieve.

There were concerns raised that this proposal would encourage infill development in the locality. However, each case should be considered on its own merits. As an example, there were a pair of infill semi-detached houses refused by the Council in 2016 on the opposite side of the road (at 18 Crownfields). However, planning permission was granted at appeal (LPA ref: 16/02991/FUL - PINS ref: APP/N1730/W/17/3172486).

Therefore, the proposal would be in accordance with policy NBE9 of the adopted HLP32, saved policy GEN1 of the DLP06, policy 5 of the ONP and the NPPF in terms of design, character and appearance of the dwelling and visual amenity of the area as a whole.

4. NEIGHBOURING RESIDENTIAL AMENITY

Saved policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006 requires development proposals to avoid material loss of amenity to existing and adjoining residential uses. Paragraph 127 of the NPPF requires development that provides a high standard of amenity for existing and future users.

The only property physically adjoining the application site is no. 8 Crownfields. The north facing elevation of no.8 features three small windows at ground floor level and one narrow window at first floor. It is noted that representations received raise concerns about the loss of light to this property.



Figure 10 - Flank elevation and windows of no.8 Crownfields.

Two of the ground floor windows on the flank elevation serve the kitchen/dining area of the property, the remaining ground floor window serves a cupboard (non-habitable space). The first-floor window serves the staircase/landing (non-habitable space / transitional area). The proposal would be sited to the north of this adjoining dwelling a metre away from these flank elevation windows, at the closest.

It is anticipated that an impact would be created on the two windows serving the kitchen/dining area. However, it is also noted this area of the house is served by a large window and a door to the rear garden that features a glazing area for half its height, both in the rear elevation which is a more favourable orientation when compared to the windows in the flank elevation. Therefore, the impacts anticipated would not amount to being detrimental to the living conditions of occupiers of no.8, the kitchen dinner area would still receive satisfactory levels of light as a result of the rear openings serving it.



Figure 11 - Rear elevation and ground floor openings of no.8 Crownfields (recent).



Figure 12 - Rear elevation and ground floor openings of no.8 Crownfields (current).



Figure 13 - internal view of flank windows serving kitchen/dining.

The proposal would also be visible from the rear garden of no. 8; however, their relationship would not be any different in this regard when compared to that seen between existing properties along the road which stand side by side. No other properties in the locality would be directly affected by the proposal as they would be located on the opposite side of the road.

On balance, therefore, the proposal would be in accordance with saved policy GEN1 of the DLP06, and paragraph 127 of the NPPF in this regard.

5. QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION

The Council has adopted the Nationally Described Space Standards (NDSS) for dwellings in the HLP32 through policy H6. The space standards set out the minimum gross internal floor areas for dwellings as well as requiring certain minimum sizes of bedrooms. The proposed dwelling would comply with these minimum standards.

The internal proposed floorspace calculated from the plans submitted would be 94 sqm, which is slightly above the minimum required by NDSS and therefore acceptable.

All the habitable rooms would be well served by windows providing natural light and ventilation.

Externally, the garden proposed to the rear of the property for the amenity purposes of prospective occupiers would have an area in excess of 100 sqm. Hart has not adopted any minimum garden sizes therefore it is necessary to consider the National guidance. The general requirement set out in the Government's design guidance is that the outdoor amenity areas for new dwellings should reflect the footprint of the property, which in this case is around 45sqm. Therefore, the garden provided would be sufficient to satisfy the outdoor amenity requirements of the property. Properties in the locality benefit from rear gardens of different sizes, some are similar in area to that proposed in this application. The size of the proposed rear garden is therefore acceptable.

It is noted the existing dwelling at no. 8 would retain a rear garden area of approximately 160 sqm, which is acceptable for amenity purposes.

Overall, the residential amenity the proposed development would provide would be acceptable and in compliance with adopted policies H6 and NBE9 of the HLP32 and paragraph 127 of the NPPF.

6. LANDSCAPING

HLP32 Policy NBE2 (Landscape) seeks to achieve development proposals that respect and wherever possible enhance the special characteristics, value, or visual amenity of the District's landscapes. It also states that, where appropriate, proposals will be required to include a comprehensive landscaping scheme to ensure that the development would successfully integrate with the landscape and surroundings.

Policy 12 of the ONP requires that development does not adversely affect distinctive local character of open landscape of the Parish.

A recreation ground adjoins the site to the west, the impacts arising from the proposal to the open character of this recreation space is not material. The reason being that the dwelling would be sited towards the opposite end of the site (east), and it would be integrated into and seen in conjunction with the existing residential development on Crownfields.

The development subject to this application would not result in any loss of trees or important landscape features. The proposed plans show a preliminary landscape scheme as the boundary hedging would be reinforced and there are trees proposed around the perimeter of the car parking spaces proposed. Therefore, if this application is accepted by the Council, landscaping details would be the subject of a planning condition to secure a robust landscaping scheme for the site along with a condition securing the protection of the existing boundary hedge.

Therefore, the proposal would be acceptable in this regard and in compliance with adopted policy NBE2 of the HLP32 and policy 12 of the ONP.

7. FLOODING

The site falls within Flood Zone 1 with low risk from all sources. The only element for consideration would have been surface water flooding arising from the site coverage resulting from the dwelling, rear patio, entrance pathway and parking area. Details of surface water drainage can be the subject of a planning condition if this application is supported by the Council.

As such, no conflict is found with the objectives of adopted policy NBE5 of the HLP32 or policy 12 (v) of the ONP, as this matter can be addressed via a planning condition if the development is approved.

8. PARKING AND ACCESS

Adopted policy INF3 of the HLP32 supports development that promotes the use of sustainable transport modes prioritising walking and cycling, improve accessibility to services and support the transition to a low carbon future. Among other requirements, this policy seeks to provide safe, suitable and convenient access for all potential users of development.

The proposed development would incorporate car parking at the western end of the site which fronts onto Crownfields. There would be 5 spaces proposed of which one would be allocated for no. 8. The spaces would be of acceptable dimensions and the arrangement proposed does not raise any concern. Vehicles would be able to enter the spaces in forward gear and reverse onto the road.

The Local Highway Authority has raised no objection and has only requested a condition to ensure that the visibility splays shown on the submitted plans are provided prior to occupation. If this application is supported, a planning condition would be imposed to secure their implementation. Also, a planning condition would be imposed to retain the car parking arrangement proposed for the lifetime of the development to discourage on-street car parking by prospective residents.

The development also comprises cycle storage and, in any event, the proposed curtilage and that retained for the existing property would have enough space to accommodate cycle storage if desired. Therefore, no concerns are raised in this regard.

The proposal would therefore comply with the objectives of adopted policy INF3 of the HLP32, saved policy GEN1 of the DLP06, policy 5 of the ONP and the NPPF in respect of highway safety and parking.

9. REFUSE

No concerns are raised in this regard as there would be enough space on the application site to accommodate refuse bins and their storage. Occupiers would have to move the bins in/out for collection purposes, as per all other properties along the road.

10. CLIMATE CHANGE AND EQUALITY

On 29.04.2021 Hart District Council agreed a motion which declared a Climate Emergency in the Hart District.

HLP32 Policy NBE9 requires developments to be resilient and aims to reduce energy requirements through carbon reduction and utilisation of energy generating technologies, where appropriate.

In this regard, the submission states that the applicant would consider:

- A building envelope with U values beyond current Building Regulations to provide a highly insulated building to minimise energy use;
- An internal environment that minimises noise/ pollution ingress, maximises access to natural daylight and Low VOC paints/stains, fabrics and soft furnishings;
- Airtightness target beyond current Building Regulations;
- Low operational energy through the use of low energy use appliances, conditioning systems and thermal mass/highly insulated building and LED light fittings and lighting with motion sensors in communal areas, low water flow rate fittings/fixtures.

Additionally, the applicant will additionally investigate the potential for a low energy efficient boiler and roof mounted PV and solar thermal panels, as the viability of the development and affordability characteristics of the dwelling come into play.

