



NOTICE OF MEETING

Meeting:	Planning Committee
Date and Time:	Wednesday, 22 May 2019 at 7.00 pm
Place:	Council Chamber, Civic Offices, Fleet
Telephone Enquiries to:	Mrs Alison Cottrell, 01252 774131 committeeservices@hart.gov.uk
Members:	To Be Confirmed

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

**COPIES OF THIS AGENDA ARE AVAILABLE IN LARGE PRINT
AND BRAILLE ON REQUEST**

- 1 At the start of the meeting, the Lead Officer will confirm the Fire Evacuation Procedure.**
- 2 The Chairman will announce that this meeting may be recorded and that anyone remaining at the meeting has provided their consent to any such recording – please see our protocol on [Attending and Reporting Meetings](#).**

1 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 10 April 2019 to be confirmed and signed as a correct record. **Paper A**

2 APOLOGIES FOR ABSENCE

3 CHAIRMAN'S ANNOUNCEMENTS

4 DECLARATIONS OF INTEREST

To declare disclosable pecuniary, and any other, interests.

5 ELECTION OF VICE CHAIRMAN

6 PLANNING (ENFORCEMENT) SUB COMMITTEE

To appoint members to the Planning (Enforcement) Sub Committee.

7 PLANNING (MAJOR SITES) SUB COMMITTEE

To appoint members to the Planning (Major Sites) Sub Committee.

8 PLANNING COMMITTEE WORKING PARTY

To appoint members to sit on the Planning Committee Working Party.

9 QEB TRANSPORT STEERING GROUP

To appoint Hart District Council Members to the QEB Transport Steering Group.

1. Portfolio Holder for Environment and Technical Services.
2. One District Councillor from Church Crookham East Ward.
3. One District Councillor from Church Crookham West Ward.

10 DEVELOPMENT APPLICATIONS

To accept updates via the Addendum and to consider the planning report/schedule from the Head of Regulatory Services as attached. **Paper B**

Date of Despatch: 14 May 2019

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. Any recommendation either to take or not to take enforcement action has been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict, this will be highlighted in the individual report on the relevant item.

PLANNING COMMITTEE

Date and Time: Wednesday, 10 April 2019 at 7pm

Place: Council Chamber, Civic Offices, Fleet

COUNCILLORS

Cockarill (Chairman)

Ambler, Blewett, Forster, Gorys, Oliver, Quarterman, Radley, Southern, Wheale (7.20 pm), Worlock

Officers:

Emma Whittaker	Planning Manager
Miguel Martinez	Principal Planning Officer
Stephanie Baker	Senior Planning Officer
Debbie Berry	Shared Legal Services
Alison Cottrell	Committee Services Officer

61 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 13 March 2019 were confirmed and signed as a correct record.

62 APOLOGIES FOR ABSENCE

None.

63 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make but drew the Committees attention to the fact that as Councillors Gorys was not standing for re-election in May that this would be his last Planning Committee. On behalf of the Planning Committee he thanked Councillors Gorys for his 21 years' service on the Planning Committee, indicating that he had brought a real insight into some of the more difficult applications and that his wisdom and insight would be something that would be missed.

Councillor Gorys indicated that this was a historic moment for him following his 21 years' service on the Committee and wished to thank both Members and Officers for their help and assistance over the years; he asked that his thanks be conveyed to all the officers of the Planning team and that he wished everyone well for future Planning Committees.

Councillor Blewett stated that Councillor Gorys would be a great loss to the Planning Committee; Councillor Forster said that Councillor Gorys had always been incredibly supportive and helpful in understanding and explaining some of the vagaries of the Constitution and Committees.

64 DECLARATIONS OF INTEREST

None declared.

65 DEVELOPMENT APPLICATIONS

There being no addendum, applications set out in the accompanying schedule were considered and decisions made as shown.

The meeting closed at 9.05 pm.

**HART DISTRICT COUNCIL
DEVELOPMENT APPLICATIONS**

Decisions/Recommendations 10 April 2019

Item No: I01 -I8/02I50/FUL – Edenbrook, Hitches Lane, Fleet, Hampshire

Erection of 41 apartments, plus associated access, parking, landscape, and other associated works.

The application was considered at last (March 2019) Planning Committee. However, whilst recommended for approval the Committee was minded to refuse planning permission for the following reasons:

“The development would fail to provide sufficient vehicular parking to meet the demands of the development in line with the adopted parking standards which would be likely to displace vehicular parking outside of the site such to cause obstruction and undue interference with the safety and convenience of users of the surrounding roads. The development also fails to provide adequate internal cycle storage provision within each apartment building such to hinder the convenient and safe storage of cycles for future occupiers. As such the proposed development is contrary to Saved Policies GEN1 and T14 of Hart District Local Plan 1996-2006, the Parking Provision Interim Guidance (August 2008) and the aims of the National Planning Policy Framework (2019).”

Further consideration of the application was then deferred so that in accordance with the Planning Committee’s agreed procedure (December 2012) the applicant is given an opportunity to address the proposed reasons for refusal.

Members considered the application.

- The number of one bed units had increased and the number of two bed units had decreased which in turn had reduced the parking demand.
- That one bed units may still have two people living there with two vehicles.
- That we do not have good public transport in the Hart area.
- That there are parking problems in general in the Hart area.
- Floor plans had been updated so that cycle parking is provided in both of the blocks.
- The location of bin storage and whether there is sufficient for both Block A and B.
- The traffic management request for Willowbourne and when this is likely to take place.

DECISION

That the Development Management Manager be authorised to **GRANT** planning permission **subject** to the completion of a planning obligation to secure:

- Affordable Housing (affordable private rent);
- Amend the relevant triggers in the original planning obligation as appropriate; and
- Re-secure or transfer the SANG and SAMM already secured through I3/02513/MAJOR to this scheme

AND subject to the planning conditions as previously indicated.

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall be carried out in accordance with the following drawing numbers and documents:

Application form dated 18.02.2019

Affordable Housing Statement dated February 2019

Information relating to extra care need sent by email from Anna Harper dated 21.01.2019

Schedule of Accommodation Rev B

Location and Site Plan Drawing No. S820/41-SP-00 Rev B

Block A Ground Floor Plan Drawing No. S820/41-Ba-01 Rev B

Block A First and Second Floor Plan Drawing No. S820/41-BA-02 Rev A

Block A Elevation Plan Drawing No. S820/41-BA-06 Rev A

Block B Ground Floor Plan Drawing No. S820/41-BB-04 Rev B

Block B First and Second Floor Plan Drawing No. S820/41-BB-05 Rev A

Block B Elevation Plan Drawing No. S820/41-BB-07 Rev A

Street scene Drawing No. S820/41/SC-10 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The external materials for the development hereby approved shall be in accordance with the details submitted on the approved plans and application form.

Reason: To ensure that the external appearance of the buildings are satisfactory in accordance with Policy GEN1 of the Hart District Local Plan 1996-2006 (Saved Policies).

4. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in accordance with the submitted details and shall be adhered to throughout the demolition and construction period. The Statement shall provide for:

- a. The parking of vehicles of site operatives and visitors;
- b. Loading and unloading of plant and materials;
- c. Storage of plant and materials used in constructing the development;
- d. The erection and maintenance of a security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e. Wheel washing facilities and methodology for the dispersal of waste water;
- f. Measures to control the emission of dust and dirt during demolition and construction;

- g. A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h. Details of the site office/compound.

Reason: In the interest of highway safety in accordance with policies GEN1 and T14 of the Hart District Local Plan 1996-2006 and the aims of the National Planning Policy Framework (2019).

5. Prior to first occupation of the development hereby permitted, a Car Parking Management Plan should be submitted to and agreed in writing by the Local Planning Authority. The plan should include but not be limited to, the provision of measures to control parking within the development including the erection of clearly visible "residents parking only" sign at the entrances of the parking area and it shall provide details of how the car parking shall be allocated for residents. The car parking areas proposed shall be made available and provided prior to the first occupation of any part of the development hereby approved and shall thereafter be maintained in accordance with the Car Parking Management Plan.

Reason: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking of motorised vehicles and to satisfy Policies GEN1 and T14 of the Hart District Local Plan 1996-2006 and the aims of the National Planning Policy Framework (2019).

6. No development shall commence until a Sustainable Drainage Strategy to manage surface water flooding on the site has been submitted to and approved in writing by the Local Planning Authority. The details to be provided shall confirm the responsible person(s) for maintenance of the approved measures for the lifetime of the development. Details within the plan shall also include, but not be limited to:

Measures to minimise surface water flooding entering the building and parking areas; If flood resistant measures are required then they shall be accompanied by a maintenance plan setting out all maintenance requirements for the proposed flood resistant measures, including details of an appointed person(s) responsible for their maintenance and repair. Once approved, the development shall be carried out in accordance with the submitted details prior to first occupation of the buildings,

Reason: In order to ensure that the development does not contribute to flooding from surface water and in order to prevent drainage issues within the development itself and in accordance with Policies GEN1 and GEN11 of the Hart District Local Plan 1996-2006 (Saved Policies) and the aims of the NPPF 2019 (Planning and flood risk).

7. If any unexpected contaminated land is identified during the course of the development works then ground works shall cease and the Environmental Health Department shall be notified so that any required remediation can be approved in writing before implementation.

Reason: In order to ensure that risks from land contamination to the future users of the site, and occupiers of neighbouring land, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other off-site receptors in accordance with the National Planning Policy Framework 2019 (Paragraphs 178, 179 and 180).

8. No work relating to the construction of the development hereby approved, including any deliveries of construction materials or plant and machinery and no removal of any spoil from the site, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

Reason: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy GEN1 of the Hart District Local Plan 1996-2006 (Saved Policies).

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's attention is drawn to the consultation response of the Joint Waste Team with particular regard to the need for a dropped kerb, suitable illumination for visibility in poor lighting conditions and for mechanisms on the doors to allow them to be kept open during the collection process.
3. The applicant is reminded of the biodiversity enhancement opportunity through the provision of swift bricks on the buildings. The Hampshire Swift Group can be contacted in this respect on 01590 622835, by visiting their website www.hampshireswifts.co.uk or via post to Orchard House, Wilverley Road, Brockenhurst, Hampshire SO42 7SP.
4. In light of the Designing out Crime Officer's comments on the application the applicant may wish to consider whether the internal access door needs to have an appropriate lock so that only residents of Block A can enter the cycle store internally.

Notes:

Speaking against the application: Fleet Town Council – Councillor Dai Pierce.

Councillor Wheale arrived during this application and therefore took no part in the decision making.

Item No: I02 -I8/00334/FUL – Hawley Park Farm, Hawley Road, Blackwater, Camberley, GU17 9EF

Full planning application for the erection of 158 dwellings, vehicular access from Hawley Road and the provision of SANG, public open space, landscaping and associated works - site layout alterations to re-site the blocks of flats from adjacent to Fernhill Lane to elsewhere in the site.

Members considered:

- That the ridge height of the properties on the Fernhill Lane boundary are 8.8 metres and now lower than the original proposed flats.
- That the properties on the Fernhill Lane boundary have been pulled further away from the boundary line.
- The reduced impact on the street scene and neighbours.
- That the blocks of flats are now located within the development itself.
- That the property mix, affordable housing and car parking is the same.
- That the application is now 25% higher density and that this is a substantial increase.
- Whether or not there is overdevelopment of the site.
- Information provided indicates that the extra 32 homes make the site commercially viable for Crest.
- Whether or not there is sufficient parking and whether it meets Harts or Rushmoors parking standards.
- That there are visitor parking spaces along the main road with 5 spaces set aside for electric vehicle charging.
- That in relation to car parking, the application is a historic application worked on the Rushmoor figures at that time.
- That Harts current car parking figures are based on the 2001 census data.
- That Rushmoors parking standards are based on 2017 data and East Hants standards are based on 2018 data.
- That East Hants parking standards are identical to Rushmoors parking standards.
- That in counting car parking spaces, whether or not garages are included.
- That the size of car parking spaces was discussed at Major Sites and that some of the car parking spaces are undercroft.
- Pedestrian safety in Fernhill Lane and whether rear gardens backing onto Fernhill Lane can be conditioned to ensure there are no garden gates or fencing that allows access to the lane.
- Use of Fernhill Lane as a shortcut and whether a traffic management condition can be imposed to ensure there is not significant additional traffic on the lane.
- That Hart has no control over members of the public using Fernhill Lane.
- That no construction traffic shall enter the site from Fernhill Lane and whether or not this can be conditioned.
- Whether or not there will be water run-off onto Fernhill Lane and how the lane will be protected.
- That the applicants have not submitted a viability report and have not suggested that the previous scheme is unviable.
- That the original 126 dwellings included within the Council's five year housing land supply and whether the extra 32 homes are required or whether our housing supply robust.

- That in relation to the Local Plan, there has been a significant change since October 2018 and that Hart is required to balance the impact on the conservation area.
- That the site is in a sensitive location.
- That the site does appear to be high density.
- Whether or not the additional housing is required to balance the housing need.
- Following a vote on the recommendation as set down in the paper on page 48, the recommendation was defeated.

A motion was put forward by Councillor Radley, seconded by Councillor Quarterman to move refusal of the application. Members considered the increased density and number of dwellings proposed and whether there was additional harm to the Conservation Area beyond that already caused by the previously consented scheme. Members were advised by the Planning Manager that the original scheme caused harm to the character and appearance of the Conservation and that the character of this part of the Hawley Park and Green Conservation Area was open farmland and parkland pasture. Members were satisfied that proposed development which proposed a 25% increase in the number of dwellings, would be significantly more harmful to the character of the Conservation Area than the previously approved scheme. Members also considered that the benefits of the scheme would not outweigh the harm identified. In this regard, it was recognised that the additional housing did represent a benefit of the scheme. However Members were also mindful of the status of the Emerging Plan, the Council's healthy housing land supply position, the delivery rate of 278% and the Local Plan Inspector's letter in which it was indicated that additional dwellings beyond the number planned for would be unsustainable (paragraph 10). These were new matters/information that had materially changed since the application was heard at the previous Planning Committee. Members therefore considered that the weight to be applied to the benefits of the scheme did not outweigh the harm caused to the Conservation Area. In addition, technical reasons for refusal were also necessary due to the lack of a completed planning obligation to secure the required mitigation and infrastructure requirements.

