Minutes of the Development Control Committee meeting held on Wednesday, 8 August 2018 in Committee Rooms 1 & 2 - Deanes, Basingstoke and Deane Borough Council at 6.30 pm

Members of the Development Control Committee in attendance: Councillor P Miller (Chair), Councillor N Robinson (Vice-Chair), Councillor M Bound, Councillor D George, Councillor S Godesen, Councillor P Harvey, Councillor D Leeks, Councillor D Potter and Councillor M Westbrook

17/18 Apologies for absence and substitutions

Councillor Cooper was replaced by Councillor Grant
Councillor Sherlock sent his apologies

18/18 Declarations of interest

There were no declarations of interest.

19/18 Urgent matters

There were no urgent items.

20/18 Minutes of the meetings held on the 13th and 21st June 2018

The Minutes of the meetings held on 13th June 2018 and the 21st June 2018 were confirmed by the Committee as a correct record and signed by the Chair.

21/18 Applications for planning permission and public participation thereon

The following Public Participation took place:

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<th>Interest</th>
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<td>Support</td>
<td>Mr Cherrington</td>
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1. Application – 17/02666/FUL: Continued use of agricultural land for the secure storage of touring caravans and motorhomes; retention fence upon earth bund and retention of extended hardstanding and erection of 12 x 4m high poles to mount CCTV / lights Site: Land South Of Berry Court Solar Farm New Road Little London Hampshire

The Committee considered the report set out on pages 139 to 170 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the proposed application at length.

Members discussed the additional traffic movements to and from the site and the potential issue to highway safety at the junction onto the A340.

Some members thought that the site had been well laid out and organised and part of existing developed land due to the neighbouring solar farm.

The Committee had mixed views with regards to whether there was a local need. Members referred to the report and the closure of Sandyfield in Winchester and the statement from Reading Caravan Centre advising the shortage of storage in Hampshire/Berkshire.

Members were concerned with the bunds on the site and the detrimental impact on the tree routes and hedgerows.

Members agreed that the proposed application had insufficient information to demonstrate that there would not be a detrimental impact on local biodiversity by the introduction of motion activated security lighting within close proximity of trees/hedgerows where bats had been recorded. Together with the lack of evidence to show that the development would be acceptable in relation to drainage and contamination.

RESOLVED that: the application be REFUSED and ENFORCE.

A) the application be REFUSED for the following reasons:

1) The use being applied for does not have a locational need to be in the countryside. There is no justification within Development Plan Policies or any other material considerations that establishes the principle of development, or is considered to be of sufficient weight for allowing the change of use to caravan / motor home storage (B8) on this site. The proposed use would, by the need to offer a secure storage facility introduce an incongruous compound appearance in this rural location through high boundaries (fence),
security lighting, exacerbated by the site location adjacent to the highway and a Public Right of Way. The application is therefore considered to be contrary to Sections 6 and 15 of the NPPF (2018), Policies EP4, EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029, and the Farm Diversification SPD.

2) It has not been demonstrated that the application does not have a detrimental impact on local biodiversity by the introduction of motion activated security lighting within close proximity of trees / hedgerows where bats have been recorded. No overriding public interest for the development has been made. The application is therefore considered contrary to Section 15 of the NPPF (2018) and Policy EM4 of the Basingstoke and Deane Local Plan 2011 – 2029 and Natural Environment and Rural Communities Act 2006.

3) Insufficient information has been provided to demonstrate that the development is acceptable in relation to drainage and contamination (in relation to the enlarged hardstanding). As such the application has failed to demonstrate compliance with Sections 14 and 15 of the NPPF (2018) considered Policies EM7 and EM12 of the Basingstoke and Deane Local Plan 2011 – 2029.

B) if the Head of Law and Governance is satisfied with the evidence, and in the opinion of the Head of Planning and Infrastructure it is expedient to do so, enforcement action as defined in Section 171A of the Town and Country Planning Act 1990 (as amended), be initiated requiring:

1) Cease the use
2) Remove the operational development that has taken place.
3) Compliance with conditions contained within 15/03634/ROC pursuant to the reinstatement of the hedgerow and compliance with the ongoing maintenance.