Given the proposal is a small-scale development, it would depend on grants to be built and the applicant is considering sustainability elements as part of the proposal, the approach to minimise impacts to climate change is acceptable in this instance.

In terms of Equality, The Equality Act 2010 legally protects people from discrimination in society. It replaced previous anti-discrimination laws (Sex Discrimination Act 1975; Race Relations Act 1976 and Disability Discrimination Act 1995) with one single Act. The public sector Equality Duty came into force on 05.04.2011 In Section 149 of the Equality Act. It means that public bodies have to consider all individuals when carrying out their day-to-day work in shaping policy and delivering services.

Due regard is given to the aims of the general Equality Duty when considering applications and reaching planning decisions in particular the aims of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations between those who share a protected characteristic and those who do not share it. This application would not raise any issue in this regard.

11. OTHER MATTERS

Concerns have been raised about the fact the submission states there are intentions to make the proposal affordable housing as opposed to the applicant agreeing to the affordability of the dwelling via a planning condition or a legal agreement.

The applicant is an affordable housing provider (VIVID Housing Association) and has stated in Section 16 of the application form and on page 16 of the Design and Access Statement that the development proposed would be affordable housing. It is relevant to note that the applicant is one of the affordable housing providers registered in the District and there is a 100% Nomination Agreement with Hart District Council in place, which means that all the housing stock of the applicant would comprise affordable housing.

It should also be duly noted that the proposed development is below the threshold of 10 dwellings where provision of affordable housing is required by the adopted policies of the HLP32. As such the applicant is not obliged to provide affordable housing.

The applicant has confirmed in writing that they would nevertheless deliver the proposed dwelling as an affordable product but that entering into a legal agreement or imposing conditions on the matter would prejudice the funding to deliver the dwelling. The explanation of this issue is below and is not only coming from the applicant but also from the Housing Section of the Council.

'If the planning application restricted the use of the property to affordable housing it would mean that we could not use Homes England grant to subsidise the development and we would not be able to charge rent at a social housing level which is around 60% of the market rent level. We would have to charge an affordable housing rent at 80% of the market rent.'

'Therefore, we cannot accept the property being restricted in planning by a s106, UU or planning condition to affordable housing.'

'Essentially Homes England grant subsidises the difference in social and affordable housing grant levels.'

The Housing Section of the Council has also confirmed the above stating:

'Please accept this email as confirmation that following conversations with Vivid and receipt of the letter dated 23rd June 2021, Hart's Housing Team are satisfied regarding Vivid's intentions to provide the new home at land adj to 8 Crownfields as affordable housing, and that the home will be allocated through the Council's usual processes via the agreed Nomination Agreement in place.'

'We also confirm that the reasons outlined by Vivid for them not wanting the tenure of this home to be stated as 'affordable' within a S106 legal agreement to be genuine.'

'Furthermore, we are in support of the home being offered at a Social Rent level in order to optimise affordability for future tenants, something which may be jeopardised if Homes England funding is restricted due to the home being recorded as an affordable home within a S106 agreement.'

Given the circumstances, therefore this would not weigh against the proposal, and it would still be considered policy compliant.

CONCLUSION

The Development Plan Policies and the NPPF require that sustainable development be approved without delay. The application proposal complies with the requirements of the principal housing policies of the Development Plan and the site is considered to be well located within the settlement and in respect of the facilities on offer in the settlement.

The provision of additional housing is a significant benefit, particularly as the proposal would be affordable housing and this development would help meet that need through the delivery of a windfall site.

The design of the proposed development is acceptable and there would be no unacceptable impacts on neighbouring amenity or to the character and appearance of the street scene. Levels of parking provision would be acceptable in terms of the Council's maximum standards and the nature of the location, there would be no adverse impact on highway safety.

Given the above, the proposed development complies with the relevant policies of the adopted HLP32, the ONP and with the NPPF and is therefore acceptable subject to conditions.

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 fully implemented in accordance with the following plans/documents (including any mitigation/enhancement recommended therein):

058-PL-050 Rev. D (Proposed Site Plan), 058-PL-100 Rev. C (Proposed Floor Plans), 058PL-200 Rev. C (Proposed Elevations), 058-PL-201 Rev. C (Proposed Elevations); and

Design and Access Statement (dated February 2021) produced by Black Architecture Ltd.

REASON: To ensure that the development is carried out in accordance with the approved details and In the interest of proper planning.

3. The development hereby approved shall not be commenced until details of a site construction method statement and management plan shall be 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 and turning;
- 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

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

REASON: To protect the amenity of local residents, to ensure adequate highway and site safety in accordance with policies NBE11 and INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF 2019.

- 4. No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to an approved in writing by the local planning authority.

The scheme shall be fully implemented in accordance with the approved details before first occupation of the development.

REASON: In the interest of managing surface water flooding and to satisfy policy NBE5 of the Adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF 2019.

- 5. No development shall raise above slab level, until details of all external materials for the building hereby approved are submitted to and approved in writing by the Local Planning Authority. The details approved shall be fully implemented.

REASON: To ensure a high-quality external appearance of the buildings and to satisfy policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

- 6. A soft/hard landscape strategy and boundary treatment details shall be submitted to and approved in writing by the Local Planning Authority. The buildings hereby approved shall not be occupied until such strategy is fully implemented as approved.

Soft landscape details shall include planting plans, written specifications require details of species, sizes, quantities of plants and implementation schedule of landscape proposals.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved.

REASON: To ensure the development is adequately landscaped in the interest of visual amenity and the character of the area as a whole in accordance with policies NBE2 and NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

- 7. Notwithstanding any information submitted with this application, details of the design/appearance of refuse/cycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The details approved shall be fully implemented.

REASON: In the interests of adequate refuse storage and servicing, in accordance with policy NBE9 of the adopted Hart Local Plan and Sites 2016-203, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

8. The car parking area shall be fully completed and made available prior to the first occupation of the dwelling hereby approved. These vehicular facilities shall be retained for these purposes thereafter 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 access, parking and turning areas in the interest of highway safety and to satisfy policy INF3 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006 and the NPPF 2019.

9. Notwithstanding the information submitted with this application, the first-floor window located in the north facing side elevation of the dwelling hereby approved shall contain frosted glass (Pilkington Glass Level 3 or above, or equivalent) and be non-opening below a height of 1.7m which is measured upwards from the internal floor level it serves. The window shall be retained as such thereafter.

REASON: To protect residential amenity of neighbouring occupiers and to satisfy policy NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and saved policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006.

10. No development, construction work or delivery of materials shall take place at the site except between 08:00 hours to 18:00 hours on weekdays or 08:00 to 13:00 hours Saturdays. No development, demolition/construction work or deliveries of materials shall take place on Sundays or Public Holidays.

REASON: To protect the residential amenity of adjoining/nearby residential occupiers and to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-203, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

11. The existing perimeter hedge along the boundaries of the site shall be retained and protected, except as altered by the approved plans, in accordance with British Standard 5837:2012 'Trees in Relation To Construction Recommendations' (or any subsequent revision) and shall be maintained at all times, until the completion of all building operations on the site.

REASON: To ensure the development is adequately landscaped in the interest of visual amenity and the character of the area as a whole in accordance with policies NBE2 and NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

12. A Visibility splay of 2m x 43m shall be provided for the car parking area hereby approved and retained for the lifetime of the development.