DECISION – REFUSE

1. The proposed development would result in a higher density development in a highly urbanised form, as a result, the proposal would fail to preserve or enhance the character and appearance of the Hawley Park and Green Conservation Area. This revised proposal would cause additional harm to the previously approved planning permission which would not be outweighed by the public benefits deriving from the scheme. The development is therefore contrary to Saved Policies GEN1 and CON13 of the Hart District Council Local Plan and to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as being contrary to the provisions in the National Planning Policy Framework
2. The site is located within 5km of a Site of Special Scientific Interest (SSSI) which forms part of the Thames Basin Heaths Special Protection Area (SPA). In the absence of any evidence that the test of no alternatives under the Conservation of Habitats and Species Regulations 2017 can be satisfied, or evidence that there are grounds of overriding public interest, the proposed development, either alone or in combination with other plans or projects, would be likely to have a significant adverse effect on the SPA. As such the proposal is contrary to saved policies CON1 and CON2 in Hart District Local Plan, and policy NRM6 in the South East Plan.

3. In the absence of any legally binding obligation to secure the provision of a financial contribution toward the provision of off-site highways improvements reasonably necessary to make the development acceptable, the proposed development would conflict with the requirements of saved policies GEN1 and T14 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.
4. The proposed development would not make appropriate provision to mitigate the impact of the development on the provision of leisure facilities. As such, the proposal would be contrary to paragraph 4.6.1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.
5. The proposed development does not make adequate provision for the provision of affordable housing. As such the proposal is contrary 'saved' policy ALTGEN13 in the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

Notes:

Speaking against the application: Mr Nigel Cowmeadow of HALT.

Speaking for Blackwater and Hawley Town Council: Dr Rachel Mogg.

Speaking for the application: Mr Alistair Pott, Crest Nicholson South.

Item No: 103 - 17/01017/FUL - Winchfield Lodge, Old Potbridge Road, Winchfield, Hook, Hampshire

The conversion of the existing lodge into 4no. residential dwellings, with the erection of 4no. residential apartments and 8no. detached dwellings, all with associated car parking and landscaping. Part retrospective application consisting of minor design amendments to the previously approved application reference 13/00720/MAJOR.

Members considered:

- Condition 9 and surface water drainage and that the applicant has to demonstrate that the culvert can take the flow rate of two litres per second before the properties can be occupied.
- The culvert and the capability of dealing with water.
- The performance of the culvert on the Old Potbridge Road.
- That theoretically it is the riparian owner that has responsibility for ensuring the culvert is clear.
- That there is a large holding tank on site to ensure that water is discharged slowly to the culvert.
- Whether the developer could gain permission to dig a culvert at the side of the road if he is unable to gain access to private land to clear the culvert.
- That had it not been for the determination of the Planning Committee, affordable housing would not have been included on this site.
- Councillor Southern asked that thanks be noted for the Officers determination to achieve this.

DECISION

- A.** That the Planning Manager be authorised to **GRANT** planning permission subject to the completion of a planning obligation to secure the following:
- Affordable housing onsite provision and commuted sum
 - Infrastructure contributions
 - SPA avoidance measures

AND subject to the following conditions

Conditions

- 1 The development shall be completed in accordance with plans and documents:

Plans:

P16-03-S-300, P16-03-S-301(received 18.07.2018), P16-03-S-310, P16-03-S-311, P16-03-S-312, P16-03-S-313, P16-03-S-314, P16-03-S-315, P16-03-S-316, P16-03-S-317, P16-03-S-318, P16-03-S-320, P16-03-S-321. P16-03-S-330, K2-01-01 Rev. M and K2-01-02 Rev. H, KIRK20532 13 Rev. I (received 05.04.2019)

Documents:

Design and Access Statement produced by Ark Tec, Arboricultural Impact Assessment & Method Statement produced by ACD Environmental, Soft Landscape specification produced by ACD Environmental, Bats- Method Statement & Figure 1 (Bat Mitigation Plan) produced by AAE Environmental Ltd, Geo-Environmental Report produced by Enzygo Ltd, Site Waste Management Plan produced by Framptons Project solutions Ltd, Facing brick and tile samples (All received 28 April 2017); Attenuation Storage Overflow Calculations dated 26 February 2018 and prepared by Micro Drainage (received 26 February 2018); and Surface Water Drainage V 1.1- Additional information for Lead Local Flood Authority prepared by Martin J. Harvey -received March 2018 (Excluding Appendix D).

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

- 2 The development hereby permitted shall not be occupied until such time the foul water drainage is fully connected to Thames Water sewerage infrastructure and the Surface Water Drainage Strategy approved under condition no. 1 is fully installed, completed and operational.

Reason: To prevent flooding and ensure that the development/site is adequately drained and to avoid adverse impact in the locality, to satisfy GEN 11 of the Hart District Local Plan (Replacement) 1996-2006, the National Planning Policy Framework and policy NBE 6 of the of the emerging Hart Local Plan - Strategy and Sites 2016-2032

- 3 The development hereby permitted shall not be occupied until such time a maintenance plan for the surface water drainage system has been submitted to, and approved in writing by the Local Planning Authority. The plan shall contain full details relating to the elements to be inspected, inspection frequency, and parties responsible for ongoing maintenance, clearly setting out liabilities for future

homeowners and/or any Maintenance Company and how these will be legally secured.

The maintenance plan shall subsequently be implemented in accordance with the approved details for the lifetime of the development.

Reason: To prevent flooding and ensure that the development/site is adequately drained and to avoid adverse impact in the locality, to satisfy GEN 11 of the Hart District Local Plan (Replacement) 1996-2006, the National Planning Policy Framework and policy NBE 6 of the of the emerging Hart Local Plan - Strategy and Sites 2016-2032

- 4 The development hereby permitted shall not be occupied until such time the external hard/soft landscaping strategy agreed under approved plan KIRK20532 13 Rev. H is fully completed. Any vegetation which die or become damaged or otherwise defective within the five year period following the completion of the development shall be replaced not later than the end of the following planting season, with planting of similar size, species number and positions.

Reason: To ensure that the external appearance of the development is satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006, the National Planning Policy Framework and policy NBE10 of the emerging Hart Local Plan - Strategy and Sites 2016-2032

- 5 No dwelling shall be occupied until a vehicular and pedestrian route has been fully completed and is available for use between the respective dwelling and the public highway.

Reason: To ensure that the development is provided with adequate access, in the interest of on-street car parking highway safety and to satisfy saved policies GEN1 and T14 of the Hart District Local Plan, the National Planning Policy Framework and policies NBE10 and I3 of the emerging Hart Local Plan - Strategy and Sites 2016-2032.

