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NOTICE OF MEETING

Meeting:	Planning Committee
Date and Time:	Wednesday 9 August 2023 7.00 pm
Place:	Council Chamber
Enquiries to:	Committee Services committeeservices@hart.gov.uk
Members:	Quarterman (Chairman), Oliver, Blewett, Butcher, Cockarill, Kennett, Makepeace-Browne, Radley, Southern, Wildsmith and Worlock

Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

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- 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 - 7)

The Minutes of the meeting held on 12 July 2023 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 disposable 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 8 - 13)

To consider the planning reports from the Executive Director - Place, and to accept updates via the Addendum.

6 23/01243/HOU - 12 WHINCHAT CLOSE, HARTLEY WINTNEY, HOOK, HAMPSHIRE, RG27 8TT (Pages 14 - 23)

Date of Publication: Tuesday, 1 August 2023

PLANNING COMMITTEE

Date and Time: Wednesday 12 July 2023 at 7.00 pm

Place: Council Chamber

Present:

Quarterman (Chairman), Oliver (Vice-Chairman), Blewett, Cockarill, Forster, Kennett, Makepeace-Browne, Radley, Wildsmith and Worlock

In attendance:

Officers:

Graeme Clark, Executive Director, Corporate Services & S151 Officer
Katherine Fitzherbert-Green, Interim Development Management and Building Control Manager

Kathryn Pearson, Principal Planner

Tola Otudeko, Shared Legal Services

Jenny Murton, Committee and Member Services Officer

12 MINUTES OF PREVIOUS MEETING

The minutes of the meeting on 14 June 2023 were confirmed and signed as a correct record.

Proposed by Councillor Quarterman; seconded by Councillor Worlock.

13 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Butcher and Councillor Forster was his substitute.

14 DECLARATIONS OF INTEREST

None.

15 CHAIRMAN'S ANNOUNCEMENTS

The Chairman updated the Committee that the Development Management and Building Control Manager had started maternity leave.

The Chairman's second announcement was that he had had a request from a Planning Committee Member for a meeting to discuss how planning conditions are drafted to ensure these are enforceable.

The Chairman is to discuss this with the Executive Director, Place and if appropriate it will be bought as an Agenda item at a future Planning Committee meeting.

16 DEVELOPMENT APPLICATIONS

The planning reports from the Executive Director, Place were considered and accepted.

17 22/03050/FUL - VIRGIN MEDIA BUILDING, 280 BARTLEY WOOD BUSINESS PARK, BARTLEY WAY, HOOK

The Principal Planner summarised the application as erection of an industrial unit for flexible Use Class B2/B8/E(g)(i)-(iii) together with associated parking, landscaping and other associated works and construction of a vehicular access from Griffin Way South.

She reminded Members that permission for 10 units on this site was given in July 2022 (application 21/01800/FUL) by this Committee and that this 11th unit was also for an industrial one.

Members were shown site and elevation plans of the proposed development along with photographs and the Principal Planner explained that a new vehicular access had been proposed.

It was also highlighted that due to a typo on the report the Recommendation B should say:

In the event that the unilateral undertaking is not completed within 3 months of the date of the meeting, permission be REFUSED under delegated powers.

Members questioned:

- The distance from the proposed unit to Providence House
- The existing entry and exit road to the site and existing planning permissions on it.
- The speed limit on Bartley Way and if there was a swept path to show how Heavy Goods Vehicles (HGVs) could navigate the site access.
- The proposed noise restrictions for the site
- The scale of the map that shows the roadway entrance to Providence House – the Principal Planner provided an answer for this.
- What HGV access has been permitted for the current 10 units that already have permission.

Members asked Selena Coburn who spoke AGAINST the application:

- If she was concerned about any specific conditions that are not listed in the report. Miss Coburn highlighted bank holidays and Sunday conditions, external lighting and noise.
- How many HGVs already use the site – it was believed to be two – and where do additional HGVs wait if the loading bays are already in use.

- If she was aware of the application 22/03029/AMCON, Rye Logistics Park.

