

**Minutes of the Development Control Committee meeting held on Wednesday, 9 January 2019 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, Councillor N Robinson, Councillor M Bound, Councillor D George, Councillor S Grant, Councillor S Godesen, Councillor P Harvey and Councillor M Westbrook

**46/18 Apologies for absence and substitutions**

Councillor D Potter was replaced by Councillor J Westbrook  
Councillor Leeks was replaced by Councillor Richards  
Councillor Sherlock was replaced by Councillor Rhatigan

**47/18 Declarations of interest**

Cllr J Richards declared an interest on application number 18/01892/FUL and stood down from the Committee and spoke only as a visiting Ward Councillor.

Cllr K Rhatigan declared that he had a predetermined position on application number 18/01892/FUL and stood down from the Committee and spoke only as a visiting Councillor.

Cllr S Godesen declared that he had a predetermined position on application number 18/02477/HSE and stood down from the Committee and spoke only as a visiting Councillor.

**48/18 Urgent matters**

There were no urgent items.

**49/18 Minutes of the meeting held on 12 December 2018**

The Minutes of the meetings held on 12<sup>th</sup> December 2018 would be included on the next Development Control Agenda on the 6<sup>th</sup> February.

**50/18 Applications for planning permission and public participation thereon**

The following Public Participation took place:

<u>Interest</u>	<u>Name</u>	<u>Item no./Topic</u>
Objector	Mr O'Donnell	Item 1 – 18/01892/FUL
Support	Mr Cobbold	Item 1 – 18/01892/FUL
Support	Mr Grover	Item 1 – 18/01892/FUL
Support	Mr Pickett	Item 1 – 18/01892/FUL
Support	Mr Smith	Item 1 – 18/01892/FUL

Parish Councillor	Mr Hewitt	Item 3 – 18/01394/FUL
Objector	Mr Cave	Item 3 – 18/01394/FUL
Objector	Mrs Cave	Item 3 – 18/01394/FUL
Support	Ms Greenslade	Item 3 – 18/01394/FUL
Support	Mr Santonocito	Item 3 – 18/01394/FUL
Support	Mr M Doodles	Item 4 – 18/02277/FUL
Objector	Mr Miller-Smith	Item 5 – 18/02477/HSE
Objector	Mr Fern	Item 5 – 18/02477/HSE
Support	Mr Cruz	Item 5 – 18/02477/HSE
Support	Mr Thorpe	Item 6 – 18/02991/ROC
Councillor	Ruffell	Item 6 – 18/02991/ROC
Objector	Mr Pitch	Item 8 – 18/03184/HSE
Support	Mr Klemz	Item 8 – 18/03184/HSE
Councillor	Rowland	Item 8 – 18/03184/HSE
Parish Councillor	Mr Durrant	Item 10 – 18/03304/FUL
Support	Mr Kemp	Item 10 – 18/03304/FUL
Councillor	Rowland	Item 10 – 18/03304/FUL

**1. Application – 18/01892/FUL: Erection of extension to existing clubhouse to incorporate a 21 bedroom hotel. Erection of 18 dwellings (7 x 3 bed house, 2 x 3 bed bungalow, 3 x 4 bed house and 6 x 5 bed house) and associated parking, landscaping. Site: Bishopswood Golf Course Bishopswood Lane Baughurst RG26 4AT**

The Committee considered the report set out on pages 17 to 52 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 were not satisfied with the proposed business model and viability information. This was due to the hotel being financed by the erection of the 18 dwellings and the subsequent lack of provision for affordable housing or off-site contribution, which contravened the local plan Policy CN1.

Some members were not content with the loss of protected trees and woodland on the site.

Various members believed that the proposals would result in the inadequate provision of multi-functional green space to meet the needs of the additional residents without adversely affecting the quality of life of existing residents, which conflicts with local plan Policy EM5.

Overall, the Committee stated that the application did not meet the local plan or policies and agreed with the officer recommendation in the report.