- 6 The approved garages and any other car and cycle parking facilities serving the development shall be fully completed and made available prior to the first occupation of any of the dwellings hereby approved. These parking 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 on-street car parking highway safety and to satisfy saved policies GEN1 and T14 of the Hart District Local Plan, the National Planning Policy Framework and policies NBE10 and I3 of the emerging Hart Local Plan - Strategy and Sites 2016-2032

- 7 Notwithstanding the provisions of Classes A, B, C, D E and F of Part I of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent order revoking and re-enacting that Order with or without modifications), no enlargement, improvement or other alteration to the dwelling houses hereby approved under these classes shall be carried out without the prior

permission of the Local Planning Authority, obtained through the submission of a planning application.

Reason: To prevent the overdevelopment of their curtilage to safeguard the living conditions of adjoining properties and visual appearance of the development and the area as a whole, in accordance with local policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006, the National Planning Policy Framework and policy NBE10 of the emerging Hart Local Plan - Strategy and Sites 2016-2032

- 8 No construction or demolition work or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours weekdays or 08:00 to 13:00 hours Saturdays. No development or demolition work or deliveries of materials shall take place on Sundays or Public Holidays.

Reason: To protect the amenity of nearby residential occupiers and to satisfy saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006, the National Planning Policy Framework and policy NBE10 of the emerging Hart Local Plan - Strategy and Sites 2016-2032

- 9 Development shall not be occupied until details/evidence have been submitted to and approved in writing by the Local Planning Authority demonstrating the section of the watercourse between the site entrance and the intersection of Old Potbridge Road with the B3016 is a running watercourse free from obstruction to satisfactorily connect the surface water drainage discharge into the watercourse.

Reason: In the interest of satisfactorily discharge surface water drainage from the site into a running watercourse and to prevent surface water overflows/flooding impacting in the locality, to satisfy GEN 11 of the Hart District Local Plan (Replacement) 1996-2006, the National Planning Policy Framework (2012) and policy NBE 6 of the of the emerging Hart Local Plan – Strategy and Sites 2016-2032

Informatives

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance the applicants submitted an amended site plan which set out minor amendments to the proposed siting of parking and storage. The objection comments received have been carefully considered within the committee report. They were also advised in connection with the need to complete obligations in respect of community infrastructure and the impact of the development on European Sites
- 2 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010, 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.
- 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. If the development includes works to an ordinary watercourse under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required. This consent is required as a separate permission to planning.
5. The applicant is advised that as part of the future discharge of condition no.9 above, an onsite meeting would be required for Council officers to confirm clearance works to the watercourse have been undertaken and to observe the discharge and flow of the managed discharged.

B. Should the planning obligation as specified above not be completed by 1st June 2019, the Planning Manager be authorised to REFUSE planning permission for the following reasons:

1. The proposed development fails to provide appropriate affordable housing, and is contrary to the objectives of Policy ALT GEN13 of the Hart District Local Plan (as saved).
2. The site is located within 5 kilometres of the nearest part of the part of the Thames Basin Heaths Special Protection Area (SPA). In the absence of any evidence that the test of no alternatives under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 can be satisfied, or evidence that there are grounds of overriding public interest, the proposed development, either alone or in combination with other plans or projects, would be likely to have a significant adverse effect on the SPA. As such the proposal is contrary to 'saved' policies CON1 and CON2 in Hart District Local Plan and 'saved' policy NRM6 in the South East Plan.
3. The proposed development has not demonstrated that it will mitigate for detrimental impacts on community infrastructure including education provision and leisure provision which will result from the development. The proposal is therefore contrary to the provisions of GEN1 of the Hart District Local Plan and the adopted Community Infrastructure Policy (August 2014).

Notes:

Speaking against the application: Kim Hull

Item No: I04 – I9/00245/FUL – 45 Somerville Crescent, Yateley, GU46 6XF

Demolition of existing garage and erection of new dwelling with re-use of existing vehicle access.

Members considered:

- That this application was not the same application as previously submitted albeit not that different.
- That Hart owns some of the land.
- That the proposed house has a larger separation gap between the houses in Manor Park Drive.
- That the proposed house is closer to the properties on Somerville Crescent but is acceptable.

DECISION – GRANT

Conditions

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prioritise delivery of housing given the limited supply of Sites of Accessible Natural Greenspace (SANG) in the district.

- 2 The development hereby approved shall be carried out in accordance with the following plan nos. and documents:
 - o Site Block Plan; drawing number 100H REV PI
 - o Site Location Plan; drawing number 101H REV PI
 - o Proposed Ground Floor Plan & GIA; drawing number 200H REV PI
 - o Proposed First, Second Floor & Roof Plan; drawing number 201H REV PI
 - o Proposed Elevations; drawing number 400H REV PI
 - o Front Perspective View; MAS Architecture

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

- 3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Once approved the Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction

- vii. a scheme for recycling/disposing of waste resulting from demolition & construction works
- viii. hours of construction.

Reason: In the interests of highway safety and neighbouring amenity and to accord with saved policies GEN I and T 14 of the Hart District Local Plan.

- 4 Excepting site clearance, no further development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- o Where infiltration is proposed, full infiltration tests in accordance to BRE 365 including groundwater strikes.
- o Detail drawings of the proposed drainage system including details as to where surface water is being discharged to.
- o Calculation confirming that the proposed drainage system has been sized to contain the 1 in 30 storm event without flooding and any flooding in the 1 in 100 plus climate change storm event will be safely contained on site.
- o Calculations showing the existing runoff rates and discharged volumes for the 1 in 1, 1 in 30 and 1 in 100 storm events and calculations for the proposed runoff rates and discharged volumes for the 1 in 1, 1 in 30 and 1 in 100 plus climate change storm events. To be acceptable proposed runoff rates and discharge volumes must be no higher than existing.

Reason: In order to prevent any increase in onsite and offsite flood risk from the proposed drainage system, and to satisfy saved policy GEN 11 of the Hart District Local Plan.

- 5 Prior to first occupation of the development hereby permitted the two windows in the first and second floor of the eastern side elevation of the house as per drawing numbers 1066_201.PI and 1066_400.PI shall:

- (a) be of purpose-made obscure glass,
- (b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

Reason: In order to preserve the privacy of the neighbouring dwelling and to satisfy saved policies GEN I and URB 16 of the Hart District Local Plan.

- 6 The approved parking facilities shall be implemented prior to first occupation and thereafter used only for the purpose of parking of motorised vehicles, and access shall be maintained at all times for them to be used as such.

Reason: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking of motorised vehicles and to satisfy saved policies GEN I and T 14 of the Hart District Local Plan.

- 7 Notwithstanding the provisions of the Town and Country Planning General Development (England) Order 2015 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no enlargement of the existing or approved dwellinghouse, as permitted by Class A, B and E of Part I of the Second Schedule of the Order, shall be constructed without the prior written permission of the Local Planning Authority.