Members asked Susie Stephen who spoke FOR the application:

- If suitable tenants have been already identified and what functions, they intended to carry out.
- How many staff will be employed at the site, and the number of parking spaces proposed.
- The maximum number of staff the site could employ.
- The times that HGVs are expected to arrive at the site, if there would be a certain timeframe and potential impacts if vehicles arrived early or late.
- Whether future applications could be submitted to amend certain conditions that will be stipulated in this application.
- If an additional parking bay or bay(s) would be required for early or late HGV vehicles to use.

The Principal Planner summarised conditions 13 and 17.

Members debated:

- The distance of the site to Providence House and the cottages on Holt Lane.
- That quality of life for residents close to the site needs to be carefully considered and monitored, especially regarding hours of operation.
- Weekend operating hours and how this could impact residents.
- Possible HGV parking along Bartley Way and how this could be managed.
- The amount and type of noise and artificial light pollution the site may cause to residents.
- Turning areas that may be needed for HGVs to access the site.
- If the proposed restrictions will hinder potential tenants so future applications to change them will need to be submitted to the council.
- The possibility that parking could be displaced across the Hook area and how to manage this in residents' best interests.
- Staff parking and why the report appears to suggest an amount that is below the Council's usual standard.
- The lack of public transport to the site and that employees will need to provide their own travel arrangements.
- The lack of clearway on the main roads around the site currently.
- That Hampshire County Council's Highways department had no concerns about this application and any potential traffic congestion that could still occur as a result.
- If an acoustic screen could be used to limit potential noise pollution for residents of Providence House.

Members were keen to explore whether a condition could be applied to this application to ensure that one day a week would be exempt from operations.

The Chairman clarified that the conditions for this application are the same as those imposed upon application 21/01800/FUL and are subject to noise and time of operation restrictions. It would be inappropriate to have inconsistent conditions across the two applications for this site.

A Member highlighted the importance of enforcement and enforceable conditions.

Members discussed background sound levels and it was reminded that advice had been sought from Environmental Health.

Members asked the Principal Planner to remind them of the conditions placed on the previous application for 10 units (21/01800/FUL). The Principal Planner confirmed that units 8 and 9 had activity restricted to at weekends and bank holidays.

The Chairman proposed the Officer's Recommendation(s) and this was seconded by Councillor Oliver.

Members undertook a recorded vote For Recommendation A and the results were:

For: Cockarill, Makepeace-Browne, Oliver, Quarterman, Radley and Wildsmith.

Against: Forster, Kennett and Worlock

Abstention: Blewett

DECISION

Subject to the completion of a unilateral undertaking to secure the provision of the proposed vehicular access under S278 of the Highways Act within 3 months of the date of the meeting, permission be GRANTED subject to conditions.

In the event that the unilateral undertaking is not secured are not completed within 3 months of the date of the meeting, permission be REFUSED under delegated powers (RECOMMENDATION B).

Notes:

There was no site visit.

Susie Stephen OBO Stanbec spoke For the application.

Selena Coburn spoke Against the application.

The meeting closed at 8.11 pm



EXECUTIVE DIRECTOR - PLACE
REPORT TO THE PLANNING COMMITTEE OF
2023-24

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. Planning applications will be

determined in accordance with the development plan, unless 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 plan documents are:

- Hart Local Plan (Strategy & Sites) 2032, adopted April 2020,
- Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (updated 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 and Towns: Crondall; Crookham Village; Darby Green and Frogmore, Dogmersfield; Fleet; Hartley Wintney; Hook; Odiham and North Warnborough; Rotherwick; Winchfield, and Yateley.

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 meet all of the following tests:

- necessary;
- relevant to planning;
- Relevant 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. Planning obligations must only be sought where they meet all of the following tests:

- 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 and are reflected in the National Planning Policy Framework.