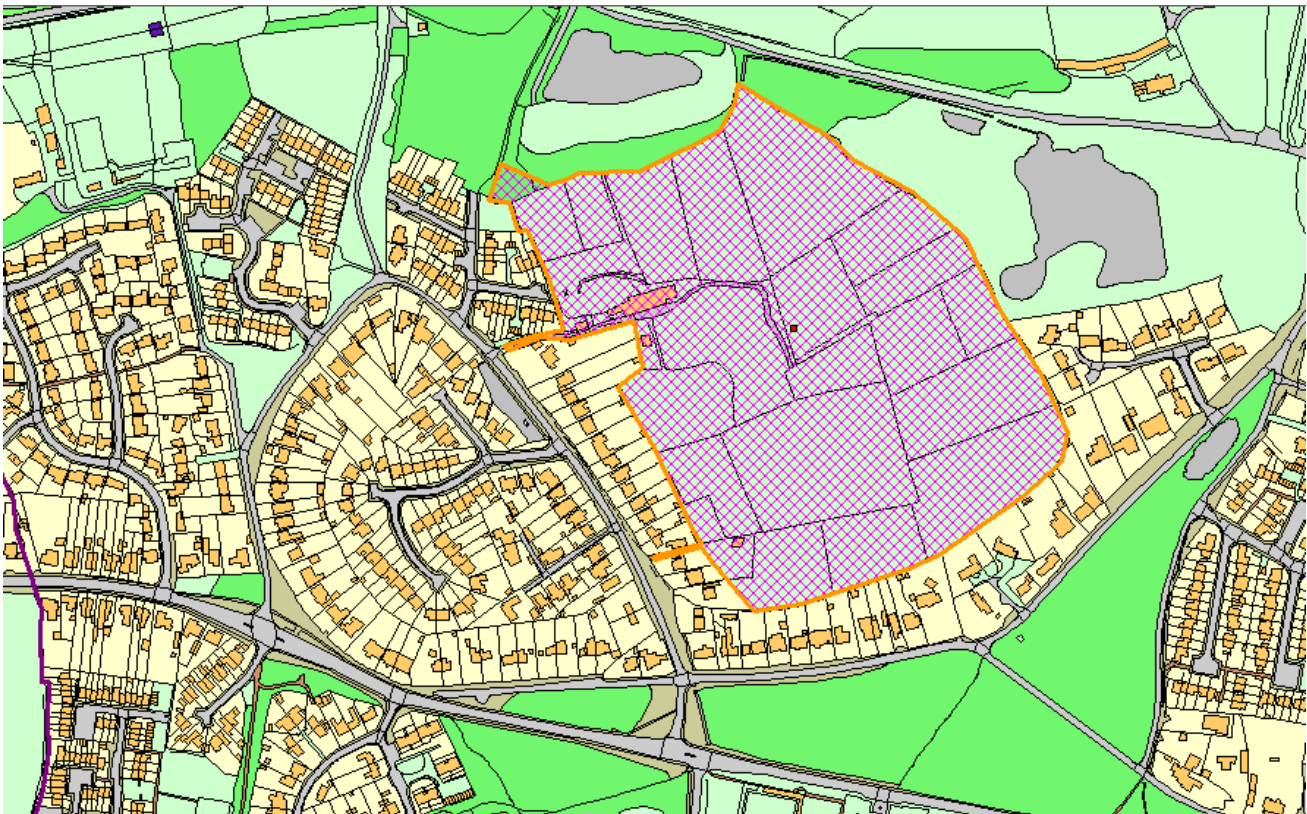
REASON: To ensure a safe access to /egress from the car parking spaces, in the interest of highway safety and to satisfy policy INF3 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006 and the NPPF 2019.

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.

COMMITTEE REPORT ITEM NUMBER: 102

APPLICATION NO.	20/02368/AMCON
LOCATION	Land Between Moulsham Lane And Broome Close Yateley Hampshire
PROPOSAL	Variation of Condition 2 attached to Planning Permission 17/02793/REM dated 05/04/2018 to allow the relocation of the proposed SANG car park (Revised landscaping details received)
APPLICANT	Mr Rob O'Carroll
CONSULTATIONS EXPIRY	1 July 2021
APPLICATION EXPIRY	2 March 2021
WARD	Yateley West
RECOMMENDATION	Grant, subject to planning conditions.



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BACKGROUND

This application has been referred to the Planning Committee for determination at the discretion of the Head of Place due to the location of the proposed SANG car park development being in close proximity to a dwelling occupied by a Ward Councillor.

SITE

This application relates to the Forest Chase residential development currently being constructed by the applicant, Bewley Homes, on land to the east of Moulsham Lane in Yateley.

The site has an area of just over 11 hectares and is located on the north-western side of Yateley between established residential areas along Reading Road to the south and east and Moulsham Lane to the west. To the north of the site lies the 9-hole course of the Blackwater Valley Golf Centre.

The site lies within a designated Riverine Environment.

The site is located within the 5 kilometre catchment area of the Thames Basin Heaths Special Protection Area and is within the Blackwater Valley Landscape Character Area.

Yateley Common Conservation Area abuts the southern boundary of the site and Goose Green Cottage is a Grade II statutory listed building located to the south of the site. A further two Grade II listed buildings are located within approximately 350 metres of the southern boundary.

PLANNING HISTORY

14/02281/MAJOR - Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Refused 24.02.2015; Allowed on Appeal 24.08.2016

14/02281/CON - Discharge of conditions 25- archaeological WSI- and 26- archaeology report- pursuant to 14/02281/MAJOR Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 02.01.2018

14/02281/NMMA - Amendment to change approved roof tile to an alternative pursuant to 14/02281/MAJOR Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 21.08.2019

17/02460/CON - Discharge of condition 25 - Written Scheme of Investigation pursuant to 14/02281/MAJOR Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 24.10.2017

17/02793/REM - Reserved Matters application following outline permission 14/02281/MAJOR for the appearance, landscaping, layout and scale (Outline planning permission for a residential development of 150 dwellings together with associated landscaping, open space and details of access) and discharge of conditions 5, 6, 9, 14, 17, 20, 21, 22 and 24 of permission 14/02281/MAJOR - Approved 05.04.2018

17/02987/CON - Discharge of conditions 13- flood risk assessment- 15- proposed crossing or amendments- and 16- new channel and pond- pursuant to 14/02281/MAJOR Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 27.07.2018

18/00960/CON - Discharge of condition 5- highway, road and lighting design- 8- CMTP- 9- parking drives turning- 11- external road materials- 18- contaminated land- and 19- remediation (if required)- pursuant to 14/02281/MAJOR and Condition 4- external facing material- 5- boundary treatment- and 6- broadband provision- pursuant to 17/02793/REM - Approved 27.07.2018

18/01397/NMMA - Non Material Minor Amendment (S96A application) to vary condition 2 (approved plans) of planning permission (ref: 17/02793/REM) granted on 05.04.2018 for the appearance, landscaping, layout and scale (Reserved Matters) of outline permission 14/02281/MAJOR for a residential development of 150 dwellings together with associated landscaping, open space and details of access. The non-material minor amendments comprise: Plots 15-17 moved west 1m; Garage for plots 14 & 15 to become detached; Plots 67, 68 & 69 Re-arranged (including garage plots 68 & 69); Plots 89 & 136 Dwellings handed - Approved 19.07.2018

18/01489/CON - Discharge of conditions 12- spoil and waste management- pursuant to 14/02281/MAJOR Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 07.09.2018

18/01500/CON - LEAP proposals pursuant to clause 15.2 of the section 106 pursuant to 14/02281/MAJOR Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 22.08.2019

18/01606/AMCON - Application to vary condition 12 of planning permission 14/02281/MAJOR to require submission of details prior to first occupation of any dwelling rather than prior to commencement of development - Approved 17.10.2018

19/00273/CON - Revised details pursuant to condition 8 - construction traffic management plan - pursuant to 14/02281/MAJOR: Outline permission for the development of the site for residential use together with associated landscaping, open space and details of access - Approved 04.04.2019

19/00433/FUL - Proposed landscaping works and ground profiling associated with the delivery of an approved area of Suitable Alternative Natural Green Space (SANG) (HDC Ref: 14/02281/MAJOR and 17/02793/REM) - Approved 07.08.2019

19/00433/CON - Approval of conditions 3- drainage infiltration- 4- surface water drainage- and 5- archaeological report- pursuant to 19/00433/FUL Proposed landscaping works and ground profiling associated with the delivery of an approved area of Suitable Alternative Natural Green Space (SANG) (HDC Ref: 14/02281/MAJOR and 17/02793/REM) - Approved 29.10.2019

19/01808/AMCON - Variation of Condition 13 attached to 14/02281/MAJOR dated 24/08/2016 to vary the timeframe for completion of the mitigation work - Approved 02.10.2019

PROPOSAL

This application has been submitted under the terms of section 73 of the Act and seeks to amend condition 2 (approved plans) of planning permission 17/02793/REM to allow for the permanent relocation of the approved SANG car parking area to the position where it has been temporarily located to the south of Gale Close and to the east of the residential dwellings at 30, 32 and 34 Moulsham Lane.

