



NOTICE OF MEETING

- Meeting:** Planning Committee
- Date and Time:** Wednesday 13th January, 2010 at 7.00 pm
- Place:** Council Chamber, Civic Offices, Fleet
- Telephone Enquiries to:** (01252) 774203 (Mrs P Jackson)
Email: patricia.jackson@hart.gov.uk
- Members:** Cockarill (Chairman), Ambler, Appleton, Band, Bennison, Billings, Blewett, Butler C, Gorys, Gotel, Henderson, Kennett, Maughan, Parker, Radley J E, Simpson, Street and Wheale

G Bonner
Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

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AND BRAILLE ON REQUEST**

1. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 9th December and the resumed meeting held on 16th December 2009 are attached to be confirmed and signed as a correct record.
(Paper A)

2. APOLOGIES FOR ABSENCE

3. CHAIRMAN'S ANNOUNCEMENTS

4. DECLARATIONS OF INTEREST (PERSONAL OR PERSONAL AND PREJUDICIAL)

5. SUMMARY OF PLANNING APPEAL DECISIONS

A Summary of Planning Appeal Decisions is attached for information. **(Paper B)**

6. DEVELOPMENT APPLICATIONS

A planning report/schedule from the Head of Planning Services is attached. **(Paper C)**

Date of Despatch: 5th January 2010

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

13TH JANUARY 2010

Summary of Planning Appeal Decisions

1.0 Purpose of the report

To ask the Planning Committee to NOTE the decisions of either the Secretary of State or the relevant Inspector in relation to appeals determined in the last month. The report sets out the reasoning of the more important appeals and summarises decisions for the remainder. Where costs awards are made (either for or against the Council) these decisions are highlighted.

2.0 Officer Recommendation

2.1 It is RECOMMENDED that the report be noted.

3.0 Policy Implications

3.1 The impacts of the Inspector's decisions to award costs in respect of leisure contributions are being assessed separately as this is an executive function.

4.0 Financial Implications

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|--------------------------|---|
| Location: | Domus, New Mill Lane, Eversley, Hook, Hampshire, RG27 0QY |
| Proposal: | Erection of first floor extension over existing garage. |
| Application Ref: | 08/03512/FUL |
| Method of determination: | Committee |
| Officer Recommendation: | Grant Permission |
| Reasons for Refusal: | The proposal will give rise to an increase in the need for additional parking which will lead to added pressure to remove the oak tree located on the SW corner of the plot. As such this would be contrary to saved policy CON8 of the Hart District Local Plan. |
| Decision: | Appeal Allowed |
| Costs: | Full Costs awarded against the Council |

APPEAL DECISION

The oak tree in question is not protected by a Tree Preservation Order and the Tree Officer has assessed the tree as not worthy of being protected. At the time of the site visit three cars were parked on the hardstanding in front of the property with a fourth space being provided within the garage. Under the Council's Interim Car Parking Standards four spaces per dwelling are required where the dwelling has four or more bedrooms. The proposed development would increase the number of bedrooms from four to five. There is therefore no policy requirement to increase the number of parking spaces as a result of the proposal.

The Inspector was satisfied that the hardstanding could accommodate three cars with room for manoeuvring. The fourth space would be located within the garage.

The Inspector was not satisfied, in light of his site visit and the Council's Tree Officer that the tree can be regarded as having significant landscape or amenity value as reference under policy CON8.

The Inspector concluded that the proposal would not affect the retention of the existing oak tree and that there would be no conflict with policy CON8 of the Local Plan.

COSTS AWARD

Whilst Members are not bound to follow officer advice, they must however show that they have reasonable planning grounds to take a decision contrary to such advice. It is incumbent on the Council to substantiate its reason for refusal by producing relevant evidence which demonstrates the alleged harm and conflict with the Development Plan. This has not been done. Unreasonable behaviour resulting in unnecessary expense, as described in Circular 03/2009 has been demonstrated and a full award of costs is justified.

| | |
|--------------------------|--|
| Location: | Land At Tudorbury Deriford And Carisbrooke, Pinewood Hill, Fleet, Hampshire |
| Proposal: | Erection of 2 1/2 storey side extension to Derriford House Care Home following demolition of Tudorbury. Provision of associated amenity space to rear of Carisbrooke, landscaping, car parking and cycle storage. |
| Application Ref: | 09/00187/FUL |
| Method of determination: | Delegated |
| Officer Recommendation: | Refuse |

- Reasons for Refusal:
1. The proposed development, by reason of its massing, height and appearance would result in an over intensive development across virtually the full width of the site, dominant in the streetscene, which would be out of keeping with the established character and pattern of development in the locality. As such it would be contrary to Policies GEN1, GEN4 and URB12 of the Hart District Local Plan and the guidance set out in PPS1:Delivering Sustainable Development and PPS3: Housing.
 2. In the absence of a financial contribution towards the North Hampshire Transportation Strategy (NHTS), the proposal is contrary to policy T5 of the Hampshire County Structure Plan and policies T1, T2 and T16 of the Hart District Replacement Local Plan.
 3. In the absence of a S106 legal agreement restricting the age and medical condition of the occupiers of the building, residents parking, or the keeping dogs, the proposed development, in combination with other plans or projects, may have a significant effect on the Thames Basin Heaths SPA and Bourley and Long Valley SSSI. As such the proposal is contrary to saved policies CON1, CON2 and CON5 in the Hart District Replacement Local Plan.

Decision: **Appeal Allowed**

Costs: Applications for Costs failed.

APPEAL DECISION

In respect of the first reason for refusal the Council chose not to defend these reasons for refusal due to the fact that an appeal decision on a previous application (reference 08/01024/FUL) for a similar, but larger, development was received by the Council after this application was determined. The previous proposal was for a larger footprint and the Council's view is that this proposal is a better design solution however at the time of determination the Council had to be consistent with the previous decision made by the Council in respect of the bulk and massing. The subsequent appeal decision was a new material consideration.

With regards to the second reason for refusal in relation to the lack of a NHTS contribution, this was also not contested by the Council as the Inspector in the previous appeal decision had concluded that such a contribution was not appropriate and did not meet the tests of the Circular. As this appeal decision was received after the application was determined it represented a new material consideration.

With regards to the third reason for refusal and the impact on the SPA, the appellants submitted a Unilateral Undertaking which met the requirements of the Council and satisfied the Inspector's concerns.

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|--------------------------|--|
| Location: | 1 Connaught Road, Fleet |
| Proposal: | Erection of a 3 metre high wall along the rear boundary of the property following removal of an existing mixed conifer hedge. |
| Application Ref: | 09/01582/HOU |
| Method of determination: | Delegated Powers |
| Officer Recommendation: | Refusal |
| DECISION: | DISMISSED |
| Costs: | Not applicable |

| | |
|--------------------------|-----------------------------------|
| Location: | 6 Hawley Grove, Blackwater |
| Proposal: | Erection of a conservatory |
| Application Ref: | 09/01464/HOU |
| Method of determination: | Delegated Powers |
| Officer Recommendation: | Refusal |
| DECISION: | DISMISSED |
| Costs: | Not applicable |

| | |
|--------------------------|---|
| Location: | Land at Springwell Lane, Hartley Whitney, Hook, Hampshire, RG27 8BW. |
| Proposal: | The breach of planning control as alleged in the notice is the unauthorised erection of a barn for stabling which includes a concrete base and a replacement bridge across the River Hart. |
| Application Ref: | 08/00081/OPERAT |
| Method of determination: | Enforcement Notice |
| Officer Recommendation: | Refusal |
| DECISION: | The appeal is allowed, planning permission is granted and the enforcement notice is quashed. |
| Costs: | Not applicable |

The principal parties agree that the modifications made to the bridge make the structure satisfactory and worthy of a grant of planning permission.

The crucial consideration here is the impact of the unauthorised structure, when completed, on the landscape given the terms of the present planning permission. The relevant saved policies in the Hart District Local Plan seem to me to be RUR2, RUR3 and RUR34. These policies all emphasise the need to minimise harm to the character and appearance of the countryside.

As the site falls within the Forest of Eversley Heritage Area, this factor has added significance. Although the unauthorised building is larger than the one that is approved, its impact on the landscape, once it is completed in accordance with drawing Propbarn dated 15 September 2009 and finished with Juniper Green paint, would be substantially less than would be the case for the permitted building.

The unauthorised barn is not excessively large in relation to the permitted barn, it is well screened, it has a relatively low profile, and its design and materials do not seem to me to be unacceptable here looking at other buildings in the landscape. The access track is not excessive in length or highly visible. There is also some merit in using a recycled structure although this is not an overriding point. Because the unauthorised barn would have less impact than the permitted barn from a landscape viewpoint it complies with the Development Plan.

| | |
|--------------------------|--|
| Location: | I Bramshot Drive, Fleet, GU51 3QD |
| Proposal: | Proposed outbuilding comprising of a new double garage and games room and new vehicle access. |
| Application Ref: | 08/03254/FUL |
| Method of determination: | Planning Committee |
| Officer Recommendation: | Grant permission |
| Reason for refusal: | 1. The location of the proposed building is contrived being so far distant from the dwelling it is to serve given the nature of the accommodation it is to provide. 2. Over provision of on-site car parking. |
| DECISION: | ALLOWED |
| Costs: | Not applicable |

The Inspector considered that the character and appearance of the proposed building is acceptable, and that there would be no material affect on the neighbour's living conditions.

The Inspector stated that garages on plots with side access are often located at the far end of the garden and did not consider that the location for the garage is incongruous or contrived, albeit that the garage is combined with a games room.

The Inspector stated that as the Council's parking standards refer to minimum parking levels that the proposed provision is in accordance with the standards. The Inspector stated that 'I recognise the need to encourage sustainable transport. However, I am not persuaded that at the appeal site, which is a detached property on a moderately-sized plot in an area with no all-day on-street parking, it is

reasonable to prevent the householder from increasing his off-street parking for the benefit of his residents and visitors.'



HEAD OF PLANNING
REPORT TO THE PLANNING COMMITTEE OF
13th January 2010

I. INTRODUCTION

This agenda considers planning applications submitted to the Council, as the Local Planning Authority, for determination.

The reports concerning planning and other applications are divided into two sections.

Those in the first part and number 101 to 113 will not be the subject of debate unless the Chairman or Local Ward Member has requested that a presentation is given or the item is subject to public speaking.

The Chairman will seek confirmation of the items that require presentation and will thereafter call for a proposal "That the remainder of items 101 to 113 be determined in accordance with the recommendation of the Head of Planning Services". If agreed these items will be voted on en bloc and determined without further debate.

Items in the 100 section will be considered in order as printed on the agenda paper.

Items listed in Part 2 of the agenda will always be the subject of a presentation and debate

Given the number of Part 2 applications to be considered there will not be a resumed meeting in January 2010.

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 more than two weeks in advance of the Committee meeting. Because of the time constraints, some reports may have been prepared in advance of 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. The Planning Addendum report will also set out a report of the Viewing Panel visit (see below).

A decision is made only when the Members of the Committee have formally considered and determined each application and the decision notice issued.

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).

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. PLANNING POLICY

All planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise (Section 38(6) of the Town and Compulsory Purchase Act 2004). If the development plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the development plan. Where there are other material considerations, the development plan will be the starting point, and other material considerations will also be taken into account. One such consideration will be whether the plan policies are relevant and up to date. The relevant development plans are the South East Plan, the saved policies in the Hart District Local Plan including first alterations, the Hampshire, 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.

Significant departures must be notified to the Secretary of State who will decide if it is necessary to intervene. The Council should not however, refuse planning permission for a development that accords with the development plan. Where a development represents a departure from the development plan and it is proposed to recommend that planning permission be granted, the application will be advertised as a departure and this will be highlighted in the Committee report. If the Planning Committee is then minded to grant planning permission under the Council's Constitution the Planning Committee has to refer the application to Full Council for determination.

6. OTHER MATERIAL CONSIDERATIONS

Material considerations must be genuine planning considerations, i.e. they must be related to the development and use of land in the public interest. They must also fairly and reasonably relate to the application concerned. The Courts are the arbiters of what constitutes a material consideration. All the fundamental factors involved in land-use planning are included, such as the number, size, layout, siting, design, and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood, and the availability of infrastructure.

Matters that should not be taken into account are:

- a) loss of property value
- b) loss of view
- c) land and boundary disputes
- d) matters covered by leases or covenants
- e) the impact of construction work
- f) property maintenance issues
- g) need for development (save in certain defined circumstances)
- h) the identity or personal characteristics of the applicant
- i) ownership of land or rights of way
- j) moral objections to development like public houses or betting shops
- k) change to previous scheme
- l) competition between firms,
- m) 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.

Government statements of planning policy are material considerations that must be taken into account in deciding planning applications. These statements cannot make irrelevant any matter that is a material consideration in a particular case. Nevertheless, where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them.

In those cases where the development plan is not relevant, for example because there are no relevant policies, the planning application should be determined on its merits in the light of all the material considerations.

7. PLANNING CONDITIONS AND OBLIGATIONS

Conditions on planning permissions can only be imposed where there is a clear land-use planning justification for doing so. Conditions should be used in a way that is clearly seen to be fair, reasonable, and practicable. One key test of whether a particular condition is necessary is if planning permission would have to be refused if the condition were not imposed. Otherwise, such a condition would need special and precise justification.

Where it is not possible to include matters that are necessary for a development to proceed in a planning condition the Council can agree a planning obligation under Section 106 of the Town and Country Planning Act 1990. Planning obligations should meet the Secretary of State's policy tests. They should be:

- necessary;
- relevant to planning;
- directly related to the proposed development;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects.

The use of planning obligations is governed by the fundamental principle that planning permission may not be bought or sold. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer, which are not necessary to make the development acceptable in planning terms. Planning obligations are only a material consideration to be taken into account when deciding whether to grant planning permission, and it is for the Council to decide what weight should be attached to a particular material consideration.

8. PLANNING APPEALS

Applicants have the right of appeal to the Secretary of State if an application is refused, or granted subject to conditions, or if it has not been determined within the specified period. Appeals are administered by the Planning Inspectorate - an executive agency reporting to the Secretary of State. Appeals are considered by written representation, hearings, and public inquiries. In planning appeals, it is normally expected that both parties will pay their own costs. Costs can however, be awarded against the Council where it:

- (a) fails to determine a planning application in good time – the Council must have good planning reasons to explain and justify why it did not make a decision in time.
- (b) fails to carry out adequate prior investigation consistent with national policy and guidance.
- (c) prevents or delays development that should clearly be permitted having regard to the development plan, national policy statements and any other material considerations. It is the Council's responsibility to produce evidence to show clearly, why the development cannot be permitted. Reasons for refusal must be
 - complete,
 - precise,
 - specific
 - relevant to the application, and
 - supported by substantiated evidence.
- (d) fails to show reasonable planning grounds for taking a decision contrary to officer advice
- (e) gives too much weight to neighbour objections - the Circular highlights the advice of PPS1 - the extent of local opposition is not, in itself, a reasonable ground for resisting development. To carry significant weight, opposition should be founded on valid planning reasons that is supported by substantial evidence.

- (f) relies on unsubstantiated objections where they include valid reasons for refusal but rely almost exclusively on local opposition from third parties, through representations and attendance at an inquiry or hearing, to support the decision.
- (g) fails to show that it has considered the possibility of imposing relevant planning conditions to allow development to proceed.

The following are examples given in Government Circular 03/09 of circumstances that may lead to an award of costs against the Council:

- (a) ignoring relevant national policy – for example, the advice in PPG 8 on Telecommunications concerning health risks arising from a mobile phone base station
- (b) where a proposal is contrary to the development plan but the relevant policy has been superseded by national policy which advocates an entirely different approach. An example might be ignoring national advice in paragraph 52 of PPG 13 Transport on the use of maximum parking standards for individual developments
- (c) acting contrary to, or not following, well-established case law
- (d) persisting in objections to a scheme, or part of a scheme, which has already been granted planning permission or which the Secretary of State or an Inspector has previously indicated to be acceptable.
- (e) not determining like cases in a like manner – for example, imposing an additional reason for refusal on a similar scheme to one previously considered by the planning authority where circumstances have not materially changed
- (f) failing to grant a further planning permission for a scheme the subject of an extant or recently expired permission where there has been no material change in circumstances
- (g) refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage
- (h) imposing a condition that is not necessary, precise, enforceable, relevant to planning, relevant to the development permitted or reasonable and thereby does not comply with the advice in DOE Circular 11/95 on The Use of Conditions in Planning Permissions
- (i) requiring the appellant to enter into or complete a planning obligation which does not accord with the tests in ODPM Circular 05/2005 on Planning Obligations
- (j) not imposing conditions on a grant of planning permission where conditions could effectively have overcome the objection identified – for example, in relation to highway matters.

9. THE SECRETARY OF STATE'S ROLE

The Secretary of State has reserve powers to direct the council to refer an application to him/her for decision. This is what is meant by a 'called-in' application. In general, this power of intervention is used selectively and the Secretary of State will not interfere with the jurisdiction of local planning authorities unless it is necessary to do so. The Secretary of State has set out in Circular 03/09 the type of development proposals that directs local authorities to consult with the Secretary of State before granting planning permission.

10. 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.

11. 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.

12. OTHER LEGISLATION

Non-planning legislation may place statutory requirements on planning authorities, or may set out controls that need to be taken into account (for example, environmental legislation, or water resources legislation). The Council, in exercising its functions, also must have regard to the general requirements of other legislation, in particular:

- The Race Relations (Amendment) Act 2000, which prevents discrimination directly or indirectly in any functions, carried out by public authorities.
- The Disability Discrimination Act 1995, which places a duty on all those responsible for providing a service to the public not to discriminate against disabled people by providing a lower standard of service.
- The Human Rights Act 1998, which incorporated provisions of the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society. It sets out the basic rights of every person together with the limitations placed on these rights in order to protect the rights of others and of the wider community. The specific Articles of the ECHR relevant to planning include Article 6 (Right to a fair and public hearing), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property). All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

13. PUBLIC SPEAKING

The Council has a public speaking scheme, which allows 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 by invitation only. 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 per item for those speaking against the application and three minutes for the applicant /agent. Speakers are not permitted to ask questions of others or to join in the debate. For probity reasons associated with advance disclosure of information under the Access to Information Act, neither the applicant nor an objector will be allowed to circulate, show or display further material at, or just before, the Committee meeting.

14. 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 24 hours before the Committee meeting, except where to correct an error of fact in the report.

15. INSPECTION OF DRAWINGS

All drawings are available for inspection on the internet at www.hart.gov.uk and at the Council Reception area during our normal office hours.

16. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely and in certain circumstances, decisions on planning applications may result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

Daryl Phillips
Head of Planning Services.

Background Papers

- *the individual planning application file (reference quoted in each case)*
- *the South East Plan*
- *the Hart District Local Plan including first alterations*
- *the Hampshire, Portsmouth, Southampton, New Forest National Park Minerals and Waste Core Strategy*
- *the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan*
- *Government advice and guidance contained in circulars, planning policy guidance notes and ministerial statements*
- *any other document specifically referred to in the report.*

Item No: I01

09/02152/FUL

**Page: 09 – 13
Grant Permission**

115 Reading Road, Yateley, Hampshire, GU46 7LR,

Installation of new shopfront.

Item No: I02

09/02264/HOU

**Page: 14 – 19
Grant Permission**

14 Barnwells Court, High Street, Hartley Wintney, Hook, Hampshire RG27 8AY

Erection of a flat roof rear dormer extension.

Item No: I03

09/02388/AMCON

**Page: 20 – 23
Grant Permission**

Upper Clare Farm, Clare Park Road, Crondall, Farnham, Surrey GU10 5DT

Removal of condition 8 of planning permission 02/00727/COU (no more than one unit shall be occupied by any one employer. Change of use of redundant farm building to classB1 use)

Item No: I04

09/02442/HOU

**Page: 24 – 29
Grant Permission**

2 Fleurs Cottages, Broad Oak, Odiham, Hook, Hampshire RG29 1AH

Partly retrospective- Erection of a part single storey part two storey side and rear extension following demolition of existing single storey flat roof extension- amendment to previously approved 09/00751/HOU- Change to roof detail on side and rear elevations.

Item No: I05

09/02469/HOU

**Page: 30 – 35
Grant Permission**

16 Moore Road, Church Crookham, Fleet, Hampshire, GU52 6JB

Erection of extensions & conversion of existing bungalow to two storey dwelling.

Item No: I06

09/02503/HOU

**Page: 36 – 40
Grant Permission**

Yew Tree House, Doras Green Lane, Ewshot, Farnham, Surrey GU10 5DZ

Retrospective application: Erection of tree house in rear garden

Item No: I07

09/02550/FUL

**Page: 41 – 52
Approve with Pre Conditions**

11 Gally Hill Road, Church Crookham, Fleet, Hampshire, GU52 6LH

Erection of a dwelling.

Item No: 108

09/02557/HOU

**Page: 53 – 60
Grant Permission**

Badgers, 1 Millmere, Yateley, Hampshire, GU46 7TQ

Erection of first floor to existing bungalow. Erection of a two storey front extension. Erection of rear conservatory

Item No: 109

09/02821/FUL

**Page: 61 – 68
Grant Permission**

Land At Rear Of Byways And, Deer Park View, Odiham, Hook, Hampshire

Construction of temporary construction access to enable construction of proposed redevelopment subject to application 09/02544/MAJOR.

Item No: 110

09/02834/FUL

**Page: 69 – 79
Approve with Pre Conditions**

40 Oldfield View, Hartley Wintney, Hook, Hampshire, RG27 8JH

Erection of a two storey 2 bedroom house following demolition of existing garage.

Item No: 111

09/02885/FUL

**Page: 80 – 93
Approve with Pre Conditions**

Quillets, Farm Lane, Crondall, Farnham, Surrey GU10 5QE

Erection of two detached dwellings following demolition of existing house.

Item No: 112

09/02947/HOU

**Page: 94 – 100
Grant Permission**

14 Whinchat Close, Hartley Wintney, Hook, Hampshire, RG27 8TT

Erection of single storey rear extension, single storey front extension & erection of garage with first floor extension over, following demolition of existing garage.

Item No: 113

09/02976/FUL

**Page: 101 – 110
Grant Permission**

Hartley End Cottage, London Road, Hartley Wintney, Hook, Hampshire RG27 8HY

Replacement Dwelling.

ITEM No.: 101

APPLICATION REFERENCE NO: 09/02152/FUL

| | |
|----------------------------|---|
| Site Address: | 115 Reading Road, Yateley, Hampshire, GU46 7LR, |
| Proposals: | Installation of new shopfront. |
| Applicant: | Amsric Foods Ltd |
| Consultation Expiry | 2nd December 2009 |
| Application Expiry | 11th December 2009 |
| Ward Member | Cllr G Cockarill |
| Parish Council | Yateley |
| Conclusions: | It is considered that the proposed shop front would preserve the character and appearance of the Yateley Green Conservation Area as it would be no more harmful than the previous shop front. Therefore the proposal complies with the relevant saved Policies of the Local Plan. |
| Recommendation: | Grant Permission |

Application Ref: 09/02152/FUL

Location Map of Application Site

**115 Reading Road
Yateley
Hampshire
GU46 7LR**



BACKGROUND INFORMATION

The unit recently suffered fire damage and re-construction works have now been completed so the application is retrospective.

A separate application for advertisement consent has been approved on 11.12.09, as the Town Council raised no objections to that application.

THE SITE

The application premises, known as No. 115 Reading Road, is a two storey building located on the south side of Reading Road. The building is currently occupied by a food take away store, KFC, and is located in the peripheral Town Centre Area, classed as Y8 in the Hart District Local Plan. Originally built as one retail unit in the late 1960's it has been sub-divided and this unit was granted change of use in 1993. The remaining section to the east is a food store. To the west is a detached single storey modern building currently occupied by Barclays Bank.