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

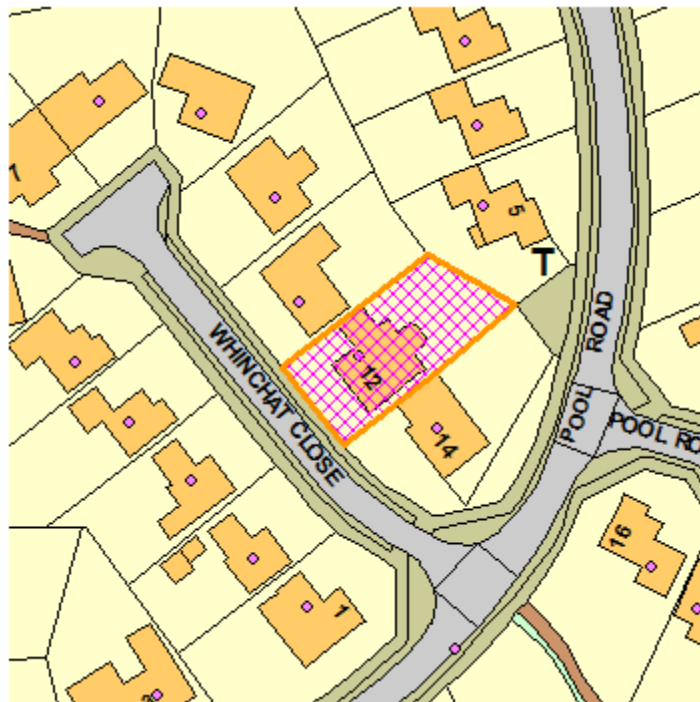
To make sure that all documentation is placed in the public domain and to ensure that the Planning Committee, applicants, objectors, and any other party has had a proper opportunity to consider further, or new representations no new additional information will be allowed to be submitted less than 48 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

APPLICATION NO.	23/01243/HOU
LOCATION	12 Whinchat Close Hartley Wintney Hook Hampshire RG27 8TT
PROPOSAL	Demolition of conservatory, new porch/ bay pitched roof and change of external materials from tile hanging to render on front elevation, new side utility room window.
APPLICANT	Mr & Mrs Hedges
CONSULTATIONS EXPIRY	7 July 2023
APPLICATION EXPIRY	9 August 2023
WARD	Hartley Wintney
RECOMMENDATION	Grant



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BACKGROUND

This application has been reported to the Planning Committee as it meets one of the triggers in Appendix A (Powers granted by the Council to the Head of Place to deal with Planning Matters) of the Council's Constitution, in that an officer who is a member of staff within Place lives in the adjoining property, a property opposite the application site or a property either side.

DESCRIPTION OF THE SITE

The application site contains a two storey, detached house with an attached garage dating from mid 1970s. The house was extended in the mid-1990s by a single storey full width extension and a conservatory off the rear of part of that extension.

The house is in a slightly elevated position in relation to the road, with an open front garden and driveway. The house is finished in red/orange bricks, with cement roof tiles. The first floor of the principal elevation is covered with red plain hanging tiles and at the ground level sits an open, flat roofed porch.

The property is located on the east side of Whinchat Close within a residential area and there are neighbouring properties to either side (northwest and southeast) and to the rear of the site (northeast). In accordance with the development plan, the site is located within the settlement boundary of Hartley Wintney. The site falls within Flood Zone 1 and in a very low risk area for surface water flooding.

PROPOSAL

To the front elevation of the house, planning permission is sought for the replacement of the existing flat roofed porch and its replacement with a mono-pitched roof which would stretch the width of the house (10m), across an existing bay window to form a canopy, supported by pillars. The canopy would protrude for a depth of 1m. Above the canopy, also to the front elevation, the first-floor tile hanging would be replaced with through-colour render of a colour to be agreed.

The proposal also seeks permission to remove the conservatory to the rear of the property with the rear elevation to be made good with insertion of patio doors, and two rooflights to be installed to the pitched roof of the remaining extension. A new window is also to be inserted in the south elevation at ground floor level serving a utility room.

Amendments

Amended plans were received during the course of considering the application to correct an inconsistency within the drawings pursuant to the front canopy porch whereby the floor plan did not illustrate the canopy extending across the full frontage of the property.