Time limits
1) 6 months to cease the use.
2) An additional 3 months to remove all the operational development

Reasons for enforcement

1) The development does not have a locational need to be in the countryside. There is no justification within Development Plan Policies or any other material considerations that establishes the principle of development, or is considered to be of sufficient weight for allowing the change of use to caravan / motor home storage (B8) on this site. The use by the need to offer a secure storage facility introduce an incongruous compound appearance in this rural location through high boundaries (fence and bund), security lighting, exacerbated by the site location adjacent to the highway and a Public Right of Way and the introduction of surfacing the whole of the site. The application is therefore considered to be contrary to Sections 6 and 15 of the NPPF (2018), Policies EP4, EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029, and the Farm Diversification SPD.
2) The bunds, access and track that have been developed on the site have a negative impact on the biodiversity gains including those secured by 15/03634/ROC. The bunding over the roots of existing trees and hedgerow is detrimental to the future retention of the natural features. The introduction of motion activated security lighting within close proximity of trees / hedgerows where bats have been recorded is detrimental to the biodiversity of the area. No overriding public interest for the development has been made. The application is therefore considered contrary to Section 15 of the NPPF (2018) and Policy EM4 of the Basingstoke and Deane Local Plan 2011 – 2029 and Natural Environment and Rural Communities Act 2006.


The Committee considered the report set out on pages 171 to 190 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the proposed application.

Some members thought that the proposed purpose built dwelling was of an appropriate design and were satisfied that the impact of the bund had been eliminated due to the enforcement of the previous application number 17/02666/FUL.

A discussion took place as to whether there had been a former structure located on the site, which would comply with local plan policy SS6 for permitted development in the countryside if on previously developed land.

The Committee agreed to defer the application to allow for the provision of possible evidence to substantiate the applicants claim.

RESOLVED that: the application be DEFFERED to allow the applicant to submit further information in relation to whether the site is previously developed land.

3. Application – 18/00261/FUL: Erection of 4 no. dwellings comprising 3 no. affordable housing units and 1 no. market dwelling, with associated garaging, landscaping and installation of a package treatment plant Site: Land North Of Binley Farm Lye Farm Road Binley Hampshire

The Committee considered the report set out on pages 191 to 222 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the proposed application and decided that although the proposed development extended outside the curtilage of the agricultural buildings into the north field, it did however provide a completeness of the development in line
with policy P1 of St Mary Bourne Neighbourhood Plan.

Members felt that it would be good to remove the redundant agricultural buildings and the scale, bulk and design of the development would be sympathetic to the surrounding countryside.

Members supported the concept that 3 of the units would be offered as affordable rented accommodation with restrictions to the local community to be secured through a Section 106 Agreement.

Councillor Leeks left the meeting during this item.

**RESOLVED** that: The applicant be invited to enter into a legal agreement (in accordance with the Community Infrastructure Levy Regulations 2010 and Policy CN1 of the Basingstoke and Deane Borough Local Plan 1996-2011) between the applicant and the Borough and County Councils to secure on-site affordable housing.

Should the requirements set out above not be satisfactorily secured, then the Planning and Development Manager be delegated to REFUSE permission for appropriate reasons.

On completion of the legal agreement(s) the Planning and Development Manager be delegated to grant planning permission subject to the following conditions and for the following reasons.

**Reasons for Approval**

1. The proposed development would deliver comprehensive residential development of the site in keeping with policy P1 of the St Mary Bourne Parish Neighbourhood Plan 2016-2029.

2. The proposed development would enhance the character of the area when considering the removal of the existing buildings and would not harm the setting of nearby non designated heritage assets and as such complies with Section 16 of the National Planning Policy Framework (2018), Policies EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029 and Policy P7 of the St Mary Bourne Neighbourhood Plan 2016-2029.

3. The development demonstrates social benefits by the provision of small units, three of which will be secured as affordable by the provision of a S106 agreement, in accordance with Policy P3 of the St Mary Bourne Neighbourhood Plan 2016-2029.

subject to the following conditions and informatives:-

**Conditions**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
1714/PL01 Site Plan
1714/PL02 Cottage Floor Plans
1714/PL03 Cottage Elevations
1714/PL05 House Ground Floor Plan
1714/PL06 House First Floor Plan
1714/PL07 House Roof Plan
1714/PL08 House Southwest and Southeast Elevations
1714/PL09 House Northeast and Northwest Elevations
1714/PL04 Garage Plans/Cottage Roof
1714/01A Appendix 1 - Sewage Treatment Plan

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

2

The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

**REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3

No development above damp proof course shall commence on site until details of the types and colours of external materials to be used, including colour of mortar, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

**REASON:** In the interests of the visual amenities of the area and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

4

No development above damp proof course shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied and thereafter maintained.