The application site ground levels are generally flat and the site has an area of approximately 0.02ha. The unit is set some 16m back from the highway with a delivery and parking area on the forecourt. The front elevation is approximately 6 metres wide with an area at the side for refuse and bins.

The unit is located within Yateley Green Conservation Area.

PROPOSAL

This is a full application for the proposed installation of a new shop front.

The previous shop front had three brick pillars with two large glass areas between, one of which was split in two with a door in one half.

The proposed shop front would have two of these pillars encased in a bright red acrylic and one in white acrylic. The glazed area housing the door would be recessed back 1.2m from the front elevation forming a porch area. The door would be positioned centrally with a glazed panel on either side. The glass frames would be light grey powder coated aluminium.

RELEVANT PLANNING HISTORY

HDC 22605 - Change of use from all A1 to part A1 and part A3. Granted 28.05.1993

04/02032/FUL - Alterations to shop front. Granted 19.11.2004

04/02033/ADV - One each illuminated fascia and hanging signs. Granted 19.11.2004

09/02153/ADV - Application to display a new fascia and a new hanging sign. Granted consent on 11.12.09

CONSULTATIONS

Yateley Town Council: No objections provided the Conservation Officer has no objections. It was noted that work had already started.

Highways Officer: No objection

PUBLIC OBSERVATIONS

No letters of representation have been received.

MATERIAL PLANNING POLICIES

- * South East Plan: Policies - none relevant
- * Local Plan: Saved Policies GEN1, GEN4, CON13, URBI and URBI I
- * National Policy Guidance: PPS6, PPG15

MAIN ISSUES

- * Principle
- * Design, scale and appearance
- * Impact on the Yateley Green Conservation Area

CONSIDERATIONS

- * Principle of development

As the application premises is located within the Yateley urban settlement boundary and is within a peripheral retail section of Yateley Town Centre, it is considered that the principle of this type of alteration to a commercial property is acceptable subject to compliance with development plan policies and that there is no unacceptable harm.

- * Design and appearance

Saved Policy GEN1 (i) permits this type of alteration where, amongst other requirements, the design and materials are in character with the local area and is sympathetic to the existing building and surrounding buildings. Saved Policy GEN4 is a general design policy. Saved Policy URBI I states that proposals for the alteration of shop fronts will be permitted provided that (i) traditional shop fronts are not destroyed, and (ii) the design, materials and detailing of the alterations are in scale and keeping with the character of the building and its surrounding shopping frontage.

Both the existing and neighbouring buildings are modern buildings, some 40 years old, and typical of the architectural designs of that period. The application building has no traditional features worthy of preservation, or in this case, restoration. It is considered that the design and materials proposed for the new shop front is entirely consistent with the age and design of the existing building and as such, the proposal would comply with Local Plan saved policies GEN1, GEN4 and URBI I.

- * Impact on the Conservation Area

Saved Policy CON13 allows development that preserves or enhances the Conservation Area. PPG15 advises that development should not have an adverse impact on the setting of listed buildings.

On the north side of Reading Road is a listed building (the White Lion), about 100m to the east is St Peters Church which is also listed. However the application property and both its neighbours are viewed as a separate busy commercial area and the separation distances are such that there would be no impact on the setting of these listed buildings.

The Councils Conservation Officer recommended refusal of this application as he considered that it would be detrimental and harmful to the character and appearance of the Conservation Area. He comments - 'Standard KFC house style - bright colours, artificial materials, internally illuminated signage. No allowance has been made for the conservation area context and setting. Set in a poorly

ITEM No.: 102

APPLICATION REFERENCE NO: 09/02264/HOU

| | |
|----------------------------|---|
| Site Address: | 14 Barnwells Court, High Street, Hartley Wintney, Hook, Hampshire RG27 8AY |
| Proposals: | Erection of a flat roof rear dormer extension. |
| Applicant: | Mr James Norris |
| Consultation Expiry | 25th December 2009 |
| Application Expiry | 7th January 2010 |
| Ward Member | Cllr Susan Band |
| Parish Council | Hartley Wintney |
| Conclusions: | It is considered that the design and appearance of the proposed rear dormer extension would be appropriate, would not have detrimental impact on the Hartley Wintney Conservation Area and would not have an unacceptable impact on the residential amenities of the occupiers of the adjoining properties. As such, it is considered that the proposal would accord with the relevant Local Plan saved policies and National guidance. |
| Recommendation: | Grant Permission |

Application Ref: 09/02264/HOU

Location Map of Application Site

**14 Barnwells Court
High Street
Hartley Wintney
Hook
Hampshire
RG27 8AY**



THE SITE

The application property, No. 14 Barnwells Court, is the end property is a terrace of three properties. The property has conventional two storeys with living accommodation within its roof space. Barnwells Court is a cul-de-sac and is located off Hartley Wintney High Street.

The Barnwells Court development comprises a mix of dwelling types, albeit of similar character and design as the application property. The properties are generally set around a courtyard, some properties have open fronted car ports and some properties have allocated parking spaces around the courtyard.

The application site ground levels are generally flat and the site has an area of approximately 0.01ha. The application plot is irregular in shape and extends approximately 18 metres from the front to the rear boundary. The property's frontage is open plan and has a width of approximately 4 metres.

The application property's rear garden is enclosed by 1.8 metre high brick walls. The property has two allocated parking spaces, one to the front and one to the side of the property.

The application property dates from 2001 and is constructed of brick walls and has a tiled roof. It should be noted that the application property and the other two properties in the terrace have flat roof front dormer extensions and the building opposite and to the front of the application property has flat roof dormer extensions. The properties to the rear of No. 14 have front dormer extensions, although the dormers on these properties have pitched roofs.

PROPOSAL

This is a full application for the proposed construction of a rear dormer extension.

The proposed dormer extension would have a width of approximately 2.2 metres and a height of approximately 1.8 metres. The dormer extension would project approximately 1.5 metres beyond the plane of the roof.

The dormer would be set down approximately 500mm below the ridge line of the main dwelling.

It is proposed that the dormer extension would be formed of the same materials as the existing front dormer with a pair of box sash timber windows.

The dormer would extend an airing cupboard and the resulting room would be used as a study.

A Design and Access Statement has been submitted which concludes "the proposal is both sympathetic and restrained and considered the most appropriate as additional accommodation could only otherwise be created by an extension which would have a greater impact to the surrounding dwellings".

RELEVANT PLANNING HISTORY

01/00271/FUL, consent for the original dwelling, approved 12.10.2001.

CONSULTATIONS

Hartley Wintney Parish Council – Objection. "This flat roof dormer is out of keeping with the neighbouring properties within this development which is located in the conservation area".

Site notice expiry date: 25/12/2009.

Press notice expiry date: 17/12/2009.

PUBLIC COMMENTS

One letter of objection has been received raising the following main issues:

- *Flat roof dormer would spoil look of development, would be an eyesore
- *Design does not blend with other houses

RELEVANT PLANNING POLICIES

- * Local Plan: Saved Policies GEN1, GEN4, URBI, URBI6 and CON13
- * PPG15

F. MAIN ISSUES

- * Principle
- * Scale, design and appearance
- * Impact on the Hartley Wintney Conservation Area
- * Impact on the amenities of the adjoining neighbours
- * Biodiversity

CONSIDERATIONS

Principle

The application property is located within the Hartley Wintney urban settlement boundary where there is a presumption in favour of an extension to a residential property provided the proposal is in compliance with development plan policies and that there is no unacceptable harm.

Scale, design, appearance and impact on the Hartley Wintney Conservation Area

Saved policies GEN1 (i) GEN4 and URBI6 (i) permit development where, amongst other requirements, the proposal is in keeping in terms of scale, design, bulk and massing. Generally speaking extensions should be subservient to the existing dwelling.

Saved policy CON13 specifically relates to Conservation Areas and states that proposals must meet the objectives of conserving or enhancing the character or appearance of the Conservation Area.

PPG15: Planning and the Historic Environment states that 'planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective there will be a strong presumption against the grant of planning permission'.

Although the width of the dormer would be 900mm greater than the dormer on the front elevation, as it would be set down from the ridge line of the main dwelling and would be located centrally within the roof slope, it would appear to be in proportion and would not dominate or fit awkwardly within the plane of the roof.

Furthermore, due to its design, the scale and appearance of the proposed flat roof dormer extension would be sympathetic to and in keeping with the character of the main dwelling and other properties

in the locality and, as the proposed dormer would be sited to the rear of the property and it would not be readily visible from public viewpoints, it is considered that the proposed dormer would not fail to enhance or preserve the character and appearance of the Hartley Wintney Conservation Area.

The Council's Listed Buildings and Conservation Officer commented: 'In my view this would not detract from the appearance or character of the area, provided it is detailed to match the existing dormer windows on the front of this modern terrace of three houses.'

Therefore, provided the materials and detailing match the existing building, which could be secured by condition, it is considered that the proposed development would be in keeping with the existing house and the character of the Conservation Area thereby complying with Local Plan saved policies GEN1, GEN4, URBI6 and CON13 and National Guidance.

Impact on the amenities of the adjoining neighbours

Saved policies GEN1 (iii) and URBI6 (ii) permits development provided that there is no material loss of amenities to neighbours.

Given the siting of the proposed dormer extension, the 10 metre separation between the application property and the property to the rear, No. 15 Barnwells Court, and that any views from the windows in the dormer extension would be at an oblique angle, it is considered that the proposed development would not have an unacceptable impact on the residential amenities of the occupiers of the adjoining properties or on the residential amenities of the occupiers of the other properties in the vicinity in terms of overlooking or loss of privacy.

As such, it is considered that the proposal would comply with Local Plan saved policies GEN1 (iii) and URBI6 (ii).

Impact on biodiversity

Saved policy CON5 states that planning permission will not be granted for development that would have a significant adverse effect on plant or animal species or their habitats protected by law unless conditions are attached or planning obligations entered into requiring the developer to secure their protection.

The applicant has confirmed that "there are no signs of any bats at the property and the attic area is already living space".

However, an informative can be added to the decision to state that if any evidence of bats is found on site, Natural England must be informed and a European Protected Species Licence for development obtained from them prior to works continuing.

Therefore, it is considered that the application would comply with saved policy CON5.

RECOMMENDATION

Grant Permission

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building. The design details of the dormer window hereby approved shall match those on the existing front dormer.

Reason

To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy saved policies GEN1 and CON13 of the Hart District Local Plan

INFORMATIVES

- 1 The applicant is reminded of the need to ensure 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. This will include ensuring 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 and no working on Sunday and Bank Holidays. The storage of materials and parking of operatives vehicles should be normally arranged on site.
- 2 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats etc.) Regulations 1994, 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.

ITEM No.: 103**APPLICATION REFERENCE NO: 09/02388/AMCON**

| | |
|----------------------------|--|
| Site Address: | Upper Clare Farm, Clare Park Road, Crondall, Farnham, Surrey GU10 5DT |
| Proposals: | Removal of condition 8 of planning permission 02/00727/COU (no more than one unit shall be occupied by any one employer. Change of use of redundant farm building to classB1 use) |
| Applicant: | G.L.Porter & Son |
| Consultation Expiry | 2nd December 2009 |
| Application Expiry | 23rd December 2009 |
| Ward Member | Cllr John Bennison |
| Parish Council | Crondall |
| Conclusions: | The proposal is acceptable in principle and accords with the requirements of the Local Plan policies. There are no objections to the removal of Condition 8 as there would be no adverse impacts on the surrounding countryside as a result of the proposal. |
| Recommendation: | Grant Permission |

Application Ref: 09/02388/AMCON

Location Map of Application Site

**Upper Clare Farm
Clare Park Road
Crandall
Farnham
Surrey
GU10 5DT**



BACKGROUND INFORMATION

02/00727/COU - Change of use of redundant farm building to Class BI use (Business). Approved 30.10.02

THE SITE

The application site is located within an established farm comprising 550 hectares of arable land and 50 hectares of grassland and woodland.

PROPOSAL

This application seeks the removal of Condition 8 on Planning Permission 02/00727/COU with the proposal to allow ownership of more than one unit by any one employer. The condition imposed on the original application stated:

No more than one unit shall be occupied by any one employer.

REASON

To ensure a supply of small units and to accord with the terms of the application.

There would be no alterations to the external appearance of the building as a result of this proposal.

CONSULTATIONS

Crondall Parish Council: Objections – suggest that a revised condition be imposed restricting the ownership to no more than two units per owner.

Highways Officer: The number of users has little or no bearing on transportation demands any particular site will generate.

Environmental Heath: No objections

PUBLIC COMMENTS

One letter of representation received raising the following issues:

- a) The business occupancy of more than one unit would result in larger vehicles accessing the site;
- b) Impact on the landscape character;
- c) Suggested conditions;
 - Restriction on vehicular access,
 - Limitation of size of vehicles entering the site,
 - Hours restrictions on business activities on the site,
 - Alter of Condition 8 to allow two units to be occupied by one owner, and
 - The amended Condition 8 to be applicable to current tenant.

RELEVANT PLANNING POLICIES

- * South East Plan: Policies
- * Local Plan: Policies GEN1, GEN4, RUR1 and T14

MAIN ISSUES

- I. Principle of the removal of Condition 8

2. Other matters

CONSIDERATIONS

1. Principle of the removal of Condition 8

Under Section 73 of the 1990 Act, it is only possible to consider the condition in question but it is legal to impose any conditions to replace that condition (if necessary).

The application site is located within the open countryside, wherein the policies for development proposals seek protect the countryside for its intrinsic character and beauty.

This proposal relates to a development which is operating as individual business units, as permitted under planning reference 02/00727/COU. As part of the consent for the business development, a condition was imposed to restrict the units to one per employer. This was to ensure that there would be a provision of small business units within a countryside location.

This proposal seeks to remove that condition and allow one employer to own/occupy multiple units. In terms relevance of this condition, whilst it is accepted that there should be provision for small business units in countryside locations, it is not the role of the Planning System to restrict competition and ownership of site/units.

The amount of business activity which can occur on site is restricted by the small scale nature of the development. The Highways Officer has stated that the ownership of multiple units would not result in an unacceptable demand for transportation, only impact on the highways network.

The principle of business development has been fully accepted under the original planning consent, 02/00727/FUL, therefore it is considered unreasonable to prevent individuals/employers from owning more than one unit.

It is noted that concerns have been raised by the Parish Council regarding the proposal, although there was a recommendation that a variation in the condition to allow an employer to own no more than two units. As stated above, it is not the role of the planning system to prevent the expansion of businesses or restrict the ownership of premises. Furthermore, there is no evidence to suggest that there is an under provision of small business units within the district, which may make the case for the retention of the condition viable.

On the basis of the information provided, it is considered acceptable to remove Condition 8.

2. Other matters

All other conditions imposed on planning application 02/00727/COU have been complied with and no further action is required.

RECOMMENDATION

Grant Permission

ITEM No.: 104**APPLICATION REFERENCE NO: 09/02442/HOU**

| | |
|----------------------------|---|
| Site Address: | 2 Fleurs Cottages, Broad Oak, Odiham, Hook, Hampshire RG29 1AH |
| Proposals: | Partly retrospective- Erection of a part single storey part two storey side and rear extension following demolition of existing single storey flat roof extension- amendment to previously approved 09/00751/HOU- Change to roof detail on side and rear elevations. |
| Applicant: | Mr Andrew Hyde |
| Consultation Expiry | 26th December 2009 |
| Application Expiry | 14th January 2010 |
| Ward Member | Cllr Stephen Gorys |
| Parish Council | Odiham |
| Conclusions: | It is considered that the changes to the roof form proposed in this application would have no additional detrimental impact on the street scene, Conservation Area, or the amenities of the neighbouring properties. Therefore the proposals would comply with the relevant saved policies of the Local Plan. |
| Recommendation: | Grant Permission |

Application Ref: 09/02442/HOU

Location Map of Application Site

**2 Fleurs Cottages
Broad Oak
Odiham
Hook
Hampshire
RG29 1AH**



BACKGROUND INFORMATION

This application is an amendment to the previously approved planning application 09/00751/HOU and is partly retrospective.

Amended plans to the current application were received on 18.12.09 which show a change to the roof form on the north side of the extension from a half hipped roof to a fully hipped roof with a small section to link the chimney to the roof, a small change to the roof form on the rear elevation, and a minor change to the internal layout of the extension.

At the time of the site visit (10.12.09) the amendments to the roof form at the rear had been completed and the rafters for the half hipped roof as shown on the original drawings for this application had been constructed. Following concerns from the Local Planning Authority regarding the bulk and massing of the proposed amendment the applicant has agreed to amend this part of the roof construction to that shown on the amended plans if planning approval is granted, or to that shown on the approved plans under 09/00751/HOU if permission for this current application is refused.

THE SITE

2 Fleurs Cottages forms one of a pair of semi-detached cottages on the northwest side of Broad Oak Lane which lies within the rural settlement boundary of Broad Oak. The application property is constructed of red bricks, clay roof tiles, and timber windows.

The application site lies within the Basingstoke Canal Conservation Area and is covered by Article 4 directions. The property is not listed. Other properties in the local area vary in size, age and style. The area is generally very rural in nature.

There is a right of way which is located east of the application site. The Basingstoke Canal which is designated as a SSSI is located west of the application site.

The application site has a site frontage of approximately 3 metres, an area of 440 square metres, is rectangular in shape and is generally level. To the front of the property is a paved area for parking, and there is a hedge which forms the front boundary. The side/rear garden is mostly laid to lawn with small trees and shrubs, a small patio area, and there are some garden sheds. There are no TPO's on site however the trees are protected by virtue of their siting within the conservation area. The rear boundary is marked by a post and rail fence, with open farm land to the rear, the side boundary with Wincombe Cottage is marked by a substantial hedge, and the boundary with 1 Fleurs Cottages is marked with 1.8 metre close board fencing.

PROPOSALS

The application seeks permission for a part single storey/ part two storey side and rear extension, following demolition of the existing single storey flat roof extension.

Application 09/00751/HOU granted consent for a single storey rear extension located on the southwest side of the rear elevation which measures approximately 4 metres by 4 metres, with a hipped roof which measures approximately 4 metres at its highest point falling to 2 metres at the eaves. The side extension is in two parts. The two storey section adjoins the existing cottage and measures approximately 3 metres wide and 5.7 metres deep. It is set back approximately 3 metres from the front elevation of the existing dwelling, and the hipped roof is set down approximately 0.3 metres from the main ridge, so measures approximately 5.4 metres at its highest point falling to 3.7 metres at the eaves.

There is a small pitched roof dormer window on the front and rear elevations of the two storey section.

A single storey section adjoins the two storey section and measures approximately 3.5 metres wide by 5.2 metres deep. It is set back approximately 0.5 metres from the front elevation of the two storey section, and has a fully hipped roof which is set down approximately 0.3 metres from the two storey section, so measures approximately 4.9 metres at its highest point falling to 2.1 metres at the eaves.

There is a chimney on the northeast side elevation of this single storey section which measures approximately 5.1 metres tall.

The scheme is constructed from bricks, clay roof tiles, and timber windows and doors to match materials used on the existing dwelling. An extended driveway is constructed from gravel and the existing gateway is widened.

This current application seeks consent to change the roof form to the rear to integrate the roof of the single storey rear extension and the roof of the two storey side extension. It also seeks consent to increase the width of the hipped roof on the north elevation of the side extension by approximately 0.5 metres. The applicant has submitted details of the external surfaces and large scale drawings of the window and door details.

RELEVANT PLANNING HISTORY

85/12347/FUL- First floor rear extension- permission granted

08/03321/FUL- Erection of two storey extension to side and rear following demolition of existing single storey flat roof extension- withdrawn due to inaccurate plans.

09/00028/FUL- Erection of two storey extension to side and rear following demolition of existing single storey flat roof extension- withdrawn due to concerns over the design, materials, size, bulk, impact on the conservation area, and impact on the neighbouring properties.

09/00751/HOU- Erection of two storey extension side and rear extension following demolition of existing single storey flat roof extension- permission granted 09/07/09

CONSULTATIONS

Odiham Parish Council: 'Objects on the basis of increased mass and bulk of the roof and whole heartedly supports the Conservation Officer's Comments'

PUBLIC OBSERVATIONS

There have been four letters of objection received (Two letters are from the same objector) which raise concern over the increase in the bulk of the roof and its detrimental impact on the Conservation Area.

Comments were received from the applicant in response to the letters of objection to make it clear that the overall height of the roof would not be increased.

MATERIAL PLANNING POLICIES

Local Plan: Saved policies GEN1, GEN4, RUR1, CON10, CON13

Local Plan Review: None relevant

MAIN ISSUES

- * Principle of development
- * Design and appearance and impact on the Basingstoke Canal Conservation Area
- * Impact on the neighbouring properties

CONSIDERATIONS

Principle of development

As the property lies within the Broad Oak rural settlement boundary, it is considered that the principle of development within a residential curtilage is acceptable subject to compliance with development plan policies and that there is no unacceptable harm.

A part single storey part two storey side and rear extension has already been considered acceptable under application 09/00751/HOU. Therefore only the proposed changes will be considered.

Design and appearance and impact on the Basingstoke Canal Conservation Area

Saved policy GEN1 (i) and GEN4 permit development where, amongst other requirements, the design, scale, materials, massing, height, and prominence of the proposal is in character with the local area and is sympathetic to the existing dwelling and surrounding properties.

Saved policy CON13 states that proposals for development which fail to meet the objectives of conserving or enhancing the character or appearance of a designated conservation area will not be permitted. Saved policy CON10 states that development which would adversely affect the landscape, architectural or ecological character, setting or enjoyment of the Basingstoke Canal or which would result in the loss of important views in the vicinity of the canal will not be permitted.

Comments from the Councils Conservation Officer on original plans: 'Refuse- on grounds that the increased bulk of roof proposed on the side extension would, together with the scale and bulk of the extension already approved, result in development that detracts from the character of the original building and have an over-dominant impact. In addition, it would have a detrimental visual impact on the character and setting of this part of the conservation area. The revised roof form to the rear is an improvement over that approved and I have no objections to this part of the proposal. I do feel that the original design should be adhered to- although this would benefit from a reduction in the new chimney height on the end elevation, as the chimney appears excessively tall and has a poor visual relationship with the height and forms of the extension.'

Verbal comments from the Councils Conservation Officer on amended plans: No objection.

It is considered that the proposed amendment to the roof form on the rear elevation is an improvement on the approved roof form under 09/00751/HOU and would result in more integrated extension. The increase in the width of the hipped roof on the north side elevation of the side extension by approximately 0.5 metres would be minor in nature and it is considered acceptable in design terms. The small section to link the chimney to the roof would be similar to a detail on the existing chimney and is considered acceptable. It is considered that the proposed amendments would not be detrimental to the character or appearance of the street scene or the Conservation Area.

The previous consent 09/00751/HOU was subject to conditions regarding further information on all external surfaces, and window and door details. These details were submitted and considered acceptable for the purposes of 09/00751/HOU and the applicant has submitted these approved

details as part of the current planning application, it is therefore considered unnecessary to add these conditions to this current application.

Therefore the proposal would comply with saved policies GEN1, GEN4, CON10, and CON13 of the Local Plan.

Impact on the neighbouring properties

Saved policy GEN1 (iii) permits development where there is no material loss of amenity to existing and adjoining residential uses.

The increase in the width of the hipped roof on the north elevation of the side extension by approximately 0.5 metres would be minor in nature and it is considered that it would not be detrimental to the amenities of any of the neighbouring properties. The amended roof form to the rear would not be detrimental to the amenities of any of the neighbouring properties either; therefore the proposed development would comply with saved policy GEN1.

RECOMMENDATION

Grant Permission

- I Before the development hereby permitted is first occupied the car parking areas shown on the approved plans shall be fully implemented and thereafter kept available for parking and turning purposes.

Reason:

To ensure adequate car parking is available in line with saved Policies GEN1 and T14 of the Hart District Local Plan Replacement.