RELEVANT PLANNING HISTORY

75/00765/HD - Provision of estate roads & erection of 89 dwellings with garages. (Brackleys Field Bracknell Lane Hartley Wintney). Permission granted 12 February 1975

93/23088/FUL - Single storey rear extension. Permission granted 14 October 1993

95/00510/FUL - Conservatory at rear. Permission granted 23 August 1995

PLANNING POLICY

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

The relevant Development Plan policies for this proposal are contained within the Hart Local Plan (Strategy & Sites) 2032 (HLP32), the saved policies of the Hart Local Plan (Replacement) 1996- 2006 (HLP06), and the Hartley Wintney Neighbourhood Plan 2017-2032 (HWNP32). All of these adopted and saved policies within these documents are consistent with the July 2021 version of the National Planning Policy Framework (NPPF). The relevant policies are set out below.

Hart Local Plan (Strategy & Sites) 2032 (HLP32)

Policy SS1 - Spatial Strategy and Distribution of growth

Policy SD1 - Sustainable Development

Policy NBE4 - Biodiversity

Policy NBE9 - Design

Policy NBE11 - Pollution

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

Policy GEN1 - General Policy for Development

Hartley Wintney Neighbourhood Plan 2017-2032 (HNP32)

HW Policy 2 - Design Guide

HW Policy 6 - Control of Artificial Light

Other relevant planning policy documents:

National Planning Policy Framework 2021 (NPPF)

Planning Practice Guidance (PPG)

Hart's Climate Change Action Plan

Hart's Equality Objectives for 2021 - 2023

Hart Urban Characterisation and Density Study (2010)

Hart Planning Technical Advice Note - Privacy, Daylight and Sunlight: The 45 and 25 Degree Guideline

CONSULTEES RESPONSES

Hartley Wintney Parish Council – ‘OBJECTION with Comments - Whilst the changes in the application are acceptable in principal, the Parish Council has an objection to this application as it conflicts with Hartley Wintney Neighbourhood Plan, Policy 6, Control of Artificial Light, para.6.9. The rooflights in addition to the wide patio doors will create unnecessary light pollution. Should the Local Planning Authority approve this application the Parish Council would request that smart/tinted windows be installed to reduce the impact. Councillors also note that there appears to be an error in the plans. The front elevation shows the lean too porch roof extending across the whole width of the property, however in the floor plan this appears to only cover a small section of the property’.

Ecology - The property is a modern (post-1960s) development, located in a suburban setting, and I have no records of protected species relevant to this application. The proposals are unlikely to impact on bats and on this basis, I have no objection to this application. If permission is granted and a bat is subsequently discovered, works should stop immediately, and Natural England should be contacted. Further survey and / or licensing may then be required for the works to proceed.

NEIGHBOUR COMMENTS

No neighbour comments received.

PLANNING ASSESSMENT

The main planning considerations are:

- Principle of development
- Impact on the design and character of the area
- Impact on the natural environment (dark skies/biodiversity/climate change)
- Residential amenity.

Principle of Development

HLP32 Policy SS1 promotes development focussed within defined settlements. The proposal is for a previously developed site located within an urban settlement boundary. It is therefore considered that the principle of development is acceptable, subject to compliance with relevant development plan policies and all other material planning considerations.

Impact on the character of the area/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 and height and where the prominence of the proposal is in character with the local area. Hartley Wintney Neighbourhood Plan Policy 2 additionally instructs development proposals to be proportionate in scale, layout, character and appearance of surrounding buildings and follow local distinctiveness.

- Front elevation changes

The site is located within character area I of the Hartley Wintney North Character Area which has medium sensitivity to change according to the UCDS.

The replacement of the existing flat roofed porch canopy would result in a modest alteration in the external appearance of the property through the elongation across the frontage of the dwelling, its modest depth and the replacement of the flat roof with a mono-pitched canopy. These works are considered to not result in any adverse harm to the character and appearance of the dwelling and would be augmented in a similar manner to works on other properties within Franklin Avenue and Pool Road. It is noted that the Parish Council have commented on the drawings to highlight an inconsistency between the floor plans and elevations which was corrected through the submission of an amended plan.