In support of the application the applicant has stated the following:

"As you may recall the SANG car park was intended to be located off the main spine road, to the east of the pond...

Unfortunately, following further discussions with Steve Lyons and Adam Green of the Council's Countryside and Landscape Team, it has been advised that the car park as approved would be too close to the existing trees and in order to prevent potential damage its location should be revisited.

In light of this, so as to be able fulfil the obligations in respect of the SANG delivery Bellway have reassessed the location of the car park and a new proposed location has been identified to the north of the SANG, which in hindsight appears to be a preferable position being closer to the main SANG walking route and also the main entrance to the site."

The SANG car park would comprise of 6 car parking spaces within a post and rail fenced compound accessed from Gale Close.

CONSULTEES RESPONSES

Yateley Town Council

Objection:

The present ground levels will create unacceptable overlooking, which would intrude on the privacy of residents in the established properties. This can only satisfactorily go ahead if the ground levels can be reverted to their original levels.

Environment Agency

No comments received.

Hampshire County Council - Archaeology

No objection.

Hampshire County Council - Highways

No comments received.

Hampshire County Council - Lead Local Flood Authority

No objection.

Natural England

No comment to make on the application.

Drainage Officer (Internal)

No comments received.

Environmental Health Officer (Internal)

No comments to make on the proposal.

Landscape Architect (Internal)

No objections to the proposed amended landscape details.

Tree Officer (Internal)

No objections to the proposed amended landscape details.

NEIGHBOUR COMMENTS

Two letters of representation have been received from occupiers of 30 and 34 Moulsham Lane raising the following concerns:

- site is too close to existing residential properties;
- would conflict with approved landscaping details;
- car park doesn't appear to be the correct distance from dwellings agreed by the applicant previously;
- ground levels shown on the submitted plans are incorrect as ground level has been raised to form the 'temporary' car park;
- loss of privacy and security risks;
- plans also show a relocation of the SANG pathway which results in overlooking;
- noise nuisance;
- anti-social behaviour.

CONSIDERATIONS

BACKGROUND:

This application comprises a Section 73 application.

Section 73A of the Town and Country Planning Act provides for the determination of applications to develop land without compliance with conditions previously attached. On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted and can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition should continue. Any permission granted under section 73A takes effect as a new, independent permission to carry out the same development as previously approved subject to new or amended conditions. Any new permission sits alongside the original permission.

Government guidance also indicates that such an application should be considered against the development plan and material considerations, under section 38(6) of the 2004 Act, and

conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

PLANNING POLICY:

The relevant plan for Hart District is the Hart Local Plan: Strategy and Sites 2016-2032 (HLP32) and Saved Policies of the Hart District Council Local Plan (Replacement) 1996 - 2006 (HLP06). Adopted and saved policies are up-to-date and consistent with the NPPF (2019).

Hart Local Plan: Strategy and Sites 2016-2032 (HLP32)

SD1 - Sustainable Development
SS1 - Spatial Strategy and Distribution of Growth
NBE2 - Landscape
NBE3 - Thames Basin Heaths Special Protection Area
NBE4 - Biodiversity
NBE5 - Managing Flood Risk
NBE9 - Design
NBE11 - Pollution
INF1 - Infrastructure
INF2 - Green Infrastructure
INF3 - Transport
INF4 - Open Space, Sport and Recreation

Saved Policies of the Hart District Council Local Plan (Replacement) 1996 - 2006 (HLP06)

GEN1 - General Policy for Development
GEN6 - Policy for Noisy/Un-neighbourly Developments
CON7 - Riverine Environments
CON8 - Trees, Woodland & Hedgerows: Amenity Value

Saved South East Plan 2006-2026 (SSEP)

NRM6 - Thames Basin Heaths Special Protection Area

In addition, Yateley Town Council has recently published its draft Yateley, Darby Green and Frogmore Neighbourhood Plan for consultation. The consultation period ran from 10 May 2021 to Friday 2 July 2021. The following policies therefore carry some, although very little weight, at this stage.

Draft Yateley, Darby Green & Frogmore Neighbourhood Plan

YDFNP1 - Sustainable Development
YDFNP2 - Climate Change
YDFNP3 - Promoting Biodiversity
YDFNP4 - Design Principles
YDFNP8 - Green Infrastructure
YDFNP9 - Flood Risk

Other relevant material considerations

National Planning Policy Framework 2019 (NPPF)
Planning Practice Guidance (PPG)
Conservation of Habitats and Species Regulations 2017
Thames Basin Heaths Special Protection Area Delivery Framework 2009
Parking Provision Interim Guidance (2008)

PRINCIPLE OF DEVELOPMENT:

The principle of the residential development of the site, along with the associated SANG land to provide appropriate avoidance measures to address the potential adverse impact of residential development on the nature conservation value of the Thames Basin Heaths Special Protection Area, has been established through the original appeal decision and the subsequent Reserved Matters application.

This application seeks approval for a minor amendment to the originally approved details to allow for the relocation of the approved SANG car park, to provide public car parking for users of the SANG area who are not resident on the site.

The SANG car park was shown to be located around 100 metres further to the east than where it is now proposed to be located, but this site was located adjacent to a number of significant trees of public amenity value and it has subsequently been determined, in consultation with officers from the Council's Parks and Countryside team, that locating the car park where originally proposed would be harmful to the retention of those trees as the construction of the car park would impact on their root protection areas.

The applicants have confirmed that:

- The western edge of the car park will be 12 metres from boundary fence with the Number 34 Moulsham Lane, which would be in excess of 80 metres from the rear façade of the dwelling house.
- The current temporary car park is proposed to be removed and the area around the new car park (if approved) will be lowered to accord with levels set out within the proposed engineering drawings.
- It is noted that the ground levels are currently higher in this area of the site, which is in part due to the previous landowner spreading top soil in this area and also as a consequence of construction works, however this has always been considered to be temporary in nature.
- It is Bellway's intention to revert the levels back to those shown on the submitted plans in the area behind number 34 as part of the works relating to the completion of the Car Park works. As the car park and main access road would be marginally higher, the levels will be suitably graded.

The car park would have an area of around 190 square metres and would provide six car parking spaces in an area contained within 1.2 metre high black estate railings with pockets of landscaping to the front and rear. The landscaping around the site of the car park and along the rear boundaries of the nearest residential dwellings along Moulsham Lane is shown to be enhanced as part of the submitted details.

The principle of providing a SANG car park within the development is acceptable and necessary to accord with the requirements of the SANG Management Plan and to comply with Natural England's design advice on such facilities which require the provision of one car parking space for each hectare of SANG provided (the SANG has an area of 5.16 hectares).

DESIGN/LAYOUT:

The design and layout of the proposed SANG car park are considered to be appropriate and would provide a readily useable facility and would incorporate a suitable means of enclosure and landscaping to integrate the facility into the surrounding landscape.

Details of the surfacing material(s) to be used for the car park have not been provided but could be reasonably conditioned if the development is approved.

The design of the car park accords with the requirements of policy NBE9 of the HLP32 and policy GEN1 of the HLP06.

IMPACT ON NEIGHBOURING AMENITY:

The location of the proposed SANG car park would be closest to the residential dwellings at 30, 32 and 34 Moulsham Lane and to 1 Gale Close within the new development.

The car park would be located 12 metres from the rear boundary of 34 Moulsham Lane and around 80 metres from the rear elevation of the dwelling. The rear elevation of the dwelling at 32 Moulsham Lane would be around 78 metres from the car park and the rear elevation of 30 Moulsham Lane would be about 81 metres distant. The dwelling at 1 Gale Close would be around 20 metres from the car park.