ITEM No.: 105

APPLICATION REFERENCE NO: 09/02469/HOU

| | |
|----------------------------|--|
| Site Address: | 16 Moore Road, Church Crookham, Fleet, Hampshire, GU52 6JB |
| Proposals: | Erection of extensions & conversion of existing bungalow to two storey dwelling. |
| Applicant: | Mr A Wilkerson |
| Consultation Expiry | 28th November 2009 |
| Application Expiry | 24th December 2009 |
| Ward Member | Cllr James Radley |
| Parish Council | Fleet and Church Crookham |
| Conclusions: | The proposal is considered to be acceptable in principle, in keeping with the character of the surrounding properties and the street scene. It is also considered that there would be no additional material loss of amenity through overlooking to residents in Curzon Drive and 18 Moore Road providing there is a condition placed upon the planning permission to the effect that the dormer window shall remain obscure glazed and that no further windows are introduced at first floor level and above. As such the proposal would satisfy saved local plan policies. |
| Recommendation: | Grant Permission |

Application Ref: 09/02469/HOU

Location Map of Application Site

**16 Moore Road
Church Crookham
Fleet
Hampshire
GU52 6JB**



BACKGROUND INFORMATION

Amended plans have been received 30.11.09 showing the reduction in the size of the dormer window to the side elevation and the insertion of a velux window. An additional street scene plan has also been submitted.

THE SITE

16 Moore Road is currently a bungalow located within a residential area of Church Crookham opposite the junction to Moore Close. It is surrounded by two storey properties on all sides of different styles in the 1960s/1970s vernacular. There is no particular housing style in the road. To the rear are properties in Curzon Drive approx. 30m - 40m away, which already overlook the rear garden of no.16 and vice versa. The rear windows of these properties can also be seen from Moore Close.

18 Moore Road is approx 5m from the existing garage to no.16 and there is currently no windows facing this property from the side.

PROPOSAL

The proposal is to create a 4 bed two storey house by incorporating the detached garage and extending the lounge area to the rear by 2.45m so that the rear building line would meet that of the existing kitchen wall. The garage would come further forward by 2.3m. The entrance to the house would move from the side to the front of the building. A first floor would be created for the bedrooms and a bathroom in between two en-suites. Each bedroom would have a window looking out at the front or rear of the property and to the side facing no. 18 would be a single dormer to the bathroom. This is shown on the amended drawing. The en-suites would each have a velux window. Prior to the amendment the dormer window would have spanned two of these rooms; the bathroom and one en-suite.

The overall height of the building would be 8.2m. The side of the building facing no.18 would not extend further forward than that which already exists, i.e. the approx. 5m gap between the properties would remain.

The proposed materials would match existing with multi red roof tiles and uPVC windows and doors. There would be no proposed changes to the existing on-site parking arrangements which can accommodate up to three vehicles.

CONSULTATIONS

Planning Advisory Group: 1st consultation: No objection. 2nd consultation: None received at the time of writing the report.

HCC Ecology: No objection. The following comments were received:

Although the proposal will involve alteration to the roof, the affected building is not considered to afford high potential to support bats and their roosts and so it is not considered reasonable to insist that the applicant undertakes a formal bat survey.

However, if minded to grant, an informative should be placed upon the planning permission.

Natural England: No objection

PUBLIC COMMENTS

Seven letters of objection received raising the following main issues:

- * Very large development
- * Not in keeping with the houses in the road
- * Would cause overlooking and loss of privacy to 12 Curzon Drive, 14 Curzon Drive, 16 Curzon Drive, 2 Moore Close, 18 Moore Road, 20 Moore Road
- * Concern regarding the size of the dormer window on the side elevation facing 18 Moore Road
- * Reduce natural light to 14 Curzon Drive and 16 Curzon Drive; house and garden
- * Concerns raised about bats in the area
- * Its construction would generate noise and disturbance in a very quiet area
- * Would cause traffic during construction opposite a narrow junction

RELEVANT PLANNING POLICIES

- * PPG/PPS: I
- * South East Plan: Policies CC6
- * Local Plan: Saved Policies GEN1, URBI, URBI6

MAIN ISSUES

*Principle of development

CONSIDERATIONS

*Principle of development

The principle of an extension is considered acceptable under saved local plan policy URBI6 providing i) the proposal is sympathetic in scale and character to the existing dwelling and surrounding properties, ii) it does not have a material loss to residential amenity, and iii) It does not harm the street scene.

Saved local plan policy GEN1 allows for development where it does not generate a material loss to residential amenity.

With regards to points i) and iii) of saved policy URBI6 the existing bungalow located amongst two storey houses would appear to be the 'odd one out'. By moving the entrance from the side to the front of the property, this would be more in keeping with its neighbours. The applicant has also submitted a street scene which shows that the overall house would be the same height as its neighbours at 8.2m and that the scale of the building would also be similar. The proposed amended dormer would also no longer appear dominant in the street scene not overbearing as it is now been reduced in height by 1m to 2.5m and is now only the bathroom window.

As there are many styles of house in the road, the proposed scheme would not appear to be out of character with the surrounding properties and would sit comfortably in the street scene matching the scale of its neighbouring properties. As such it is considered that the proposal satisfies points i) and iii) of URBI6.

With regards to point ii) of URBI6 the proposal would not extend beyond the rear wall of the existing house and even though it is introducing first floor windows to the rear there would be no additional material loss through overlooking to the properties in Curzon Drive (30m - 40m away), as the other properties in Moore Road already do this. It would also be unreasonable to obscure glaze the windows to the bedrooms. However, as it may be possible to have a further room in the loft space, additional windows at first floor and above would increase the level of overlooking to those properties in Curzon Drive and possibly Moore Close to such an extent that the additional loss to

amenity would not longer be immaterial. As this is a possibility it is not unreasonable to condition the removal of permitted development rights for further windows at first floor and above.

With regards to 18 Moore Road, this is the only property which may be materially affected by the dormer window. The amendment reduces the scale and bulk and is an improvement so that the dormer would not appear to be significantly overbearing. However, there would still be overlooking of no.18 from the bathroom window. This would be overcome by the installation of obscure glazing which can be imposed by condition and subsequently avoids the loss to residential amenity in line with saved policy GEN1 and URBI6.

There would also be no material loss of light to no.18 generated by the introduction of the dormer window or by the forward extension to the garage. The proposal is therefore considered to be acceptable in principle and satisfies GEN1 and URBI6.

RECOMMENDATION Grant Permission

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building.

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

- 3 The first floor dormer window to the bathroom in the North West elevation facing no.18 Moore Road shall be glazed with obscure glass only and retained as such.

Reason

To prevent overlooking of an adjoining property/adjoining properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no additional windows at first floor or above shall be installed in the extension hereby permitted.

Reason

In the interest of the privacy of the occupiers of the adjoining property/properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

INFORMATIVES

- 1 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats etc.) Regulations 1994, 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.

- 2 The applicant is reminded of the need to ensure 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. This will include ensuring 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 and no working on Sunday and Bank Holidays. The storage of materials and parking of operative's vehicles should be normally arranged on site.

ITEM No.: 106

APPLICATION REFERENCE NO: 09/02503/HOU

| | |
|----------------------------|--|
| Site Address: | Yew Tree House, Doras Green Lane, Ewshot, Farnham, Surrey GU10 5DZ |
| Proposals: | Retrospective application: Erection of tree house in rear garden |
| Applicant: | Mr David Ranger |
| Consultation Expiry | 30th November 2009 |
| Application Expiry | 28th December 2009 |
| Ward Member | Cllr John Bennison |
| Parish Council | Crandall |
| Conclusions: | It is considered that the design and appearance of the tree house is acceptable and does not have a detrimental effect on the character and setting of the countryside. It is considered that it does not cause material harm to the trees or the amenities of the occupiers of the neighbouring properties. Therefore the proposal complies with the relevant saved policies of the Local Plan. |
| Recommendation: | Grant Permission |

Application Ref: 09/02503/HOU

Location Map of Application Site

**Yew Tree House
Doras Green Lane
Ewshot
Farnham
Surrey
GU10 5DZ**



THE SITE

The application property is a large detached two storey dwelling with an attached garage. It is constructed of rendered walls, a tiled roof and UPVC Georgian style windows.

The application plot has an area of approximately 2000 square metres, a site frontage of 3 metres, is largely rectangular in shape, and slopes down away towards the rear end of the site. To the front of the property is a small garden area and a gravel driveway. To the rear of the property is a large garden, with trees, shrubs, and a pond. The trees are not protected.

The application site is located on the west side of Doras Green Lane in Crondall and is located outside of any settlement boundary as defined by the Local Plan.

The surrounding properties vary in size, design and character, but are mostly large dwellings on spacious plots. Ivy Cottage is located north of the application property and is a detached modern dwelling. Doras Green Cottage is located south of the application property and is a detached dwelling set further back from the highway than the application property.

PROPOSALS

This is a retrospective application for a timber tree house in the west corner of the rear garden. The tree house measures 4.3 metres by 3 metres. It has two storeys and is 4.2 metres above ground level at its highest point. It is attached to two Oak trees but is supported on the ground.

RELEVANT PLANNING HISTORY

HDC3418- Two storey extension to form living accommodation, erection of garage- permission granted 1977

HDC16942- Extend existing lounge- permission granted 1988

97/01113/FUL- Single storey side extension to form study- permission granted 1997

09/01457/HOU- Erection of double garage with home office space above- permission granted 2009

CONSULTATIONS

Crondall Parish Council: 'Objection- loss of neighbour's privacy'

Farnborough Airport Manager: No objection

PUBLIC OBSERVATIONS

One letter of objection was received raising concern over loss of privacy.

MATERIAL PLANNING POLICIES

Local Plan: Policies GEN1, CON8, RUR2, RUR3

Local Plan Review: None relevant

MAIN ISSUES

* Principle of development

- * Design and appearance and impact on open countryside
- * Impact on neighbouring properties
- * Impact on trees

CONSIDERATIONS

Principle of development

The application site lies within open countryside where saved policies RUR2 and RUR3 have a presumption against development unless, amongst other requirements it can be demonstrated that the proposal would not have a significant detrimental effect on the character and setting of the countryside.

Design and appearance and impact on the open countryside

Saved policy GEN1 (i) permits development where, amongst other requirements, the design, scale, materials, massing, height, and prominence of the proposal is in character with the local area.

Saved policies RUR2 and RUR3 have a presumption against development unless, amongst other requirements it can be demonstrated that the proposal would not have a significant detrimental effect on the character and setting of the countryside.

The tree house is of sound construction and the design and materials are in keeping with the residential character of the immediately surrounding area.

The tree house is in the rear garden and there is some screening from existing vegetation therefore it is considered that it does not have a significant detrimental effect on the character and setting of the countryside.

Therefore the proposal complies with saved policies GEN1, RUR2, and RUR3.

Impact on neighbouring properties

Saved policy GEN1 (iii) permits development where there is no material loss of amenity to existing and adjoining residential uses.

Doras Green Cottage is located south of the application property. It is a detached property which is located in the North West corner of the site, at a lower level than the application property. There are first floor windows on the north elevation of Doras Green Cottage which face the tree house and concern has been raised over loss of privacy.

The tree house is located approximately 9 metres from the common boundary and 14 metres from the side elevation of Doras Green Cottage and there is some screening from existing vegetation. Additional evergreen shrubs have been planted between the tree house and the common boundary which will provide additional screening once established. The use of the tree house structure will be occasional, and to some extent, seasonal.

Therefore given the occasional use of a structure of this type, the separation distances, and screening from vegetation it is considered that it would not cause a material loss of privacy to the occupiers of Doras Green Cottage so would comply with saved policy GEN1.

Impact on trees

Saved policy CON8 states that where development is proposed which would affect trees, woodlands

or hedgerows of significant landscape or amenity value planning permission will only be granted if these features are shown to be capable of being retained in the longer term.

Comments from the Council's Tree Officer: 'I have looked at the retrospective application for the erection of the tree house.

I feel that my input would be limited in this instance as any damage to tree due to attaching brackets has already been carried out and as there is no protection on the trees.

Brackets supporting the tree house are attached to the tree and would have caused minor damage. Removal of the screws from the tree would increase the risk that pest, pathogens and fungus may invade the open wounds causing a greater problem for the future of the tree. There is little disturbance to the roots due to minimal intrusion of the posts.

Bearing the above points in mind it is not considered that I can object to tree house.'

Given the above comments from the Council's Tree Officer it is considered that the tree house does not cause material harm to the trees on site so complies with saved policy CON8.

RECOMMENDATION

Grant Permission

ITEM No.: 107

APPLICATION REFERENCE NO: 09/02550/FUL

| | |
|----------------------------|--|
| Site Address: | 11 Gally Hill Road, Church Crookham, Fleet, Hampshire, GU52 6LH |
| Proposals: | Erection of a dwelling. |
| Applicant: | Mr John Wort |
| Consultation Expiry | 10th December 2009 |
| Application Expiry | 28th December 2009 |
| Ward Member | Cllr Simon Ambler |
| Parish Council | Fleet and Church Crookham |
| Conclusions: | The proposal is considered to be acceptable in principle and accords with the requirements of the Local Plan policies. The design and appearance of the dwelling is acceptable within the urban area. There would be no unacceptable impacts on the amenities of the neighbouring residents and there is sufficient parking within the site to meet the adopted parking standards. There would be no adverse impacts on protected trees. |
| Recommendation: | Approve with Pre Conditions |

Application Ref: 09/02550/FUL

Location Map of Application Site

**11 Gally Hill Road
Church Crookham
Fleet
Hampshire
GU52 6LH**



THE SITE

The application site is located on the southern side of Gally Hill Road in Church Crookham and presently forms part of the residential curtilage of No.11 Gally Hill Road. This is a 1960's chalet bungalow, with flat roof dormers on the front and rear of the property. There is a detached garage adjacent to the common boundary with the neighbouring property at No.9A.

The site is enclosed with fencing on the common boundaries, with tree planting intermittently located. To the rear of the site, there are trees which are protected by way of preservation orders.

PROPOSAL

This is a full application for the erection of a detached dwelling with car parking located to the front of the site. The property would have three bedrooms located within the roof space and a single storey element to the rear of the property.

The dwelling would have a width of 7.8m, a depth of 14.3m and an overall height of 7.8m to the roof ridge. The front of the property would be hardsurfaced to provide access to the dwelling, with provision made for the parking of three cars adjacent to the boundary with No.9A Gally Hill Road. A new wall would be constructed to the front of the property, adjacent to the highway.

The dwelling would be sited in place of the existing detached garage, which as part of the proposal, would be demolished. A new vehicular access would be provided onto Gally Hill Road to serve No.11.

CONSULTATIONS

Fleet and Church Crookham Planning Advisory Group: Objection – the development is cramped within the plot. Impact on the streetscene, which is characterized by large houses within reasonable plots. Parking (lack of turning circle within the plot, resulting in cars reversing into a busy road where there are frequently cars parked for the church/playgroup).

Highways Officer: No objections.

Conservation Officer: Recommend seeking amendments to the first floor window on the front of the property to improve the visual appearance and proportions of this element. Recommend the addition of conditions in relation to materials and method of window opening when granting permission.

Tree Officer: There are a large number of protected trees on this existing site, which are protected by preservation order TPOHDC1147-2003.

A tree survey has been submitted which would ensure satisfactory protection for the trees on site. Subject to conditions being imposed with any consent and all works being carried out in accordance with the recommendations of Arboricultural Statement, no objections to the proposal.

Natural England: As there is an Avoidance and Mitigation Strategy in Hart, we have no comments to make on this application.

Environment Agency: We have assessed this application as having low environmental risk. Unfortunately, due to workload prioritisations, we are unable to individual responses at this time. We are unable to make comments on the planning application, although this does not indicate that permission will be given by the Environment Agency as a regulatory body.

Thames Water: With regards to sewerage infrastructure, we would not have any objections to the planning application.

With regards to the surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or sewers.

PUBLIC COMMENTS

No letters received.

RELEVANT PLANNING POLICIES

The following policies of the Development Plan, which comprises the South East Plan 2009 - 2026 and the Hart District Council replacement Local Plan are considered relevant to the determination of this application:

The South East plan 2009-2026:

CC2 Sustainable design and construction

CC6 Sustainable communities and character of the environment

Hart District Council replacement Local Plan;

GEN1 – General policy for development

GEN4 – General design policy

URB1 – Definition of areas

URB12 – Residential development

T14 – Transport and development

T16 – Improvements made necessary by development

CON1 – Nature conservation: European Designations

CON2 – Nature conservations: National Designations

CON8 – Trees, woodlands and hedgerows

Relevant National planning guidance is contained in PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPG13 (Transport) and PPG15 (Planning and the Historic Environment).

MAIN ISSUES

1. Principle of the proposal
2. Design, appearance and impact on the surrounding Conservation Area
3. Impact on the amenities of the neighbouring residents
4. Parking and highway
5. Trees
6. Special Protection Area
7. Leisure and Open Spaces
8. Education
9. Sustainability
10. SI06 Legal Agreement

CONSIDERATION

- I. Principle of the proposal

The application site is located within a Settlement Boundary, as defined within the Hart District replacement Local Plan, where development of this nature is considered to be acceptable in principle.

However, all proposals would only be permitted subject to complying with any relevant policies.

Planning Policy Statement 1: Delivering Sustainable Developments encourages the development of sustainable, high quality developments while protecting and enhancing the nature and historic environment and the quality and character of the area.

2. Design, appearance and impact on the surrounding Conservation Area

Planning Policy Statement 3, Housing', states that in determining planning applications, Local Planning Authorities should, have regard to:

1. Achieving high quality housing;
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups;
3. The suitability of the site for housing;
4. Using land efficiently; and
5. Ensuring the proposed development is in line with planning for housing objectives.

Local Plan Policy GEN1 states developments would be permitted where they:

- (i) Are in keeping with the local character by virtue of their scale, design, massing, height, prominence, materials, layout, landscaping, siting and density;

Local Plan Policy GEN4 allows development where it sustains or improve the urban design qualities of towns, villages.

Furthermore, Local Plan Policy URB12, which relates to housing developments within urban settlements, states that housing developments would be permitted provided that:

- (i) The proposal is sympathetic in scale, design, massing, height, layout, siting and density both in itself and in relation to adjoining buildings, spaces and views and makes optimum use of the site at densities commensurate with good innovative design;
- (ii) The development does not result in the loss of an important local feature;
- (iii) The proposal results in a reasonable mix of dwelling types and sizes; and
- (iv) There is no loss of amenity to adjoining residents.

The development would result in the erection of a detached dwelling, with the first floor bedrooms being located within the roofspace and being partially served by rooflight windows. The property would have a half hipped barn style roof, with the gable elevation facing the highway. To the rear of the property it is proposed to have a single storey element serving a lounge.

Whilst the application site is presently part of the residential garden serving 11 Gally Hill Road, it is proposed to segregate the application site with fencing on the side common boundary. The existing property on site is a chalet bungalow with rooms within the roof space served by flat roof dormer windows. The property at 9a is of a similar size and scale as that being proposed as part of this application.

It is noted that there would be a 2.5m gap between the flank elevation of the application property and the neighbouring property at 9a. There would be a distance of 2.5m from the west flank elevation and the existing property on site, 11 Gally Hill Road. This is considered acceptable in terms of maintaining space between the properties and continuing the pattern of development within the locality.

The footprint of the property is slightly smaller than that of the neighbouring property at 9a Gally Hill Road, although it should be noted that the plot size of the application site is slightly smaller too. The application site is located within an urban area where there is a variation in designs and appearances of the residential dwellings, with no overall characteristic prevailing.

This development would provide a modest sized property which would respect the scale and mass of the neighbouring properties. The narrow nature of the plot allows for a development which extends into the depth of the plot, which matches No.9a. The materials would be constructed from would be in-keeping with the surrounding urban area and conditioned as such.

It is considered that the proposed dwelling would not appear out of keeping with the character of the surrounding area or the adjacent residential properties. This meets the requirements of the Local Plan Policies.

3. Impact on the amenities of the neighbouring residents

Local Plan Policy GEN1 permits developments providing they avoid any material loss of amenity to existing and adjoining residential.

The dwelling would be two storey albeit with the first floor rooms within the roof space. The first floor rooms would have high level velux roof windows within the roof slope to provide light to these rooms. While it is noted that there could be the opportunity to view the neighbouring properties from these rooms, given the angle of the roof slope, it is unlikely that an unacceptable degree of overlooking would occur.

The orientation of the proposed dwelling is such that the neighbouring properties are located to the east and west of the site and therefore the development would cast shadows onto the neighbouring property at No.9a in the latter hours of the day. It is considered that this would not have an unacceptable impact on the amenities of these residents.

It is considered that the proposed development would not have a detrimental impact on the amenities of neighbouring residents through overlooking or overshadowing. This meets the requirements of the Local Plan policy.

4. Parking and highways

Local Plan Policy T14 states that development proposals which accord with other policies of this plan will be permitted provided that:

- (i) Within existing or proposed built up areas they are, or could be served efficiently by public transport, cycling or walking;
- (ii) Those of a type likely to attract a large number of trips are located where choice in transport mode can be provided, including a significant proportion by public transport; and
- (iii) Adequate provision is made for highway safety, access and internal layout and parking.

Provision is made under Local Plan policy T16 for contributions to local transport infrastructure improvements where they are required due to new development and where they can be shown to be necessary and reasonably related in scale and kind. Contributions may also be sought towards other provision forming part of an integrated local transport strategy.

Access to the development would be from the existing drive leading onto Gally Hill Road. A new access would be provided for 11 Gally Hill Road to the west of the existing access.

The application site would have provision for the parking of three cars to the front of the property, which accords with the requirements of the adopted parking standards. There would be space for cars to turn within the site.

The Highways Officer has raised no objections to the proposal, subject to the provision of a legal agreement to secure a NHTS contribution of £3,745 which it is recommended to be directed

towards safe routes to schools and/or cycle ways.

Additionally provision on site should be made for the storage for two cycles. This can be accommodated within a garden shed. On the balance of the information provided, it is considered that the development would accord with the requirements of the Local Plan policies.

5. Trees

Local Plan Policy CON8 relates to developments would affect trees, woodland or hedgerows of significant landscape value or amenity value.

The development would not require the removal of any trees on site in the loss of trees within the site to allow for the property to be constructed. The applicant has submitted a tree plan showing the location of the proposed development in relation to the protected trees on site. Further information has been received showing the location of protective fencing across the rear garden of the site, to prevent damage to the protected trees during the construction phase. It is stated that Haras fencing would be erected in accordance with the requirements of BS5837.

The Tree Officer has visited the site and has stated that there are a large number of protected trees on this existing site, which are protected by preservation order TPOHDCI 147-2003. A tree survey has been submitted which would ensure satisfactory protection for the trees on site. Subject to conditions being imposed with any consent, no objections to the proposal.

It is recommended that a condition be imposed with any consent, requesting that details of the means of protection for the preserved trees are submitted and approved in writing prior to the commencement of works on site. It is considered that with protection measures in place, the development would have no adverse impacts on the protected trees on site, which accords with the requirements of the Local Plan policies.

6. Special Protection Area

Saved Local Plan Policies CON1 and CON2 relate to the Thames Basin Special Protection Area (SPA) and state that development which would adversely affect the nature conservation value of a site will only be permitted if it can be subject to conditions that will prevent damaging impacts on wildlife habitats or other natural features of importance on the site or if other material factors are sufficient to override the nature conservation interest.

Policy NRM6 in the South East Plan similarly indicates that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid and mitigate any potential adverse effects. The policy indicates that this mitigation can take the form of Suitable Alternative Natural Green Space (SANGS).

The Council has adopted an Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area whereby, subject to the completion of the relevant necessary legal agreement to provide in perpetuity funding towards the Hitches Lane SANGS, it would be possible to conclude that the development will have no likely significant impact on the SPA. In this case the application is accompanied by a Planning Obligation to provide a contribution of £9,725.03 to this effect which meets the Interim Avoidance Strategy.