In addressing the change of materials at the first floor level, surrounding properties generally have tile hanging on their principal elevations and so the proposed use of render would differ from the prevailing materials in the area but not to a harmful degree. The render would be restricted to the areas between the front windows above the proposed canopy. The finish colour of the render will be agreed by condition to ensure its suitability.

- Rear elevation changes

Works to the rear of the property would comprise the removal of the conservatory to reduce the footprint of the building and provide more rear amenity space. The fenestration changes to the retained extension, with the insertion of patio doors and rooflights would be acceptable in design terms. These works could otherwise be carried out under permitted development rights afforded to the property under the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) Schedule 2, Part 1, Class A (alterations to a dwellinghouse) and Class C (alterations to the roof) as a fallback position.

- Side elevation change

The insertion of a window in the side elevation would be acceptable in design terms. The window is modest in size, serving a utility room to be created through internal alterations. Again, this window could be inserted under permitted development rights given that this is at the ground floor level.

Overall, the proposed external changes would not result in harm to the character and appearance of the area and subject to conditions controlling materials (conditions 3 and 4), would be compliant with Policy NBE9 of the HLP32, Saved Policy GEN1 of the HLP06 and HW Policy 2 of the HNP32.

Impact on the natural environment

- Dark skies

Hartley Wintney Parish Council (HWPC) have objected to the proposal on the grounds that it conflicts with Hartley Wintney Neighbourhood Plan, Policy 6, Control of Artificial Light. This policy refers to external lighting and street lighting, though Hartley Wintney

Parish Council's comments refer to the supporting text which itself refers to the Guidance Note for the reduction of Obtrusive Light No1:2011. This guidance was updated in 2021. It concerns external light sources and makes only a single reference to the potential for residences to produce light spill.

The site is within the urban settlement where light pollution is less sensitive than in the rural sections of the neighbourhood plan area. The property additionally has a streetlight sitting within the highway verge opposite the dwelling.

In comparison with the existing situation, the removal of the conservatory and installation of rooflights and the replacement of existing patio doors and a window with patio doors would create no discernible change in levels of light pollution. As such, the proposal would not conflict with the development plan in terms of generating adverse levels of new light pollution as to have an adverse impact on the natural environment. The proposal is therefore considered to accord with Policy NBE11 of the HLP32 and HW Policy 6 of the HNP32.

- Biodiversity

Policy NBE4 of the HLP32 requires development proposals to avoid negative impacts on existing biodiversity and provide a net gain where possible. A biodiversity checklist for householder applications was therefore submitted within the application pack, which suggested that biodiversity would not be impacted by the proposals.

The Council's Ecology Officer commented and raised no objection to the proposal subject to works ceasing and Natural England being contacted if bats were found. In considering the Ecology Officer's response, the Local Planning Authority can be reasonably assured that the works would not result in harm to bats and the proposal accords with HLP32 Policy NBE4.

- Climate Change

Hart District Council has announced a climate change emergency and is committed to reducing carbon emissions. By virtue of the scale of the development, the proposal would not be anticipated to have a significant impact on Climate Change issues. An informative is nevertheless included to highlight the need to consider climate change.

Residential Amenity

Saved policy GEN1 of the HLP06 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.

- Impacts on the amenities of 11 Whinchat Close, to the north-west of the application site.

The proposal would not be anticipated to give rise to un-neighbourly impacts of loss of privacy, loss of light or overbearance to this property and impacts of the development on this property would be acceptable.

- Impacts on the amenities of 14 Whinchat Close, to the south-east of the application site (there is no number 13).

The proposal would not be anticipated to give rise to un-neighbourly impacts of loss of light or overbearance to this property. The new side window would not result in a loss of privacy as the side wall of this property does not contain any openings serving habitable rooms. Impacts of the development on this property would be acceptable.

- Impacts on the amenities of 5 Pool Road to the northeast of the application site.

