

Development Management Committee

Date and Time: Wednesday 18 September 2024 at 7.00 pm

Place: Council Chamber

Present:

Cockarill (Chair), Oliver (Vice-Chairman), Brown, Coburn, Delaney, Dorn, Highley, Makepeace-Browne, Quarterman and Wildsmith

In attendance:

Officers:

Mark Jaggard, Executive Director - Place
Stephanie Baker, Development Management & Building Control Manager
Miguel Martinez, Principal Planner
Fehintola Otudeko, Shared Legal Services
Kathy Long, Committee Services Officer

21 Minutes of Previous Meeting

The minutes of the meeting held on 17 July 2024 were proposed by Cllr Cockarill and seconded by Cllr Quarterman and confirmed and signed as a correct record of the proceedings.

22 Apologies for Absence

Apologies for absence had been received from Cllrs Radley, Southern and Worlock.

Cllr Coburn attended the meeting as a substitute for Cllr Worlock and Cllr Highley attended the meeting as a substitute for Cllr Southern.

23 Declarations of Interest

There were no declarations of interest made at the meeting.

24 Chair's Announcements

There were no announcements from the Chairman.

25 Development Management (Enforcement) Sub-Committee - Minutes

The Committee noted the minutes of the Development Management (Enforcement) Sub-Committee meeting held on 29 July 2024.

26 Queen Elizabeth Barracks Transport Steering Group - Minutes

The Committee noted the Queen Elizabeth Barracks Transport Steering Group minutes of the meeting held on 1 July 2024.

27 Development Applications

The development management reports from the Executive Director – Place were considered and the updates via the Addendum report were accepted by the Committee.

28 23/02553/AMCON - Nero Works, Brew House Lane, Hartley Wintney

The Principal Planner summarised application no. 23/02553/AMCON, which was for a Section 73 application (minor material amendment) of planning permission 21/03017/FUL dated 20/04/2022 for the construction of a terrace of four 2-bedroom cottages with provision for parking and amenity space and altered access from the public highway (following demolition of existing office building). The Committee was advised that the amendments sought were for the retention of the development as constructed through variations to the planning conditions imposed:

- Condition Number 2 (approved Plans) - plans replacement to allow alterations to architectural detailing of the dwellings (chimney stack heights, rooflights, windows, cladding, balcony design, roof pitch, location of air source heat pumps, number of EV charging points and landscaping),
- Condition Number 3 (land remediation verification report) - removal of this condition as there was no need for verification report to be produced,
- Condition Number 4 (sustainability measures) - reduction to the provision of Electric Charging Points per dwelling, and
- Condition Number 6 (low boundary walls) removal of this condition to allow north and south boundary walls to remain as existing and/or constructed.

This planning application had been referred to the Committee at the request of the Executive Director of Place due to the retrospective nature of the development, as the four properties had already been built, and the representations received in objection to the development, which included an objection from the Hartley Wintney Parish Council.

The Principal Planner advised the Committee of revised plans which had been received correcting minor inaccuracies in order to fully reflect on paper the development constructed on the land. The revisions did not have implications with the planning assessment undertaken which had also been carried out based on the development as constructed and seen on the site.

As a result of the revisions received, planning condition number 1 would have to be updated to reflect the plan numbers and documents received.

Members questioned the Principal Planner on:

- the height of the buildings constructed and whether this was higher than the buildings previously approved, and
- the type of windows installed at the gable end of the buildings.

Members questioned the public speaker representing the applicant on:

- whether the applicant had been in contact with officers at Hart District Council regarding the changes throughout the building phase,
- why the changes were made when the applicant did not have permission to make the changes,
- what structural issues caused amendments to design, and
- why the decision had been made to use mock sash windows instead of real sash windows.

During discussion on the application, Members debated:

- sight lines for residents at these properties when inside vehicles trying to exit their parking areas and concerns for safety,
- visibility splays,
- ownership of adjacent wall,
- positive elements of the proposal's evolution, including introduction of solar panels,
- whether the proposed changes were minor and would have received permission originally,
- the Highway Authority had raised no objections to the revised plans,
- the objections raised by Hartley Wintney Parish Council,
- the need to ensure that Hart District Council's planning policies were adhered to and planning enforcement was not undermined, and
- the need for a deed of variation and the changes to SANG calculations due to changes in the tariff since the initial permission.

The sequential Recommendations to grant permission subject to the completion of a suitable deed of variation were proposed by the Chairman (Cllr Cockarill); seconded by Cllr Oliver and, as it was apparent that the recommendation would not be unanimously approved, a recorded vote was taken.

For: Brown, Coburn, Cockarill, Delaney, Dorn, Makepeace-Browne, Oliver, Quarterman and Wildsmith (9); Against: Highley (1); Abstained: 0.

The Committee resolved that:

(i) **Recommendation A**

Subject to the completion of a Deed of Variation to the Section 106 legal agreement that secured Thames Basin Heaths Special Protection Area mitigation (access to private SANG and the Strategic Access, Maintenance and Monitoring (SAMM) tariff), retrospective planning permission subject to planning conditions as listed in the report be **GRANTED**; and

(ii) **Recommendation B**

In the event the Deed of Variation to the Section 106 legal agreement is not completed within six months of the date of the Development Management Committee resolution (or longer period as may be agreed by the Executive Director – Place,) permission be **REFUSED** under delegated powers for the reason stated in the report.

Note:

Speaking

FOR the application: Jonathan Jarman, Bell-Cornwell

The meeting closed at 7.43 pm