Natural England has raised no objections to the proposal due to an avoidance strategy being in place to mitigate the effects of the development. Subject to the completion of the Planning Obligation, it is concluded that the development would not have an adverse effect on the SPA. This complies with saved policies CON1 and CON2 and South East Plan policy NRM6.

7. Leisure and Open Spaces

The Hart Leisure Strategy requires new developments to make financial contributions towards Leisure improvements within the District and the locality of the application site. In accordance with the requirements of the Leisure Strategy, there is a need for a contribution of £9,408. This would be secured through the implementation of a Section 106 agreement.

In accordance with the requirements of the Leisure Strategy and as requested by the Parish Council, the contributions would be ring-fenced to be used within the Parish, to be used towards children's play provision.

8. Education

There is a requirement for the applicant to enter into a Section 106 Agreement for secure financial contributions for Primary and Secondary Education provisions. The total contribution is £10,168. The applicant has agreed to pay this contribution.

9. Sustainability

Since 2005 PPS 1: Delivering Sustainable Development and its companion guide on climate change has come into force including the South East Plan. All new development proposals should therefore consider climate change in its overall design. The applicant has not addressed this issue; however the incorporation of sustainable drainage systems, grey water recycling, and low energy or low carbon sources, for example, can be conditioned as part of the planning permission.

The construction of all new buildings, and the redevelopment and refurbishment of existing building stock, will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

- i) High standards of energy and water efficiency that exceed current standards required by the Building Regulations and reflect best practice;
- ii) Designing to increase the use of natural lighting, heat and ventilation, and the provision of a proportion of energy demand from renewable sources;
- iii) Reduction and increased recycling of construction and demolition waste and procurement of low-impact materials; and
- iv) Designing for flexible use and adaptation to reflect changing lifestyles and needs and the principle of 'whole life costing'.

It is recommended to impose a condition with any consent to ensure that no development commences on site until details of sustainable development measures including SUDS drainage which are to be incorporated into the development are submitted and approved in writing by the Local Planning Authority.

10. Legal Agreement

A draft Section 106 agreement has been submitted as part of the application, as a means of securing the contributions required as part of this development. The contributions which are sought and have been agreed within the S106 for Leisure and Open Spaces being £9,408, a NHTS contribution of £3745, an SPA contribution of £9,725.03 and a contribution of £10,168 towards Education provision.

At the time of writing this report, the Legal agreement is in the process of being completed; therefore it is intended to provide an update on the addendum sheets regarding the status of this agreement.

RECOMMENDATION

Approve with Pre Conditions

A Subject to the completion of the legal agreement by 20.01.10, to secure the financial contributions of £6724.16 towards SANGS for the SPA, £9408 for Leisure and Open Spaces, £3745 for NHTS and £10,168 for Education, then Permission GRANTED subject to the following 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 SANG at Hitches Lane.

- 2 No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason

To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 3 No development shall take place until details of the provision of turning and parking for 3 vehicles have been submitted to and approved in writing by the Local Planning Authority. The parking/turning facilities shall be available prior to the occupation of the development hereby approved and thereafter be retained for these purposes 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

- 4 No development shall take place until details of the provision of storage for 2 cycles have been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be available prior to the occupation of the development hereby approved and thereafter be retained for these purposes.

Reason

To ensure that the development is provided with adequate cycle storage and to satisfy saved policy GEN1 in the Hart District Local Plan.

- 5 No development shall take place until details of measures to be taken to prevent mud and spoil from vehicles leaving the site during the construction works being deposited on the public highway and measures to be taken for the parking and turning on site of operatives and construction vehicles during the construction period have been submitted to and approved by the Local Planning Authority in writing. The agreed measures shall be fully implemented before the development commences. Such measures shall be retained throughout the duration of the construction period.

Reason

In the interests of highway safety and to satisfy saved policy GEN 1 in the Hart District Local Plan.

- 6 The dwelling shall achieve a Code Level 3 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason

In order to secure the sustainable design and construction of the development in accordance with PPSI.

- 7 Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

In order to secure sustainable design and construction of the development in accordance with PPSI: Delivering Sustainable Development and policy CC4 in the South East Plan.

- 8 No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

- 9 Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

To satisfy the requirements of the Planning and Climate Change Supplement to PPSI and policy CC4 in the South East Plan.

- 10 No development shall take place until full details of both hard and soft landscape have been submitted to and approved in writing by the Local Planning Authority.

Hard details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure of unbuilt open areas, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes, etc.).

Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate.

Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GENI of the Hart District Local Plan.

- I1 Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice. The Council shall be notified in writing of the completion of the scheme or any agreed phase of such scheme.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Council gives its written consent to any variation.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GENI of the Hart District Local Plan.

- I2 No work shall take place until details of the means of protection, including method statements where appropriate, for all trees, hedges, hedgerows and shrubs on site, unless indicated as being removed, have been submitted to and approved in writing by the Local Planning Authority. The trees, hedges, hedgerows and shrubs shall be retained and protected in accordance with the approved details for the duration of works on the site and for at least five years following occupation of the approved development, unless otherwise agreed by the Local Planning Authority. Any such vegetation immediately adjoining the site shall be protected on the site in a similar manner for the duration of works on the site.

Any such vegetation removed without the Local Planning Authority's consent, or which die or become, in the Authority's opinion, seriously damaged or otherwise defective during such period shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the Authority in writing.

Reason

To ensure the continuity of amenity afforded by existing vegetation and to satisfy saved policy GENI of the Hart District Local Plan.

- I3 The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GENI in the Hart District Local Plan.

- I3 The approved cycle storage facilities shall not be used for any purpose other than the storage of cycles.

Reason

To ensure that the development is provided with adequate cycle storage and to satisfy saved policy GENI in the Hart District Local Plan.

- B Should the requirements set out in A above not be satisfactorily secured, then the Development Services Manager be authorised to REFUSE permission for the following reasons.
- 1 The proposed development will give rise to additional detrimental impacts on the transport infrastructure, which includes community based transport initiatives, cycling and pedestrian links and public transport. As such the proposal is contrary to South East Plan policies CC7 and T7, saved policies T14 and T16 in the adopted Hart District Local Plan (Replacement) 1996-2006 and the Local Transport Plan.
 - 2 The site is located within 5km of the Thames Basin Heaths Special Protection Area (SPA). In the absence of any evidence that the test of no alternatives under Regulation 49 of The Conservation (Natural Habitats, etc.) Regulations 1994 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 South East Plan Policy NRM6 and saved policies CON 1 and CON 2 in the adopted Hart District Local Plan (Replacement) 1996-2006.
 - 3 The proposed development would exacerbate the existing deficiency in provision for leisure facilities within the vicinity of the site. As such the proposal would be contrary to the Hart District adopted Leisure Strategy.
 - 4 The proposed development would exacerbate the existing deficiency in provision for primary/secondary schooling in the vicinity of the site. As such the proposal would be contrary to South East Plan Policy CC7 and the accompanying text to saved Policy URB20 of the Hart District Local Plan (Replacement) 1996-2006.

ITEM No.: 108

APPLICATION REFERENCE NO: 09/02557/HOU

| | |
|----------------------------|--|
| Site Address: | Badgers, 1 Millmere, Yateley, Hampshire, GU46 7TQ |
| Proposals: | Erection of first floor to existing bungalow. Erection of a two storey front extension. Erection of rear conservatory |
| Applicant: | Mrs Susan Ashby |
| Consultation Expiry | 3rd December 2009 |
| Application Expiry | 30th December 2009 |
| Ward Member | Cllr G Cockarill |
| Parish Council | Yateley |
| Conclusions: | The design and appearance is acceptable and there would be no unacceptable loss of amenity to the neighbouring properties or harm to the street scene. Parking arrangements are considered adequate. Therefore the proposal complies with the relevant saved Policies of the Local Plan. |
| Recommendation: | Grant Permission |

Application Ref: 09/02557/HOU

Location Map of Application Site

**Badgers
I Millmere
Yateley
Hampshire
GU46 7TQ**



BACKGROUND INFORMATION

Amended plans were received on 26.11.09 moving a window from the south-east flank elevation to the south-west front elevation.

THE SITE

The application property is a detached bungalow, 4.3m high to the ridge, dating from the mid 1980's, located on the south-east side of Millmere in the urban settlement of Yateley. A single detached garage is positioned to the north of the dwelling set back from the main house and parallel to the roadway. Millmere is an unadopted highway off Mill Lane serving four dwellings.

The application site has an area of approximately 0.06ha and slopes gradually down from front to rear. The plot is roughly rectangular in shape with a plot width varying from 14 - 20m. The front garden is open and laid mainly to lawn with a few shrubs and trees. At the rear the boundaries are mostly 1.8m fences screened by shrubs with a 2.5m hedge on the south-east boundary close to the bungalow. There are a number of other trees along the south-east and north-east boundaries immediately adjacent to the site.

There is a mix of other dwellings in the vicinity. Of the other properties in Millmere, two are bungalows and two are chalet style house with dormer windows. Further afield, Wyndham Close to the north-west is a road of modern two storey houses and to the south-east along the west side of Mill Lane are a row of detached bungalows.

PROPOSALS

The application seeks consent to build a first floor over the existing bungalow, a two storey front extension and a rear conservatory.

The first floor would be built over the existing footprint of the bungalow which measures 6.1m x 13.3m. At the front a two storey extension would be built measuring 5.6m x 6m. The main roof would be hipped with the extension part being a hipped gable; the ridge would be 6.5m high. There would be half dormers on each elevation; these vary in width, and therefore as they all have the same pitch, their height also varies, from 5.5m to 5.8m high. There would be a 'Juliet' balcony on the rear elevation serving the master bedroom.

The conservatory would measure 3.5m wide and 3m deep; it would be located towards the middle of the rear elevation and would be glazed on all elevations.

A chimney is proposed to be sited on the north-west flank elevation.

At the front a new driveway would be created on part of the lawn to provide parking for a further two vehicles.

It is proposed that the materials would be matching brickwork with painted render at first floor level.

RELEVANT PLANNING HISTORY

HDC 11056 - Outline consent for the erection of three dwellings. Permitted 5.03.1984. A condition limiting the height and floor area of the dwellings was imposed for the reserved matters application. Another condition removed the permitted development rights to build extensions or outbuildings.

HDC 11056/1 - Erection of 3 two-bedroomed bungalows. Permitted 24.07.1984.

CONSULTATIONS

Yateley Town Council: Objection. 'Members felt this was out of scale and context. The application was of an oppressive nature and the roofline was too high. It was out of keeping with the street scene and would overlook neighbouring properties resulting in a loss of privacy.'

Highways Officer: No objection

PUBLIC OBSERVATIONS

17 letters of objection from 10 households raising the following issues:

- * Overdevelopment, excessive size, too big for the plot
- * Loss of privacy
- * Out of keeping with the street scene, visually intrusive, high walls acting as a prison to surrounding properties
- * Overshadowing, loss of light, loss of air
- * Loss of view and aspect
- * Loss of peace and quiet
- * When planning permission was originally granted, it required that only bungalows should be built
- * Other bungalows in the area have covenants restricting further development
- * Loss of bungalows for future generation
- * Additional traffic and impact on highway safety
- * Occupancy of the small cul de sac is disproportionately high and cars always parked along there.
- * If bungalow is too small, then the applicant should move
- * The other bungalow that has been extended only overlooks houses
- * Surface water drainage
- * Detrimental to the habitat of wildlife in the area; as there are a number of wildlife habitats close by - should there be a habitats assessment?

There has been one letter of support for the proposal.

MATERIAL PLANNING POLICIES

- * South East Plan: CC6
- * Local Plan: Saved Policies GEN1, GEN4, URBI, URBI6, CON5, T14
- * National Planning Advice: PPS1, PPS3, PPS9

MAIN ISSUES

- * Principle of development
- * Design and appearance
- * Street scene
- * Impact on the amenities of the occupiers of adjoining properties
- * Parking
- * Biodiversity

CONSIDERATIONS

- * Principle of development

Saved Policy URBI defines the urban settlement areas

As the property lies within the Yateley urban settlement boundary, it is considered that the principle

of development within a residential curtilage is acceptable subject to compliance with development plan policies and that there is no unacceptable harm.

* Appearance and street scene

Saved Policies GENI (1), URBI6 (i) and URBI6 (iii) require that the scale, design and appearance of the development should be in keeping with the existing building and surrounding area.

The property occupies a generous plot of some 600 square metres; the footprint of the building would be increased by some 42 square metres giving a total of approximately 123 square metres. Therefore, it is considered that this proposal would not result in a dwelling disproportionate to its curtilage or an unacceptable loss of green amenity space. The design is very different from the simple form of the existing bungalow but is similar to that of Nos. 2 and 4 Millmere. No.3 Millmere, the other remaining bungalow, is set back into its plot and is also well screened by extensive vegetation and so is not viewed in the same context. The dormer windows, although not symmetrical, provide good articulation and interest to the facades, and are considered acceptable. The height of the roof will increase 2.2m to 6.5m. This is similar in height to the adjacent neighbour at No.4 Millmere and is an average height for a two storey dwelling.

The existing bungalow cannot be seen from Mill Lane or Wyndham Close and even increasing the height by 2.2m would not make a significant difference to these street scenes due to the existing intervening buildings. Millmere itself is an unadopted cul de sac, and the far end has a sylvan character, due to the deep front gardens and extensive planting. Of the four dwellings in Millmere, two are chalet style houses; therefore it is considered that building a first floor at the application property would be consistent with the varied character of the immediate locality. The front extension is set back from the road some 10m and there would be some 5m between the front elevation of the extension and the south-west boundary, allowing for the retention of the ornamental trees and shrubs along this boundary; it is thus considered that there would be sufficient space remaining at the front not to significantly alter the sylvan nature of this end of the cul de sac. There would be some additional hard surfacing to provide additional parking, but as this would be permitted development (provided the surface is permeable), the change is considered acceptable. The north-west gable end elevation abuts the road and the height of the eaves would increase from 2.3m to 4.2m. However as the roof would be hipped away from the road, unlike the existing gable end, this is considered not to have an unduly harmful effect on the street scene and would be acceptable.

Therefore, it is considered that the proposal would comply with saved policies GENI, GEN4 and URBI6 in terms of design, appearance, and street scene.

* Impact on amenities of adjoining properties

Saved Policies GENI (ii) and URBI6 (ii) require that there should be no material loss of amenity to neighbours.

No.4 Millmere is the nearest neighbour, being across the road, however it is not immediately opposite but is set further forward, some 4.5m to the north-east of the application property, so although there are a couple of windows on its flank elevation, it is considered that there would be no visual intrusion or loss of light or privacy to this neighbour.

The rear gardens of three properties along Mill Lane abut the south-east boundary of the application site. All of these properties are bungalows that have been extended to the rear. The distance from the south-east flank elevation of the application property to each of the rear elevations of these extended bungalows are approximately 36m to No.29 Mill Lane, 26m to No.31 and 31m to No.33. The height of the eaves of the application property would be 4.2 metres and the roof would be

hipped away from the common boundaries. Given these distances, it is considered that there would be no unacceptable overbearing impact or visual intrusion to these neighbours in this urban area. There are two windows proposed for this south-east flank elevation at first floor level, one serving a bathroom, the other a secondary window for the landing. It is considered acceptable to impose a condition requiring these windows to be obscured glazed, and therefore there would be no material loss of privacy to these neighbours. Given the application property is situated to the north-west and west of these properties along Mill Lane, and the considerable length of their rear gardens, it is considered that there would be no loss of light to these properties or any significant loss of direct sunlight to their gardens.

At the rear of the application site is No.41a Mill Lane, which is a bungalow at a slightly lower level than the application property. There is 30m between the facing rear elevations of the two buildings and 19m to the rear boundary. This is considered sufficient distance not to result in any unacceptable overlooking, loss of privacy, loss of light or overbearing impact.

To the front of the application site is No.2 Millmere. There would be some 25m between the facing front elevations; this is considered sufficient distance not to result in any material loss of amenity to this neighbour.

Therefore, it is considered that there would be material loss of amenity to the neighbouring dwellings and so accords with saved Policies GEN1 and UR16.

* Biodiversity

Policy CON5 requires that development should not have an adverse effect on protected species or their habitats.

The applicant has submitted a short statement that indicates that there is no evidence of bats or their habitats at the property. However a number of neighbours have commented that the area is a haven for wildlife. Given this is a householder application and there is a distance of some 1.3kms to the Castle Bottom Site of Scientific Interest, there is no statutory requirement for an Environmental Impact Assessment. The application site is already a residential property with a domestic cultivated garden. It is considered unlikely that any protected species would be affected. However should evidence be found subsequently, works must cease and further advice obtained. This should be added as an informative.

Therefore it is considered that the proposal complies with saved policy CON5.

* Parking

Policies GEN1 (vii) and T14 requires that developments have adequate arrangements for the parking and servicing of vehicles.

The Councils Interim Guidance for Parking Provision requires that 3.5 spaces are provided for a dwelling with 4 or more bedrooms in this location (Zone 2). For householder extensions only the whole number is required to be provided on site.

The applicant has provided a layout to show that it is possible to park 2 cars on the driveway in addition to the space in the existing garage. There is also an existing parking space in front of the garage that is not shown on the site plan. The Highways Officer has no objections to the proposal. No details have been provided about the proposed surface of the additional driveway. This should be a permeable surface, in line with advice in PPS25 - this could be secured by condition.

Therefore it is considered that the proposal would accord with saved Policies GEN1 and T14 and

with the Councils Interim Parking Guidance.

* Other issues

Neighbours raised a number of issues; those matters relating to neighbour amenity, design, character, parking and street scene have been addressed above.

- * Loss of view is not a material planning consideration.
- * Unacceptable domestic noise is dealt with under different legislation
- * Covenants are not a material planning consideration.
- * Hart District Council has no specific policy requiring the retention of bungalows.
- * No new dwellings are proposed, the possible increase in traffic would not be significant and the Highways Officer had no objection. Speeding along Mill Lane would be a matter for the police.
- * The level of occupancy of individual residential properties is not a material planning consideration.
- * The motives or domestic arrangements of an applicant are not a material planning consideration.
- * Surface water drainage is a building control function.

RECOMMENDATION **Grant Permission**

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be as annotated on the approved plans.

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

- 3 No development shall take place until full details of the surface of the proposed new driveway have been submitted to and approved in writing by the Local Planning Authority. The construction of the driveway shall be carried out in accordance with the approved details.

Reason

To ensure the permeability of the surface and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no additional windows or doors shall be constructed in the north-west and south-east flank elevations of the extension hereby permitted.

Reason

In the interest of the privacy of the occupiers of the adjoining properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 5 The first floor bathroom and landing windows in the south-east flank elevation shall be glazed with obscure glass only and retained as such.

Reason

To prevent overlooking of adjoining properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

INFORMATIVES

- 1 The applicant is reminded of the need to ensure 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. This will include ensuring 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 and no working on Sunday and Bank Holidays. The storage of materials and parking of operative's vehicles should be normally arranged on site.
- 2 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats etc.) Regulations 1994, 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.

ITEM No.: 109**APPLICATION REFERENCE NO: 09/02821/FUL**

| | |
|----------------------------|---|
| Site Address: | Land At Rear Of Byways And, Deer Park View, Odiham, Hook, Hampshire |
| Proposals: | Construction of temporary construction access to enable construction of proposed redevelopment subject to application 09/02544/MAJOR. |
| Applicant: | Chair Of The Trustees |
| Consultation Expiry | 17th December 2009 |
| Application Expiry | 7th January 2010 |
| Ward Member | Cllr Stephen Gorys |
| Parish Council | Odiham |
| Conclusions: | The access road is considered acceptable on a temporary basis only. |
| Recommendation: | Grant Permission |

Application Ref: 09/02821/FUL

Location Map of Application Site

**Land At Rear Of Byways And
Deer Park View
Odiham
Hook
Hampshire**



BACKGROUND INFORMATION

The application has been submitted to committee because the Council owns part of the site.

An additional plan was submitted on 9th December 2009 showing possible routes for the diversion of public footpaths affected by the proposal.

THE SITE

The site forms part of the Deer Park which is located in open countryside to the north of Odiham. The Deer Park has existed since at least 1216 and it was used for 600 years by Royalty and others for hunting and the wood was used for fuel. In 1630 it was described as being well stocked with deer and the fish ponds and river supplied large quantities of fish. The medieval Deer Park survives almost intact today apart from the intervention of the Basingstoke Canal, Valentine Farm and the Odiham Bypass. The Deer Park is crossed by a number of public rights of way and there are many views into and out of the town.

The site itself is located immediately north of the public car park at the end of Deer Park View and extends for approximately 45 metres across the Deer Park to the rear of Red Lion Mews and 88 High Street (also known as Byways). The site includes a small part of the public car park. The site is roughly rectangular and extends about 17 metres northwards into the Deer Park and comprises the boundary to the public car park with its associated landscaping of shrubs and small trees and a grassed area of the Deer Park including small stretches of three public footpaths. There is currently no vehicular access to the site.

PROPOSAL

The proposal is to construct a temporary vehicular access to be used for construction vehicles and construction workers own vehicles while redevelopment takes place at Byways. The proposal would involve the removal of part of a landscaped border which includes shrubs and small saplings and a low boundary wall on the northern edge of the car park. The road would be surfaced with Type I (i.e. 75mm and smaller) rolled stone and would be restrained by Trief kerbs (i.e. with a concave profile which traps the tyre of the vehicle and redirects the vehicle back onto the carriageway).

The access road would be removed and the Deer Park and the wall and landscaped border to the public car park would be re-instated at the end of the temporary period.

CONSULTATIONS

Odiham Parish Council raise no objections:

The Odiham Parish Council recognizes the need to use the Deer Park for access from a safety point of view. However, the Deer Park has retained its boundaries in tact since the medieval period and reinstatement is absolutely vital.

The Council would be very concerned if the site were to be used for storage. A condition should be made to prevent storage and parking on the site.

The Council also requests a Traffic Management Plan to avoid obstruction in the Deer Park car park and Health Centre.

Head of Technical Services (Highways): No objection. The anticipated number and sizes of construction vehicles generated by the development can be satisfactorily accommodated in the access road and car park areas. The access road is provided with a footway along its whole length and fronting properties have their own on-site car parking arrangements. The visibility splays, junction radii and road width available at the High Street junction are all of a satisfactory size and

alignment to enabling easy access/egress into and out of the access road.

The proposed temporary construction in the Deer Park using MOT Type 1 material 300mm thick and linking the car park to the development site may not be satisfactory as some construction vehicles may be particularly heavy and the constricted layout will result in considerable rutting arising from scuffing wheel movements. However, regrading and filling, contained within the kerbed area, can be undertaken quickly and effectively as and when needed in order to allow continuous and uninterrupted access. The TRACK over-lays indicate that large lorries can enter and leave the development site in a forward gear thus avoiding any inconvenient or hazardous movements in the car park or access road areas. The applicant should gate off the temporary access at its junction with the car park when works are not in progress. The gating should, in line with best safety procedures, be both vehicular and pedestrian proof.