The proposal would not be anticipated to give rise to un-neighbourly impacts of loss of privacy, loss of light or overbearance to this property and impacts of the development on this property would be acceptable.

In considering the impact on residential amenity, the proposal would accord with Saved Policy GEN1 of the HLP06.

Equality Issues

The proposal raises no concerns in respect of equality issues.

CONCLUSION

The proposal is acceptable in principle. It would have acceptable impacts on the character of the local area, the natural environment and neighbouring residential amenity. It would meet the requirements of the Development Plan for Hart and is recommended for conditional approval.

RECOMMENDATION - Grant

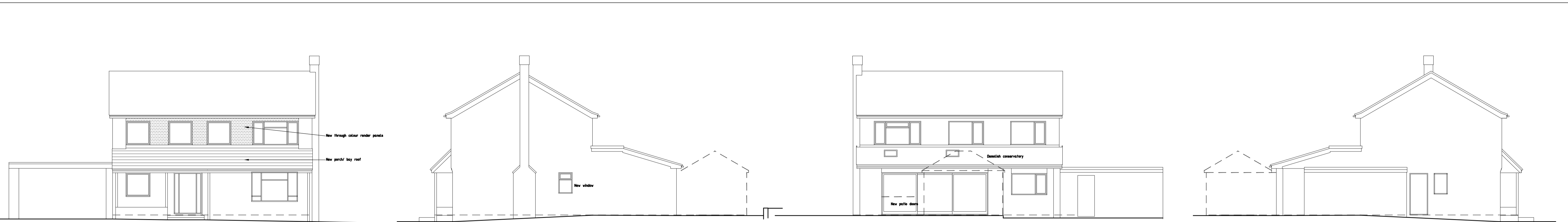
CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried in accordance with the following approved plans:
 - Site/ Location Plan – Drawing number SP/23/11 rev A
 - Scheme Proposals Plans & Elevations – Drawing no SP/23/10 rev DReason: To ensure that the development is carried out in accordance with the approved details.

- 3 With the exclusion of the render, 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 Hart Local Plan (Strategy and Sites) 2032, Saved Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006 Saved Policies and Policy 2 of the Hartley Wintney Neighbourhood Plan 2017-2032.
- 4 Prior to the application of any render, details of the proposed render appearance, colour and finish shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
Reason: To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032, Saved Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006 Saved Policies and Policy 2 of the Hartley Wintney Neighbourhood Plan 2017-2032.

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 You may require Building Regulations Consent and we advise that you should contact Building Control on 01252 398715.
- 3 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.
- 4 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.
- 5 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, bats are a protected species and it is illegal to intentionally or recklessly damage, disturb or destroy a bat or its habitat. If any evidence of bats is found on site, Natural England must be informed and a licence for development obtained from them prior to works continuing. For further information go to www.naturalengland.org.uk or contact Natural England (S.E. regional office) on 0238 028 6410.