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

- 1 The benefit of the asserted improvements to the long term viability of the golf course through the provision of the hotel, which would be financed through the construction of 18 private dwellings does not outweigh the substantial harm caused by the proposed 18 dwellings with regards to the countryside location, associated impact on the character and appearance of the area, the Strategic Gap, Tadley Church Road Conservation Area, lack of housing mix and affordable housing, lack of on-site open space, unacceptable layout in relation to the impact upon trees, biodiversity, amenity of future occupiers, and the adverse impact upon the AWE Emergency Plan. As such the proposals are contrary to the National Planning Policy Framework (2018) paragraph(s) 84, 95, and 180 and Policies SD1 and SS1 of the Basingstoke and Deane Local Plan 2011-2029.
- 2 Although the proposed financial viability report supports the need for the proposed residential development to generate the income to construct the proposed hotel, in the absence of a suitable legal agreement to secure the provision of the hotel and link it to the golf course in perpetuity to ensure the long term viability of the golf course, the proposal is considered to be contrary to Policy SD1 and SS1 of the Basingstoke and Deane Local Plan 2011-2029.
- 3 The site is located outside of a recognised settlement policy boundary and as such is within designated countryside where new housing is restricted. The proposed residential element of the proposal, due to this countryside location and lack of an exceptional justification to offset the harm caused by the development, is therefore contrary to Policy SS1 of the Basingstoke and Deane Local Plan 2011-2029.
- 4 The proposal does not seek to provide on-site affordable housing or off-site contributions towards affordable housing and notwithstanding the submitted viability information the proposals would not contribute towards creating mixed and balanced communities and as such are therefore contrary to Policy CN1 of the Basingstoke and Deane Local Plan 2011-2029.
- 5 In respect of the residential dwellings, the proposals do not provide any on-site open space or off-site contributions to offset the shortfall, and as such would result in the inadequate provision of multi-functional green space to meet the needs of the additional residents without adversely impacting on the quality of life of existing residents. The proposals are therefore contrary to Policy EM5 of the Basingstoke and Deane Local Plan 2011-2029.
- 6 It is considered that the proposed housing mix of the proposed residential dwellings does not accord with the projected housing need in the borough as the mix of 4-bedroom and 5-bedroom units is too high with 1-bedroom and 2-bedroom units being absent from the proposal. In the absence of any accepted justification for this proposed mix the proposal is contrary to Policy CN3 of the Basingstoke and Deane Local Plan 2011-2029.

- 7 The application site is situated within the Detailed Emergency Planning Zone (DEPZ) surrounding the Aldermaston Atomic Weapons Establishment (AWE). The proposed development would, as a result of the associated increase in population, the proximity to the centre of the DEPZ and location within a densely populated sector of the DEPZ (Sector J), have a detrimental impact on the Aldermaston off-site emergency planning arrangement. As such the proposal would be contrary to the requirements of and guidance contained within Paragraphs 95 and 180 of the National Planning Policy Framework (2018) and Policy SS7 of the Basingstoke and Deane Local Plan 2011-2029.
- 8 The proposed residential development would harm the future integrity of the Strategic Gap resulting in encroachment onto undeveloped land designated for the purpose of preventing the coalescence of built up areas. In this respect, it is considered that the proposal in respect of the residential dwellings, would be contrary to Policy EM2 of the Basingstoke and Deane Local Plan 2011-2029.
- 9 The application proposes insufficient enhancement and mitigation measures to compensate for the loss of the woodland area (including protected trees) and net loss in biodiversity that would be lost as a result of the proposed residential dwellings, and as such would be contrary to the National Planning Policy Framework (2018), Policies EM1 and EM4 of the Basingstoke and Deane Local Plan 2011-2029 and the Landscape, Biodiversity and Trees SPD (2018).
- 10 The proposed residential dwellings result in a poor relationship in respect of sunlight and daylight access due to the presence of trees that exist on the site. No information has been submitted to demonstrate that the external and internal useable amenity spaces would provide satisfactory light in respect of access to natural daylight and sunlight for future occupiers of the proposed 18 dwellings. In this respect the application is contrary to Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Design and Sustainability SPD (2018) in respect of amenity for future occupiers and future pressure to prune and fell retained trees at the site.
- 11 On the basis of insufficient information being submitted with the application in order to fully consider the visual impacts and landscape character impacts of the development on the Tadley Church Road Conservation Area and the wider landscape character, it is considered that the proposal would be contrary to Section 16 of the National Planning Policy Framework (2018), Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029 and the Tadley Church Road Conservation Area Appraisal (2004).

**2. Application – 17/03708/FUL: Erection of 3 bedroom dwelling, parking and associated amenity area. Change of use of land from the keeping of horses to residential Site: Land North of Bramley Road Bramley Road Little London Hampshire**

The Committee considered the report set out on pages 53 to 73 of the agenda together with the further material set out on the addendum sheet and other matters

discussed at the meeting.