Hampshire County Council (Rights of Way): The proposed temporary construction access would appear to have a considerable effect on the network of public footpaths in the vicinity, namely Odiham Footpaths Nos 17, 18 and 19. Although paragraph 4.12 of the D & A Statement suggests that Deer Park View and the car park are " ...publicly accessible, and no additional permissions are required to access this.", we are not aware that these are adopted or publicly maintainable, and hence infer that they are privately owned and maintained. In addition, presumably heavy construction traffic using this route would cause conflict with other vehicles using the route legitimately. This level of conflict and disruption needs to be compared to that which would occur if the archway access were to be used instead. Similarly, although paragraph 4.13 of the same document acknowledges that a temporary diversion of the above footpaths will be required, there are no plans or descriptions as to where the alternative routes will be. It is difficult to see where the applicants could provide alternative routes over land in their own ownership. Would they therefore need to use land under another someone else's control with all the associated liability implications that this would involve e.g. Deer Park View, with the associated conflict with HGVs? Before agreeing to this proposal we would need to be satisfied that any alternative routes were as safe and as easy to use as the definitive footpaths currently are. We would also need to see written agreement from any other landowners, over whose land the proposed temporary routes were to run, that they were happy to take on responsibility and liability for the temporary routes. In addition, we would need to see details of proposed signage of the temporary routes and details of the reinstatement of the definitive paths, following completion of the building works. We must therefore object pending submission of these details.

PUBLIC COMMENTS

No letters received.

RELEVANT PLANNING POLICIES

- * PPG/PPS: PPS1, PPG15
- * South East Plan: Policies
- * Local Plan: Saved Policies GEN1, T14, CON13, CON21, CON22, CON23, RUR2, RUR3

MAIN ISSUES

Principle of development
Impact in the Odiham Conservation Area
Impact in the countryside
Impact on public rights of way
Impact on the use of the public car park/occupiers of Deer Park View
Temporary permission

CONSIDERATIONS

Principle of development

The site is located in the open countryside. Saved policy RUR2 does not allow development in the countryside unless it is specifically allowed by other local plan policies. There are no other local plan policies which would specifically allow the proposed development. PPS1 advises that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have determined that, in principle, material considerations can be any consideration which relates to the use and development of land in the public interest and they must fairly and reasonably relate to the application concerned.

In this instance the applicant has advised that the proposal is required in association with application 09/02544/MAJOR. This application, for the redevelopment of a care home and the erection of 4 houses at Byways, received planning permission on 17th December 2009. One of the determining issues was that the development proposed under that application would enhance the character and appearance of that part of the Odiham Conservation Area. The entrance to the access drive for the care home site is via an archway within existing buildings on the High Street frontage with restricted headroom and restricted visibility. It is unlikely that standard construction vehicles would be able to access this entrance. The applicant has no control over the archway or buildings on either side and would not therefore be able to make any physical improvements to the access at this point, in addition the archway and buildings either side are listed buildings. The applicant has advised that whilst it would be theoretically possible to deliver materials and service the site via the archway, this would create significant health and safety issues. Materials would require to be off-loaded on the High Street and either accessed via the archway or craned over the High Street buildings causing serious safety concerns and disruption to businesses and the public. There would also be concerns about possible damage to historic buildings. These issues are considered to be material considerations which are directly related to the application the subject of this report.

Given that the proposed access would be for a temporary period of time and given that it would enable the implementation of a permission recently granted by the Council which would enhance the character of the Conservation Area, then it is considered that the principle of development would be acceptable.

Impact in the Odiham Conservation Area

Saved policy CON13 does not allow development which would fail to conserve or enhance the character or appearance of a conservation area.

The Deer Park is of historic importance with connections to Odiham Castle and King John and in 1987 the Odiham Conservation Area boundary was extended to include the Deer Park. The Odiham Conservation Area Character Appraisal makes particular mention of the Deer Park and emphasises its importance in terms of the views into and out of the town which contribute to the special character of Odiham and give a feeling of openness and space.

The proposed access road would introduce vehicular movements into the Deer Park where currently there are no vehicular movements. In addition there would be fencing around the road. However, the Conservation Officer has advised that since the visual and physical impact would be temporary it would be considered minimal. The Conservation Officer has therefore raised no objections and this view is accepted.

Impact in the countryside

Saved policy CON21 does not allow development in local gaps which would lead to the coalescence

or damage the separate identity of settlements. Saved policy CON22 does not allow development which would adversely affect the character or setting of a settlement, or lead to the loss of important areas of open land around settlements.

The Deer Park forms part of a designated local gap between Odiham and North Warnborough. Historically the Deer Park stretched from the northern boundary of Odiham to the current line of the M3 and its western boundary still defines the eastern limit of North Warnborough. Although the Deer Park has been used for agriculture for many centuries its outline is still of vital importance in influencing the layout of settlement today. Clearly the proposed development would have a visual and physical impact on both the character of the local gap and the area immediately adjoining the settlement boundary of Odiham. However, given that the proposed development would be for a limited period of time and given that a condition could be imposed to require the full restoration of the site, then a temporary permission is considered acceptable.

Impact on public rights of way

Saved policy CON23 does not allow development which would seriously detract from the amenity and consequent recreational value of well-used footpaths in the countryside close to main settlements by reducing their rural character or detracting from significant views.

The Deer Park is crossed by a number of public rights of way including Odiham Footpaths Nos 17, 18 and 19 which are heavily used and of high value to residents. Footpath 17 runs along the boundary of the Deer Park with the northern edge of the built up area and footpaths 18 and 19 diagonally cross the Deer Park. Footpath 18 continues southwards to emerge in Odiham High Street adjoining the George Hotel. All three footpaths meet at a point within the application site and they would all be directly affected by the proposal.

The applicant has submitted an additional plan which shows that footpath 17 would be diverted around the edge of the site and footpaths 18 and 19 would be stopped up at the point where they would meet the diverted route for footpath 17 and would then follow the diversion. Footpath 18 would be stopped for the length between the boundary of the Deer Park and the High Street. The applicant proposes that this footpath would be diverted along the High Street, along Deer Park View and through the public car park. The temporary closure of the footpaths is a matter for Hampshire County Council. The Hampshire County Council Countryside Officer (Rights of Way) has raised an objection and the applicant has subsequently submitted a plan showing possible diversion routes for the footpaths in response to the objection. Any further comments received from the Rights of Way Officer will be reported on the Addendum Sheet.

From a planning point of view, the applicant has demonstrated that reasonable alternatives could be available and the application should be considered on that basis. Should planning permission be granted but the County Council subsequently refuse to grant a temporary closure order, then the applicant would not be able to implement the planning permission.

Impact on the use of the public car park/occupiers of Deer Park View

Saved policy GEN1 requires development to avoid any material loss of amenity through traffic generation, and to avoid heavy traffic passing through residential areas or use unsuitable roads.

The Head of Technical Services has advised that the anticipated numbers and size of construction vehicles generated by the development could be satisfactorily accommodated in the access road and car park areas. However it is suggested that a condition is imposed limiting vehicles to HGV2 maximum due to turning area and access road restrictions. Odiham Parish Council has suggested a travel plan. However, the Head of Technical Services is satisfied with the proposal, subject to appropriate conditions.

There are a number of dwellings which front onto Deer Park View and construction vehicles driving to and from the proposed access would pass these dwellings. The car park has a weight restriction in force which limits vehicles to those which have an unladen weight of 3.5 tonnes. As such larger vehicles would not normally pass the dwellings in Deer Park View. It is therefore suggested that a condition is imposed to restrict larger vehicles to 09.00 hours to 17.00 hours Mondays to Fridays and 09.00 hours to 13.00 hours Saturdays to limit the impact on adjoining residents. This still would enable smaller vehicles to access the site outside these hours, subject to the slightly more relaxed hours restrictions imposed through application 09/02544/MAJOR.

Temporary permission

The applicant has advised that work on the development at Byways would be unlikely to start before May/June 2010 and it is anticipated that work would take about 12 months. It is therefore suggested that a condition is imposed requiring the removal of the access road and re-instating of the land etc by 31st July 2011.

RECOMMENDATION

Grant Permission

- 1 The access road hereby permitted shall be removed and the land restored to its former condition by 31st July 2011.

Reason

In order that the access road hereby permitted will not become a permanent feature of the area and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 2 No works shall take place on site until the necessary orders for the diversion, even on a temporary basis, of the public footpaths affected by this development have been brought into force.

Reason

To avoid any conflict with users of the public footpaths and to satisfy saved local plan policy CON23.

- 3 Before any works commence, details of the fencing to surround the site, and gate between the car park and the site shall be submitted to and approved by the Local Planning Authority. The fencing and gate shall be installed in accordance with the approved details prior to the commencement of any works. The gate shall be kept locked except between the hours of 07.30 and 18.00 weekdays and 08.00 to 13.00 hours on Saturdays and, for the avoidance of doubt, at all times on Sundays and Public Holidays.

Reason

To prevent the incursion of vehicles onto the site and to satisfy saved local plan policy GEN1.

- 4 No development shall take place until details of measures to be taken to prevent mud and spoil being deposited on the public car park from vehicles leaving the site during the construction period have been submitted to and approved by the Local Planning Authority in writing. The agreed measures shall be fully implemented before the development commences. Such measures shall be retained throughout the duration of the construction period.

Reason

In the interests of the safety of the users of the public car park and to satisfy saved policy GEN 1 in the Hart District Local Plan.

- 5 No development shall take place until full details of replacement landscaping, both within the Deer Park and the landscaped border to the public car park, have been submitted to and approved in writing by the Local Planning Authority. The details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate. Details shall further include a replacement wall to the public car park and a proposed timetable for planting.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 6 The landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice. The Council shall be notified in writing of the completion of the scheme or any agreed phase of such scheme.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Council gives its written consent to any variation.

The replacement of the wall shall also be implemented in accordance with the approved details.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 7 No vehicles in excess of 3.5 tonnes unladen weight shall access the site except between 09.00 hours to 17.00 hours on Mondays to Fridays and 09.00 hours to 13.00 hours on Saturdays.

Reason

In the interests of the amenities of the occupiers of residential properties in the vicinity and to satisfy saved local plan policy GEN1.

- 8 There shall be no unloading or storage of materials or parking of any construction vehicles/plant or machinery within the site or within the public car park.

Reason

In the interests of the amenities of the area and to satisfy local plan policy GEN1.

INFORMATIVES

- I The applicant is advised that this permission does not confer any permissions in relation to the temporary closure of the public footpaths.

ITEM No.: 110

APPLICATION REFERENCE NO: 09/02834/FUL

| | |
|----------------------------|---|
| Site Address: | 40 Oldfield View, Hartley Wintney, Hook, Hampshire, RG27 8JH |
| Proposals: | Erection of a two storey 2 bedroom house following demolition of existing garage. |
| Applicant: | Mr Frank Baverstock |
| Consultation Expiry | 29th December 2009 |
| Application Expiry | 20th January 2010 |
| Ward Member | Cllr Susan Band |
| Parish Council | Hartley Wintney |
| Conclusions: | The proposal is acceptable in principle and accords with the requirements of the Local Plan policies. The design and appearance of the development accords with the characteristics of the surrounding area. There would be no unacceptable impacts on the amenities of neighbouring residents. The on site car parking provision accords with the requirements of the adopted parking standards. |
| Recommendation: | Approve with Pre Conditions |

Application Ref: 09/02834/FUL

Location Map of Application Site

**40 Oldfield View
Hartley Wintney
Hook
Hampshire
RG27 8JH**



BACKGROUND INFORMATION

This application is presented to the Planning Committee at the request of the Local Ward Member.

There have been several previous applications submitted for this site;

08/02167/FUL – Erection of a two storey side extension. Approved 2008.

09/01984/FUL – Erection of detached bungalow. Application Withdrawn 2009.

THE SITE

The application site is a detached, two storey dwelling at 40 Oldfield View, Hartley Wintney. The property, constructed in the 1980's, is accessed via a shared driveway leading from a turning head on the highway. The plot measures 20.5m in width and has a depth of 31m at the furthest part. The plot is roughly triangular in shape, with the rear garden narrowing towards the rear boundary.

To the north and west of the site is an area of woodland, known as King Johns Walk which is an area of historic woodland forming part of the Hartley Wintney Conservation Area. To the south of the site is a residential property fronting onto Oakfield View.

PROPOSAL

This is a full application for the erection of a two storey dwelling to be attached to the west flank elevation of No.40 Oldfield View. The property would have a width of 5.9m, a depth of 8.6m and a height of 9m to the roof ridge. The dwelling would be set back from the front elevation of No.40 by 1.4m to provide a staggered streetscene.

As the application site presently forms part of the residential curtilage of No.40, it is proposed to sub-divide the plot with fencing. To the front of the plot is a detached garage which would be demolished as part of the development proposal and an area of hardstanding would be provided to the side of the proposed property for the parking of four cars for both the proposed dwelling and No.40.

The design of the proposed dwelling would replicate that of No.40. It is proposed to use red bricks to match the adjoining property with grey cills and lintels. Dark stained timber framed windows would be used to match that of the neighbouring properties.

CONSULTATIONS

Hartley Wintney Parish Council: Objection – the proposal represents an overdevelopment of the site.

Highways Officer: No objection subject to a NHTS contribution of £3,745 being sought. It is recommended that the money be directed towards safe routes to schools and/or

Conservation Officer: Subject to other planning considerations, I have no objections to the proposal and have no further comments to add.

Tree Officer: No objections as the proposal is sufficient distance from any protect tree.

Natural England: As there is a Avoidance and Mitigation strategy in Hart, we have no comments to make on this development.

Thames Water: With regards to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to the ground, water courses or a suitable sewer. It is advised that with regard to sewerage infrastructure, we would not have any objection to the planning application.

PUBLIC COMMENTS

One letter of objection received raising the following main issues:

- a) Impact of the development on vehicular access;
- b) Increase in vehicular movement to and from the site; and
- c) Impact on the amenities of the neighbouring residents.

RELEVANT PLANNING POLICIES

The following policies of the Development Plan, which comprises the South East Plan 2009 - 2026 and the Hart District Council replacement Local Plan are considered relevant to the determination of this application:

The South East plan 2009-2026:

CC2 Sustainable design and construction

CC6 Sustainable communities and character of the environment

Hart District Council replacement Local Plan;

GEN1 – General policy for development

GEN4 – General design policy

URB1 – Definition of areas

URB12 – Residential development

T14 – Transport and development

T16 – Improvements made necessary by development

CON1 – Nature conservation: European Designations

CON2 – Nature conservations: National Designations

CON8 – Trees, woodlands and hedgerows

Relevant National planning guidance is contained in PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPG13 (Transport) and PPG15 (Planning and the Historic Environment).

MAIN ISSUES

1. Principle of the proposal
2. Design, appearance and impact on the surrounding Conservation Area
3. Impact on the amenities of the neighbouring residents
4. Parking and highway
5. Trees
6. Special Protection Area
7. Leisure and Open Spaces
8. Education
9. Sustainability
10. SI06 Legal Agreement

CONSIDERATION

- I. Principle of the proposal

The application site is located within a Settlement Boundary, as defined within the Hart District

replacement Local Plan, where development of this type is considered to be acceptable in principle. However, all proposals would only be permitted subject to complying with any relevant policies.

Planning Policy Statement 1: Delivering Sustainable Developments encourages the development of sustainable, high quality developments while protecting and enhancing the nature and historic environment and the quality and character of the area.

It should be noted that a previous application, 08/02167/FUL, was approved for the erection of a two storey extension to the side of No.40. This extension would have a total floor area of approximately 79sq.m. This proposal would have a total floor area of 101sq.m. The difference between the approved extension and this proposal would be 22sq.m.

2. Design, appearance and impact on the surrounding Conservation Area

Planning Policy Statement 3, Housing, states that in determining planning applications, Local Planning Authorities should, in accordance with Paragraph 69, have regard to:

1. Achieving high quality housing;
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups;
3. The suitability of the site for housing;
4. Using land efficiently; and
5. Ensuring the proposed development is in line with planning for housing objectives.

Local Plan Policy GEN1 states developments would be permitted where they:

- (i) Are in keeping with the local character by virtue of their scale, design, massing, height, prominence, materials, layout, landscaping, siting and density;

Local Plan Policy GEN4 allows development where it sustains or improve the urban design qualities of towns, villages. Local Plan Policy CON13 states that proposals for development which fail to meet the objectives of conserving or enhancing the character or appearance of a designated Conservation Area will not be permitted.

Furthermore, Local Plan Policy URB12, which relates to housing developments within urban settlements, states that housing developments would be permitted provided that:

- (i) The proposal is sympathetic in scale, design, massing, height, layout, siting and density both in itself and in relation to adjoining buildings, spaces and views and makes optimum use of the site at densities commensurate with good innovative design;
- (ii) The development does not result in the loss of an important local feature;
- (iii) The proposal results in a reasonable mix of dwelling types and sizes; and
- (iv) There is no loss of amenity to adjoining residents.

The development would result in the erection of an attached dwelling, forming a pair of semis with No.40 Oldfield View. The design and appearance of the proposed dwelling would match that of the existing properties within the surrounding area.

The scale and mass of the development would match that of the adjoining property, No.40, although it is noted that the property would be set back from the front elevation of No.40 by approximately 3m. It should be noted that the scale, bulk and mass of the proposed dwelling would be similar to that of the approved two storey extension.

The materials which have been proposed for the development would include red facing bricks, timber framed windows with grey brick cills and clay roofing tiles. These materials would match the adjoining property and that of the properties within the surrounding area. It is considered that the

proposed dwelling would not appear out of keeping with the character of the surrounding area or the adjacent residential properties. This meets the requirements of the Local Plan Policies.

3. Impact on the amenities of the neighbouring residents

Local Plan Policy GEN1 permits developments providing they avoid any material loss of amenity to the occupiers of existing and adjoining residential properties.

The development would be located to the west flank elevation of No.40, with the front elevation facing towards the flank elevation of No.39 Oldfield View.

In terms of overlooking, this issue was also considered in the application for the two storey extension, 08/02167/FUL. It was considered that there would be no adverse effects on the amenities of the neighbouring residents through overshadowing or overlooking. Given that this proposal would result in a structure of a similar scale to the approved extension, it is considered that there would be no additional opportunities for overlooking neighbouring residents than that which could occur as a result of the two storey extension.

It has to be noted that this proposal would result in the demolition of the existing detached garage which is located adjacent to the common boundary with No.39. It is proposed to create an area of hardstanding to the side of the proposed dwelling, which would be utilised for the parking of cars for the proposed dwelling and the existing dwelling at No.40.

The demolition of the existing garage would provide access to the section of the site to be used for car parking. While it is accepted that there would be additional traffic movements on this part of the site, adjacent to the residential garden area of No.39, it is considered that it would not have an unacceptable impact on the amenities of these residents over and above the existing arrangements.

It is considered that the proposed development would not have a detrimental impact on the amenities of neighbouring residents which meets the requirements of the Local Plan policy.

4. Parking and highways

Local Plan Policy T14 states that development proposals which accord with other policies of this plan will be permitted provided that:

- (i) Within existing or proposed built up areas they are, or could be served efficiently by public transport, cycling or walking;
- (ii) Those of a type likely to attract a large number of trips are located where choice in transport mode can be provided, including a significant proportion by public transport; and
- (iii) Adequate provision is made for highway safety, access and internal layout and parking.

Provision is made under Local Plan policy T16 for contributions to local transport infrastructure improvements where they are required due to new development and where they can be shown to be necessary and reasonably related in scale and kind. Contributions may also be sought towards other provision forming part of an integrated local transport strategy.

Access to the development would be from the existing shared drive leading from Oakfield View. The existing drive would be extended to the side of the proposed dwelling, to an area of hardstanding which would be used for the parking of cars for both the existing and the proposed dwellings.

The application site would have provision for the parking of three cars to the side of the property, which accords with the requirements of the adopted parking standards. Furthermore, two spaces would be provided for the existing dwelling, to ensure that the driveway would remain clear of parked vehicles. It is considered that there would be no adverse impacts on the amenities of

neighbouring residents through additional on street parking as a result of the development.

The Highways Officer has raised no objections to the proposal, subject to the provision of a legal agreement to secure a NHTS contribution of £3,745 which it is recommended to be directed towards safe routes to schools and/or cycle ways.

On the balance of the information provided, it is considered that the development would accord with the requirements of the Local Plan policies.

5. Trees

Local Plan Policy CON8 relates to developments would affect trees, woodland or hedgerows of significant landscape value or amenity value.

The development would not require the removal of any trees on site in the loss of trees within the site to allow for the property to be constructed. There are trees to the north of the site which are protected by way of a Preservation Order. These protected trees are sited in excess of 14m from the dwelling and as such, the Tree Officer has visited the site and has raised no objections to the proposal. The development would have no adverse impacts on the protected trees, which accords with the requirements of the Local Plan policies.

6. Special Protection Area

Saved Local Plan Policies CON1 and CON2 relate to the Thames Basin Special Protection Area (SPA) and state that development which would adversely affect the nature conservation value of a site will only be permitted if it can be subject to conditions that will prevent damaging impacts on wildlife habitats or other natural features of importance on the site or if other material factors are sufficient to override the nature conservation interest.

Policy NRM6 in the South East Plan similarly indicates that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid and mitigate any potential adverse effects. The policy indicates that this mitigation can take the form of Suitable Alternative Natural Green Space (SANGS).

The Council has adopted an Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area whereby, subject to the completion of the relevant necessary legal agreement to provide in perpetuity funding towards the Hitches Lane SANGS, it would be possible to conclude that the development will have no likely significant impact on the SPA. In this case the application is accompanied by a Planning Obligation to provide a contribution of £6724.16 to this effect which meets the Interim Avoidance Strategy.

Natural England have raised no objections to the proposal due to an avoidance strategy being in place to mitigate the effects of the development. Subject to the completion of the Planning Obligation, it is concluded that the development would not have an adverse effect on the SPA. This complies with saved policies CON1 and CON2 and South East Plan policy NRM6.

7. Leisure and Open Spaces

The Hart Leisure Strategy requires new developments to make financial contributions towards Leisure improvements within the District and the locality of the application site. In accordance with the requirements of the Leisure Strategy, there is a need for a contribution of £9,408. This would be secured though the implementation of a Section 106 agreement.

In accordance with the requirements of the Leisure Strategy and as requested by the Parish Council, the contributions would be ring-fenced to be used within the Parish, to be used towards children's play provision.

8. Education

There is a requirement for the applicant to enter into a Section 106 Agreement for secure financial contributions for Primary and Secondary Education provisions. The total contribution is £10,168. The applicant has agreed to pay this contribution.

9. Sustainability

Since 2005 PPS 1: Delivering Sustainable Development and its companion guide on climate change has come into force including the South East Plan. All new development proposals should therefore consider climate change in its overall design. The applicant has not addressed this issue; however the incorporation of sustainable drainage systems, grey water recycling, and low energy or low carbon sources, for example, can be conditioned as part of the planning permission.

The construction of all new buildings, and the redevelopment and refurbishment of existing building stock, will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

- i) High standards of energy and water efficiency that exceed current standards required by the Building Regulations and reflect best practice;
- ii) Designing to increase the use of natural lighting, heat and ventilation, and the provision of a proportion of energy demand from renewable sources;
- iii) Reduction and increased recycling of construction and demolition waste and procurement of low-impact materials; and
- iv) Designing for flexible use and adaptation to reflect changing lifestyles and needs and the principle of 'whole life costing'.

It is recommended to impose a condition with any consent to ensure that no development commences on site until details of sustainable development measures including SUDS drainage which are to be incorporated into the development are submitted and approved in writing by the Local Planning Authority.

10. Legal Agreement

A draft Section 106 agreement has been submitted as part of the application, as a means of securing the contributions required as part of this development. The contributions which are sought and have been agreed within the S106 for Leisure and Open Spaces being £9,408, a NHTS contribution of £3745, an SPA contribution of £6724.16 and a contribution of £10,168 towards Education provision.

At the time of writing this report, the Legal agreement is in the process of being completed; therefore it is intended to provide an update on the addendum sheets regarding the status of this agreement.

RECOMMENDATION

Approve with Pre Conditions

- A Subject to the completion of the legal agreement by 17.01.10, to secure the financial contributions of £6724.16 towards SANGS for the SPA, £9408 for Leisure and Open Spaces, £3745 for NHTS and £10,168 for Education, then Permission GRANTED subject to the following 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 SANG at Hitches Lane.