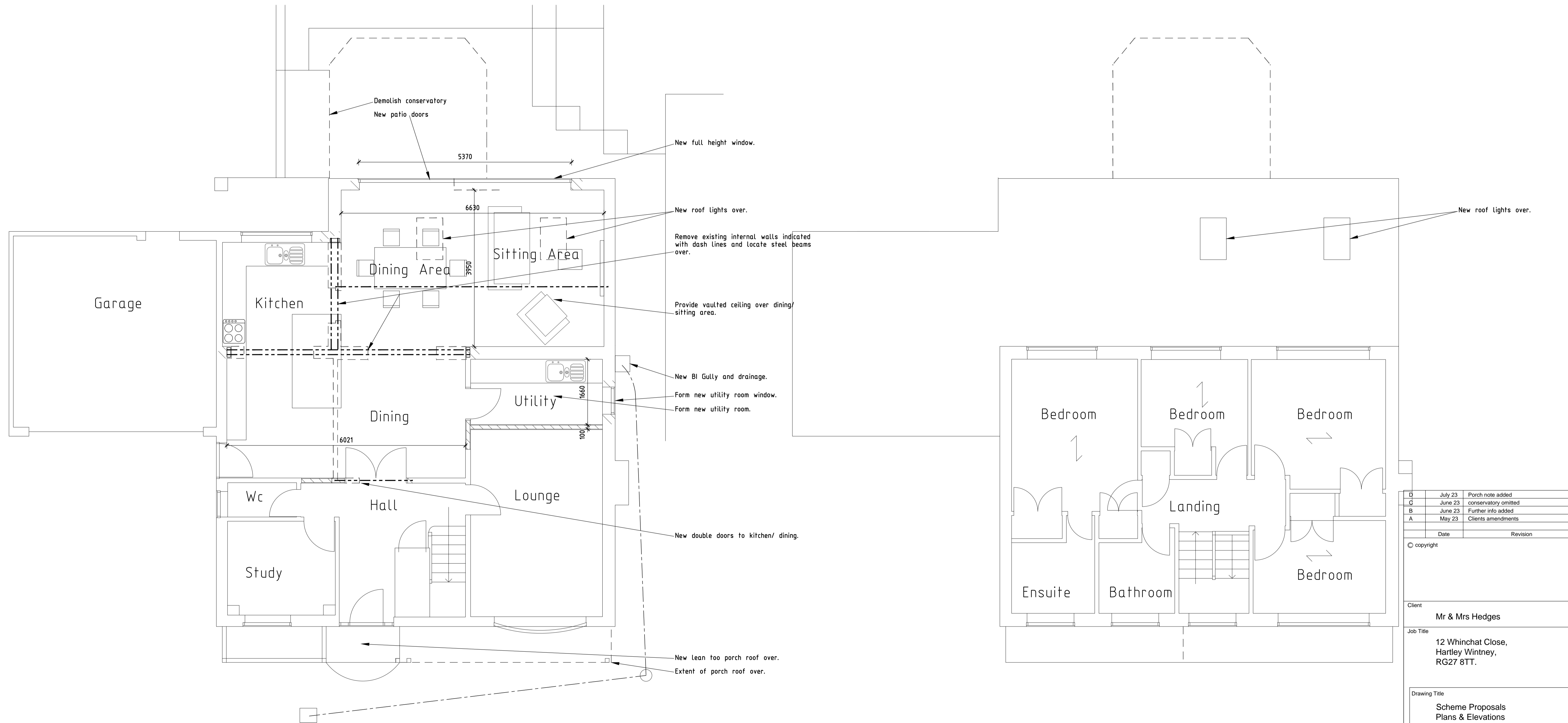


Front Elevation 1 : 100

Side Elevation 1 : 100

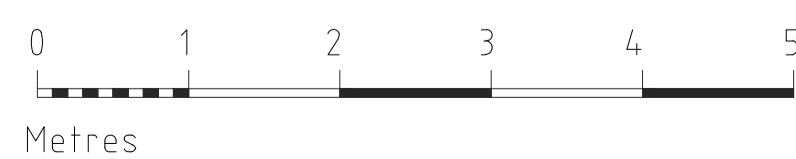
Rear Elevation 1 : 100

Side Elevation 1 : 100



Ground Floor Plan 1 : 50

First Floor Plan 1 : 50



D	July 23	Porch note added
C	June 23	conservatory omitted
B	June 23	Further info added
A	May 23	Clients amendments
	Date	Revision