The proposed application had been deferred from the Development Control Committee held on the 8<sup>th</sup> August to allow the applicant to submit further information to demonstrate that the site constituted previous developed land.

The Committee reviewed the application and were satisfied that the proposed site was not located on previous developed land.

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

- 1 The application has failed to demonstrate that it meets the criteria to be considered as an exception to the general policy of restraint of housing in the countryside. There is no justification within Development Plan Policy, or any other material consideration that establishes the principle of development, or is considered to be of sufficient weight for bringing development forward on this site. The proposal is not considered to represent a sustainable development and is contrary to the National Planning Policy Framework 2018 and Policies SS1 and SS6 of the Basingstoke and Deane Local Plan 2011 – 2029.
- 2 The proposed development would, through the introduction of domestic built form and residential paraphernalia within open and undeveloped countryside, be harmful to the character and appearance of the surrounding area. The proposed development is therefore contrary to the National Planning Policy Framework 2018 and Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

**3. Application – 18/01394/FUL: Erection of a detached two bedroom dwelling with associated works Site: Land Rear of 17 Sainfoin Lane Oakley Hampshire**

The Committee considered the report set out on pages 74 to 92 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 determined that it would be a modest dwelling positioned in a large plot size with an appropriate design to fit in with the street scene.

Members stated that the applicant had carefully considered the construction of the dwelling and the location of the access and parking to allow for minimum disruption to the neighbouring properties.

**RESOLVED** that: the application be **APPROVED** subject to the conditions and informatives listed below:

**Reasons for Approval**

1. The proposed development would be of an appropriate design and would relate in a sympathetic manner to the street scene and character of the area

and as such complies with the National Planning Policy Framework (July 2018), Policies EM10 of the Basingstoke and Deane Local Plan 2011-2029, the Design and Sustainability Supplementary Planning Document (2018) and the Oakley and Deane Village Design Statement.

2. The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to the occupiers of neighbouring properties and as such complies with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.
3. The development would provide a safe and suitable access and would not cause an adverse impact on highway safety and adequate parking would be secured to serve the proposed development and as such the proposal therefore complies with the National Planning Policy Framework (2018), Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029 and the Parking Supplementary Planning Document (2018).
4. Adequate drainage (foul and surface water) would be provided for the development and can be adequately controlled through other legislation and planning conditions so as to ensure that there would be no risk to property or the environment. The proposal would therefore accord with Policy EM7 of the Basingstoke and Deane Local Plan 2011-2029.

subject to the following conditions and informatives:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan – P01 rev C  
Proposed Site Plan – P02 rev E  
Proposed Plans – P10 rev F  
Proposed Elevations – P11 rev F

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 shall commence above slab level 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: Details are required prior to commencement because insufficient

information has been submitted with the application in this regard, 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 shall take place on site until details of the method of construction of the means of access have been submitted to and approved in writing by the Local Planning Authority. The approved access details shall be constructed and fully implemented before the commencement of building and other operations on the site or the use hereby approved is commenced and shall be thereafter maintained in accordance with the approved details.

REASON: Insufficient information has been submitted with the application in this regard, to ensure that a satisfactory means of access to the highway is constructed before the approved buildings in the interest of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

5. The developer, within one week of the commencement of development, shall ensure that there is provision to be made for the parking and turning on site of operatives' and construction vehicles, together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and that area shall not be used for any other purposes other than the parking and turning of vehicles and storage of construction materials respectively. The area of land and the construction access will then be reinstated post completion and the landscaping will then be restored in accordance with a timetable to be submitted and agreed with the Local Planning Authority.

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

- 6 The development shall not be occupied until vehicle parking spaces have been constructed and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.

REASON: In the interests of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

- 7 Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the:

- CBA Trees, tree survey, ref: CBA10786
- CBA Trees arboricultural development statement, ref: CBA10786 V1. June 2017

Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

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 Borough Local Plan 2011- 2029.

- 8 Development shall be undertaken in line with Chapter 5 Recommendations and Precautionary Mitigation Measures of the Biodiversity Assessment by Lowans Ecology and Associates dated 5/7/2017.

REASON: In order to avoid impacts on nesting birds, bats and other protected species and to provide enhancements for biodiversity through the introduction of native planting within the landscaping scheme of the development in accordance with Policy EM4 of the Basingstoke and Deane Location Plan 2011-2029

- 9 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 desk top study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011, and a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2011- Investigation of Potentially Contaminated Sites - Code of Practice;

and

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases 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.