Reason: To ensure the retention of a satisfactory appearance to the development, to avoid overdevelopment of the site, to protect amenity of neighbouring properties and to satisfy saved Policy GEN I of the Hart District Local Plan.

- 8 No development or demolition work or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours weekdays or 08:00 to 13:00 hours Saturdays. No development or demolition work or deliveries of materials shall take place on Sundays or Public Holidays.

Reason: To protect the amenity of nearby residential occupiers and to satisfy saved policy GEN I of the Hart District Local Plan.

Informatives

- I 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.



HEAD OF REGULATORY SERVICES
REPORT TO THE PLANNING COMMITTEE OF
22nd May 2019

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:

- I. 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
- 2. Specific policies in the development plan indicate that development should be restricted.
- 3. Unsatisfactory applications will however, be refused without discussion where:
- 4. The proposal is unacceptable in principle and there are no clear material considerations that indicate otherwise; or
- 5. A completely new design would be needed to overcome objections; or
- 6. Clear pre-application advice has been given, but the applicant has not followed that advice; or
- 7. No pre-application advice has been sought.

6. PLANNING POLICY

The relevant development plans are, the Hart District Local Plan including first alterations, retained Policy NRM6 of the South East Plan the Hampshire, the Odiham Neighbourhood Plan, the Rotherwick Neighbourhood Plan, the Winchfield Neighbourhood Plan, the Portsmouth, Southampton, New Forest National Park Minerals and Waste Core Strategy, and the saved policies of the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan.

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
- 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

- 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.
- 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:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. 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 under. 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

1. necessary to make the development acceptable in planning terms,
2. directly related to the development, and
3. 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

1. Complete,
2. Precise,
3. Specific
4. Relevant to the application, and
5. 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:

1. 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.
2. Failure to produce evidence to substantiate each reason for refusal on appeal
3. Vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. 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
5. Acting contrary to, or not following, well-established case law
6. 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
7. Not determining similar cases in a consistent manner
8. 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
9. Refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage
10. 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
11. 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
12. 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
13. 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.
14. 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:

1. The Human Rights Act 1998,
2. 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

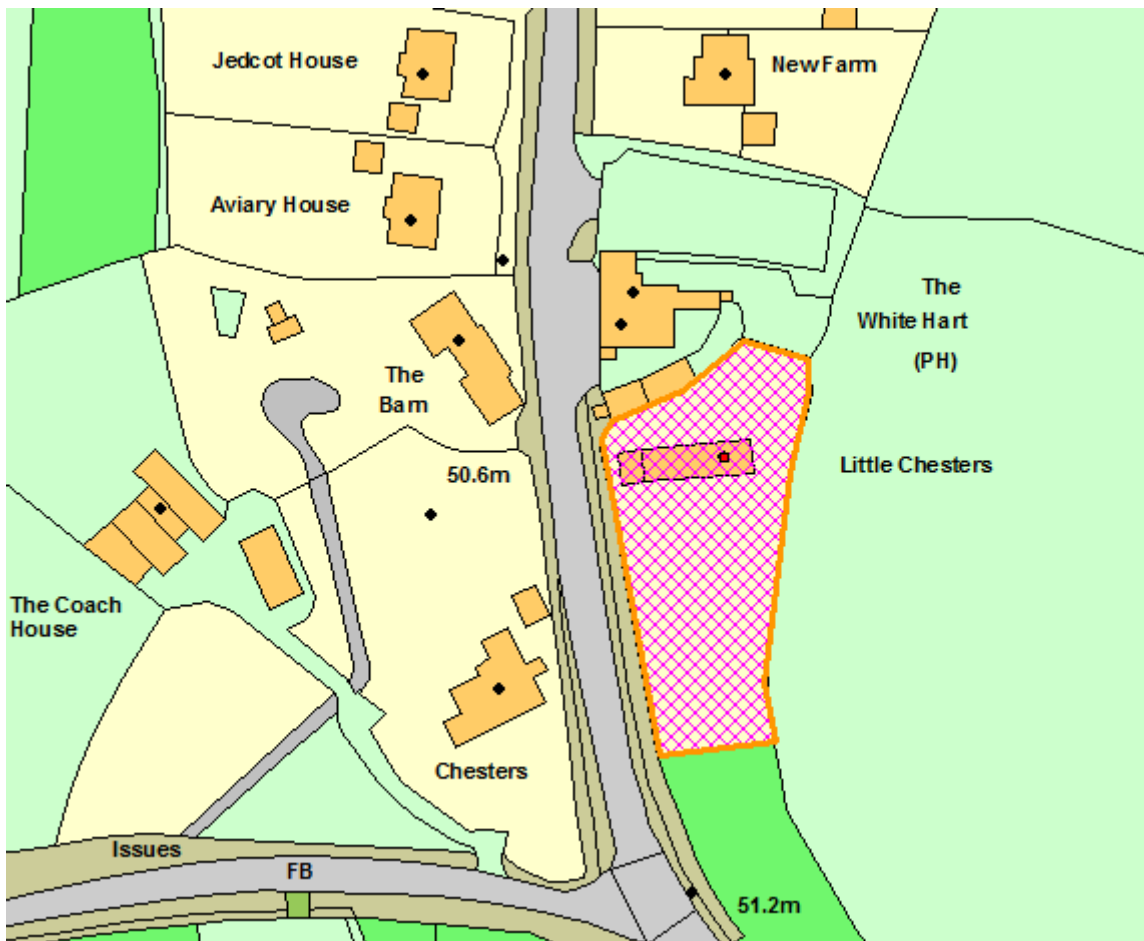
All drawings are available for inspection on the internet at www.hart.gov.uk

Little Chesters The Street Eversley Hook Hampshire RG27 0PJ

Replacement shed following demolition of 2 sheds which are adjacent to each other. Demolition of a green house, demolition of a summer house, removal of patio, new patio and new summer house.