**REASON:** In the interests of visual amenity and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

5

No development above damp proof course shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected. The approved screen walls/fences shall be erected before the use/building(s)/dwelling(s) hereby approved is/are commenced/first occupied and shall subsequently be maintained. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, details of which shall be agreed in writing by the Local Planning Authority before replacement
REASON: In the interests of the amenity and privacy of the occupiers of adjoining residential properties and future residents and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

6 No development above damp proof course shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or when the use hereby permitted is commenced. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

7 Notwithstanding the detail shown on the submitted plans no works shall take place until a measured survey has been undertaken and a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground levels and finished floor levels in relation to a nearby datum point (outside the red line, such as the public highway) which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed and thereafter maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: Detail is required prior to commencement as insufficient information was provided with the application and to protect the landscape character and visual amenity of the area and residential amenity in accordance Policies EM1, EM7 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

8 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal painting or fitting out, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.
No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 07:30 nor after 18:00 Monday to Friday, before the hours of 08:00 nor after 13:00 Saturdays nor on Sundays or recognised public holidays.

**REASON:** To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

With the exception of the demolition and removal of existing buildings, structures and concrete hardstanding no works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a site investigation report documenting the ground conditions of the site and incorporating chemical analysis identified as being appropriate by EPS Phase I Geo-Environmental Desk Study and the Councils Environmental Health Team, in accordance with BS10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants when the site is developed. The scheme must include a timetable of works and site management procedures and the nomination of a competent person to oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and if necessary proposals for future maintenance and monitoring.

This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR11’.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy E12 of the Basingstoke and Deane Local Plan 2011-2029.

The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 10(b) that any remediation scheme required and approved under the provisions of condition 10(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
as built drawings of the implemented scheme;

photographs of the remediation works in progress;

Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 10(b), unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Policy E12 of the Basingstoke and Deane Local Plan 2011-2029.

12 The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the identified asbestos has been removed from the application site and disposed of by a licensed asbestos contractor in accordance with the Control of Asbestos Regulations 2012.

**REASON:** To ensure that all asbestos on the site is removed to protect any future occupants of the site and current occupants of adjacent land in accordance with Policy E1 of the Basingstoke and Deane Local Plan 2011-2029.

13 No development shall take place until details of a habitat enhancement scheme have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved, unless otherwise approved in writing by the Local Planning Authority.

The details shall include:
- Purpose, aims and objectives for the scheme, taking into account the site's existing biodiversity;
- A method statement for implementation of the enhancement proposals;
- Sources of habitat materials (e.g. planting stock and its origin) if applicable;
- Aftercare and long term management;

**REASON:** To help maintain the biodiversity of the area in the long-term, in accordance with Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

14 No development, including any demolition works, soil moving, temporary access construction/widening, or storage of materials, shall commence until a Wildlife Protection and Mitigation Plan has been submitted to and approved in
writing by the Local Planning Authority. The plan shall include details of the following:
- details of the timing/ecological watching brief/felling procedures required to address the protection of reptiles, bats, hedgehogs and breeding birds before and during development works.

No development or other operations shall take place other than in complete accordance with the approved Wildlife Protection and Mitigation plan, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** The habitats present on site have the potential to support reptile species, breeding birds and hedgehogs. In addition bats are known to use the site. These species are protected under the Wildlife and Countryside Act 1981. They are therefore a material consideration under Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029. It is important the wildlife protection measures are known and in place prior to commencement to ensure they can be delivered and that wildlife will be protected throughout the construction period.

15 Within three months of the date of commencement a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details prior to occupation of the new dwellings and retained in perpetuity.

**REASON:** In the absence of such details being provided within the planning submission, details are required to ensure that the development delivers a level of sustainable water use in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

16 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C, D, E, F or G of Part 1 of Schedule 2 of the Order shall be erected on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

**REASON:** To prevent the overdevelopment of the site in the interests of the amenity of the area and to safeguard the amenities of the adjoining properties, in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

17 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) minor operation, access
(pedestrian and vehicular) or other alteration permitted by Class A, B or C of Part 2 of Schedule 2 of the Order shall take place on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

**REASON:** To prevent the over development of the site in the interests of the amenity of the area, locally listed wall and building and to safeguard the amenities of the adjoining properties, in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

18 The locally listed building / structure located at the entrance to the site, known as "Brick and flint boundary wall and attached brick outbuilding approx. 25m WNW of North Cottage" * shall be retained in perpetuity. Whether or not development no alteration shall take place without the prior written approval of the Local Planning Authority on application made for that purpose.

