

PLANNING COMMITTEE

Date and Time: Wednesday 13 September 2023 at 7.00 pm

Place: Council Chamber

Present:

Quarterman (Chairman), Oliver (Vice-Chairman), Blewett, Butcher, Cockarill, Kennett, Makepeace-Browne, Southern, Wildsmith and Axam

In attendance:

Councillor Adrian Collett (Hampshire County Council)
Councillor Ellie May (Fleet Town Council)

Officers:

Mark Jaggard, Executive Director - Place
Katherine Fitzherbert-Green, Interim Development Management and Building Control Manager
Aimee Harris, Senior Planner
Jenny Murton, Committee and Member Services Officer

24 MINUTES OF PREVIOUS MEETING

The minutes of the meeting on 9 August were confirmed and signed as a correct record.

Proposed by Councillor Southern; seconded by Councillor Quarterman.

25 APOLOGIES FOR ABSENCE

Apologies had been received from Councillors Radley and Worlock.

Councillor Axam was a substitute for Councillor Radley.

26 DECLARATIONS OF INTEREST

No declarations made.

27 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that The National Planning Policy Framework (NPPF) was updated on 5 September 2023. The changes relate to updates to policy on planning for onshore wind development. The aim for this is to identify suitable applications relating to onshore wind development more quickly.

The Chairman also highlighted that the Government has provided more advice on applications relating to battery energy storage systems.

28 DEVELOPMENT APPLICATIONS

The planning reports from the Executive Director, Place were considered and the updates via the Addendum report were accepted.

29 22/03029/AMCON - RYE LOGISTICS PARK, RYE CLOSE, FLEET, HAMPSHIRE, GU51 2UY

The Senior Planner summarised the application as variation of Condition 7 and the associated removal of Conditions 15 and 16 attached to Planning Permission 21/02894/AMCON dated 1 June 2022.

She explained that the application was brought to Planning Committee in April this year and Members deferred the application to allow additional evidence to be sought from the applicant on the following:

- Overnight noise from HGVs accessing the site.
- Noise generated by HGVs accessing the site in wet conditions.
- Vibration generated by HGVs accessing the site.
- Volumetrics for different vehicle types
- Historical safety instances in the local area.

The application is now the subject of a non-determination appeal, and the Planning Inspectorate will make the final decision. A resolution is required to confirm the decision that would have been issued by the Planning Committee, had there been opportunity to determine the application. This will clarify the Council's position in the appeal process.

On 11 September 2023 the Planning Inspector confirmed the appeal is valid, however a start date for this appeal is still to be determined.

The Senior Planner showed the Committee photographs of the site and location plans.

Members questioned:

- In relation to the distance of the application site to Ancells Park, how the 10-meter distance from Ancells Road was measured. This was confirmed as being 10 meters from the play equipment at the park to the edge of the pavement.
- Why the distance from the application site had been measured to the play equipment and not the whole park, which is used for recreation, sports etc. A Member highlighted that there are benches used by individuals that he believed were closer to the site than 10 meters.
- Who had provided the Accident Data, its accuracy and if the Police had had significant input in supplying this data.

- Why Oak House is seemingly not referenced in the report regarding proximity to the application site. A Member believed it is within 4 meters of where HGVs would be accessing the site.
- The Acoustic Design Note that identifies an increase in ambient noise level of 1 dB and what this specifically means. If the sound was an average over an 8-hour period, for example.
- That if the distance from residential properties identified in the report to the application site was incorrect, how this may potentially affect the Acoustic report.

The Development Management & Building Control Manager stated she was satisfied with the final report (including the Addendum updates) and its findings.

The Chairman explained that he was permitting Hampshire County Councillor Adrian Collett to be an additional speaker.

Another Member questioned the order of the speakers, and the Chairman confirmed that at his discretion, Councillor Collett would go first, followed by Councillor Ellie May on behalf of the Town Council.

There were no questions for Councillors Collett and May.

Members debated:

- The accuracy of the data provided in the report, particularly the noise levels identified.
- The potential increase in noise levels that residents may experience if Conditions 7, 15 and 16 are varied or removed.
- The potential effect on residents' quality of life if this application was granted.

Members voiced their disappointment that this application was now in the situation it was in.

It was noted that Conditions 7 and 15 were imposed to protect the amenity of nearby residential occupiers and to satisfy Hart Local Plan (Strategy & Sites) 2032 Policy NBE11 and Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

Condition 16 had been imposed in the interests of highway safety and neighbouring amenity and to avoid any potential conflict between HGV's and vulnerable users of the Ancells Children's Playground and surrounding public open space.

The Chairman reiterated that the conditions were originally put in place to limit potential disruption to residents, and that they were and still are a sensible decision for all parties.