The main issues raised in the representations received relate to overlooking and loss of privacy as a result of the location of the car park in close proximity to the rear gardens of the dwellings in Moulsham Lane and issues of noise and disturbance and anti-social behaviour by users of the car park.

Some of these issues relate to the use of the temporary car park and the fact that site levels have been raised by up to 1 metre.

As noted above, the applicants have indicated that ground level around the car park will be lowered to accord with the levels shown on the approved plans for the site as part of the car park works. In addition, landscape planting will be carried out within and around the car park and along the rear boundaries of the dwellings in Moulsham Lane to reduce the opportunity for overlooking and to discourage people from approaching the boundary fencing to those dwellings.

The development approved on appeal indicated that the area to the rear of 30, 32 and 34 Moulsham Lane would be part of the public open space associated with the development and the route of the circular SANG footpath was shown to run through this area. As a result, it is not considered that the location of the SANG car park in the location now proposed would lead to such an increase in loss of privacy, overlooking, noise and disturbance that refusal on these grounds could be justified, subject to the imposition of appropriate conditions to require the ground level of the car park being lowered to the level previously approved and to ensure appropriate landscape screening is provided and maintained.

As such, it is considered that the development would accord with the requirements of policy NBE9 of the HLP32 and policy GEN1 of the HLP06 in respect of residential amenity.

DRAINAGE/FLOODING:

The site of the car park lies in a Flood Zone 1 location with a low risk of river flooding, but access to the site along Coombe Road and Moulsham Lane requires crossing through Flood

Zone 3.

The site does however lie within a Causal Area - Flooding and the front of the site adjacent to Gale Close lies within a Surface Water Indicative Flood Problem Area (IFPA).

The application has been reviewed by the Lead Local Flood Authority - Hampshire County Council who have raised no objections to the development. However, they do note that the proposed layout conflicts with the location of a dry ditch that was part of the original drainage scheme for the site. If the car park is to be located where proposed they confirm that ordinary watercourse consent would be required to relocate the ditch, but this is subject to a different formal process outside of any planning permission.

However, the overall development has been designed to incorporate appropriate drainage facilities and the car park could be conditioned to be completed with permeable or porous materials or to drain to such an area.

As such, the proposal would comply with the requirements of policy NBE5 of the HLP32.

NOISE ISSUES:

Policy NBE11 of the HLP32 states, amongst other things, that:

Development will be supported provided: a) it does not give rise to, ..., unacceptable levels of pollution (including cumulative effects)..

and the reasoned justification for the policy indicates that:

Development proposals will need to consider the noise environment where developments are to be located, or any locations beyond the boundary of the site that they may affect. New development which will give rise to, or would be subject to, significant adverse effects of noise will not be supported.

The SANG car park would be located adjacent to the main access road serving the residential development and would be in close proximity to other on-street car parking spaces. Whilst it is possible that people could choose to park in the SANG car park and behave in a noisy manner or listen to music etc at high volumes, this could also take place on-street in the immediate vicinity of the car park in any event.

As such, it is not considered that it could be justified that the application should be refused on the basis of potential noise nuisance to adjacent residential dwellings in this particular case and it is not considered that the proposal is in conflict with the requirements of policy NBE11 of the HLP32.

ACCESS/PARKING LAYOUT:

The proposed location and layout of the SANG car parking area is acceptable and would provide the six on-site car parking spaces required to meet the needs of the SANG area in an appropriate manner in highway safety and accessibility terms.

The local highway authority, Hampshire County Council, were consulted but no response was received.

The development is considered to accord with the requirements of policy INF3 of the HLP32.

CLIMATE CHANGE:

On 29th April 2021 Hart District Council agreed a motion which declared a Climate Emergency in the Hart District.

The motion agreed by the Council is:

i "Following the successful adoption of Hart's Climate Change Action Plan, this Council now wishes to declare a climate emergency, which commits us to putting the reduction of CO2 in the atmosphere at the front and centre of all policies and formal decision making, particularly Planning, and will:

1. Pledge to make Hart District carbon neutral by 2040 whilst bringing forward the current 2040 target to 2035 for areas under direct control of Hart District Council.
2. Report to full Council every six months setting out the current actions the Council is taking to address this emergency and the plan to measure annual District wide progress towards meeting the 2040 target.
3. Meaningfully engage with the local community and to work with partners across the District and County to deliver these new goals through all relevant strategies and plans drawing on local, national, and global best practice.
4. Actively work with Hampshire County Council and the Government to provide the additional powers and resources needed to meet the 2040 target.
5. Actively encourage and push for Hampshire County Council to reduce its target for net zero Carbon to 2040, acknowledging that 2050 is too far away for such an emergency."

Policy NBE9 of the HLP32 requires developments to be resilient and aims to reduce energy requirements through carbon reduction and utilisation of energy generating technologies.

The development will facilitate access to the site by private car, but it is envisaged that journeys to the site would be relatively short distance trips and the provision would meet an identified requirement to encourage the use of SANG facilities to avoid potential harm to a protected site in ecological terms, and the proposal is not considered to raise any significant climate change issues.

EQUALITY:

The Equality Act 2010 legally protects people from discrimination in society. It replaced previous anti-discrimination laws (Sex Discrimination Act 1975; Race Relations Act 1976 and Disability Discrimination Act 1995) with one single Act.

The public sector Equality Duty came into force on 5 April 2011 In Section 149 of the Equality Act. It means that public bodies have to consider all individuals when carrying out their day-to-day work in shaping policy and delivering services.

The public sector Equality Duty requires that public bodies have due regard to the need to:

eliminate discrimination; advance equality of opportunity; and, foster good relations between different people when carrying out their activities.

The relevant protected characteristics as set out in the public sector Equality Duty are - age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

Due regard is given to the aims of the general Equality Duty when considering applications and reaching planning decisions in particular the aims of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations between those who share a protected characteristic and those who do not share it.

The development the subject of this application is not considered to raise any significant equality issues.

EXISTING LEGAL AGREEMENT:

The original planning permission for this development was the subject of a Section 106 legal agreement relating to a number of issues, including the provision of the SANG area, a contribution toward off-site highways works, education and SAMM, the provision on-site open space and play areas and to secure the delivery of affordable housing. As the s73 process would result in the issuing of a new decision that would stand alongside the original approval, allowed on Appeal, it is necessary to secure a Deed of Variation to the original legal agreement to tie this amended development into the requirements of the original agreement (and previous Deed of Variation signed in August 2019).

This process is underway and should be completed prior to the Planning Committee. An update will be provided at the Committee.

PLANNING BALANCE:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In terms of the benefits of this proposal, the development would provide the required car parking facility to provide appropriate access for members of the public not living in the adjacent development or within walking distance of the SANG to facilitate their use of the area in accordance with the adopted avoidance strategy in respect of the Thames Basin Heaths Special Protection Area.

In terms of the disbenefits potentially arising from the development of the site, these relate to potential impacts on neighbouring residential amenity through overlooking/loss of privacy and noise nuisance. However, given the distances involved to the adjacent dwellings, the proposed landscaping and tree planting works and the commitment from the developer to lower site levels around the car parking area to those previously proposed, it is not considered that the potential impact from usage of the car park would have any significant detrimental impact. It should also be noted that the area to the rear of the adjacent dwellings in Moulsham Lane is a designated public open space.

The proposal is considered to accord with relevant development plan policies and it is not considered that there are any material considerations in this case of sufficient weight or importance to determine that the decision should not be taken otherwise than in accordance with the development plan.

CONCLUSION

The proposed development would provide a 6-space car park to serve the SANG development provided at the Forest Chase development. The car park would be accessed from Gale Close and would replace the facility originally shown to be provided around 100 metres further to the east. The original location is considered to be inappropriate because of its proximity to trees of public amenity value.

The location now proposed is considered to be acceptable and is in the general location of an existing temporary facility providing for SANG parking.

Two representations have been received from local residents raising concerns relating to loss of privacy, overlooking and noise disturbance.

However, it is not considered that the proposal would give rise to any significant adverse impact on neighbouring residential amenity because of the distance the car park would be away from neighbouring dwellings and because of the provision of additional soft landscaping and tree planting around the facility and to the rear boundaries of the nearest dwellings in Moulsham Lane.