- 2 No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason

To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 3 Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

In order to secure sustainable design and construction of the development in accordance with PPS1: Delivering Sustainable Development and policy CC4 in the South East Plan.

- 4 No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason

To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

- 5 Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

To satisfy the requirements of the Planning and Climate Change Supplement to PPS1 and policy CC4 in the South East Plan.

- 6 No development shall take place until full details of both hard and soft landscape have been submitted to and approved in writing by the Local Planning Authority.

Hard details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure of unbuilt open areas, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes, etc.).

Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate.

Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 7 No work shall take place until details of tree planting, indicating positions, species and planting size, together with a timetable for planting, have been submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out in accordance with the approved details, including the approved timetable, and the Local Planning Authority shall be notified in writing when such planting has been completed.

Any such trees which are removed die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within five years of planting shall be replaced with specimens of a similar size and species as originally required, unless the Local Planning Authority gives written consent to any variation.

Reason

To ensure the provision of the amenity value afforded by trees in respect of the proposed development.

- 8 The dwelling shall achieve a Code Level 4 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason

In order to secure the sustainable design and construction of the development in accordance with PPS1.

- 9 Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice. The Council shall be notified in writing of the completion of the scheme or any agreed phase of such scheme.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Council gives its written consent to any variation.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 10 The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

- B Should the requirements set out in A above not be satisfactorily secured, then the Development Services Manager be authorised to REFUSE permission for the following reasons.
- 1 The proposed development will give rise to additional detrimental impacts on the transport infrastructure, which includes community based transport initiatives, cycling and pedestrian links and public transport. As such the proposal is contrary to South East Plan policies CC7 and T7, saved policies T14 and T16 in the adopted Hart District Local Plan (Replacement) 1996-2006 and the Local Transport Plan.
 - 2 The site is located within 5km of the Bourley and Long Valley 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 Regulation 49 of The Conservation (Natural Habitats, etc.) Regulations 1994 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 South East Plan Policy NRM6 and saved policies CON 1 and CON 2 in the adopted Hart District Local Plan (Replacement) 1996-2006.
 - 3 The proposed development would exacerbate the existing deficiency in provision for leisure facilities within the vicinity of the site. As such the proposal would be contrary to the Hart District adopted Leisure Strategy.
 - 4 The proposed development would exacerbate the existing deficiency in provision for primary and secondary schooling in the vicinity of the site. As such the proposal would be contrary to South East Plan Policy CC7 and the accompanying text to saved Policy URB20 of the Hart District Local Plan (Replacement) 1996-2006.

ITEM No.: 111

APPLICATION REFERENCE NO: 09/02885/FUL

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|----------------------------|--|
| Site Address: | Quillets, Farm Lane, Crondall, Farnham, Surrey GU10 5QE |
| Proposals: | Erection of two detached dwellings following demolition of existing house. |
| Applicant: | Mr Roger Wade |
| Consultation Expiry | 7th January 2010 |
| Application Expiry | 20th January 2010 |
| Ward Member | Cllr John Bennison |
| Parish Council | Crondall |
| Conclusions: | <p>The proposal is acceptable in principle and accords with the requirements of the Local Plan policies. The design and appearance of the dwellings would be acceptable within the context of the surrounding area. There would be no adverse impacts on the amenities of the neighbouring residents as a result of the development and there would be sufficient parking spaces provided to meet the requirements of the adopted parking standards. Trees would be protected in accordance with the information provided.</p> |
| Recommendation: | Approve with Pre Conditions |

Application Ref: 09/02885/FUL

Location Map of Application Site

**Quillets
Farm Lane
Crandall
Farnham
Surrey
GU10 5QE**



THE SITE

The application site relates to a detached bungalow style dwelling called Quillets, located to the east of Farm Lane in Crondall. The existing property is 1960's in style and appearance, with an attached garage to the northern elevation of the property. The site is accessed by a driveway leading from Farm Lane, which is an un-adopted highway.

The site is approximately 0.35ha in size and is roughly rectangular in shape, with an average width of 46.8m and a total depth of 83m to the rear boundary. The properties within the surrounding area are of a varied design and appearance, with no overall characteristic prevailing, with the general pattern of development being towards the front of the properties with relatively generous plots. There is a mix of two storey properties and chalet bungalows within the vicinity of the site.

Farm Lane is an un-adopted road which serves twelve other properties and there is a gated entrance to a public footpath across the open fields to the south of the application site.

The site is enclosed with tree and hedge planting on all of the boundaries. On the north eastern boundary with the adjacent Listed Building, there are several trees within and adjacent to the site which are protected by way of a Tree Preservation Order. The site is adjacent to the Conservation Area, which runs along the northern boundary of the site.

PROPOSAL

This is a full application for the erection of two dwellings and associated vehicular access, following the demolition of the existing dwelling.

The development would create two dwellings with private external amenity space and vehicular accesses onto Farm Lane. Each property would have a hardsurfaced driveway leading to the front entrance of the dwelling and the double detached garages.

The design and access statement states that the two properties have been designed to reflect the character of traditional housing within the adjacent Conservation Area. The size and proportions of the two dwellings matches that seen elsewhere within the surrounding area.

PLOT 1 (northern site) – this property would be a two storey, 5 bedroom dwelling with additional accommodation within the roof space. The dwelling would have a width of 13.5m a depth of 12.5m and an overall height of 9.5m to the roof ridge. There would be two gable projections on the front elevation of the property, with a catslide roof above the main entrance to the property.

The rear roof pitch would have three rooflights inserted to provide light to the accommodation within the roofspace. On each flank elevation of the property, it is proposed to have a chimney stack. To the rear of the property, it is proposed to have a conservatory which would measure 3.5m in depth, 4.4m in width and have an overall height 4.2m to the roof ridge.

The garden area to the rear of the plot would extend to approximately 27m, to the boundary with South Court, to the east. It is proposed to retain the existing access into the site for this plot, with a detached garage being located adjacent to the common boundary with Ronar's Cottage. The garage would measure 6m in width, 6.5m in depth and have a height of 4.5m to the roof ridge. There would be an additional two parking spaces provided in front of the double garage.

PLOT 2 (Southern site) – this property, would be a two storey, detached, 5 bedroomed property. A new access point would be provided leading onto Farm Lane. The dwelling would have a width of 16.7m, a depth of 14.2m and ridge height of 9.5m to the roof ridge. This property would have two

gable projections on the front and rear elevations, with the front of the property having a catslide roof leading down to the entrance door. A single dormer window would be located centrally within the roof slope on the front elevation and there would be three dormers located on the rear elevation of the property. It is proposed to have a balcony on the rear elevation of the property serving the master bedroom. The balcony would extend 1m from the rear elevation of the property. The rear garden area of the plot would extend approximately 40m, to the rear boundary of the site.

The property would have a double garage located adjacent to the common boundary with the neighbouring property called Courtlands. The garage would have a width of 6m, a depth of 6.5m and an overall height of 4.5m to the roof ridge. There would be an additional two car parking spaces provided to the front of the double garage.

There are Tree Preservation Orders on both the plots. Tree protection details have been submitted with the application.

CONSULTATIONS

Crandall Parish Council: No representations received at the time of writing report.

Highways Officer: No objections subject to a NHTS contribution being sought. It is recommended that the money be directed towards the proposed footway to be constructed along the parish church frontage to Well Lane.

You will be aware that Farm Lane is privately owned and controlled and does not form any part of the public highway network. I confirm that the junction of Farm Lane onto Well Lane is capable of satisfactorily accommodating the additional transportation demand generated by this proposal. The two accesses onto Farm Lane are of a similar layout to others already operating in a satisfactory manner and give no cause for concern.

Tree Officer: The information supplied is adequate to satisfy the requirements of the British Standard 5837. Before any development commences, there is a requirement that the Council be informed so that an inspection of the tree protection measures can be carried out. All fencing must be positioned in accordance with the approved plans.

The removal of a number of trees on the site is considered reasonable and will not have a detrimental impact on the amenity of the area. Taking into account the tree cover and hedging on the site, it is not considered necessary to require a landscaping condition on any consent. No objections.

Head of Leisure and Environmental Promotion: A leisure contribution is requested in the sum of £23,520. It is assumed that the three properties would have 4 bedrooms in each; therefore a contribution is calculated as follows:

3 dwellings x 4 bedrooms = 15 persons x £2353 = £35,280
Less one existing dwelling x 4 bedroom = 5 persons x £2352 = £11,760

Reference is made to The Leisure Strategy 2007-2017 adopted by Council October 2007 and is available on the Leisure and Environmental Promotion website. Paragraph 2.5.2 contains the Leisure tariff and the method of calculation of the contributions requested. Individual sub paragraphs within the Strategy also refer to specific elements of the Strategy.

Natural England: As there is an Avoidance & Mitigation Strategy in Hart District Council, we have no comments to make on this development. We will assume that the proposal is meeting the

requirement of that plan and that the legislation around protected species has also been addressed. If an applicant is not complying with the avoidance plan, then please do contact myself in order that we can address how to proceed. I look forward to receiving the quarterly report in due course with this proposal included.

Environment Agency: We have assessed this application has having a low environmental risk. Unfortunately due to workload prioritisations, we are unable to make individual responses to these applications. Please note that while we are unable to provide comments, this does not constitute that permission would be given by the Environment Agency.

Education Officer: We would expect the following contributions:

Primary - £4,791

Secondary - £5,193

Rights Of Way Officer: No comments received at the time of writing report.

Thames Water: Thames Water would advise that with regards to the sewerage infrastructure we would not have any objections to the planning application.

Surface Water Drainage – with regards to the surface water drainage, it is the responsibility of the developer to make proper provision for the drainage to ground water courses or a suitable sewer. In respect of surface water it is recommended that the applicants ensure that storm water flows are attenuated or regulated into the receiving public network through on off site storage. When it is appropriate to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest to the boundary. Connections are not permitted for the removal of ground water.

PUBLIC OBSERVATIONS

One letter of objection received, raising the following issues;

- a) Excessive heights of the dwellings and expanse of roof pitches;
- b) Access arrangements; and
- c) Impact on protected trees.

MATERIAL PLANNING POLICIES

The following policies of the Development Plan, which comprises the South East Plan 2009 - 2026 and the Hart District Council replacement Local Plan are considered relevant to the determination of this application:

The South East plan 2009-2026:

CC4 Sustainable design and construction

CC6 Sustainable communities and character of the environment

Hart District Council replacement Local Plan;

GEN1 – General policy for development

GEN4 – General design policy

RUR1 – Definition of areas

RUR20 – Residential development

T14 – Transport and development

T16 – Improvements made necessary by development

CON1 – Nature conservation: European Designations

CON2 – Nature conservations: National Designations

CON5 – Nature conservation: Species protected by law

CON8 – Trees, woodlands and hedgerows

CON13 – Conservation Area: General policy

Relevant National planning guidance is contained in PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPG13 (Transport) and PPG15 (Planning and the Historic Environment).

MAIN ISSUES

1. Principle of the proposal
2. Density
3. Design, appearance, impact on Listed Building and Conservation Area
4. Effect on the amenities of neighbouring residents
5. Parking and access arrangements
6. Protected trees
7. SPA
8. Bats
9. Sustainability
10. Leisure
11. Education
12. Section 106

CONSIDERATIONS

1. Principle of the proposal

The application site is located within the settlement boundary of Crondall where developments of this nature are considered to be acceptable in principle, subject to the proposal according with all other relevant Local Plan policies.

Planning Policy Statement 1: Delivering Sustainable Developments encourages the development of sustainable, high quality developments while protecting and enhancing the nature and historic environment.

2. Density

PPS3: Housing states that 30 dph should be used as a national indicative minimum to guide decision making until local density policies are in place (para 47). There is currently no local provision in place for the Local Planning Authority to have regard to defined character areas and local densities.

It is calculated that the proposed density of 0.35ha at 30DPH is approximately 9 dwellings per ha. Where the proposed density is below the minimum requirement Local Planning Authorities need to have regard to the characteristics of the area (para 46). In this case, the application site is considered to be within a low density residential area. In terms of the proposed plot sizes, the proposal reflects the character of some of the properties in Farm Lane and would therefore maintain the character of the street scene in this respect. In this instance, the low density housing would be acceptable.

3. Design, appearance, impact on Listed Building and Conservation Area

Planning Policy Statement 3, Housing', states that in determining planning applications, Local Planning Authorities should, have regard to:

1. Achieving high quality housing;
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups;
3. The suitability of the site for housing;
4. Using land efficiently; and

5. Ensuring the proposed development is in line with planning for housing objectives.

Planning Policy Guidance Note 15 requires Local Authorities to ensure that new developments do not have a detrimental impact on the setting of Listed Buildings. With respect to Conservation Areas, it is stated that developments should preserve or enhance the character or appearance of Conservation Areas.

Local Plan Policy GEN1 states developments would be permitted where they:

- (i) Are in keeping with the local character by virtue of their scale, design, massing, height, prominence, materials, layout, landscaping, siting and density;
- (ii) avoids any material loss of amenity to existing and adjoining residential uses;
- (iii) Cause no material loss of amenity to adjoining residential uses through loss of privacy, overlooking or the creation of shared facilities;
- (iv) Do not constitute ribbon or sporadic development, unrelated to existing patterns of settlements within the District;
- (vii) Have adequate arrangements on site for access, servicing or the parking of vehicles;
- (viii) Do not give rise to traffic flows on the surrounding road network;
- (ix) Do not create the need for highway improvements

Local Plan Policy GEN4 states that development proposals will be permitted where they sustain or improve the urban design qualities of towns, villages and other settlements which derive from their layout and form, scale, character or appearance, special features, or the arrangement, scale and design of buildings and spaces.

Local Plan Policy RUR20 refers to housing developments within rural settlements and states that housing developments would be permitted provided that:

- (i) The density, scale and design are not harmful to the character and setting of the surrounding properties;
- (ii) The development does not result in the loss of an important area of open land or gap in a frontage, which contributes to the character and setting of the settlement;
- (iii) The proposal does not result in the loss of any natural feature considered worthy of retention; and
- (iv) The proposal provides a reasonable mix of dwelling types and sizes where appropriate, reflecting the current needs of the area.

The supporting text to Policy RUR20 notes that 'excessive infilling or town cramming could detract from the appearance of rural settlements (many of which are conservation area and development will therefore be resisted on areas of open land or spaces in frontages, which act as characteristics of the settlement'. While the principle of the development may be considered acceptable, it is essential to establish that the development is not harmful to the character of the settlement.

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 require authorities considering applications for planning permission or listed building consent for works which affect a listed building or the setting of a Listed Building, to have special regard to the desirability of preserving the setting of the building.

The dwellings would be the following sizes;

Plot 1 – 13.5m (w) x 12.5m (d) x 9.5m (h)

Plot 2 – 16.7m (w) x 14.2m (d) x 9.5 (h)

It is noted that the applicant has sought to develop the site with large dwellings which matches the pattern of development within the surrounding area. The site is located adjacent to but outside a Conservation Area.

To the east of the development site is a Listed Building which has been sub-divided into individual dwellings called church Court, North Court, Middle Court, West Court and South Court.

In this instance, the existing dwelling on the site is a 1960's chalet bungalow in style and appearance, with a single storey garage attached to the side. This property does not add to the historic character of the area and therefore it is considered acceptable to redevelop the site.

The Design and Access Statement makes reference to the dwellings as follow;
“the design of the houses reflect the design of the more traditional dwellings found within the Conservation Area, but the sizes and proportions of the houses is not materially different to other examples of houses in Farm Lane”.

There is a variation in the size and appearance of the properties within the vicinity. It should be noted that the ridge height of property on plot 1 would be approximately 3m above the level of Ronar's Cottage to the north, this is partly due to the proposed dwelling being taller plus there being a slight change in levels between the two plots.

The property on Plot 2 would be 1.1m higher than Plot 1 and 0.6m than the adjacent property, Courtlands. The resultant impact of the development, when viewed from the streetscene, would see the properties increasing in height from Barley Pound House being the lowest, up to the development on Plot 2 and then stepping down slightly with Courtlands.

The materials which would be used for the development would include red facing bricks on the elevations and red clay roofing tiles. No information has been provided in relation to the materials to be used for the windows and doors. The driveways would be finished with gravel. It is considered that these materials would be acceptable in principle as being reflective of those used within the vicinity although a condition is recommended to require sample materials to be submitted and approved prior to commencement of works on site.

It is considered that the design and appearance of the properties proposed would not appear detrimental when viewed from the streetscene given the varied styles of development within the vicinity. It would also not be detrimental to the character and appearance of the adjacent Conservation Area and preserve the setting of the Listed Buildings to the east. This meets the requirements of the Local Plan policies and Government advice.

4. Effect on neighbouring properties

Local Plan Policy GEN1 (ii) and (iii) state that proposals for development which accord with other proposals of this plan will be permitted where they avoid any material loss of amenity to existing and adjoining residential uses by virtue of noise, disturbance, noxious fumes, dust pollution or traffic generation and cause no material loss of amenity to adjoining residential uses through loss of privacy, overlooking or the creation of shared facilities.

The dwelling on plot 1 would be located approximately 4m from the common boundary with Ronar's Cottage and 15m from the common boundary with Court Barn to the east. The dwelling on Plot 2 would be sited approximately 4m from the common boundary of Plot 1, with a total separation of 7m between the two properties. Plot 2 would be located 5.5m from the common boundary with Courtland's to the south. There would be a total distance of 14m between the dwelling on Plot 2 and Cortland's.

There is some vegetation on the common boundary of Plot 1 and Ronar which would screen part of the proposed development although the first floor and roof section would be visible above the screening. There would be two windows on the first floor flank elevation, which would serve the ensuite bathrooms. It is recommended that a condition be placed on any consent to ensure these

windows are obscurely glazed and retained as such. It is considered that there would be no adverse impacts on the amenities of these residents through overlooking.

With Plot 2, there is mature boundary hedging on the common boundary with Courtlands, which would screen part of the development. There are no windows on the flank elevation of Courtlands, which ensures there would be no issues of direct flank-to-flank overlooking. Furthermore, it is noted that there is a balcony proposed on the rear elevation of the dwelling on Plot 2. This would extend approximately 1m past the rear elevation of the property. While there would be an opportunity to overlook the rear garden area of Courtlands, it is considered that there would be no additional impacts on the amenities of the residents of Courtlands though the addition of this feature onto the rear of Plot 2, than having a Juliet balcony.

The dwellings on the western side of Farm Lane, called The Vicarage, Little Orchard, and Bluebells, would be able to see the two properties. Given that there would be a minimum distance of 46m from the nearest part of the proposed dwelling to the nearest neighbouring property, it is considered that this is acceptable to ensure that there would be no adverse impacts arising from overlooking or overshadowing onto these neighbouring residents.

The properties to the east of the site, within the converted Listed Building, would be sited in excess of 40m away from the properties, therefore it is considered that there would be no adverse impacts on the amenities of these resident, over and above the existing situation. This accords with the requirements of the Local Plan polices.

5. Parking and Access arrangements

Saved local plan policy GEN1 (vii) allows for development which has adequate access arrangements on site.

Local Plan policy T14 requires new developments to make adequate provision for highway safety, access and internal layout and car parking. This meets the requirements of PPS3, PPG13 and the South East Plan, all of which recommend the application of a maximum parking standard.

The site is presently accessed via Farm Lane, which is an un-adopted highway serving ten properties, which front onto the highway. It is proposed to use the existing access into the site to server Plot 1 and a new access would be provided to serve Plot 2. Both dwellings would have hard surfaced driveways leading to detached double garages. Furthermore, there would be provision for two additional cars to park in-front of the garages, with sufficient space for parking and turning within the site.

The Highways Officer has been consulted and has raised no objections to the development proposal on the basis of the information provided. There would be clear visibility along Farm Lane, up to the road junction of Croft Lane, when at the entrance to Plot 2. According to the adopted Parking Provision Interim Guidance (August 2008) the application site falls within zone 2 and attracts the requirement to provide 3.5 parking spaces per dwelling. The proposal provides for the parking of 4 vehicles per dwelling and meets the requirements of the adopted standard and satisfies saved local plan policy GEN1 (vii).

As stated above, Farm Lane is an un-made, private road which varies in width from 4m at the narrowest point, to 7m at the widest part. The Highways Officer has raised no objections to the proposal due to Farm Lane being a private lane although has commented that the lane currently serves the existing 10 dwellings in a satisfactory manner and there is no reason why this situation would change with the introduction of a further two dwellings. A NHTS contribution is to be secured via a S106. The proposal accords with the adopted parking standards and meets the requirements of the Local Plan polices.

6. Protected trees

Policy CON8 allows development which would affect trees of significant landscape or amenity value if the trees can be shown to be capable of being retained in the longer term.

All the trees along the site boundaries would be retained with the exception of the tree adjacent to the existing detached garage. This tree is relatively small and offers little in terms of visual amenity or screening. The other tree to be removed is an apple tree within the rear garden of Quillets. Both trees have graded C within the Arboricultural Statement.

The Tree Officer has stated that the information supplied is adequate to satisfy the requirements of the British Standard 5837. Before any development commences, there is a requirement that the Council be informed so that an inspection of the tree protection measures can be carried out. All fencing must be positioned in accordance with the approved plans.

The removal of a number of trees on the site is considered reasonable and will not have a detrimental impact on the amenity of the area. Taking into account the tree cover and hedging on the site, it is not considered necessary to require a landscaping condition on any consent.

It is considered that the removal of the two trees would not have an adverse impact on the adjacent Conservation Area and new planting, consisting of native planting could be provided as part of a landscaping condition.

7. Special Protection Area

Saved local plan policies CON1 and CON2 relate to the Thames Basin Special Protection Area (SPA) and state that development which would adversely affect the nature conservation value of a site will only be permitted if it can be subject to conditions that will prevent damaging impacts on wildlife habitats or other natural features of importance on the site or if other material factors are sufficient to override the nature conservation interest. Policy NRM6 in the draft South East Plan similarly indicates that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid and mitigate any potential adverse effects.

The policy indicates that this mitigation can take the form of Suitable Alternative Natural Green Space (SANGS). The Council has adopted an Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area whereby, subject to the completion of the relevant necessary legal agreement to provide in perpetuity funding towards the Hitches Lane SANGS, it would be possible to conclude that the development will have no likely significant impact on the SPA. In this case the application is accompanied by a draft Planning Obligation to provide a contribution of £9725.03 to this effect which meets the Interim Avoidance Strategy. Subject to the completion of this Planning Obligation it is therefore possible to conclude that the development will not have an adverse effect on the SPA and therefore complies with saved policies CON1 and CON2 and South East Plan policy NRM6.

8. Protected species

Saved policy CON5 requires that development should not have an adverse effect on protected species or their habitats. Government advice in Planning Policy Statement 9: Biodiversity and Geological Conservation recommend that Local Planning Authorities take into account the impact of development on protected species and their habitats.

In this case, the applicant has undertaken a bat survey. This has shown no evidence of bats roosting.

However, as bats are usually present in roof spaces and the proposal would involve the demolition of the existing property, it is considered reasonable to condition that additional surveys are carried out and approved prior to development commencing. This would satisfy saved local plan policy CON5.

Furthermore, from the survey it is stated that there was no evidence or indication of badger activity in or around the site. It is considered that the development would not have an adverse impact on any protected species. This meets the requirements of the Local Plan policies.

9. Sustainability

Since 2005 PPS 1: Delivering Sustainable Development and its companion guide on climate change has come into force including the South East Plan. All new development proposals should therefore consider climate change in its overall design. The applicant has not addressed this issue; however the incorporation of sustainable drainage systems, grey water recycling, and low energy or low carbon sources, for example, can be conditioned as part of the planning permission.

10. Leisure and Open Spaces

The Hart Leisure Strategy requires new developments to make financial contributions towards Leisure improvements within the District and the locality of the application site. In accordance with the requirements of the Leisure Strategy, there is a need for a contribution of £9,408. This would be secured through the implementation of a Section 106 agreement.