If during any works contamination is encountered which has not been previously identified it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority.

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 EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 10 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 9(b) that any remediation scheme required and approved under the provisions of condition 9(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). 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 9(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 with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 11 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, unless otherwise agreed in writing by the Local Planning Authority.

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.

- 12 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 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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.

- 13 Within 3 months of the date of commencement a Construction Statement detailing how the new home 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.

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.

- 14 No dwelling shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority details of the position, design and specification of the proposed acoustic barrier designed to protect the dwelling from noise from the adjacent commercial garage. The approved acoustic barrier shall be erected before the dwellings hereby approved are first occupied and shall be retained thereafter.

REASON: To ensure that acceptable noise levels within the dwellings and amenity areas are not exceeded in the interests of residential amenity and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 15 Notwithstanding the submitted details no development shall commence on site until details of the works for the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved sewage details have been fully implemented in accordance with the approved plans.

REASON: In the absence of a justification for the need for a septic tank being provided within the planning submission and a septic tank being the last acceptable waste disposal solution within the waste hierarchy, it is necessary for further information to be submitted which ensures the proposal is provided with a satisfactory means of drainage. The information is requested prior to works commencing at the site in order to ensure the drainage infrastructure required for the development is fully considered and accommodated within the site.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no vehicular access other than that shown on the approved plans shall be formed to the site.

REASON: In the interests of highway safety and in accordance with Policies

**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 paragraph 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 amendments to the proposed development following receipt of the application
  - considering the imposition of conditions

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. 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 applicant will be required to enter into a Highway Agreement with Hampshire County Council as Highway Authority or agree the provision

of a contribution towards any necessary improvement of the existing highway to provide access to the development. Advice on this matter can be obtained from Hampshire County Council's Area Office, telephone 0300 555 1388, and HCC website.

4. The applicant/developer should enter into a formal agreement with Thames Water to provide the necessary sewerage infrastructure required to service this development. Please contact Thames Water on Tel 0203 577 9998; at devcon.team@thameswater.co.uk or at Development Planning, Thames Water, Maple Lodge STW, Denham Way, Rickmansworth, WD3 93Q.
5. 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.
6. The applicant is advised that any access gates and piers over 1m in height above ground level would require planning permission in their own right in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 Part 2 (Minor Operations), Class A - gates, fences, walls etc.
7. The applicant is reminded that the granting of this permission does not override any legal covenant or restriction that may exist on the land or access. The applicant will need to satisfy themselves that the development hereby approved can lawfully and legally be built.
8. Please note that granting this planning permission does not absolve any legal or civic obligation that may exist on the land or access. The applicant will therefore need to satisfy themselves that vehicular rights exist over the adjacent bridleway to enable the vehicles to gain access to the site.

#### **4. Application –18/02277/FUL: Erection of 1 no. 3 bed dwelling and creation of new access Site: The Acorns Bishopswood Lane Baughurst Tadley**

The Committee considered the report set out on pages 93 to 110 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.

Members stated that the proposed dwelling would be moderate, located within an adequate plot size and would not overshadow the neighbouring properties.

**RESOLVED** that: the application be **APPROVED** subject to the conditions and informatives listed below:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan Drawing No. 01 REV A (received 9 August 2018)  
Site Plan Drawing No. 1 REV A (received 15 October 2018)  
Proposed Floor Plans and Elevations Drawing No. MDP-201-02 (received 15 October 2018)

Topographical Survey Drawing No. TGL/0929/01 (received 9 August 2018)  
Tree Protection Plan Drawing No. PLAN 05138/2018 (received 15 October 2018)

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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as approved under condition 3 of application ref: 17/04163/CONDN.

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

4. 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 additional openings shall be inserted at first floor or roof level on the western or eastern elevations of the building without the prior permission of the Local Planning Authority or an application made for that purpose.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

5. The development hereby permitted shall not be occupied or the use commence, whichever is the sooner, until 3 vehicle parking spaces have been constructed and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.

REASON: In the interests of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

6. The dwelling hereby permitted shall not be occupied or the use commence, whichever is the sooner, until details of the secure cycle parking facilities for 2 long and 1 short stay places, have been submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. The approved secure cycle storage shall be

constructed and fully implemented before occupation or the approved use commences, whichever is the sooner, and the areas of land so provided shall thereafter be retained and maintained in accordance with the approved details and shall not be used for any purposes, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To improve provision for cyclists and discourage the use of the private car wherever possible and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

7. Notwithstanding the submitted drawings, within three months of the commencement of development, full details (including levels) 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 Appendix 3 of the Basingstoke and Deane Design and Sustainability Supplementary Planning Document (2018) and to improve the appearance of the site in the interests of visual amenity in accordance with Policies EM1, EM10, EM11 and CN9 of the Basingstoke and Deane Local Plan 2011- 2029.