Approval is, therefore, recommended.

RECOMMENDATION – Grant, subject to planning conditions.

CONDITIONS

- 1 The development shall be carried out in accordance with the following approved plans and documents:

Drawing Numbers:

021708-BEL-TV-01 Rev E (Presentation Planning Layout); 021708-BEL-TV-02 Rev E (Supporting Planning Layout); 021708-BEL-TV-03 Rev D (Storey Height Layout); 021708-BEL-TV-04 Rev D (Tenure Layout); 021708-BEL-TV-05 Rev D (Unit Type Layout); 021708-BEL-TV-06 (Location Plan); 021708-BEL-TV-07 Rev D (Character Area Layout); 021708-BEL-TV-08 Rev D (Materials Layout); 021708-SS01 (Street Scene 01); 021708-SS02 (Street Scene 02); 021708-SS03 Rev A (Street Scene 03); 021708-SS04 (Street Scene 04); 021708-H323-B-E1 (Housetype H323 - Elevations); 021708-H323-B-E2 (Housetype H323 - Elevations); 021708-H323-B-P1 (Housetype H323 - Floor Plans); 021708-H323-B-E3 (Housetype H323 - Elevations); 021708-H323-B-P2 (Housetype H323 - Floor Plans); 021708-H324-B-E1 (Housetype H324 - Elevations); 021708-H324-B-E2 (Housetype H324 - Elevations); 021708-H324-B-E3 (Housetype H324 - Elevations); 021708-H324-B-P1 (Housetype H324 - Floor Plans); 021708-H423-B-E1 (Housetype H423 - Elevations); 021708-H423-B-P1 (Housetype H423 - Floor Plans); 021708-H431-B-E1 (Housetype H431 - Elevations); 021708-H431-B-P1 (Housetype H431 - Floor Plans); 021708-H432-B-E1 (Housetype H432 - Elevations); 021708-H432-B-P1 (Housetype H432 - Floor Plans); 021708-H30-B-E1 (Housetype H30 - Elevations); 021708-H30-B-E2 (Housetype H30 - Elevations); 021708-H30-B-P1 (Housetype H30 - Floor Plans); 021708-H30-B-E3 (Housetype H30 - Elevations); 021708-H30-B-P2 (Housetype H30 - Floor Plans); 021708-H323-V-E1 (Housetype H323 - Elevations); 021708-H323-V-P1 (Housetype H323 - Floor Plans); 021708-H324-V-E1 (Housetype H324 - Elevations); 021708-H324-V-E2 (Housetype H324 - Elevations); 021708-H324-V-P1 (Housetype H324 - Floor Plans); 021708-H324-V-E3 (Housetype H324 - Elevations); 021708-H324-V-P2 (Housetype

H324 - Floor Plans); 021708-H424-V-E1 (Housetype H424 - Elevations); 021708-H424-V-P1 (Housetype H424 - Floor Plans); 021708-H431-V-E1 (Housetype H431 - Elevations); 021708-H431-V-E2 (Housetype H431 - Elevations); 021708-H431-V-P1 (Housetype H431 - Floor Plans); 021708-H20-V-E1 (Housetype H20 - Elevations); 021708-H20-V-P1 (Housetype H20 - Floor Plans); 021708-H30-V-E1 (Housetype H30 - Elevations); 021708-H30-V-P1 (Housetype H30 - Floor Plans); 021708-H30-VE2 (Housetype H30 - Elevations); 021708-H30-V-P2 (Housetype H30 - Floor Plans); 021708-3BH-V-E1 (Housetype 3BH - Elevations); 021708-3BH-V-P1 (Housetype 3BH - Floor Plans); 021708-B1-V-E1 (Apartment Block 1 - Elevations); 021708-B1-VE2 (Apartment Block 1 - Elevations); 021708-B1-V-P1 (Apartment Block 1 - Ground Floor Plan); 021708-B1-V-P2 (Apartment Block 1 - First Floor Plan); 021708-B1-V-P3 (Apartment Block 1 - Second Floor Plan); 021708-B2-V-E1 (Apartment Block 2 - Elevations); 021708-B2-V-E2 (Apartment Block 2 - Elevations); 021708-B2-V-P1 (Apartment Block 2 - Ground Floor Plan); 021708-B2-V-P2 (Apartment Block 2 - First Floor Plan); 021708-B2-V-P3 (Apartment Block 2 - Second Floor Plan); 021708-H222-W-E1 (Housetype H222 - Elevations); 021708-H222-W-P1 (Housetype H222 - Floor Plans); 021708-H322-W-E1 (Housetype H322 - Elevations); 021708-H322-W-P1 (Housetype H322 - Floor Plans); 021708-H323-W-E1 (Housetype H323 - Elevations); 021708-H323-W-P1 (Housetype H323 - Floor Plans); 021708-H324-WE1 (Housetype H324 - Elevations); 021708-H324-W-P1 (Housetype H324 - Floor Plans); 021708-H421-W-E1 (Housetype H421 - Elevations); 021708-H421-W-P1 (Housetype H421 - Floor Plans); 021708-H423-W-E1 (Housetype H423 - Elevations); 021708-H423-W-P1 (Housetype H423 - Floor Plans); 021708-H423-W-E2 (Housetype H423 - Elevations); 021708-H423-W-P2 (Housetype H423 - Floor Plans); 021708-H424-W-E1 (Housetype H424 - Elevations); 021708-H424-W-P1 (Housetype H424 - Floor Plans); 021708-H424-W-E2 (Housetype H424 - Elevations); 021708-H424-W-P2 (Housetype H424 - Floor Plans); 021708-H431-W-E1 (Housetype H431 - Elevations); 021708-H431-W-E2 (Housetype H431 - Elevations); 021708-H431-W-P1 (Housetype H431 - Floor Plans); 021708-H432-W-E1 (Housetype H432 - Elevations); 021708-H432-W-P1 (Housetype H432 - Floor Plans); 021708-H531-W-E1 (Housetype H531 - Elevations); 021708-H531-W-P1 (Housetype H531 - Floor Plans); 021708-H533-W-E1 (Housetype H533 - Elevations); 021708-H533-W-P1 (Housetype H533 - Floor Plans); 021708-H20-W-E1 (Housetype H20 - Elevations); 021708-H20-W-E2 (Housetype H20 - Elevations); 021708-H20-W-P1 (Housetype H20 - Floor Plans); 021708-H20-W-E3 (Housetype H20 - Elevations); 021708-H20-W-P2 (Housetype H20 - Floor Plans); 021708-3BH-W-E1 (Housetype 3BH - Elevations); 021708-3BH-W-E2 (Housetype 3BH - Elevations); 021708-3BH-W-P1 (Housetype 3BH - Floor Plans); 021708-H222-L-E1 Rev A (Housetype H222 - Elevations); 021708-H222-L-E2 Rev A (Housetype H222 - Elevations); 021708-H222-L-P1 Rev A (Housetype H222 - Floor Plans); 021708-H322-L-E1 (Housetype H322 - Elevations); 021708-H322-L-P1 (Housetype H322 - Floor Plans); 021708-H323-L-E1 (Housetype H323 - Elevations); 021708-H323-L-P1 (Housetype H323 - Floor Plans); 021708-H324-L-E1 (Housetype H324 - Elevations); 021708-H324-L-P1 (Housetype H324 - Floor Plans); 021708-H326-L-E1 (Housetype H326 - Elevations); 021708-H326-L-E2 (Housetype H326 - Elevations); 021708-H326-L-P1 (Housetype H326 - Floor Plans); 021708-H421-L-E1 (Housetype H421 - Elevations); 021708-H421-L-E2 (Housetype H421 - Elevations); 021708-H421-L-P1 (Housetype H421 - Floor Plans); 021708-H423-L-E1 (Housetype H423 - Elevations); 021708-H423-L-P1 (Housetype H423 - Floor Plans); 021708-H431-L-E1 (Housetype H431 - Elevations); 021708-H431-L-P1 (Housetype H431 - Floor Plans); 021708-H432-L-E1 (Housetype H432 - Elevations); 021708-H432-L-P1 (Housetype H432 - Floor Plans); 021708-H20-L-E1 Rev A (Housetype H20 - Elevations); 021708-H20-L-E2 Rev A (Housetype H20 - Elevations); 021708-H20-L-E3 Rev A (Housetype H20 - Elevations); 021708-H20-LP1 Rev A (Housetype H20 - Floor Plans); 021708-H20-L-