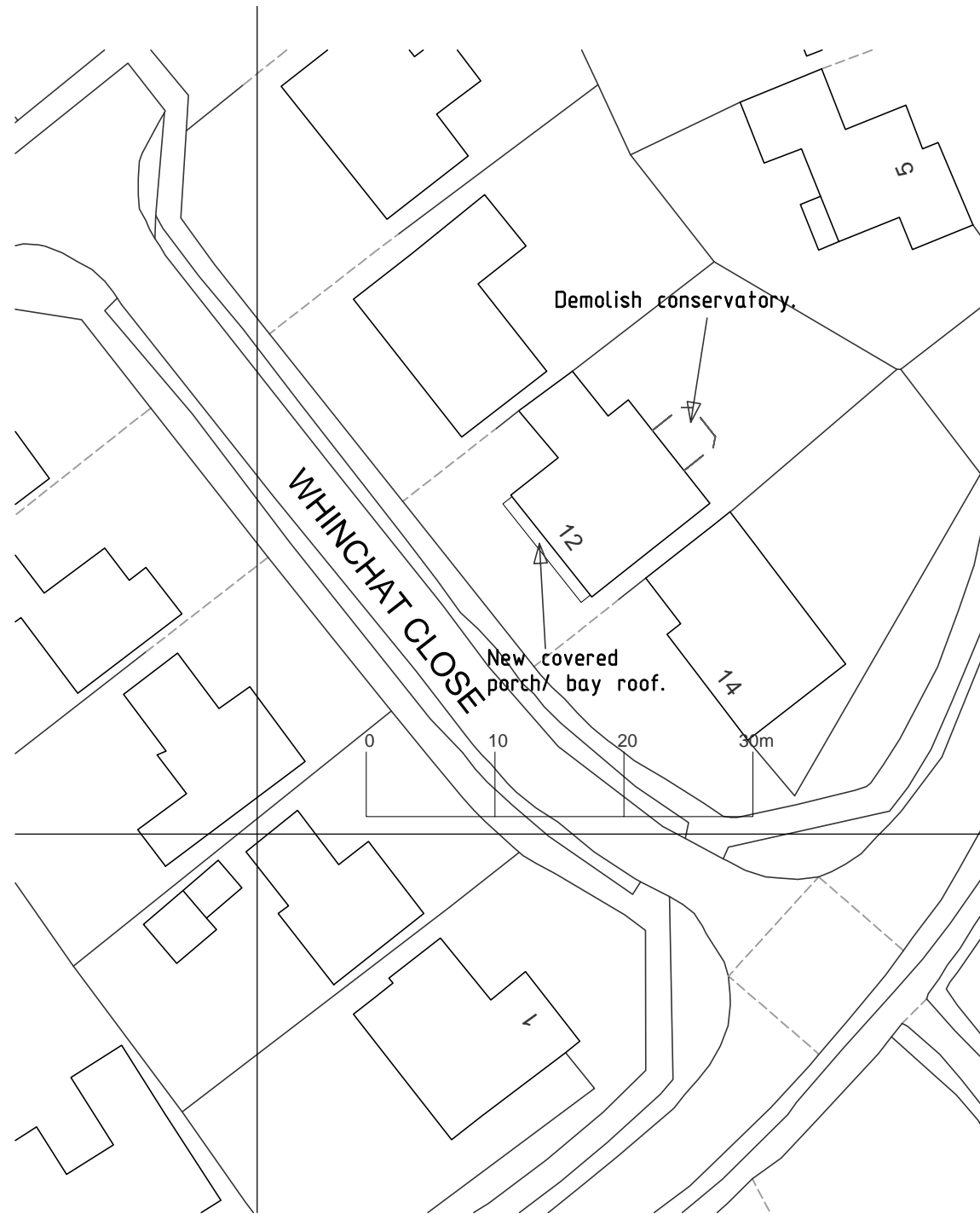
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Client
Mr & Mrs Hedges
 Job Title
 12 Whinchat Close,
 Hartley Wintney,
 RG27 8TT.

Drawing Title
**Scheme Proposals
 Plans & Elevations**

Scale AS @ A1
 Date May 2023 Drawn by JRB

Drawing No. SP/23/ 10 Rev. D



Site Plan 1 : 500



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Location Plan 1 : 1250

A	13-6-23	Red line adjusted
	Date	Revision
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Client		
Mr & Mrs Hedges		
Job Title		
12 Whinchat Close, Hartley Wintney, RG27 8TT.		
Drawing Title		
Site/ Location Plan		
Scale	AS @ A3	
Date	May 2023	Drawn by JRB
Drawing No.	SP/23/ 11	Rev. A