8. Prior to commencement of the development, the applicant shall confirm the type of construction vehicles which will be used on site and submit swept paths which demonstrate sufficient space for construction vehicles to turn in order to demonstrate that they can access and egress the site in a forward gear. The applicant is required to submit a plan identifying locations on site for parking of construction vehicles and the storage of construction materials. This information shall be approved in writing by the Local Planning Authority and the areas identified shall be used for the intended purpose only for the duration of the construction period.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to ensure highway safety and in accordance with Policy EM10 and CN9 of the Basingstoke and Deane Local Plan 2011- 2029.

9. No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place between 0730-0900 or between 1700-1800 Monday to Friday or before the hours of 0800 nor after 1300 Saturdays, nor on Sundays or recognised public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

10. No development shall take place on site until details of the method of construction of the means of access and details of any proposed gates have been submitted to and approved in writing by the Local Planning Authority. The approved access details shall be constructed and fully implemented before the commencement of building and other operations on the site or the use hereby approved is commenced and shall be thereafter maintained in accordance with the approved details.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to ensure that a satisfactory means of access to the highway is constructed before the approved buildings in the interest of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

11. The development hereby permitted shall not be occupied or the use commence, whichever is the sooner, until full details of both hard and soft landscape proposals, details of implementation, and a landscape maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, means of enclosure, soft landscaping details, car parking layouts, circulation areas and hard surfacing materials. The soft landscape details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, (including replacement trees where appropriate), noting species, planting sizes and proposed numbers/densities where appropriate, as well as any works to enhance wildlife habitats where appropriate. All hard and soft landscape works shall be carried out in accordance with the approved details and a timetable agreed with the Local Planning Authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved.

REASON: Details are required because insufficient detail has been submitted with the application and in order to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029.

12. Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural report and method statement ref: Arboricultural Report SCD 05138/2018 prepared by Duckworths Arboriculture (dated September 2018).

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 (2018) and Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029.

13. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all existing and proposed utility services has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage. No development or other operations shall take place other than in complete accordance with the Utility Plan.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, 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 (2018) and Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029.

14. No development including ground preparation, temporary access construction or construction work shall commence on site until a Tree Works Specification has been submitted to and approved in writing by the Local Planning Authority. The specification shall be prepared in accordance British Standard BS3998:2010 Tree Work - Recommendations. No development shall take place other than in complete accordance with the Tree Works Specification.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to ensure that reasonable measures are taken to establish trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework (2018) and Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029.

15. 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, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM12 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 paragraph 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;
  - seeking amendments to the proposed development following receipt of the application;
  - considering the imposition of conditions and or the completion of a 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.

3. 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 applicant will be required to enter into a Highway Agreement with Hampshire County Council as Highway Authority or agree the provision of a contribution towards any necessary improvement of the existing highway to provide access to the development. Advice on this matter can be obtained from Hampshire County Council's Area Office, telephone 0300 555 1388, and HCC website.
4. Site clearance of vegetation should ideally be undertaken outside of bird breeding season (March to August) inclusive. If clearance is undertaken during this time period then the area should be searched by a suitably qualified ecologist for signs of nesting birds. If evidence of nesting is found then works should cease within that area until nesting has finished and

fledglings have left the nest.

In relation to clearance of the onsite vegetation I would recommend sequential cutting to 100mm of the present vegetation followed by a week later cutting to 50mm as the vegetation now looks quite rank and may have possibilities for reptiles such as slow worms. Once the vegetation is at 50mm it needs to be kept in such a fashion up to development in order to prevent reptiles re-inhabiting the site. Clearance of on site wood piles and rubble etc should be undertaken carefully and any reptiles located should be removed to a safe area by a suitably qualified ecologist.

**5. Application – 18/02477/HSE: Retrospective amendments to planning permission 17/03075/HSE including change of materials to roof tiles, installation of 1 no. additional roof light to side (south) elevation and removal of window to ground floor side (south) elevation. Erection of timber structure to side (south) elevation of property. Erection of greenhouse and cycle store to side (north) elevation of property and installation of new door to side (north) elevation. Erection of single storey rear extension including timber decking. Construction of timber pergola and swing to front garden. Site: 39 Blenheim Road Old Basing RG24 7HP**

The Committee considered the report set out on pages 111 to 128 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 reviewed the retrospective amendments to the planning permission 17/03075/HSE.