E4 (Housetype H20 - Elevations); 021708-H20-L-P2 Rev A (Housetype H20 - Floor Plans); 021708-GAR01 (Garage Type 01 - Elevations & Plan); 021708-GAR02 (Garage Type 02 - Elevations & Plan); 021708-GAR03 (Garage Type 03 - Elevations & Plan); 021708-GAR04 (Garage Type 04 - Elevations & Plan); 021708-GAR05 (Garage Type 05 - Elevations & Plan); 021708-GAR06 (Garage Type 06 - Elevations & Plan); 021708-GAR07 (Garage Type 07 - Elevations & Plan); 021708-SUB01 (Sub Station - Elevations & Plan); 021708-SH01 (Cycle Shed - Elevations & Plan); 021708-BC01 (Bin & Cycle Store - Elevations & Plan); 021708-BS01 (Bin Store - Elevations & Plan); 021708-CS01 (Cycle Store - Elevations & Plan); 021708-CP01 (Carport Type 01 - Elevations & Plan); 021708-CP02 (Carport Type 02 - Elevations & Plan); 021708-CP03 (Carport Type 03 - Elevations & Plan); 5726:01 Rev Z (Engineering Layout Sheet 1); 6383.PP.3.0 Rev F (Landscape Masterplan); 6383.PP.4.0 Rev P (Planting Plan Overview); 6383.PP.4.1 Rev P (Planting Plan 1 of 9); 6383.PP.4.2 Rev P (Planting Plan 2 of 9); 6383.PP.4.3 Rev P (Planting Plan 3 of 9); 6383.PP.4.4 Rev P (Planting Plan 4 of 9); 6383.PP.4.5 Rev P (Planting Plan 5 of 9); 6383.PP.4.6 Rev P (Planting Plan 6 of 9); 6383.PP.4.7 Rev P (Planting Plan 7 of 9); 6383.PP.4.8 Rev P (Planting Plan 8 of 9); 6383.PP.4.9 Rev P (Planting Plan 9 of 9); 6383.PDP.6.0 Rev D (Pond Detail Plan); 171701-001 Rev F (Internal Site Layout Arrangement); 171701-002 Rev H (Swept Path Analysis); 171701-005 Rev E (Internal Pumping Station Arrangement); 171701-007 Rev A (Internal Site Layout - Fire Tender Path Analysis); 171701-008 Rev C (Highway Layout); 171701-800 Rev B (Bypass Channel Works); and 171701-801 Rev B (Bypass Channel and Offline Pond Earthworks)

Documents:

Arboricultural Method Statement (Aspect, November 2017, ref: 9714_AMS.001 Rev E); Construction Traffic Management Plan (Ardent, November 2017, ref: 171701-02); Design and Access Statement (DHA, November 2017); Ecological Update Note (Ecology Solutions, November 2017, ref: 5627.EcoUpdate.dv2); Flood Risk Assessment Addendum (Ardent, November 2017, ref: 171700-03); Highway Technical Note (Ardent, November 2017, ref: 171701-05); Landscape Management Plan (Aspect, November 2017, ref: 6383.Land.Man.002.VF); Landscape and Visual Impact Assessment (Aspect, November 2017, ref: 6383.LVIA.003); Planning Statement (Savills, November 2017); and Transport Statement (Ardent, November 2017, ref: 171701-01)

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

- 2 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the development is appropriately landscaped in the interests of residential and visual amenity and to accord with the requirements of policy NBE2 of the Hart Local Plan (Strategy and Sites) 2032 and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

- 3 The external materials used in the approved shall be as detailed in planning application reference number 18/00960/CON, approved on 25.07.2018

REASON: To ensure satisfactory development in keeping with the character of the local area in accordance with the requirements of policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032.

- 4 The means of enclosure utilised for the development shall be in accordance with the details approved under planning application reference number 18/00960/CON, dated 27.06.2018.

REASON: To ensure satisfactory development in the interests of residential and visual amenity in accordance with policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032.

- 5 The development shall be provided with superfast broadband connectivity in accordance with the details approved under planning application reference number 18/00960/CON.

REASON: To comply with current Government guidance and the advice contained within the Hampshire County Council document 'Planning for Broadband: A Guide for Developers' and to accord with the requirements of policy INF6 of the Hart Local Plan (Strategy and Sites) 2032.

- 6 Notwithstanding the information shown on the approved Landscape Masterplan (drawing number 6383.PP.3.0 Rev F), the internal highway layout shall be provided fully in accordance with the details shown on the approved drawing number 171701-008 Rev C (Internal Highway Layout Review).

REASON: For the avoidance of doubt and to ensure a satisfactory internal layout for pedestrians and vehicle users in accordance with policies NBE9 and INF3 of the Hart Local Plan (Strategy and Sites) 2032 and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

- 7 The site levels around the relocated SANG car park hereby approved shall be reduced to those shown on approved plan number 5726:01 Rev Z (Engineering Layout Sheet 1) before the facility is first brought into use.

REASON: To accord with the terms of the application and in the interests of neighbouring amenity in accordance with policies NBE9 of the Hart Local Plan (Strategy and Sites) 2032 and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

- 8 Notwithstanding the details submitted, full details of the surfacing material to be used in the construction of the car park hereby approved, confirming that these will be porous or permeable or will drain to a permeable area, shall be submitted to and approved, in writing, by the Local Planning Authority, prior to the provision of the surfacing. Once approved the development shall be submitted in accordance with the submitted details.

Reason: To prevent off-site flooding and to accord with the requirements of policy NBE5 of the Hart Local Plan 2032.

INFORMATIVES

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

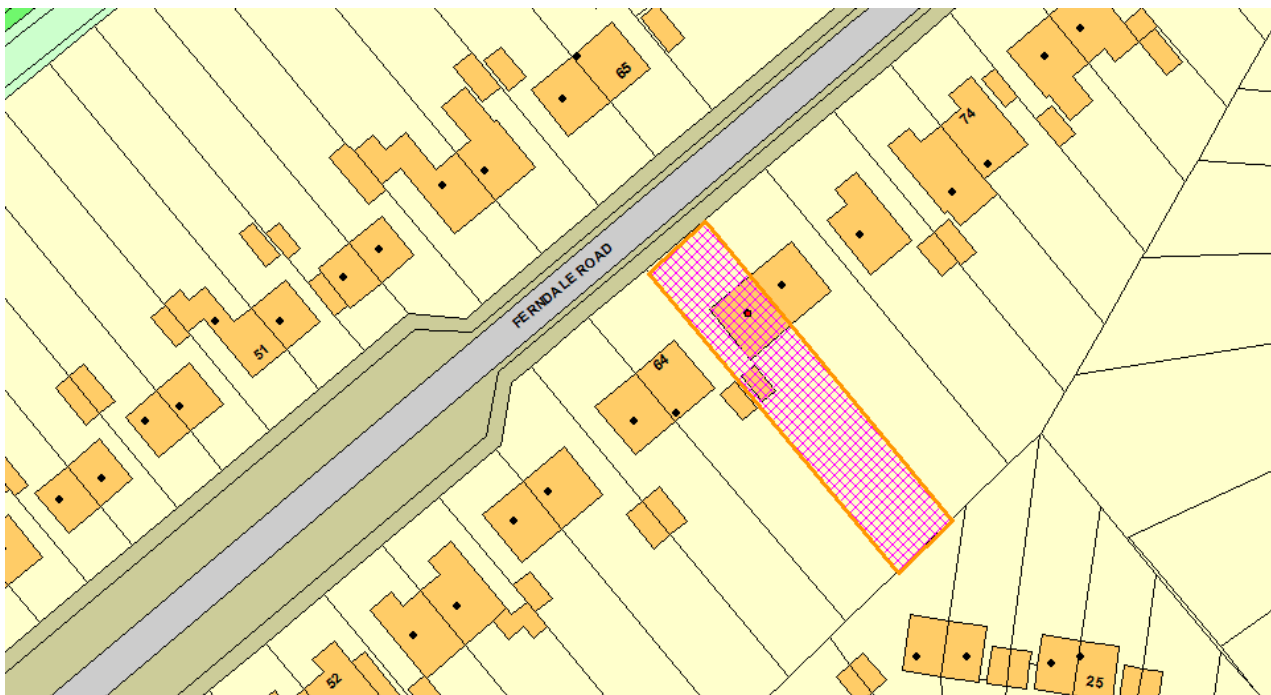
The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.