**COMMITTEE REPORT
ITEM NUMBER: 101**

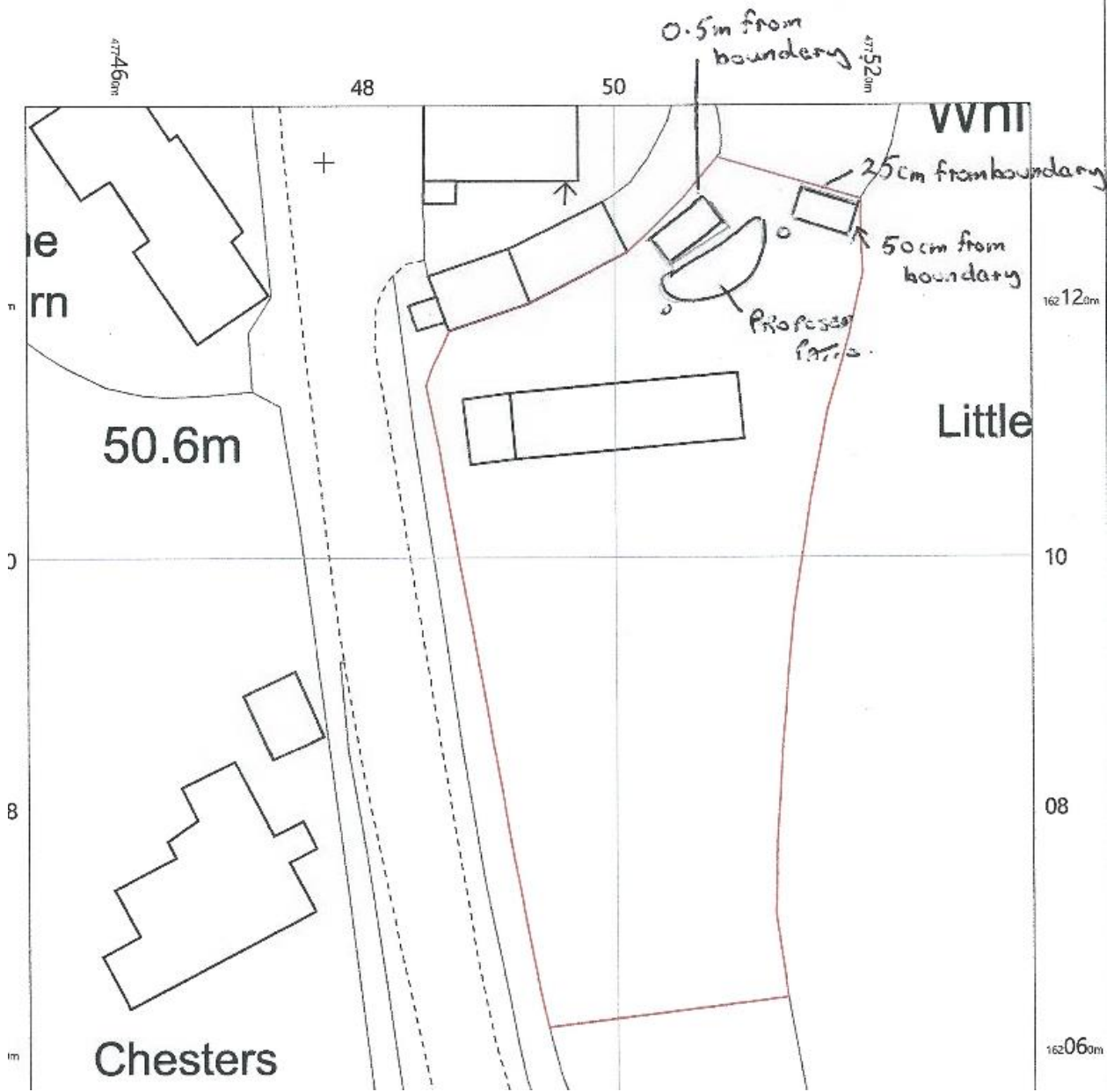
APPLICATION NO. 19/00076/HOU
LOCATION **Little Chesters The Street Eversley Hook Hampshire
RG27 0PJ**
PROPOSAL Replacement shed following demolition of 2 sheds which are adjacent to each other. Demolition of a green house, demolition of a summer house, removal of patio, new patio and new summer house.
APPLICANT Dr Andrew Boon
CONSULTATIONS EXPIRY 29 March 2019
APPLICATION EXPIRY 22 April 2019
WARD Hartley Wintney
RECOMMENDATION **Grant**



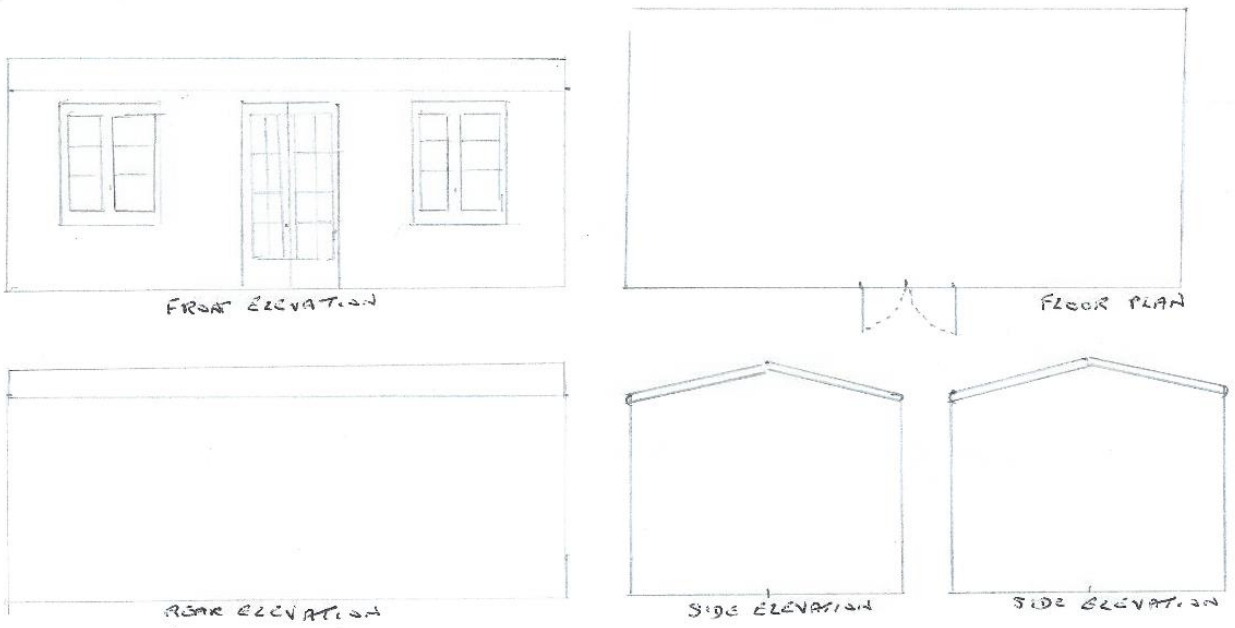
Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. **Please Note: Map is not to scale**