* Local Listed building reference LL/SMB/022.

**REASON:** To ensure the preservation of the locally listed building in accordance with Section 12 of the National Planning Policy Framework (March 2012) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

19 Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the following:
- Bernie Harverson tree constraints plan, ref: BJH 01/02/
- Bernie Harverson tree protection plan, BJH 03/04.
- No above or below-ground services shall be installed in the prescribed root protection areas of the retained trees.

**REASON:** To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (March 2012) and policy EM1 of the adopted Basingstoke and Deane Local Plan 2011-2029.

20 Prior to the commencement of development and notwithstanding the information provided full details of the foul water drainage proposed package treatment plant shall be submitted in writing to the Local Planning Authority, the submitted details shall include installation and maintenance details / schedule. Once approved in writing the approved scheme shall be implemented and maintained in full accordance with the approved scheme.

**REASON:** Details are required prior to commencement as insufficient information was provided at the application stage and to ensure the amenity of existing and future residents in accordance with Policies CN6 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

21 No development shall take place, including any works of demolition, until a
Construction Method Statement with details, schedules and drawings that demonstrates safe and coordinated systems of work affecting or likely to affect the public highway and or all motorised and or non-motorised highway users, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The approved Statement shall include for:

i. compliance with The Construction (Design and Management) Regulations 2015 and in particular Part 3 Regulation 8 General duties, whereby construction must be undertaken 'in a manner that secures the health and safety of any person affected by the project.'

ii. means of access (temporary or permanent) to the site from the adjoining maintainable public highway;

iii. the parking and turning of vehicles of site operatives and visitors off carriageway (all to be established within one week of the commencement of development);

iv. loading and unloading of plant and materials away from the maintainable public highway;

v. storage of plant and materials used in constructing the development away from the maintainable public highway;

vi. wheel washing facilities or an explanation why they are not necessary:

vii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, and ensuring provision of visibility splays, where appropriate;

viii. measures to control the emission of dust and dirt during construction; and

ix. the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday peak periods.

**REASON:** Information is required prior to development as insufficient information was provided with the application and to ensure that the construction process is undertaken in a safe and convenient manner that limits impact on local roads and the amenities of nearby occupiers, the area generally and in the interests of highway safety and in accordance with Policy EM10 of the Basingstoke and Deane Borough Local Plan 2011-2029.

Prior to the first occupation of the market dwelling hereby permitted the vehicular accesses shall be constructed in accordance with Hampshire County Council access construction specification, and additionally accord with
details to be approved in writing by the Local Planning Authority. The vehicular access shall be thereafter maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** Details are required in the interests of highway safety and in accordance with Policy CN9 of the Basingstoke and Deane Local Plan 2011-2029.

23 Prior to the first occupation of the market dwelling hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

**REASON:** Details are required in the interests of highway safety and in accordance with Policy CN9 of the Basingstoke and Deane Local Plan 2011-2029.

24 No dwelling shall be occupied until the parking facilities have been amended to accord with the Basingstoke and Deane Parking Supplementary Planning Document (2018) and sufficient turning areas provided so that vehicles may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for the intended use.

**REASON:** To ensure the permanent availability of sufficient parking and manoeuvring area within the development in the interests of highway safety and in accordance with Policy CN9 of the Basingstoke and Deane Local Plan 2011-2029.

25 Notwithstanding the submitted drawings, within three months of the commencement of development, full details of the refuse and recycling storage and collection facilities and the associated access routes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be constructed and fully implemented prior to the occupation of the buildings hereby approved and shall thereafter be retained for that specific purpose.

**REASON:** In the absence of details being submitted to accompany the planning application, details are required in accordance with the Basingstoke and Deane Design and Sustainability Supplementary Planning Document (2018) and in accordance with Policy CN9 of the Basingstoke and Deane Local Plan.

**Informative(s):**

1. In accordance with paragraphs 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-
- proactively offering a pre-application advice (in accordance with paragraphs 39 - 46),
- seeking further information following receipt of the application;
- seeking amendments to the proposed development following receipt of the application;
- considering the imposition of conditions and or the completion of an s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

- the applicant was updated of any issues after the initial site visit,

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

2. Further information on safeguarding and Hampshire County Council's approach to it is available in the adopted Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document, which can be found on our website: http://www3.hants.gov.uk/mineralsandwaste/planning-policyhome/hmwp-spds.htm

3. If at any time during the proposed demolition works bats, or signs of bats, are found then all works must stop and advice should be sought from Natural England before any further work on the buildings proceeds. All bats and their roost sites are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 from disturbance and harm.