- 2 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of materials and parking of operatives vehicles should be normally arranged on site.
- 3 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.
- 4 Ordinary watercourse would be required to relocate the dry ditch which is proposed to be filled in as part of this development. This is required as a separate permission to planning and further information can be found at:

<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.hants.gov.uk%2Flandplanningandenvironment%2Fenvironment%2Fflooding%2Fchangewatercourse&data=04%7C01%7Cplanningadmin%40hart.gov.uk%7C89bb8928b2da4434400608d93ad41b12%7C437487d01c5f47b6bd4ea482ae3b011e%7C0%7C0%7C637605504925489582%7CUnknown%7CTWFPbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=7nwMFRC1tETK9itqPAJZupcVaGoovjMI0uSSjy09Cqs%3D&reserved=0>

COMMITTEE REPORT ITEM NUMBER: 103

APPLICATION NO.	21/01336/HOU
LOCATION	66 Ferndale Road Church Crookham Fleet GU52 6LN
PROPOSAL	Conversion of loft to habitable accommodation to include the erection of one dormer window to front, one dormer window to side and one dormer window to rear.
APPLICANT	Joanne Baxter
CONSULTATIONS EXPIRY	23 June 2021
APPLICATION EXPIRY	20 July 2021
WARD	Church Crookham West and Ewshot
RECOMMENDATION	Grant, subject to planning conditions.



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BACKGROUND

This application is brought before the Planning Committee in accordance with Part 1 of the Council's Scheme of Delegation for Planning Applications as the applicant's is a member of staff at Hart District Council.

THE SITE

The application relates to 66 Ferndale Road, a semi-detached bungalow situated within the urban settlement of Church Crookham. The site does not fall within a conservation area, is not subject to any Article 4 directions nor is it a listed building. The site is not subject to any Tree Preservation Order designations.

The site lies within a Flood Zone 1 location and a causal flood area.

The site benefits from a paved driveway for off-street parking and a modest front garden which is laid to lawn. The boundary treatment is relatively open excluding a low brick wall fronting the property.

PROPOSAL

The application seeks permission for the conversion of the loft area to provide habitable accommodation including the provision of one pitched roof dormer unit to the front roof slope, one pitched roof dormer unit to the side roof slope and one flat roofed dormer unit to the rear roof slope.

The development would provide an en-suite bedroom and landing area.

RELEVANT PLANNING HISTORY

98/01274/FUL granted, 13.01.1999
Single storey rear extension.

CONSULTEES RESPONSES

Church Crookham Parish Council

No objection.

NEIGHBOUR COMMENTS

No Neighbour Comments have been received.

CONSIDERATIONS

The main planning consideration for the application assessed in this report are:

- Planning Policy and Guidance
- Principle of development
- Design
- Residential amenity
- Highway safety and parking
- Climate Change

- Equality

PLANNING POLICY AND GUIDANCE

The development plan for the site and relevant development plan policies are as follows:

Hart Local Plan (Strategy and Sites) 2032 (HLP32):

- SD1 Sustainable Development
- SS1 Spatial Strategy and Distribution of Growth
- NBE9 Design
- INF3 Transport

Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (HLP06):

- GEN1 General Policy for Development

The following guidance has also informed the LPAs assessment:

- National Planning Policy Framework (NPPF, 2019)
- Planning Practice Guidance (PPG)
- Hart District Council Parking Provision Interim Guidance (PPIG, 2008)

PRINCIPLE OF DEVELOPMENT

The site is located within the urban settlement boundary of Church Crookham; 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.

DESIGN

Policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06 seek to ensure that developments will be permitted where they are in keeping with local character by virtue of their design, scale, massing, height and prominence of the proposal is in character with the local area.

The proposed dormer extensions to the front, side and rear elevations of the existing roof would be visible within the street scene of Ferndale Road. Whilst this would be seen as a change to the street scene, the alteration would not be harmful to the overall character of the area. The increase in the bulk of the roof is considered acceptable given the modest size of the proposed dormers which would appear as subservient features to the host dwelling whilst retaining a balanced roof design which would not detract from the host dwelling. The proposal is considered acceptable in terms of design and the materials to be used in the construction of the dormers have been considered, and as they would match the existing dwelling are found to be acceptable.

A number of existing bungalows in the vicinity of the application site have already had front dormer units installed including Nos.56, 59, 60, 61, 62, 63, 72 and 74. Such a feature would therefore be in keeping with the character of the local area. Whilst no other properties currently have side dormer units, this feature could be provided as permitted development.

The proposal is therefore considered acceptable in terms of design and impact to the street scene.

RESIDENTIAL AMENITY

Saved policy GEN1 permits development subject to the proposal not materially detracting from the amenities of adjoining dwellings by virtue of its siting and massing or loss of privacy.

There would be a separation distance of approximately 5m between the proposed side dormer and the nearest properties to the south- west (No64 Ferndale Road) side elevation respectively. This is a 'flank to flank' relationship.

The dormers would not give rise to unacceptable overlooking, overshadowing or overbearing impacts to adjacent properties, over and above the existing situation. The first-floor side windows serve an en-suite area and could be conditioned to be obscure glazed to protect the privacy of any neighbouring dwellings. The impact on neighbour amenity is considered acceptable.

The siting and design of the proposed dormers would be such that there would be no material loss of amenity to adjoining neighbours. The proposal therefore meets the requirements of HLP32 Policy NBE11, HLP06 Saved Policy GEN1(iii) and the NPPF (para. 127f).

HIGHWAY SAFETY AND PARKING

The PPIG identifies the site as being located in Zone 2 where 3.25 spaces are sought for three-bedroom dwellings. Four spaces would be retained for the proposed three-bedroom dwelling at No66 Ferndale Drive. It is acknowledged that tandem parking is not ideal, however the scheme does not change the existing parking layout. The proposed parking would be within 15m of the property entrance and the spaces would measure 2.4m x 4.8m, as sought in the PPIG.

The proposal development therefore meets the requirements of HLP32 Policies NBE9 and INF3, saved policy GEN1 of the HLP06 and the NPPF (Section 9) in relation to highway safety and parking.

CLIMATE CHANGE

The proposal will have no direct impact on Climate Change issues.

EQUALITY

The proposal will have no direct impact on equalities issues.

CONCLUSION

Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (Planning and Compulsory Purchase Act 2004 38(6) and NPPF (paras. 2 and 47).

The proposal meets the policy requirements of the Development Plan for Hart, is acceptable in terms of all other material considerations and is recommended for conditional approval.

RECOMMENDATION – Grant, subject to planning 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 approved shall be carried out in accordance with the following plan nos. and documents:

BL01 - Block Plan - 13 May 2021
PL01 - PARKING Plan - 18 May 2021
0046-930 A - Elevation and Floor Plans - 26 May 2021

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06.

4. The first-floor dormer window serving the en-suite on the south- western side elevation shall be glazed with obscure glass only (of Pilkington Glass level 3 or greater, or equivalent) and shall thereafter be retained as such.

REASON: To prevent overlooking of an adjoining property/adjoining properties and to satisfy policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06.

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 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of materials and parking of operatives vehicles should be normally arranged on site.

- 3 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.