The Chairman proposed the Officer's recommendation to **GRANT subject to conditions**, and this was seconded by Councillor Oliver.

Members undertook a recorded vote which was unanimously **AGAINST** the officer's recommendation.

Members further discussed the reasons for this Refusal including:

- The noise data information that is included in the report and how the Committee feels it does not apply specifically to Ancells Farm.
- The use of the words inaccurate, insufficient, or unsatisfactory to describe the report's data.
- If average dBs are the correct measurement to be used to describe noise levels for this application.
- The desire for minimal disruption to residents' quality of life and how this application does not satisfy this.

It was noted that the Planning Committee had imposed original planning conditions to make an otherwise unacceptable development acceptable. The Planning Committee considered that the information provided did not provide the robust justification to demonstrate that the original planning conditions were not necessary.

The Chairman proposed to Reject the Officer's recommendation; this was seconded by Councillor Makepeace-Browne and unanimously agreed in a recorded vote. Therefore, **REFUSE** was carried.

DECISION

Had the Local Planning Authority had the opportunity to determine the application prior to the lodging of a planning appeal against non-determination, the recommendation would have been to REFUSE.

Authority has been delegated to relevant Officers, along with the Chairman of Planning Committee and the Ward Councillor to detail the reasons for refusal.

A primary reason for the REFUSAL is that the Committee agreed that unsatisfactory information and data specific to the site within Ancells Farm area was submitted by the applicant to justify that the original planning conditions were not necessary.

Notes:

Hampshire County Councillor Adrian Collett was allowed at the Chairman's discretion to speak Against the application.

Councillor Ellie May OBO Fleet Town Council spoke Against the application.

There was no site visit.

30 23/00855/FUL - 38 ROUNTON ROAD, CHURCH CROOKHAM, FLEET, HAMPSHIRE, GU52 6HB

The Senior Planner summarised the application as demolition of existing dwellinghouse and outbuildings and erection of three detached dwellings with integral garages, associated car and cycle parking and access works.

She highlighted that due to an administrative error a re-consultation on amended plans was sent to Fleet Town Council (FTC) instead of Church Crookham Parish Council (CCPC).

The Senior Planner also explained that there was an error within the report under the section on parking which refers to the Cycle & Car Parking Technical Advice Note (TAN) setting out a zonal approach. This was updated in the Addendum report.

The submitted site plan indicated that secure cycle storage is to be provided, however it does not demonstrate the number of cycle spaces to be provided. It is therefore recommended that condition 8 is amended to remove reference to providing secure cycle storage as identified on the approved plans and an additional condition is imposed requiring details to be submitted and approved in writing by the Local Planning Authority.

Members were shown a location plan, proposed site plan, floorplans, and elevations.

There were no questions for the Senior Planner or the speaker Against the application, Melanie Slade.

Members questioned Tony Thorpe, the speaker For the application:

- If he had received any advice as to why two previous applications for this site had been withdrawn.
- How many parking spaces on the site were proposed for residents.

Members debated:

- That Fleet is losing more bungalows over time and how this could affect the town's aging population.
- If this proposal for three houses is too large for the plot and if two properties would be more suitable.
- The potential effect on the street scene and overall character of Rounton Road if these three properties were built.

Members had varying opinions on whether two or three houses would be better suited to this plot.

A Member expressed that it was unfortunate a site visit had not been carried out.

The Chairman proposed the Officer's Recommendations A and B to **GRANT subject to conditions** as updated in the Addendum report. This proposal was seconded by Councillor Southern.

The Committee undertook a recorded vote and the results were:

For: Butcher, Kennett, Quarterman, Southern

Against: Axam, Blewett, Cockarill, Makepeace-Browne, Oliver and Wildsmith

Abstention: None

The application was therefore **REFUSED**.

The Chairman then proposed the reason for this refusal, which was due to the cumulative impact of the design, scale and massing of the application being proposed, it would have a harmful impact on the street scene, character, and appearance of the local area.

This is contrary to Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032 and GEN1 of the Hart Local Plan (Replacement) 1996-2006 Saved Policies.

This proposal was seconded by Councillor Wildsmith and the same six councillors who has voted Against the officer's recommendation agreed.

The four Members who voted For the Officer's recommendation did not agree.

DECISION:

Authority has been delegated to the relevant Officers, along with the Chairman of the Planning Committee and the Ward Councillor to detail the reason for refusal.

The primary reason to REFUSE is due to the cumulative impact of the design, scale and massing of the application being proposed, it would have a harmful impact on the street scene, character, and appearance of the local area.

This is contrary to Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032 and GEN1 of the Hart Local Plan (Replacement) 1996-2006 Saved Policies.

Notes:

Melanie Slade spoke Against the application.

Tony Thorpe spoke For the application.

There was no site visit.

The meeting closed at 8.28 pm