Block Plan

Proposed Structures

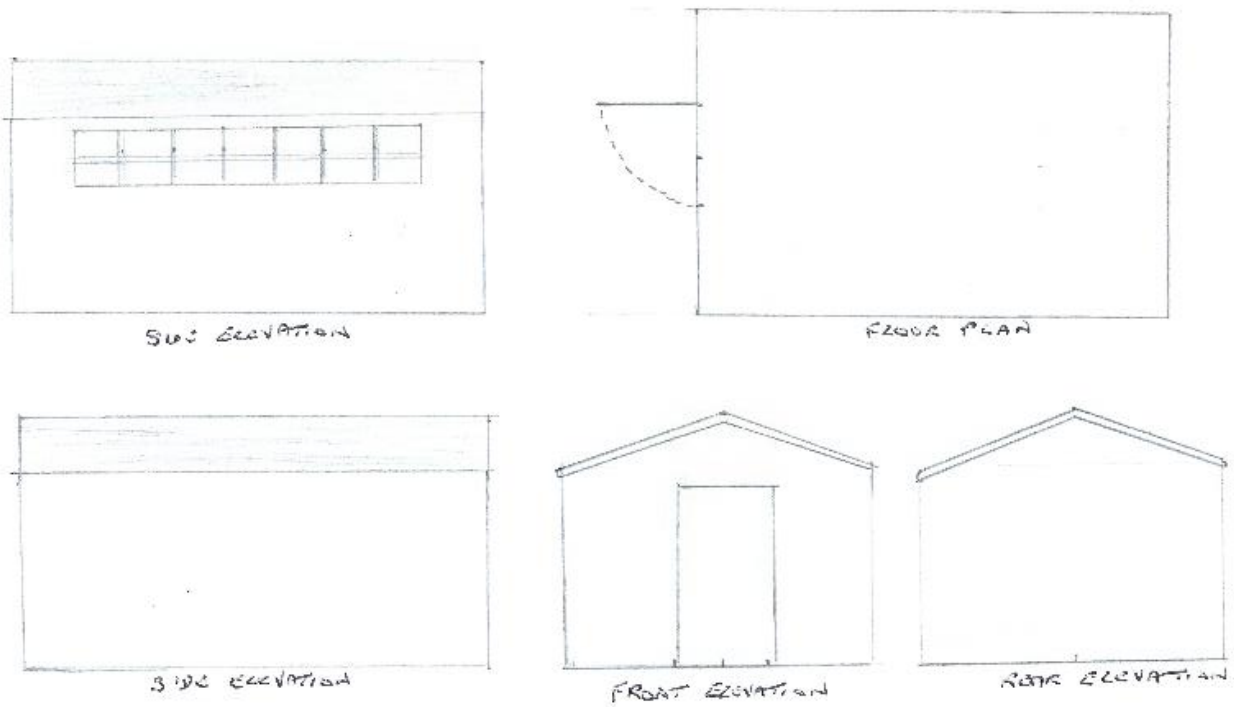


Proposed Summerhouse



Proposed Summerhouse

Proposed Shed



Proposed shed.

Background

The application is being presented at Planning Committee as the applicant is the husband of a District Councillor.

The Site

The application property is a long, narrow, black and white timbered C17 listed cottage set on the east side of The Street.

The application site is situated within the Eversley Street Conservation Area, which is further covered by an Article 4 Direction.

Proposal

Demolition of two sheds, greenhouse and summerhouse.

Erection of a replacement shed and summerhouse.

Removal of existing patio and creation of new patio.

Planning History

None relevant.

Planning Policy

The site is located within the Rural Settlement Boundary of Eversley.

National Planning Policy Framework (NPPF) (July 2018)

- Section 12 (Achieving well-designed places);
- Section 15 (Conserving and enhancing the natural environment);
- Section 16 (Conserving and enhancing the historic environment).

Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006

- GEN1 (general policy for development);
- GEN4 (general design policy);
- RUR1 (areas covered by RUR policies);
- CON8 (trees of amenity value);
- CON13 (conservation areas - general);
- CON14 (conservation areas - demolition);
- CON17 (listed buildings).

Neighbourhood Plans

None.

Other Guidance

- Conservation Areas Proposal Statement - Church Farm, Eversley Street, Eversley Cross and Up Green;
- Planning (Listed Buildings and Conservation Areas) Act 1990.

Consultee Responses

Conservation/Listed Buildings Officer (Internal)

No objection.

Eversley Parish Council

No comments received.

Tree Officer (Internal)

No objection subject to tree protection measures to be supplied by condition.

For the avoidance of doubt, the arboricultural method statement (AMS) will need to be in accordance with BS5837:2012 and include provision for:

- A suitable combination of tree protection fencing and ground protection
- Method of installation for foundations for all structures.

Neighbour Comments

None received.

Policy and Determining Issues

Article 4 Directions are issued by the Council in exceptional circumstances where specific control over development is required, primarily where the character of an area of acknowledged importance would be threatened. The presence of an Article 4 Direction does not preclude development but simply requires planning permission to be secured from the Council before any specified works take place.

Conservation Areas are designated by the District Council. New development is allowed within Conservation Areas but in considering whether to grant planning permission for new development or to allow demolition within a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Listed Buildings are designated by the Secretary of State for Culture, Media and Sport. In considering whether to grant listed building consent for any works, special regard must be taken of the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Hart District Council Local Plan (Replacement) 1996 – 2006

- | | | |
|-------|---|--|
| GEN1 | - | General policy for development |
| GEN4 | - | General Design Policy |
| RURI | - | Definition of areas covered |
| CON13 | - | Conservation Areas General Policy |
| CON14 | - | Conservation Areas Building Demolition |
| CON17 | - | Listed Buildings Extension-Alteration |

Considerations

The primary considerations in the determination of this application are whether the proposal would preserve or enhance the character and setting of the listed building, and the conservation area.

Under Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability **of preserving** the building or its setting or any features of special architectural or historic interest which it possesses.' Section 16(2) reiterates this law.

With regard to conservation areas Under Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990, 'Special attention shall be paid to the desirability of **preserving or enhancing the character or appearance** of that area.'

Principle of Development

The application site is situated within the rural settlement of Eversley where there is a presumption in favour of sustainable development provided that proposal is in compliance with development plan policies and that no unacceptable harm to residential amenity, the environment, highway safety or any other material planning considerations arise.

Saved policy GEN1 of the Local Plan confirms that development should be permitted where the proposal is well designed, is in keeping with the local area and sympathetic to the existing dwelling. Saved policy GEN4 is a general design policy relating to the design of developments. Development proposals will be permitted where the scale, design, character and appearance sustains or improves the design qualities of settlements.

Therefore, in principle, the proposal is considered an acceptable form of residential development, subject to consideration of all other material planning considerations.

Design and Impact on Heritage Assets

Saved Policy CON13 emphasises that development, in terms of materials and massing should be sympathetic to the character and appearance of the conservation area. Policy CON14 states that the removal of a building or part of a building will not be permitted where it would unacceptably harm the special character and/or appearance of the area. Saved policy CON17 confirms that proposals for the extension or alteration of listed buildings will not be permitted unless the scale of the building is not materially changed and the design is appropriate to the character and setting of the building.

The existing sheds, summerhouse, greenhouse and patio are modern and their removal is acceptable. The proposed shed and summerhouse takes up roughly the same footprint as the four buildings to be demolished and their design is typical of this type of structure. Therefore, their impact, along with the new patio, on the setting of the listed building would be neutral.

The proposal would not be visible within the public realm, therefore its impact on the Conservation Area will be neutral.

The Conservation Officer has raised no objections to the proposal.

Overall, the proposal is considered to preserve the special interest of the listed building and would not cause harm to its significance. Furthermore, the proposal is considered to preserve the Conservation

Area. Therefore, the proposal would accord with Policies CON13, CON14 and CON17 of the Hart District Local Plan.

The proposal would also sustain the significance of the listed building and ensure its conservation as required by paragraphs 192 and 193 of the NPPF. It would also preserve the listed building and any features of special architectural or historic interest which it possesses in line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990.