The Wildlife Protection and Mitigation Plan should include the recommendations given in Sections 5.3.1, 5.3.2, 5.3.3 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment dated Dec 2017 and Section 5.3 of the Bat Roost Survey Report dated Nov 2017. Suggestions of suitable habitat/wildlife enhancement proposals for the site are given in Section 5.4 of Enims’ Preliminary Ecological Appraisal.

4. If this development will result in new postal addresses or changes in addresses, please contact the council's Street Naming and Numbering team on 01256 845539 or email shirley.brewer@basingstoke.gov.uk to commence the process. Details can be found on the council's website.

5. This Decision Notice must be read in conjunction with a Planning Obligation completed under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation. Please note that any information in relation to the discharge of planning obligations contained within the completed Section 106 Agreement in relation to this planning permission should be submitted to the Proactive Compliance Technical Officer, Planning Development Team, in accordance with, or ahead of, the timeframes contained therein.

6. Consent under the Town and Country Planning Acts must not be taken as
approval for any works carried out on any footway, including a Public Right of Way, carriageway, verge or other land forming part of the publicly maintained highway. The development involves works within the publicly maintained highway. It is an offence to commence those works without the permission of the Local Highway Authority, Hampshire County Council. In the interests of highway safety, the development must not commence on-site until permission (e.g. Highway Licence/Agreement) has been obtained from the Local Highway Authority authorising the undertaking of the works within the publicly maintained highway. Website: https://www.hants.gov.uk/transport

7. The planning permission hereby granted shall not be construed as authority to obstruct the publicly maintained highway by the erection of scaffolding, hoarding or other device or apparatus for which a licence must be sought from the Local Highway Authority (Hampshire County Council).

8. Where Claiming Relief

Please note you will need to complete and have agreed

* CiL Form 2 Claiming Exemption or Relief (where site is owned by a charity where development will be wholly or mainly for charitable purposes and the development will be either occupied by or under the control of a charitable institution. OR the proposed development includes affordable housing which qualifies for mandatory or discretionary social housing relief)
* CiL Form 7 - Self Build Exemption Claim Form

AND submitted a Commencement of Development Notice (CiL Form 6) to the Authority which the Authority must receive prior to the commencement of your development in order to benefit from relief from the levy (except where the development is a Self Build Extension).

9. Please note that all CiL related information, including completed CiL forms, should be sent to the following email address CILcharge@basingstoke.gov.uk.

10. The applicant should note that the red line shown on the approved drawings is not accepted by the Local Planning Authority as the domestic curtilage associated with these properties, and consider that the red land to the east of the track and South Cottage as shown on the location plan is not residential curtilage.

4. Application – 18/00412/FUL: Hybrid planning application comprising a full planning application for the erection of 4 no. semi-detached houses and 4 no. flats with new access to the development from Court Drove and associated works and Outline application for the erection of 6 no. self-build detached houses Site: Land At Court Drove, Court Drove Overton Hampshire

The Committee considered the report set out on pages 223 to 264 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.
The Committee discussed the proposed application.

It was acknowledged that although the site had been included in the Overton Neighbourhood Plan, Members were very concerned about the position of the access, additional traffic, existing parking issues and potential highway safety impact to the neighbouring Overton Primary School and contrary to EM10 1a.

RESOLVED that: the application be REFUSED for the following reasons:

Reasons for Refusal

1. It is considered that the development fails to provide safe access that will function well in practical terms taking account trip generation and highways conditions including the width, alignment and pattern of movement of the adjoining highway and existing parking demands related to the current school contrary to Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

2. In the absence of any suitable legal agreement, or justification for the absence of a legal agreement, the proposed development does not make adequate provision for affordable housing and relevant community infrastructure to adequately off-set the impact of the development. The proposed development is therefore contrary to the Community Infrastructure Levy Regulations, 2010, Policies EM1, CN1, CN6, CN7, CN8 and CN9 of the Basingstoke and Deane Local Plan 2011-2029 and the guidance contained within the Planning Obligations and Community Infrastructure Interim Guidance Document and the Adopted Green Space Standards (April 2013), the National Planning Policy Framework (July 2018) and the National Planning Practice Guidance.

Informative(s):-

1. Should the application be granted on appeal there will be a liability to pay Community Infrastructure Levy to the Council on commencement of development. This charge would be levied in accordance with Basingstoke and Deane Borough Council's CIL Charging Schedule and Section 211 of the Planning Act 2008.