Members were concerned with the amenities for the occupants and the neighbouring properties such as overlooking, access to natural light, outlook and amenity space together with the negative visual impact on the street scene

The Committee decided that the following amendments were unacceptable and contrary to Policy EM10 2 a, b, and d of the local plan policy:-

- Change of materials to roof tiles.
- Erection of timber porch like structure to side (south) elevation of property measuring 2.7m in width and 0.8m in depth with an overall height of 2.6m.
- Erection of greenhouse and cycle store to side (north) elevation of property. The green house measures 1.5m in width and 4.8m in depth with an overall height of 2.4m. The cycle store measures 0.6m in width and 2 m in depth with an overall height of 2.3m.
- Construction of timber pergola and swing to front garden. The timber pergola measures 2.1m and 2.5m high. The swing measures 1.7m and 2.6m high.

The elements of the above that the members found unacceptable were reflected in the agreed reasons for refusal

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

1. By virtue of the colour of tiles of the dwelling, porch, pergola, and swing, the development, which is retrospective, is out of keeping with neighbouring properties, is harmful to, and does not respect, the character and appearance of area contrary to Policy EM10 (2a and c) of the Basingstoke and Deane Local Plan 2011 - 2029, Policy OB&L 7 of the Old Basing & Lychpit Neighbourhood Plan 2015 - 2019, and the Old Basing & Lychpit Village Design Statement.
2. The structure to the side of the dwelling, referred to as a 'greenhouse' on the submitted plans, which is currently under construction, but not completed, and the door which is situated behind it, currently affording views of the neighbouring property (37 Blenheim Road), are of such a scale, height, massing, and appearance, that taken together with the structure's proximity to the boundary and the location of the neighbouring window of 37 Blenheim Road, which serves their living space and views afforded of their bathroom, does not provide a high quality of amenity for occupants of 37 Blenheim Road, by virtue of a loss of privacy from overlooking, and a dominant overbearing impact reducing amenity to a level below that which may reasonably be expected contrary to Policy EM10 (2b) of the Basingstoke and Deane Local Plan 2011 - 2029.

**6. Application – 18/02991/ROC: Variation of condition 1 of permission 18/01162/FUL to amend the plan numbers (location plan and site plan) to allow redefining of the boundaries for plots 3 and 4. Site: Land At Langdale Woods Lane Cliddesden Hampshire**

The Committee considered the report set out on pages 129 to 141 of the agenda and other matters discussed at the meeting.

**RESOLVED** that: the application be **APPROVED** subject to the conditions listed below and for the following reasons:

**Reasons for Approval**

1. The proposed development would be of an appropriate design and relate to surrounding development in a sympathetic manner. The proposed development is appropriate in design terms and would preserve the Character of the Cliddesden Conservation Area, as such the development complies with Policies EM1, EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029 and the National Planning Policy Framework 2018.
2. The proposed layout would continue to provide adequate amenity space for future occupiers of the dwellings in accordance with Design principle RA2 as set out within the Design and Sustainability SPD, Policy EM10 2b) and the

National Planning Policy Framework 2018.

subject to the following conditions and informatives: \_

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and where not superseded, those submitted and approved under application 18/01162/FUL:

18/28/05(2) Rev A - Site Plan

Plot 1 Plans - Drawing No. 5453.3A (submitted and approved under 18/01162/FUL)

Plot 2 Plans - Drawing No. 5453.4A (submitted and approved under 18/01162/FUL)

Plot 3 Plans - Drawing No. 5453.6A (submitted and approved under 18/01162/FUL)

Plot 4 Plans - Drawing No. 5453.5A (submitted and approved under 18/01162/FUL)

Section Plan - Drawing No. 5453.2 (submitted and approved under 18/01162/FUL)

Construction Method Statement (submitted and approved under 18/01162/FUL)

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

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those as approved on the 12.10.18 under condition 3 of 18/01162/FUL, submitted under Discharge of Condition Application 18/01831/CONDN and as listed below:

Red Brown Facing Bricks - Ibstock Olde Village

Brown Plain Clay Tiles - Sandtoft Humber Flanders

Triple Glazed Timber Windows by 'Munster Joinery' - Colour 1015

Timber Doors - Colour 1015

Timber Cladding - Treated Sawn Featheredge Light Colour

Car Post Posts - Green Oak Sawn Timber

Garage Doors - Timber SWR - Woodrite Balmoral Chalfont - Colour 1015

Flat Roofs - Single Ply Spec G410-ELF

The development shall be carried out and thereafter maintained in accordance with the details so approved.

