

PLANNING COMMITTEE

Date and Time: Wednesday 21 September 2022 at 7.00 pm

Place: Council Chamber

Present:

Cockarill, Forster, Makepeace-Browne, Oliver, Southern, Worlock, Wildsmith, Dorn and Axam

In attendance:

Officers:

Mark Jaggard, Executive Director - Place
Ann Greaves, Shared Legal Services Manager
Kathryn Pearson, Principal Planner
Peter Lee, Planning Team Leader
Aimee Harris, Senior Planner
Julia Taylor, Planner
Jenny Murton, Committee & Members Services Officer

24 MINUTES OF PREVIOUS MEETING

The minutes of the meeting on 20th July 2022 were confirmed and signed as a correct record.

25 APOLOGIES FOR ABSENCE

Apologies had been received from Councillors Blewett, Kennett, Quarterman and Radley.

Councillor Dorn was a substitute for Councillor Kennett and Councillor Axam was a substitute for Councillor Radley.

26 DECLARATIONS OF INTEREST

Councillor Southern declared he knew the applicant for application 22/01343/HOU but it was a non-pecuniary interest.

27 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had two announcements:

1. Parish and Town Council engagement evenings held by the Development Management Team in June and August had been well attended. Future engagement evenings like these will follow in the Autumn. The Chairman asked the Committee to contact their local parishes to encourage them to participate.

The Development Management & Building Control Manager to determine which parishes had not participated in these engagement events and to reach out to them specifically.

2. The Chairman also highlighted that Built Environment Review tour still need to be arranged. The Executive Director – Place to look at this for Spring 2023.

Members stated they would prefer a minimum 3-5 months' notice for these visits if possible as it was not a lack of interest but a lack of diary availability hindering the scheduling.

28 UPDATE ON CHANTRYLAND, EVERSLEY, HAMPSHIRE

The Executive Director – Place provided an update on a site at Chantryland Eversley, which was considered by Planning Committee in May 2021. The Council was a defendant to litigation brought by the developer. In 2021, Planning Committee gave authority to the Head of Place to participate in mediation with the developer prior to the matter being heard at trial.

The outcome of the mediation was that both parties agreed to appoint an independent viability expert to determine the maximum financial contribution to affordable housing which the planning permission is capable of sustaining.

The Council has now received the determination of the independent viability expert. The expert concluded that maximum financial contribution to affordable housing was £0 (nil).

The Executive Director – Place confirmed that the site would not be required under current planning policy to make any Affordable Housing contributions due to changes in policy since it was determined. It was confirmed that the proposal involved fewer than 10 dwellings.

29 UPDATE ON A PLANNING ENFORCEMENT SUB-COMMITTEE MEETING

The Executive Director - Place requested a Planning Enforcement Sub-Committee meeting be arranged regarding ongoing matters at Hawley Park Farm. A Members' site visit before this meeting was also recommended.

Committee Services to arrange a date for this meeting at the earliest convenience.

30 DEVELOPMENT APPLICATIONS

31 21/02933/HOU - 35A BASINGBOURNE ROAD, FLEET, GU52 6TG

The Planning Team Leader summarised the application as follows:

Erection of a single storey rear extension to dwelling (part of which is completed under permitted development rights), together with alterations to the front elevation and replacement of double garage with ancillary residential accommodation.

At 19:26 Councillor Forster declared a non-pecuniary interest, as a resident was known to him.

There had been 12 letters of objection received from four separate households, and a bat survey had been requested by the Council.

Revised plans have been received after the agenda for this meeting had been published. Officers had not accepted amendments pending the outcome of the Planning Committee's consideration.

Members considered the application and asked the following questions:

- Had a bat survey been requested and if so, had one been carried out.
- How the plans and drawings presented at the meeting and in the Agenda pack differed from what had been built on site and how this may also differ from revised plans that the Planning department received from the applicant but did not accept and did not distribute to Members.
- Fire safety implications which would be considered by Building Control.
- The option to defer the application and bring it to a future Planning Committee Meeting with accurate revised plans and a bat survey included.
- The current enforcement issues relating to the outbuilding.
- Members needed to consider if they considered the likelihood of the presence of bats and if so, a bat survey would need to be forthcoming and could not be subject to condition in line with case law.

The Executive Director – Place confirmed that the planning team had requested a bat survey to be undertaken.

Members debated:

- Could a Phase 1 bat survey be undertaken immediately.
- Depending on the findings of the survey work, there could be a need for a Phase 2 bat survey in the survey period.
- The distance from the proposed development to boundary.
- The moral obligation of homelessness which could result from refusal.
- That further clarity is needed on the submitted drawings and what is built under planning permission, must reflect approved plans.
- Adding a condition to ensure materials are used that will be in keeping with the local area due to ambiguity on glazed link element.
- The need for Building Control to manage safety elements.
- The comments from the Ecology Officer and how they appeared inconsistent in the report to one Member, which was clarified by the Chairman when the full quotation was read that the comments were not inconsistent.

- The number of occupants is not a planning issue.
- The Committee considered a duty to ensure the best decision is made for the applicants and neighbours.

The Executive Director - Place suggested there was just sufficient time to do a phase one bat survey that could be incorporated into the final decision.