In accordance with the requirements of the Leisure Strategy and as requested by the Parish Council, the contributions would be ring-fenced to be used within the Parish, to be used towards children's play provision.

11. Education

There is a requirement for the applicant to enter into a Section 106 Agreement for secure financial contributions for Primary and Secondary Education provisions. The total contribution is £10,168. The applicant has agreed to pay this contribution.

12. S106 Agreement contributions (NHTS, Leisure, Education and SPA)

There is a requirement for the applicant to enter into a s106 agreement to secure £5,457 towards the North Hampshire Transport Strategy and cycleway provision and public transport initiatives and £9,725.03 towards the maintenance improvement and management of Hitches Lane SANG Land and access management and monitoring of SPA Land in order to mitigate the impact of the development on SPA Land, a leisure contribution of £11,760 and a contribution of £9,984 towards Education.

The applicant has indicated they are willing to enter into such an agreement and is currently in the process of drawing up the document. This should be completed by the date of Committee and an update will be given in the Addendum.

RECOMMENDATION

Approve with Pre Conditions

A Subject to the completion of the legal agreement by 19.01.10, to secure the financial contributions of £9,725.03 towards SANGS for the SPA, £11,760 for Leisure and Open Spaces, £5,457 for NHTS and £10,168 for Education, then Permission GRANTED subject to the following conditions:

- I 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 SANG at Hitches Lane.

- 2 No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason

To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 3 The dwelling shall achieve a Code Level 4 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason

In order to secure the sustainable design and construction of the development in accordance with PPSI.

- 4 Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

In order to secure sustainable design and construction of the development in accordance with PPSI: Delivering Sustainable Development and policy CC4 in the South East Plan.

- 5 No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

- 6 Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

To satisfy the requirements of the Planning and Climate Change Supplement to PPSI and policy CC4 in the South East Plan.

- 7 No work shall take place until details of the means of protection, including method statements where appropriate, for all trees, hedges, hedgerows and shrubs on site, unless indicated as being removed, have been submitted to and approved in writing by the Local Planning Authority. The trees, hedges, hedgerows and shrubs shall be retained and protected in accordance with the

approved details for the duration of works on the site and for at least five years following occupation of the approved development, unless otherwise agreed by the Local Planning Authority. Any such vegetation immediately adjoining the site shall be protected on the site in a similar manner for the duration of works on the site.

Any such vegetation removed without the Local Planning Authority's consent, or which die or become, in the Authority's opinion, seriously damaged or otherwise defective during such period shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the Authority in writing.

Reason

To ensure the continuity of amenity afforded by existing vegetation and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 8 No development shall take place until the existing building has been demolished and all resultant materials removed from site.

Reason

To protect the amenities of the area and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 9 There shall be no burning of demolition materials on the site.

Reason

To protect the amenities of the area and to satisfy saved policy GEN1 of the Hart District Local Plan

- 10 The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

- B Should the requirements set out in A above not be satisfactorily secured, then the Development Services Manager be authorised to REFUSE permission for the following reasons.

- 1 The proposed development will give rise to additional detrimental impacts on the transport infrastructure, which includes community based transport initiatives, cycling and pedestrian links and public transport. As such the proposal is contrary to South East Plan policies CC7 and T7, saved policies T14 and T16 in the adopted Hart District Local Plan (Replacement) 1996-2006 and the Local Transport Plan.

- 2 The site is located within 5km of the Bourley and Long Valley 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 Regulation 49 of The Conservation (Natural Habitats, etc.) Regulations 1994 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 South East Plan Policy NRM6 and saved policies CON 1 and CON 2 in the adopted Hart District Local Plan (Replacement) 1996-2006.

- 3 The proposed development would exacerbate the existing deficiency in provision for leisure facilities within the vicinity of the site. As such the proposal would be contrary to the Hart District adopted Leisure Strategy.

ITEM No.: 112

APPLICATION REFERENCE NO: 09/02947/HOU

| | |
|----------------------------|--|
| Site Address: | 14 Whinchat Close, Hartley Wintney, Hook, Hampshire, RG27 8TT |
| Proposals: | Erection of single storey rear extension, single storey front extension & erection of garage with first floor extension over, following demolition of existing garage. |
| Applicant: | Mr & Mrs Lawrence |
| Consultation Expiry | 8th January 2010 |
| Application Expiry | 21st January 2010 |
| Ward Member | Cllr Susan Band |
| Parish Council | Hartley Wintney |
| Conclusions: | The design and appearance is acceptable and the parking arrangements are adequate. Therefore the proposal has overcome the previous reasons for refusal. The revised scheme would also have no unacceptable impact on the neighbouring property and therefore the proposal complies with the relevant saved policies of the Local Plan |
| Recommendation: | Grant Permission |

Application Ref: 09/02947/HOU

Location Map of Application Site

**14 Whinchat Close
Hartley Wintney
Hook
Hampshire
RG27 8TT**



BACKGROUND INFORMATION

The application is presented to Committee at the request of the Ward member.

This application follows the refusal of a previous similar scheme, planning reference 09/00214/FUL, on 7th April 2009. The reasons for refusal were:

- 1) A cramped appearance resulting in a detrimental impact on the street scene, and
- 2) Inadequate parking provision

THE SITE

The application property is a detached house built in the 1970's on the corner of Whinchat Close and Pool Road. Whinchat Close is a cul de sac of 14 dwellings in the urban settlement of Hartley Wintney. The tapering plot has an area of about 602 square metres with a frontage onto Whinchat Close of some 21m; this width reduces to 11m along the rear boundary. The house is set back from the highway about 9m, narrowing to 5m nearer to the corner.

The property is brick built with tile hanging at first floor with a simple dual pitch roof. A double detached garage is positioned on the north-west side of the house; this is set back from the front elevation by 4.5m and extends beyond the rear elevation by 2.9m. There is an open flat roof porch and a small greenhouse has been added to the south-east side. The rear garden is mainly lawn with a patio area and shrubs enclosed by 1.8m fencing or high hedges/shrubs. The front is open plan with parking on the drive for a further three cars.

The site slopes up from the highway and is also slightly higher than the adjacent neighbour at No.12 Whinchat Close. There is a wide verge along the side boundary with Pool Road and at the rear. The other properties in Whinchat Close are also detached houses in a spacious layout of differing designs but all built at the same time.

PROPOSALS

The application is for the erection of a two storey side extension, a single storey rear extension and a single storey front extension. This would provide a garage, utility room and open plan kitchen/dining/family room and enlarged study at ground floor; at first floor would be an additional bedroom.

The side extension would measure 4.8m wide and would be 9.6m deep at ground floor level; the front elevation would be level with the existing front elevation of the main house and would extend no further to the rear than the existing garage. The single storey rear extension would measure 10m wide by 2.8m deep, extending across the whole width of the existing house and level with the side extension. At the rear the roof would be mono pitch across the whole resultant width, it would be 3.4m high.

At first floor, the side extension would be 3.8m wide and 5.4m deep. It would be set back from the front elevation by 1.6m and would be level with the existing rear elevation. The roof of the garage would be dual pitch with the ridge being 4.5m high. The side extension would have a pitch at front and rear, but with a flat roof section, this would be 6.1m high, which is about 0.9m lower than the main ridge of the dwelling.

On the front elevation, the single storey extension would measure 6.1m wide and 1.3m deep. This would have a mono pitch roof 3.5m high.

There would be windows and doors on the front and rear elevations only. Materials would match

the existing building. The driveway would be extended with gravel.

RELEVANT PLANNING HISTORY

09/00214/FUL - Erection of a two storey side extension and single storey rear and front extensions.
Refused 7.04.2009

CONSULTATIONS

Hartley Wintney parish Council: No objections

Highways Officer: No objections, subject to condition

PUBLIC OBSERVATIONS

There has been one comment received at the time of writing this report raising the issues of:

- Design of side extension, terracing effect.
- Parking provision
- Drainage problems with run-off, both from the extension and the new gravel area (depending on base)

MATERIAL PLANNING POLICIES

- * National policy guidance: PPS3, PPS25
- * South East Plan: Policies none relevant
- * Local Plan: Policies GEN1, GEN4, URBI and URBI6

MAIN ISSUES

- * Principle of development
- * Street scene
- * Parking
- * Impact on neighbour amenity
- * Other issues

CONSIDERATIONS

- * Principle of development

Policy URBI defines the urban settlement areas

As the property lies within the Hartley Wintney urban settlement boundary, it is considered that the principle of an extension to a residential property is acceptable subject to compliance with development plan policies and that there is no unacceptable harm.

The main issues are whether the previous reasons for refusal have been overcome.

- * Street scene

Policies GEN1 (i) and URBI6 permit development where the proposal is in character with the local area and is sympathetic to the existing dwelling and surrounding properties. GEN4 is a general design policy relating to the design of developments.

There are three different house designs in Whinchat Close - and although the dwellings are all in

close proximity at ground floor level, at first floor the properties still have a separation the width of the garage between them. This together with the open plan layout and generous size of the front gardens, results in a spacious character to the street scene with good views between the properties. In the previous application, the first floor level of the side extension was the same width as the ground floor and the roof was only 0.4m lower than the main house and this was considered to result in a cramped appearance and loss of the spacious character.

This application has a lower roof (0.9m below the main ridge) and has been bought in from the common boundary by 1m, giving a separation distance of some 2m between the adjacent buildings. This separation distance is generally considered sufficient not to result in a terracing effect and this is reinforced by the staggered position of the adjacent dwelling with the first floor extension being set 1.6m back from the front elevation of the application property and some 4.5m from the front elevation of the neighbouring dwelling at No.12. Therefore it is considered that this increased separation together with the lower roof height would not have a significant detrimental impact on the street scene and would overcome the previous first reason for refusal.

Therefore it is considered that the proposal would now comply with saved Policies GEN1, GEN4 and URB16.

* Parking

Policy GEN1 (vii) and T14 (ii) requires that there is adequate parking on site. The Council's Interim Guidance on Parking Standards requires that 3.5 spaces are provided on site for a property with four or more bedrooms in this urban location (Zone 2). In August 2009, it was clarified that when applying the Standards to residential extensions the 0.5 space is for visitor parking.

There is currently a double garage and space on the 14 metre long drive for a further three vehicles. It is proposed to bring the garage forward by 4.5 metres. This results in the driveway being reduced to 9.5 in length. The new garage would not meet the Council's Standards for the recommended size of a double garage, therefore only one space would be available. The applicant therefore proposes to increase the width of the existing driveway, by adding a gravel hardstanding, in order to park two vehicles adjacent to one another, thereby providing 3 spaces within the curtilage. There are no on-street parking restrictions and the road is standard width, therefore the visitor space could be provided off site.

Therefore it is considered that there are adequate arrangements for parking on site, and so the proposal accords with saved Policies GEN1 and T14 and overcomes the second reason for refusal of the previous application.

* Impact on the amenities of the occupiers of adjoining properties

Policies GEN1 (iii) and URB16 (ii) permits development where there would be no material loss of amenity to adjoining residential uses.

There are no neighbours to the south-east or directly to the rear. The neighbour to the north-west, No.12 Whinchat Close is the only neighbour to consider.

No.12 is set further forward in the plot than the application property but is the same design. It has a single storey rear extension some 4.5m in depth and about 1m gap between its flank elevation and the common boundary with the application site. The proposed first floor element of side extension would extend some 2.7m beyond the first floor rear elevation of No.12. The proposed single storey rear extension would extend beyond the rear elevation of the neighbours' single storey extension by about 1.4m. No.12 has no windows on the side elevation. The applicant has demonstrated that the

extension would comply with the '45 degree' rule when assessing loss of light to the rear windows. Given that the extension would extend beyond the rear elevations of the neighbouring property by less than 3m at first floor and less than 2m at ground floor, and it complies with the 'rule of thumb method' for assessing loss of light; it is considered that the proposal would have no unacceptable impact on the amenities of the neighbour by virtue of loss of light.

The application site is to the south-east of the neighbour at No.12. However the extension would be 0.9m lower than the existing building which itself would restrict the amount of sunlight available, and also given the existence of the neighbour's extension, it is considered that any loss of direct sunlight to the garden area would be minimal and not unacceptable.

The first floor side extension could not be seen from the windows of the ground floor living areas of No.12 and there are no windows on the side elevation directly facing the extension; however it would be visible from the rear bedroom. Some 2.7m of the flank elevation would be visible, however it would be 2m away and the roof would be pitched, with the eaves level (which would be the part most visible when viewed from the bedroom) being only 5.1m high. Therefore, given these circumstances and the oblique viewing angle, it is considered that there would be no unacceptable visual intrusion or overbearing impact.

No windows are proposed on the side elevation; therefore it is considered that there would be no loss of privacy.

Therefore, the proposal would comply with saved Policies GEN1 and URBI6

* Other issues

Arrangements for surface water drainage from the proposed extension is a matter for building control. A condition has been added requiring that any new hard surfacing is fully permeable.

RECOMMENDATION Grant Permission

- 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building.

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

- 3 The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

- 4 The additional gravel hard surface shall be provided and available for parking prior to the completion of the extension hereby approved and shall be of permeable construction.

Reason

To ensure the availability of adequate parking on site and to comply with saved Policies GEN1 and T14 of the Hart District Local Plan and with the Councils Interim Parking Standards

- 5 Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no additional windows or doors shall be constructed in the north-west flank elevation of the extension hereby permitted.

Reason

In the interest of the privacy of the occupiers of the adjoining property and to satisfy saved policy GEN1 of the Hart District Local Plan.

INFORMATIVES

- I The applicant is reminded of the need to ensure 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. This will include ensuring 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 and no working on Sunday and Bank Holidays. The storage of materials and parking of operative's vehicles should be normally arranged on site.

ITEM No.: 113

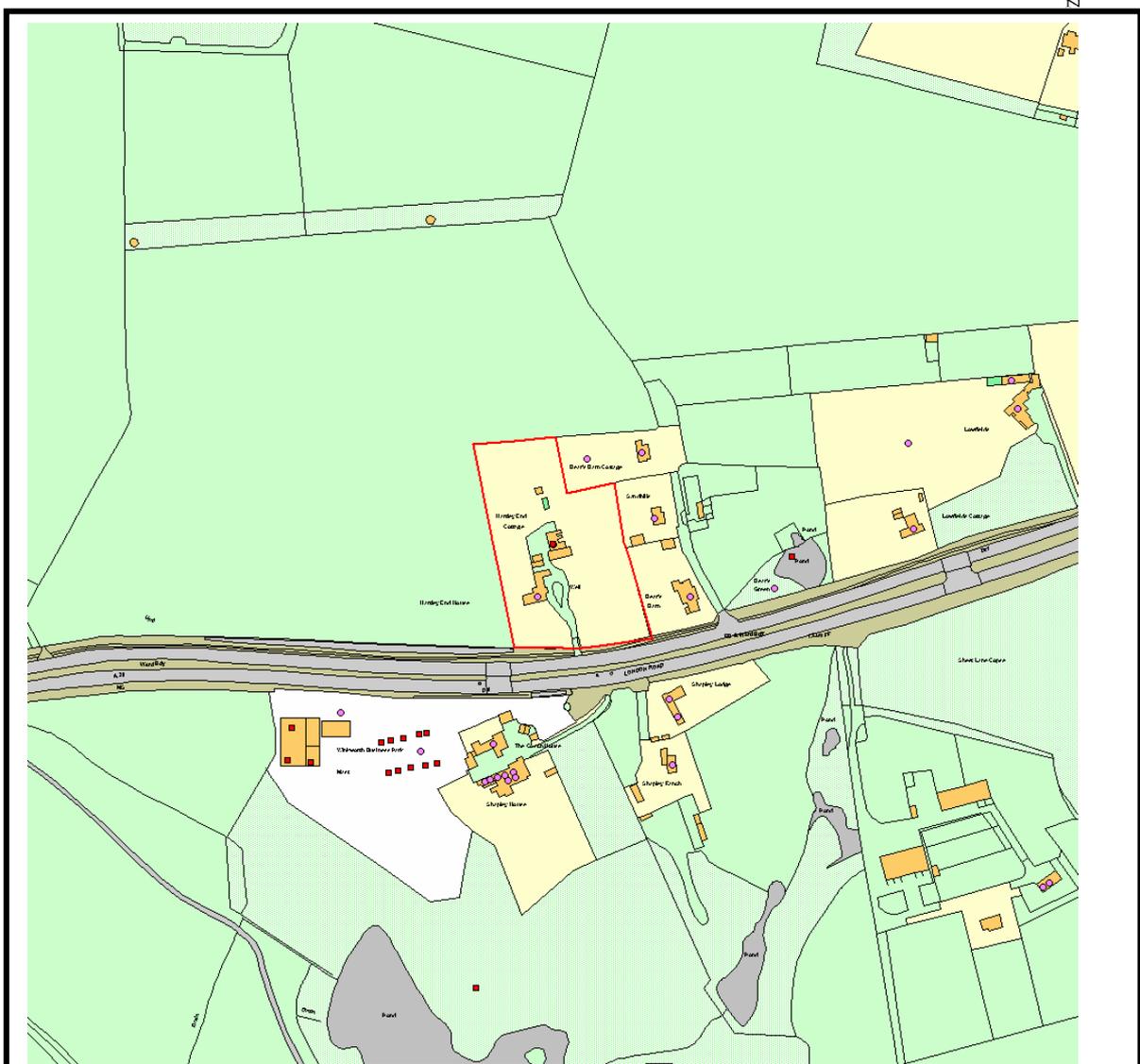
APPLICATION REFERENCE NO: 09/02976/FUL

| | |
|----------------------------|---|
| Site Address: | Hartley End Cottage, London Road, Hartley Wintney, Hook, Hampshire RG27 8HY |
| Proposals: | Replacement Dwelling. |
| Applicant: | Mr E Glaister |
| Consultation Expiry | 7th January 2010 |
| Application Expiry | 29th January 2010 |
| Ward Member | Cllr Susan Band |
| Parish Council | Hartley Wintney |
| Conclusions: | The proposal is acceptable in principle and accords with the requirements of the Local Plan policies. The design and appearance of the replacement dwelling is acceptable as there would be no adverse impacts on the character and appearance of the surrounding countryside. There would be no additional impacts on the amenities of neighbouring residents and the parking provisions accords with the requirements of the adopted parking standards. |
| Recommendation: | Grant Permission |

Application Ref: 09/02976/FUL

Location Map of Application Site

**Hartley End Cottage
London Road
Hartley Wintney
Hook
Hampshire
RG27 8HY**



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THE SITE

The application site relates to a parcel of land within the residential curtilage of Hartley End House, which is located on the northern side of London Road (A30), to the western end of Hartley Wintney. The dwelling is visible from London Road however it is set back from the highway by approximately 30m with mature hedging and fencing on the front common boundary of the site. The site has a separate entrance and egress leading onto London Road, with gates enclosing the access to the site.

The main dwelling, Hartley End House, is a two storey dwelling and within the curtilage of Hartley End House is a garage building, which has been converted into a residential dwelling, called Hartley End Cottage. This cottage is single storey in appearance. There is a number of other out buildings within the curtilage of Hartley End House as well as a fully enclosed tennis court adjacent to the eastern boundary of the site, with a swimming pool located adjacent to the western boundary.

To the north and west of the application site, there is open countryside. To the east of the site are large, detached residential properties. To the south of the development site is London Road (A30).

There are a number of mature trees throughout the site with mature hedging on the common boundaries of the site. On the site adjacent to the application site, Bear's Barn Cottage, there are several trees which are protected by way of Tree Preservation Order. To the east of the development site, is Hartley Wintney Footpath No.29. The application site falls outside of a settlement boundary. There are no other planning constraints registered against this site.

THE PROPOSAL

This is a full application for the erection of a replacement dwelling within the site. The existing property on site, called Hartley End Cottage would be converted into garaging to serve Hartley End House. The large storage shed which is attached to the cottage would be demolished along with a number of other outbuildings throughout the development site.

The dwelling would be single storey in appearance however there would be a basement which would provide space for a utility and several stores and a wine store. The entrance area would be double height.

The property would have a width of 27.8m, a total depth of 20m and a height of 6.7m to the roof ridge on the centre gable although this would step down to 4.8m of the rest of the dwelling. The dwelling would have a height of approximately 2.5m at eaves level. The replacement dwelling would be setback 9.6m from the northern boundary of the site and approximately 8.8m from the western boundary.

The existing building, Hartley End Cottage, has a total floor area of 153sq.m. The proposed dwelling would have a total habitable floor area of 352.4sq.m. In addition, there would be a basement area for utility rooms and storage, which would have an additional floor area of 95.32sq.m

The design and access statement states that the materials to be used for the development would be rendered elevations with slate roofing tiles and timber painted windows and doors.

Car parking provision would be provided within the courtyard area to the front of the property, with three formal spaces provided with ample provision for further cars to be accommodated on the hardstanding. There would be sufficient space for the turning of vehicles within the development site. A private access drive would be provided for the replacement dwelling, linking to the existing drive access to the southern side of the development site. The existing entrance and separate exit drive

leading onto the London Road (A30) would be retained with no alterations.

PREVIOUS PLANING HISTORY

A previous planning application was submitted for the erection of a replacement dwelling on the site, under reference 09/01063/FUL. This application was refused on the following grounds:

1. The increase in residential floorspace would be of such an extent that it would be disproportionate to the existing residential floorspace on the site.
2. The scale of the development proposed would appear detrimental to the rural character and appearance of the surrounding area.

CONSULTATIONS

Hartley Wintney Parish Council: No representations received at the time of writing report.

Parking and Highways: No objections.

Head of Leisure and Environmental Promotion: No comments to make on this application.

Natural England: Natural England has no comments to make on this application.

Thames Water: We would advise that in relation to the sewerage infrastructure, we would not have any objections to this application.

PUBLIC OBSERVATIONS

No letters of representation received.

MATERIAL PLANNING POLICIES

The following policies of the Development Plan, which comprises the South East Plan 2009 - 2026 and the Hart District Council replacement Local Plan are considered relevant to the determination of this application:

The South East plan 2009-2026:

BE1 Management for urban renaissance

CC2 Sustainable design and construction

CC6 Sustainable communities and character of the environment

Hart District Council replacement Local Plan;

GEN1 – General policy for development

GEN4 – General design policy

RUR1 - Definition of areas

RUR2 – Development within the open countryside

RUR3 – Development within the open countryside

RUR4 – Re-use of rural buildings

RUR23 – Replacement of existing dwellings

T14 – Transport and development

T16 – Improvements made necessary by development

CON1 – Nature conservation: European Designations

CON2 – Nature conservations: National Designations

CON5 – Nature conservation: Species protected by law

Relevant National planning guidance is contained in PPS1 (Delivering Sustainable Development), PPS3

(Housing), PPS7 (Sustainable Development in Rural Areas) and PPG13 (Transport).

MAIN ISSUES

1. Principle of the proposal
2. Policy
3. Design, appearance and impacts on the character of the countryside
4. Impacts on the amenities of neighbouring residents
5. Parking and highways
6. Sustainability

CONSIDERATIONS

I. Principle of the proposal

The application site is located outside of any Settlement Policy Boundary, as defined within the Hart District replacement Local Plan. Local Plan policy RUR23 allows for the replacement of dwellings within rural locations providing the proposal accords with the requirements of the criteria stipulated within this policy. Therefore, the principle of the proposal is acceptable however any development would have to accord to the relevant rural policies in order to be permitted.

2. Policy

Under the requirements of Local Plan policies for 'replacement' dwellings within rural locations, RUR23 states that the replacement of an existing dwelling within the countryside would be permitted provided that the Local Planning Authority is satisfied that the following criteria apply;

- i) The existing dwelling has lawful residential use;
- ii) The existing dwelling is not the result of a temporary or series of temporary permissions;
- iii) The proposed dwelling is not disproportionate in size to the existing dwelling or in its impact on the countryside.