REASON: In the interests of visual amenity of the area, adjacent to the Conservation Area and to ensure a high quality of design in accordance and in accordance with Policies EM1, EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029 and the National Planning Policy Framework 2018.

- 3 Within one month of the date of permission, full details of both hard and soft landscape proposals shall be submitted to the Local Planning Authority.

These details shall include, means of enclosure, car parking layouts, pedestrian access and circulation areas and hard surfacing materials. Soft landscape details shall include planting plan to include the position, species and size of all new trees proposed for the development and shall include an assessment of all underground and overhead services. The planting plan shall also include specific tree planting details demonstrating that the underground soil volume can be achieved to support the tree to healthy maturity as well as any protection deemed necessary to reduce the likelihood of breakage/vandalism to acceptable levels. Details of young tree maintenance including watering, weeding, stake removal, formative pruning and failed tree replacement shall also be required as part of the planting plan. The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s). 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 prior to the relevant start of the external works or prior to occupation of any of the dwellings, whichever is sooner. 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: Details are required in order to ensure the provision, establishment and maintenance of a reasonable standard of landscaping and to establish trees in the interests of local amenity and the enhancement of the development itself and to preserve the character and appearance of the area in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the National Planning Policy Framework 2018.

- 4 The developer shall ensure that provision is retained for the parking and turning on site of operatives and construction vehicles, together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and that area shall not be used for any other purposes other than the parking and turning of vehicles and storage of construction materials respectively.

REASON: In the interests of highway safety and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) fences or other means of enclosure at road junctions shall be set back to the sight lines shown on the approved plan before the development hereby permitted commences on site and these visibility splays shall thereafter be permanently kept free of obstacles.

REASON: In the interests of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

- 6 The means of enclosure along the dashed visibility sightline displayed on the approved plan 5453.1B, submitted under application 18/01162/FUL, at the boundary with the highway shall be maintained to a height not exceeding 600mm from ground level for a distance of 6 metres from the centre of the access in both directions.

REASON: To ensure adequate visibility is provided on exit of the site and retained in perpetuity in the interests of highway safety in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 7 The Tree and Hedge Protection Plan (5453.7 Rev C) approved under discharge of conditions application 18/01831/CONDN on the 12.10.18 in regards to condition 9 of application 18/01162/FUL shall be erected within one week of the date of this permission, if not already in place, and shall be maintained as such until the area is to be landscaped.

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 Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029 and advice contained within the National Planning Policy Framework 2018.

- 8 Prior to occupation of any of the approved dwellings, a Habitat Enhancement Plan shall be 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: To help protect and enhance the biodiversity of the area in the long-term, in accordance with Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

- 9 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 Classes A, B, C and E of Part 1 and Class A of Part 2 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 important trees and hedges in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 10 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 with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011- 2029.

- 11 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 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011- 2029.

- 12 The development hereby permitted shall not be occupied/brought into use until a certification of compliance demonstrating that the development has achieved the water efficiency standard of 110 litres of water per person per day (or less) has been submitted (by an independent and suitably accredited body) to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: Details are required to ensure that the development is carried out in accordance with the submitted water efficiency information and to improve the overall sustainability of the development, in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

- 13 The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority certificates demonstrating that a) sufficient sampling of imported material has taken place and b) the imported material is free from unacceptable levels of contamination.

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 EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 14 The development shall be carried out in accordance with the mitigation measures set out within Clover Acoustics Report (3890-R1) submitted and approved under discharge of conditions application 18/01831/CONDN on the 12.10.18.

REASON: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded in the interests of residential amenity and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 15 No dwelling shall be occupied until all the works which form part of the scheme for protecting the proposed dwellings from road traffic noise as

approved by the Local Planning Authority under condition 17 above have been completed. All works which form part of the approved scheme shall be completed prior to first occupation. The approved scheme shall be thereafter maintained.

REASON: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded in the interests of residential amenity and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Borough Local Plan 2011-2029.

- 16 No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in condition 17. A method statement shall be submitted to and approved by the Local Planning Authority prior to the survey being undertaken.