All Members voted unanimously against the original recommendation to refuse. Members undertook a recorded vote for a revised motion, which was unanimous and a resolution to delegate authority to the Executive Director – Place was carried subject to conditions.

DECISION – GRANT, delegate authority to Executive Director - Place to grant planning permission subject to receipt of acceptable amended plans and receipt of an appropriate bat survey from a suitably qualified ecologist within six months. If not, to refuse permission on the basis of no bat survey.

Subject to the receipt of acceptable amended plans and an appropriate bat survey from a suitably qualified ecologist, to vary the enforcement notice to extend the time period for compliance with the requirements of the Enforcement Notice.

Notes:

A site visit was carried out on Tuesday 20th September, as set out in the Addendum paper, and was attended by Councillors Axam, Makepeace-Browne and Southern.

Speaking Against the Application: Mr Owen Davies

Speaking For the Application: Mrs Sonia Laurent

32 22/01343/HOU - WOODLAND VILLA, CRICKET GREEN LANE, HARTLEY WINTNEY, HOOK HAMPSHIRE, RG27 8PH

Councillor Dorn left the meeting at 20:45.

The Planner summarised the application as follows:

Demolition of existing conservatory and garage and erection of a two-storey side extension and single storey home office/store.

Members considered the application and discussed:

- If an apple tree featured in the plans, whether it was a protected tree.
- Clarification was sought on a specific apex window of the property.
- Members considered the effect of the development on neighbouring properties.

Members undertook a recorded vote on the recommendation, which was unanimous, and Grant was carried.

DECISION – GRANT, subject to conditions.

Notes:

A site visit was carried out on Tuesday 20th September, as set out in the Addendum paper, and was attended by Councillors Axam, Makepeace-Brown and Southern.

*Mr Malcolm Shimmin, spoke against the application
Mr Frank Dowling, OBO Applicant, spoke for the application.*

33 22/00778/FUL - LAND ADJACENT TO DAMALES FARM, BOROUGH COURT ROAD, HARTLEY WINTNEY, HOOK, HAMPSHIRE

The Principal Planner summarised the application as follows:

Change of use from agricultural land to a dog walking site with associated parking.

Members considered the application and questioned:

- If the application is a departure from the adopted Local Plan and Planning Policy, and what the consequences would be if it were.
- The type and quality of the soil on the site in Best and Most Versatile Land classification and the monocrop growing.
- Future grass planting that would likely be carried out.
- The number of car owners that would need to travel to the site and the environmental impacts of this.
- What SANGs in the Hart District are currently used for.
- Whitewater Meadows, Bassetts Mead and Holt Park SANGs and how dogs could escape from these as they are unfenced.

Members debated:

- Why the report mentioned the need for lights and toilets that would potentially have to come back to Committee as part of an additional planning application.
- The potential impact on Damales House.
- How popular dog walking fields are and could become in the future.
- Concern was raised again over the number of drivers who may wish to travel to the site.
- If conditions could be issued relating to the reinstatement of the land so that the field doesn't become a brownfield site.
- The low impact this scheme would generally have on the environment.
- How this scheme compares to a similar scheme at Wellington Country Park.

The Executive Director – Place asked for clarification on how this site would differ from other potential countryside sites that may come forward in the future and how Members would approach this.

Members voted unanimously against the original recommendation to refuse.

The Executive Director – Place asked if Members were minded to approve the scheme with the reasons for approval given this was contrary to the Officer recommendation.

Members confirmed that on balance:

- The scheme would have a very low impact;
- There would be no lighting;
- There would be no built form on site;
- There would be a maximum of four car parking spaces;
- Its scale; and
- It would only effect a very small percentage of the agricultural unit which would still be a viable agricultural business.

Members undertook a recorded vote for a revised motion, which was unanimous, and Grant was carried subject to conditions.

DECISION – GRANT, delegate authority to the Executive Director – Place to Grant planning permission subject to consultation with the Chairman of this meeting (Councillor Oliver) and the Planning Committee Ward Councillor on the content of the conditions.

Notes:

A site visit was carried out on Tuesday 20th September, as set out in the Addendum paper, and was attended by Councillors Axam, Makepeace-Browne and Southern.

Mr David Mitchell, spoke for the application.

34 22/01389/AMCON - 7 BROOME CLOSE, YATELEY, HAMPSHIRE, GU46 7SY

Councillor Southern declared an interest in this application as he regularly plays golf with the next-door neighbour.

The Senior Planner summarised the application as follows:

The Variation of Condition 2 attached to Planning Permission 19/02756/HOU dated 22/10/2020 to allow a relocation of the bin room, door to front elevation, doors to rear elevation, duplex windows to side and rear elevations, reconfiguration of windows and changes to the internal layout.

The Senior Planner confirmed that the application was brought before the Committee as the agent was an elected Member.

Members considered the application, undertook a recorded vote and Grant was carried:

For - Axam, Cockarill, Forster, Makepeace-Browne, Oliver, Wildsmith and Worlock

Against - None

Abstention - Southern

DECISION – GRANT

Notes:

No site visit took place and there were no speakers.

The meeting closed at 9.46 pm