5. Application – 18/00732/HSE: Conversion of roof space to additional living accommodation involving extensions to the roof, dormer windows to the rear elevation and raising of chimney. Site: 28 Priory Gardens Old Basing RG24 7DS

The Committee considered the report set out on pages 265 to 276 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the proposed planning application.
Some Members felt that due to shortfall of housing it would be inevitable that high-pitched roofs would be converted into accommodation and that the front evaluation was acceptable.

Mixed views were expressed as to whether the proposed extension would detract from the street scene as other properties in the vicinity had already been increased.

Other Members believed that the proposed application would result in overlooking and a loss of privacy to the neighbouring properties.

**RESOLVED** that: the application be **REFUSED** for the following reasons:

**Reasons for Refusal**

1. The proposed development would not be an appropriate design and would not relate in a sympathetic manner that preserves the character and visual appearance of the area or this part of the Old Basing Conservation Area. The development is harmful to the uniform character of the existing properties, emphasised by the prominent corner location meaning the change in roof shape and rear elevation is highly visible in the street scene. The application therefore does not comply with Policy EM10 and EM11 of the Basingstoke & Deane Local Plan 2011-2029 and Policies OB&L 6 (Protection of Historic Environment) & OB&L 7 Appearance (Protection of Historic Environment) of the Old Basing & Lychpit Neighbourhood plan and the National Planning Policy Framework (2018).

6. Application – 18/01479/FUL: Change of use from A2 (Financial) to D1 (Non residential) class for an orthodontic practice. Site: 18-19 Chelsea House Festival Place Basingstoke RG21 7JR

The Committee considered the report set out on pages 277 to 294 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

**RESOLVED** that: subject to the expiry of the relevant consultation period the application be **APPROVED** subject to the conditions listed below and for the following reasons.

**Reasons for Approval**

1. The proposed change of use would enhance the vitality of this Town Centre Location by reinstating the commercial activity of the currently vacant unit. The proposal would therefore comply with the general aims of Policy EP3 of the Basingstoke and Deane Local Plan 2011-2029.

2. The proposal would not result in any harm to the amenities of adjoining land users in the vicinity more than could reasonably be expected from the site’s current use. The proposal would therefore accord with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.
The proposed development would not cause an adverse impact on highway safety and adequate parking would be provided within the wider Town Centre car parks to serve the proposed development. As such the proposal would comply with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011 - 2029.

subject to the following conditions and informatives:-

**Conditions**

1. The development hereby permitted shall be carried out and maintained in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority:

   - Location Plan (Drawing No. AS00_A)
   - Proposed Plans (Drawing No. AK01_A)
   - Proposed Elevations (Drawing No. AV01)

   **REASON:** For the avoidance of doubt and in the interests of proper planning and amenity of the area as a Primary Shopping Frontage.

2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

   **REASON:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented planning permissions.

3. The premises (18-19 Chelsea House) shall be used only as a orthodontic practice (D1 non-residential) and for no other purpose whatsoever, including any other purpose as prescribed within the Town and Country Planning (Use Classes) Order 2015 or in any statutory instrument revoking and re-enacting that Order with or without modification) unless otherwise agreed.

   **REASON:** This use is only permitted and other uses within that Use Class may not be acceptable to the Local Planning Authority in this location, in the interest of neighbouring amenities and in accordance with Policies EM10 and EP3 of the Basingstoke and Deane Local Plan 2011-2029.

4. The premises shall not open before 08:00 hours or remain open after 20:30 hours on Mondays to Fridays and 08:30 hours to 17:30 hours on Saturdays nor open at any time on Sundays.

   **REASON:** To protect the amenities of the occupiers of nearby properties and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

**Informative(s):**

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement
action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant’s attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraphs 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:

- Seeking further information following receipt of the application;
- Considering the imposition of conditions (in accordance with paragraphs 54-57)

In this instance:

- The applicant was updated of any issues after the initial site visit,

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The applicant is reminded that this approval does not give any indication of any consent necessary under the Town and Country Planning (Control of Advertisements) Regulations which may or may not be required nor any indication that such consent will be forthcoming.

22/18 Quarterly Planning Appeals Report

The Planning and Development Manager introduced the report which provided a summary analysis of the appeal decisions received in the period 01/03/2018 to 31/05/2018, which highlighted some of the issues drawn out by Planning Inspectors
in arriving at their decision and which should be taken into account when future decisions are made.

Resolved: That the committee notes the report.

Meeting ended: 22:00

Chairman