Neighbour Amenity

Saved Policies GEN1 and GEN4 emphasise that sustainable development should be permitted provided that the proposal does not result in any material loss of amenity to adjoining neighbours, among other considerations.

Given the nature of the proposal and separation distances between the location of proposed development and adjoining neighbours, the proposals would not detract from the amenities of neighbouring properties.

Trees

Saved Policy CON8 allows development that does not have an adverse effect on the long term health of trees with amenity value.

There are no trees protected by virtue of a Tree Preservation Order, however all trees of a certain size are protected by the Eversley Street Conservation Area.

The proposal has the potential to harm the rooting area of the Poplars. The Tree Officer has confirmed no objections to the proposal subject to a suitably worded pre-commencement condition requiring: a suitable combination of tree protection fencing and ground protection, and the method of installation for foundations for all the structures.

Other Matters

As required by the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 which came into force on 1st October agreement must be sought from the applicant/agent when imposing pre-commencement conditions.

The applicant confirmed on 08.04.2019 that the requested condition regarding tree protection details (condition 4) is acceptable.

Conclusion

It is considered that the design and appearance of the proposal would be acceptable and that there would be no material loss of amenity to the neighbouring properties or harm to the street scene. Furthermore, the proposal would preserve the character, appearance and setting of the Listed Building and Conservation Area. It is therefore considered that the proposal would comply with the relevant saved policies of the Local Plan.

The application is therefore recommended for approval.

Recommendation - Grant

- I 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 out in accordance with the following approved plans and documentation:

- Location Plan;
- Proposed Garden Shed;
- Proposed Shed;
- Design, Access and Heritage Statement;
- Block Plan - Proposed Structures;
- Proposed Summerhouse.

Reason

To ensure that the development is carried out in accordance with the approved details.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described in the application form.

Reason

To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy saved policy GEN1 of the Hart District Local Plan 1996-2006 (Saved Policies).

- 4 No development including site clearance, ground preparation, material storage or construction works shall commence on site until a Tree Protection Plan and Arboricultural Method Statement has been submitted and approved in writing by the Local Planning Authority. The tree protection shall be installed in accordance with BS5837:2012 'trees in relation to design, demolition and construction' and shall provide tree protection details for:

- a suitable combination of tree protection fencing and ground protection;
- method of installation for foundations for all the structures.

Reason

Details are required prior to development to ensure the continuity of amenity afforded by existing vegetation in accordance with Policies GEN1 and CON8 of the Hart District Local Plan 1996-2006 (Saved Policies) and Section 15 of the National Planning Policy Framework 2018.

Informatives

- 1 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.
- 2 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.

PLANNING COMMITTEE

Date and Time: Wednesday, 22 May 2019 at 7pm

Place: Council Chamber, Civic Offices, Fleet

COUNCILLORS

Oliver (Chairman)

Ambler, Blewett, Cockarill, Delaney, Kennett (7.09 pm), Quarterman, Radley, Southern, Wheale (7.01 pm), Worlock

Officers:

Emma Whittaker	Planning Manager
Tola Otudeko	Shared Legal Services
Alison Cottrell	Committee Services Officer

1 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 10 April 2019 were confirmed and signed as a correct record.

2 APOLOGIES FOR ABSENCE

Councillor Kennett had indicated that he would arrive slightly late for the meeting.

3 CHAIRMAN'S ANNOUNCEMENTS

Councillor Oliver asked members to remain after the close of the meeting for a short planning update.

Councillor Oliver advised members that upon receipt of Planning Committee reports, should there be any issues or concerns with the papers that needed to be raised, they should be raised with Officers in advance of the meeting to speed up the process of the actual meeting. Mrs Whittaker indicated that Officers were more than happy to discuss conditions and issues and that the Chairman would be appraised of the issues raised in advance of the meeting.

4 DECLARATIONS OF INTEREST

All Councillors present indicated that they knew the applicants of Item 101, but that the interest was non-prejudicial.

5 ELECTION OF VICE CHAIRMAN

Councillor Quarterman was elected as Vice Chairman.

6 PLANNING (ENFORCEMENT) SUB COMMITTEE x 4

Councillors Blewett, Delaney, Southern and Worlock were appointed to the Planning (Enforcement) Sub Committee.

7 PLANNING (MAJOR SITES) SUB COMMITTEE x 4

Councillors Ambler, Cockarill, Wheale and Worlock were appointed to the Planning (Major Sites) Sub Committee.

8 PLANNING COMMITTEE WORKING PARTY x 5

Councillors Ambler, Cockarill, Oliver, Quarterman, Southern and Wheale were appointed to the Planning Committee Working Party.

Members were reminded that any Member of the Planning Committee is able to attend the Planning Committee Working Party.

9 QEB TRANSPORT STEERING GROUP

The following Councillors were appointed to the QEB Transport Steering Group:

Portfolio Holder for Environment – Councillor Oliver

One District Councillor from Church Crookham East Ward – Councillor Radley

One District Councillor from Church Crookham West Ward – Councillor Ambler

10 DEVELOPMENT APPLICATIONS

There being no addendum, the application set out in the accompanying schedule was considered and a decision made as shown.

The meeting closed at 7.15 pm

**HART DISTRICT COUNCIL
DEVELOPMENT APPLICATIONS**

Decisions/Recommendations 22 May 2019

Item No: I01 - I9/00076/HOU - Little Chesters, The Street, Eversley, Hook, Hampshire, RG27 0PJ

Replacement shed following demolition of 2 sheds which are adjacent to each other.
Demolition of a green house, demolition of a summer house, removal of patio, new patio and new summer house.

This application was brought to Committee as the applicant is the husband of a District Councillor.

Members considered the application and discussed the following:

- That no objections had been received from members of the public or the Parish Council.
- The position of the dwelling house on the plan.

DECISION - GRANT

- 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 out in accordance with the following approved plans and documentation:

- Location Plan;
- Proposed Garden Shed;
- Proposed Shed;
- Design, Access and Heritage Statement;
- Block Plan - Proposed Structures;
- Proposed Summerhouse.

Reason

To ensure that the development is carried out in accordance with the approved details.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described in the application form.

Reason

To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy saved policy GEN1 of the Hart District Local Plan 1996-2006 (Saved Policies).

- 4 No development including site clearance, ground preparation, material storage or construction works shall commence on site until a Tree Protection Plan and Arboricultural Method Statement has been submitted and approved in writing by the Local Planning Authority. The tree protection shall be installed in accordance with BS5837:2012 'trees in relation to design, demolition and construction' and shall provide tree protection details for:

- a suitable combination of tree protection fencing and ground protection;
- method of installation for foundations for all the structures.

Reason

Details are required prior to development to ensure the continuity of amenity afforded by existing vegetation in accordance with Policies GEN1 and CON8 of the Hart District Local Plan 1996-2006 (Saved Policies) and Section 15 of the National Planning Policy Framework 2018.

INFORMATIVES

- 1 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.
- 2 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.