The supporting text states that replacement dwellings within countryside locations will be restricted as it is important to ensure that replacement dwellings are no intrusive in the countryside and that are not significantly larger than the original dwelling.

In this instance, the existing property, Hartley End Cottage has a floor area of 153sq.m. The proposed dwelling would have a total habitable floor area of 352.4sq.m. The replacement dwelling would result in a 230% increase in total floor area from that of the original dwelling.

It is noted that as part of the development proposal the applicant proposes to remove several buildings from the site which are 'unsightly'. Whilst no details have been provided of the exact measurements of these building, the proposed site plan would indicate a floor area for these buildings totally 153.45sq.m. Including these buildings in the calculations for the existing building, (153sqm for Hartley End Cottage and 153.4sqm for outbuildings to be demolished) the proposal would result in a development which is approximately 15% larger than that of the existing dwelling and outbuildings within the site.

It is worth noting that no definitive figures are provided within the Local Plan policy regarding what is considered to be proportionate or disproportionate for replacement dwellings however, the Council generally allows replacement dwellings to be up to 50% larger than that of the original dwelling.

It is considered that the development would result in the formation of a suitable replacement dwelling within a countryside location, in accordance with the national and local planning policies.

3. Design, appearance and impacts on the character of the countryside

Saved Local Plan Policy GEN4 requires developments to be in-keeping with the surrounding area in terms of its layout and form, scale, character, special features and design of the building.

Saved Policy RUR2 states that development within the open countryside would not be permitted unless the Local Planning Authority is satisfied that it is specifically provided for by other policies in the Local Plan and that it does not have a significant, detrimental effect on the character and setting of the countryside by virtue of its siting, size and prominence in the landscape.

Saved Local Plan Policy RUR3 further adds that developments within the countryside which are provided for by other policies in the Local Plan will be permitted where:

- (i) The countryside is protected and maintained through the retention, creation or enhancement of features of nature conservation or landscape importance;
- (ii) Any existing structures or buildings can be retained if of architectural quality;
- (iii) The site is satisfactorily landscaped to reduce its impacts on the surrounding countryside; and
- (iv) The criteria of the specific Policy by which the development proposed may be permitted as also met.

The replacement dwelling would appear as a single storey property albeit with a large footprint. The property would be located within a rural area where there is no prevailing design characteristic therefore there are no restrictions preventing alternative designs to be considered. The single storey nature of this development would ensure that it would not appear overly dominant on the neighbouring property, Hartley End House.

The primary consideration of a development in this location is the visual impact of the development on the character and appearance of the countryside, which is protected for its intrinsic character and beauty.

There is minimal vegetation on the common boundaries of the application site adjacent to the location for the replacement dwelling. Consequently, this would result in views of the property from the surrounding countryside and the public footpath to the north of the site. This in isolation does not constitute the development proposal being unacceptable; it has to be observed that the dwelling would be viewed against the back drop of the existing developments at Hartley End House to the south and Bears Barn Cottage to the east. This means that the development would not be seen in isolation and therefore would not appear detrimental when viewed from the surrounding countryside.

There is an existing development within the site, Hartley End House however this property is located towards the front of the development site, adjacent to the highway. Hartley End Cottage has resulted through the conversion of the garage/outbuilding for Hartley End House being converted into residential accommodation.

It is considered that the contemporary design of the development would not be unacceptable in this location. The scale and mass of the development is relatively low-key and would therefore not appear overly dominant on the surrounding countryside. This meets the requirements of the Local Plan policies regarding development within rural area.

4. Impacts on the amenities of neighbouring residents

Local Plan policy GEN1 states that development proposals would not be permitted where they have a detrimental impact on the amenities of neighbouring residents.

The application site is located within a rural area, where the pattern of development is of dwellings being sited within large plots. The development proposal would be sited 81m to the west of the neighbouring property called Bears Barn Cottage and 46m to the north of Hartley End House. Given the vegetation on the eastern boundary with Bears Barn Cottage, it is considered that there would be no adverse impacts on the amenities of these neighbouring residents through overlooking or overshadowing.

It is noted that the development site would be accessed via a gravel driveway which is adjacent to the common boundaries of Bears Barn, Sandhills and Bears Barn Cottage. The driveway for Hartley End House presently forms a 'U' shape on the site, with a separate entrance and egress onto London Road. This would be altered to allow the occupiers of Hartley End House and the proposed dwelling to utilise both access points, however the shared section of the drive would be sited approximately 10m to the north of the front boundary of the site. The result of this alteration would mean that only the proposed dwelling would use the driveway which is adjacent to the common boundaries with these neighbouring properties, whereas at present, both Hartley End House and Hartley End Cottage both use this driveway. Therefore the development would not have a detrimental impact on the amenities of the neighbouring residents.

5. Parking and highways

Planning Policy Statement 7: "Sustainable Developments within Rural Locations" states that proposals should provide good quality, sustainable development that respects and where possible, enhances local distinctiveness and the intrinsic qualities of the countryside.

PPG13 requires developments be sited in sustainable locations where there would not be a reliance upon the use of the private car for journeys. Sites should be located where there are alternative modes of travel available, including public transport.

Saved Local Plan Policy T1 states; proposals to assist the development of an integrated transport network, a choice of transport modes and the operation of efficient public transport modes will be permitted provided that they accord with other relevant proposals of this plan.

Saved Local Plan Policy T14 states that development proposals which accord with other policies in the plan, will be permitted provided that;

- (ii) Those of a type likely to attract a large number of trips are located where choice in transport can be provided, including a significant proportion by public transport;
- (iii) They make adequate provision for highway safety, access and internal layout and parking.

Local Plan policy T16 states that where improvements to the local transport infrastructure are made necessary by new development, the local planning authority will seek planning obligations for contributions to fund work.

As previously stated, the development proposal seeks the replacement of an existing dwelling within open countryside, and therefore would be reliant upon the use of a car to access the site. However, the proposal would replicate a situation which is already in existence on the site with cars serving both Hartley End House and Hartley End Cottage.

Under the adopted parking standards, there would be a requirement for 3.5 car parking spaces to be provided for the dwelling. There would be sufficient space within the area of hardstanding to the front of the property to accommodate considerably more cars than is required, although the applicant has indicated three car parking spaces on the plans submitted.

The Highways Officer has raised no objections to the proposal. The proposal therefore is in accordance with the requirements of the adopted parking standards and Local Plan policies.

6. Sustainability

Since 2005 PPS 1: Delivering Sustainable Development and its companion guide on climate change has come into force including the South East Plan. All new development proposals should therefore consider climate change in its overall design. The applicant has not addressed this issue; however the incorporation of sustainable drainage systems, grey water recycling, and low energy or low carbon sources, for example, can be conditioned as part of the planning permission.

The construction of all new buildings, and the redevelopment and refurbishment of existing building stock, will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

- i) High standards of energy and water efficiency that exceed current standards required by the Building Regulations and reflect best practice;
- ii) Designing to increase the use of natural lighting, heat and ventilation, and the provision of a proportion of energy demand from renewable sources;
- iii) Reduction and increased recycling of construction and demolition waste and procurement of low-impact materials; and
- iv) Designing for flexible use and adaptation to reflect changing lifestyles and needs and the principle of 'whole life costing'.

It is recommended to impose a condition with any consent to ensure that no development commences on site until details of sustainable development measures which are to be incorporated into the development, are submitted and approved in writing by the Local Planning Authority.

RECOMMENDATION **Grant Permission**

- 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 No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason

To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 3 No development shall take place until full details of both hard and soft landscape have been submitted to and approved in writing by the Local Planning Authority.

Hard details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure of unbuilt open areas, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes, etc.).

Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate.

Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 4 Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

To satisfy the requirements of the Planning and Climate Change Supplement to PPS1 and policy CC4 in the South East Plan.

- 5 No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

- 6 Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason

In order to secure sustainable design and construction of the development in accordance with PPS1: Delivering Sustainable Development and policy CC4 in the South East Plan.

- 7 Prior to the commencement of works on site, all buildings indicated on drawing reference No.2650/06 rev C shall be demolished and all materials removed from site.

Reason

To preserve the character and appearance of the surrounding countryside and to accord with the requirements of Local Plan policy GEN1.

- 8 The dwelling shall achieve a Code Level 3 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason

In order to secure the sustainable design and construction of the development in accordance with PPS1

- 9 Within 7 days of first occupation of the replacement dwelling, the residential use of Hartley End Cottage shall cease and shall only be used for the parking of cars.

Reason

To preserve the character and appearance of the surrounding countryside and to accord with the requirements of Local Plan policy GEN1.

- 10 The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

- 11 Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice. The Council shall be notified in writing of the completion of the scheme or any agreed phase of such scheme.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Council gives its written consent to any variation.

Reason

To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

PLANNING COMMITTEE

Date and Time: Wednesday, 13th January 2010 at 7.00 pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS –

Cockarill - (Chairman)

Ambler
Appleton
Band

Bennison
Butler C
Gorys

Kennett
Parker

61. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 9th December and the resumed meeting held on 16th December 2009, were confirmed and signed as a correct record.

62. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Billings, Blewett, Gotel, Henderson, Maughan, Radley J E, Simpson, Street and Wheale.

63. CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements.

64. DECLARATIONS OF INTEREST (PERSONAL OR PERSONAL AND PREJUDICIAL)

There were no declarations of interest made.

65. SUMMARY OF PLANNING APPEAL DECISIONS

The Summary of Planning Appeal Decisions was noted.

66. DEVELOPMENT APPLICATIONS

The applications set out in the accompanying schedule were considered and decisions made as shown.

The meeting closed at 9.40 pm.

HART DISTRICT COUNCIL

DEVELOPMENT APPLICATIONS

Decisions/Recommendations – 13th January 2010

The following applications were approved in accordance with the recommendations contained in the report.

- 09/02152/FUL** **115 Reading Road, YATELEY**
Installation of new shopfront. *(Permission Granted)*
- 09/02264/HOU** **14 Barnwells Court, High Street, HARTLEY WINTNEY**
Erection of a flat roof rear dormer extension. *(Permission Granted)*
- 09/02388/AMCON** **Upper Clare Farm, Clare Park Road, CRONDALL**
Removal of Condition 8 of planning permission 02/00727/COU (no more than one unit shall be occupied by any one employer.
Change of use of redundant farm building to Class B1 use).
(Permission Granted)
- 09/02550/FUL** **11 Gally Hill Road, CHURCH CROOKHAM**
Erection of a dwelling *(Permission Granted)*
- 09/02821/FUL** **Land at Rear of Byways and Deer Park View, ODIHAM**
Construction of temporary construction access to enable construction of proposed redevelopment subject to application 09/02544/MAJOR *(Permission Granted)*
- 09/02442/HOU** **2 Fleurs Cottages, Broad Oak, ODIHAM**
Partly retrospective – Erection of a part single storey, part two storey side and rear extension following demolition of existing single storey flat roof extension – amendment to previously approved 09/00751/HOU – Change to roof detail on side and rear elevations.

Permission GRANTED subject to the following conditions:

1. Before the development hereby permitted is first occupied the car parking areas shown on the approved plans shall be fully implemented and thereafter kept available for parking and turning purposes.

Reason: To ensure adequate car parking is available in line with saved Policies GEN1 and T14 of the Hart District Local Plan Replacement.

- 09/02469/HOU** **16 Moore Road, CHURCH CROOKHAM**
Erection of extensions and conversion of existing bungalow to two storey dwelling

Permission GRANTED subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building.

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.

3. The first floor dormer windows to the bathrooms in the North West elevation facing no.18 Moore Road shall be glazed with obscure glass only and retained as such.

Reason: To prevent overlooking of an adjoining property/adjoining properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no additional windows at first floor or above shall be installed in the extension hereby permitted.

Reason: In the interest of the privacy of the occupiers of the adjoining property/properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

Informatives:

1. The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats etc.) Regulations 1994, 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.

2. The applicant is reminded of the need to ensure 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. This will include ensuring 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 and no working on Sunday and Bank Holidays. The storage of materials and parking of operative's vehicles should be normally arranged on site.

Note: Miss Louise Jux spoke AGAINST the application.

09/02503/HOU Yew Tree House, Doras Green Lane, EWSHOT
Retrospective application: Erection of tree house in rear garden

Permission GRANTED.

Note: Graham Ellerby spoke AGAINST the application.

09/02557/HOU Badgers, 1 Millmere, YATELEY
Erection of first floor to existing bungalow. Erection of a two storey front extension. Erection of rear conservatory

Following a site visit, Members were concerned about the substantial increase in floor area, in the order of 200% on top of the existing area, and consequent bulk of the proposed extension. The Committee particularly considered saved Policy URBI6 of the Local Plan which applies to the development and the requirements that extensions should be sympathetic in scale to the existing dwelling and not harm the street scene.

It was considered that this would significantly and detrimentally affect the character of the existing property and the street scene where the property would become a substantial feature where this is not the situation at present. It was also considered that the design failed to pay respect of the existing dwelling in that the proportions and windows did not provide a satisfactory design response.

Therefore, Permission REFUSED for the following reason:

1. The proposed development would be out of scale, design and appearance with the existing dwelling and detrimental to the street scene. As such it would be contrary to saved policy URB 16 (i) and (iii) of the Hart District Local Plan Replacement 1996-2006.

Note:

1. A site visit had been made to this location.
2. Mrs Susan Cox spoke AGAINST the application.
3. Mr Douglas Sprout (Agent) spoke FOR the application.
4. Councillors Bennison and Butler wished it recorded that they had voted against the above decision.
5. Councillor Appleton entered the meeting at 8.00 pm.

09/02834/FUL 40 Oldfield View, HARTLEY WINTNEY
Erection of a two storey 2 bedroom house following demolition of existing garage

A.

Subject to the completion of a S106 Agreement by 17th January 2010, to secure the financial contributions of £6724.16 towards SANGS for the SPA, £9408 for Leisure and Open Spaces, £3745 for NHTS and £10,168 for Education, then Permission GRANTED subject to the following 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 SANG at Hitches Lane.

2. No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason: To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

3. Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: In order to secure sustainable design and construction of the development in accordance with PP

4. No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

5. Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: To satisfy the requirements of the Planning and Climate Change Supplement to PPS1 and policy CC4 in the South East Plan.

6. No development shall take place until full details of both hard and soft landscape have been submitted to and approved in writing by the Local Planning Authority.

Hard details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure of unbuilt open areas, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes, etc.).

Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate.

Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.

Reason: To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

7. No work shall take place until details of tree planting, indicating positions, species and planting size, together with a timetable for planting, have been submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out in accordance with the approved details, including the approved timetable, and the Local Planning Authority shall be notified in writing when such planting has been completed.

Any such trees which are removed die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within five years of planting shall be replaced with specimens of a similar size and species as originally required, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the provision of the amenity value afforded by trees in respect of the proposed development.

8. The dwelling shall achieve a Code Level 3 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: In order to secure the sustainable design and construction of the development in accordance with PPS1.

9. Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice. The Council shall be notified in writing of the completion of the scheme or any agreed phase of such scheme.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Council gives its written consent to any variation.

Reason: To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

10. The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

B.

Should the requirements set out in A above not be satisfactorily secured, then the Development Services Manager be authorised to REFUSE permission for the following reasons:

1. The proposed development will give rise to additional detrimental impacts on the transport infrastructure, which includes community based transport initiatives, cycling and pedestrian links and public transport. As such the proposal is contrary to South East Plan policies CC7 and T7, saved policies T14 and T16 in the adopted Hart District Local Plan (Replacement) 1996-2006 and the Local Transport Plan.
2. The site is located within 5km of the Bourley and Long Valley 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 Regulation 49 of The Conservation (Natural Habitats, etc.) Regulations 1994 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 South East Plan Policy NRM6 and saved policies CON 1 and CON 2 in the adopted Hart District Local Plan (Replacement) 1996-2006.
3. The proposed development would exacerbate the existing deficiency in provision for leisure facilities within the vicinity of the site. As such the proposal would be contrary to the Hart District adopted Leisure Strategy.
4. The proposed development would exacerbate the existing deficiency in provision for primary and secondary schooling in the vicinity of the site. As such the proposal would be contrary to South East Plan Policy CC7 and the accompanying text to saved Policy URB20 of the Hart District Local Plan (Replacement) 1996-2006.

Note:

1. A site visit had been made to this location.
2. Mr David Arthur (Agent) spoke FOR the application.

09/02885/FUL Quillets, Farm Lane, CRONDALL
Erection of two detached dwellings following demolition of existing house

A.

Subject to

- (1) The submission of amended plans to show a less bulky roof to be agreed in conjunction with the Chairman Local Ward Member and Conservation Officer.
- (2) The completion of a S106 Agreement to secure the financial contributions of £9,725.03 towards SANGS for the SPA, £11,760 for Leisure and Open Spaces, £5,457 for NHTS and £10,168 for Education,

then Permission GRANTED subject to the following 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 SANG at Hitches Lane.

2. No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason: To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

3. The dwelling shall achieve a Code Level 4 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: In order to secure the sustainable design and construction of the development in accordance with PPS1.

4. Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: In order to secure sustainable design and construction of the development in accordance with PPS1: Delivering Sustainable Development and policy CC4 in the South East Plan.

5. No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

6. Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: To satisfy the requirements of the Planning and Climate Change Supplement to PPS1 and policy CC4 in the South East Plan.

7. No development shall take place on site until an ecological survey, the details of which shall have previously been agreed in writing by the Local Planning Authority, has been submitted to the Local Planning Authority. In the event that the presence of protected species is discovered in the survey, then a scheme for mitigation shall be submitted to and approved in writing prior to the development taking place on site. This scheme of mitigation shall thereafter be completed in accordance with the approved details.

Reason: In the interest of ecology and to comply with policy CON5 of the Hart District Local Plan.

8. Before development commences on site, details of measures to accommodate protected species, in the form of bat bricks, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be completed prior to the first occupation of the dwellings.

Reason: To comply with policy CON6 of the Hart District Local Plan and to encourage biodiversity in line with PPS9.

9. No work shall take place until details of the means of protection, including method statements where appropriate, for all trees, hedges, hedgerows and shrubs on site, unless indicated as being removed, have been submitted to and approved in writing by the Local Planning Authority. The trees, hedges, hedgerows and shrubs shall be retained and protected in accordance with the approved details for the duration of works on the site and for at least five years following occupation of the approved development, unless otherwise agreed by the Local Planning Authority. Any such vegetation immediately adjoining the site shall be protected on the site in a similar manner for the duration of works on the site.

Any such vegetation removed without the Local Planning Authority's consent, or which die or become, in the Authority's opinion, seriously damaged or otherwise defective during such period shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the Authority in writing.

Reason: To ensure the continuity of amenity afforded by existing vegetation and to satisfy saved policy GEN1 of the Hart District Local Plan.

10. No development shall take place until the existing building has been demolished and all resultant materials removed from site.

Reason: To protect the amenities of the area and to satisfy saved policy GEN1 of the Hart District Local Plan.

11. There shall be no burning of demolition materials on the site.

Reason: To protect the amenities of the area and to satisfy saved policy GEN1 of the Hart District Local Plan.

12. The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

B

Should the requirements set out in A above not be satisfactorily secured, then the Development Services Manager be authorised to REFUSE permission for the following reasons.

1. The Local Planning Authority considers the houses are over-scaled with high and bulky roof forms out of character with other properties in Farm Lane, detrimental to the street scene and character and appearance of the street scene and adjoining Conservation Area. As such it would be contrary to saved policies RUR 20 and CON13 of the Hart District Local Plan Replacement 1996-2006.
2. The proposed development will give rise to additional detrimental impacts on the transport infrastructure, which includes community based transport initiatives, cycling and pedestrian links and public transport. As such the proposal is contrary to South East Plan policies CC7 and T7, saved policies T14 and T16 in the adopted Hart District Local Plan (Replacement) 1996-2006 and the Local Transport Plan.
3. The site is located within 5km of the Bourley and Long Valley 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 Regulation 49 of The Conservation (Natural Habitats, etc.) Regulations 1994 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 South East Plan Policy NRM6 and saved policies CON 1 and CON 2 in the adopted Hart District Local Plan (Replacement) 1996-2006.
4. The proposed development would exacerbate the existing deficiency in provision for leisure facilities within the vicinity of the site. As such the proposal would be contrary to the Hart District adopted Leisure Strategy.

Note:

1. Mr Neil Fagan spoke AGAINST the application.
2. Sarah Conlan (Agent) spoke FOR the application.

09/02947/HOU I4 Whinchat Close, HARTLEY WINTNEY
Erection of single storey rear extension, single storey front extension and erection of garage with first floor extension over, following demolition of existing garage

Permission GRANTED subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building.

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

3. The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

4. The additional gravel hard surface shall be provided and available for parking prior to the completion of the extension hereby approved and shall be of permeable construction.

Reason: To ensure the availability of adequate parking on site and to comply with saved Policies GEN1 and T14 of the Hart District Local Plan and with the Councils Interim Parking Standards

5. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no additional windows or doors shall be constructed in the north-west flank elevation of the extension hereby permitted.

Reason: In the interest of the privacy of the occupiers of the adjoining property and to satisfy saved policy GEN1 of the Hart District Local Plan.

Informatives:

1. The applicant is reminded of the need to ensure 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. This will include ensuring 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 and no working on Sunday and Bank Holidays. The storage of materials and parking of operative's vehicles should be normally arranged on site.

Note:

1. A site visit had been made to this location.
2. Mr Robert Lawrence (Applicant) spoke FOR the application.

09/02976/FUL Hartley End Cottage, London Road, HARTLEY WINTNEY
Replacement Dwelling.

Permission GRANTED subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. No development shall take place until details of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

Reason: To ensure that the external appearance of the building(s) is/are satisfactory and to satisfy saved policy GEN1 of the Hart District Local Plan.

3. No development shall take place until full details of both hard and soft landscape have been submitted to and approved in writing by the Local Planning Authority.

Hard details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure of unbuilt open areas, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes, etc.).

Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate.

Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.

Reason: To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

4. Before the development hereby permitted is begun a scheme for grey water recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: To satisfy the requirements of the Planning and Climate Change Supplement to PPS1 and policy CC4 in the South East Plan.

5. No works shall start on site until plans showing details of the proposed ground levels and proposed finished roof ridge levels within the area covered by the application have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways and in the interest of visual amenity.

6. Before the development hereby permitted is begun a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: In order to secure sustainable design and construction of the development in accordance with PPS1: Delivering Sustainable Development and policy CC4 in the South East Plan.

7. Prior to the commencement of works on site, all buildings indicated on drawing reference No. 2650/06 rev C shall be demolished and all materials removed from site.

Reason: To preserve the character and appearance of the surrounding countryside and to accord with the requirements of Local Plan policy GEN1.

8. The dwelling shall achieve a Code Level 3 in accordance with the requirements for the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: In order to secure the sustainable design and construction of the development in accordance with PPS1.

9. Within 7 days of first occupation of the replacement dwelling, the residential use of Hartley End Cottage shall cease and shall only be used for the parking of cars.

Reason: To preserve the character and appearance of the surrounding countryside and to accord with the requirements of Local Plan policy GEN1.

10. The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles 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 parking to prevent the likelihood of on-street car parking and to satisfy saved policy GEN1 in the Hart District Local Plan.

11. Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice. The Council shall be notified in writing of the completion of the scheme or any agreed phase of such scheme.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Council gives its written consent to any variation.

Reason: To ensure the provision of amenity afforded by appropriate landscaping and to satisfy saved policy GEN1 of the Hart District Local Plan.

12. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class E of Part 1 of Schedule 2 of the Order shall be erected on the application site.

Reason: To ensure that the character and appearance of the area is maintained and that the replacement dwelling is proportionate to that it is replacing in line with saved policy RUR 23 of the Hart District Local Plan Replacement 1996-2006.

Note:

1. A site visit had been made to this location.
2. Mr E Glaister spoke FOR the application.