REASON: In the interests of residential amenity, and to ensure acceptable noise levels are not exceeded within the dwellings and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Borough Local Plan 2011-2029.

- 17 The windows at first floor level on the east and west elevations of plots 1,2,3 and 4 shall be glazed with obscured glass, to at least to the equivalent of Pilkington level 4 standard, precise details of which, together with details of any means of opening, shall be submitted to and approved in writing by the Local Planning Authority before installation and shall be permanently maintained in that condition.

REASON: To protect the privacy of the adjacent properties (existing and proposed) and to prevent overlooking, in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 18 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 additional openings shall be inserted at first floor level in the east or west elevations of the buildings hereby approved.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

Informative(s):-

- 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 paragraph 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 a 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.

3. 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](mailto:shirley.brewer@basingstoke.gov.uk) to commence the process. Details can also be found on the Council's website.
4. Where it is predicted that the internal noise levels specified above will not be met with windows open despite mitigation strategies, an alternative method of mechanical ventilation must be specified to supply outside air to habitable rooms with windows closed, and relieve the need to open windows.

Background and passive ventilators, and system 3 extraction systems are not considered adequate for this purpose. Methods may include a system 4 MVHR with cool air by-pass, or standalone mechanical units supplying outside air to each affected habitable room.

**7. Application – 18/03034/FUL: Change of use from Class A1 use to sui generis for use as a sun bed tanning salon and installation of new display window to west elevation. Site: 1 Loddon Mall Basingstoke Hampshire RG21 7HY**

The Committee considered the report set out on pages 142 to 148 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

**RESOLVED** that: 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 the 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 proposed display window is of an appropriate design that relates to surrounding development in a sympathetic manner. The development is appropriate in design terms and would neither dominate or compete with the host building or adversely impact the character of the area or street scene. As such the proposal complies with the National Planning Policy Framework (2018), Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Design and Sustainability Supplementary Planning Document (July 2018).
3. The proposal would not result in any harm to the amenities of adjoining land uses 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.
4. 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: \_

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - Drawing Number: 001 Revision A  
Proposed Plans - Drawing Number: 003

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 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented planning permissions.

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

REASON: In the interests of visual amenity 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 paragraph 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.

### **8. Application – 18/03184/HSE: Erection of a part first floor and part one and a half storey side extension. Site: 6 Churchlands Bramley RG26 5DU**

The Committee considered the report set out on pages 149 to 159 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, which resulted in mixed views in terms of size, scale and bulk.

Some members thought that it would be a significant extension that was overbearing to the neighbouring property, not suitable to the character of the street scene and conflicted with local plan policy EM10 2 a, b and c.

It was highlighted that the Tree Officer had no objections with the tree survey carried out for the removal of two western red cedars, a yew tree and the measures for the protection of the other trees to ensure they were not damaged during or after the development work.

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

1. The proposed development by virtue of its height, scale, massing and proximity to the boundary with 5 Churchlands would result in a dominant, overbearing and imposing, oppressive impact to the neighbouring amenity of 5 Churchlands, reducing the enjoyment of their property to a level below that which they may reasonably expect to enjoy contrary to Policy EM10 (2b) of the Basingstoke and Deane Local Plan 2011 - 2029.
2. The proposed development by virtue of its height, scale, massing, and design, and the loss of openness between buildings, would result in significant harm to the local distinctiveness and character of area contrary to Policy EM10 (2, a and c) of the Basingstoke and Deane Local Plan 2011 - 2029 and Policy D2 of the Bramley Neighbourhood Plan 2011 - 2029.

**9. Application – 18/03279/HSE: Replacement of existing bay window and frames with uPVC frames and replacement of front door with wooden four panel wooden front door. Site: 42 Queens Road Basingstoke Hampshire RG21 7RH**

The Committee considered the report set out on pages 160 to 167 of the agenda and other matters discussed at the meeting.

**RESOLVED** that: the application be **APPROVED** subject to the conditions listed below and for the following reasons:

**Reasons for Approval**

1. Having due regard to the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990, it is considered that the proposal would preserve the character and appearance of the conservation area. The proposal complies with relevant adopted policies and guidance, notably the National Planning Policy Framework (July 2018); Policies EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029; the Design and Sustainability SPD (July 2018); and Brookvale West Conservation Area Appraisal.

subject to the following conditions and informatives:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan, ref.#00365456-A213C7 (1:1250 @ A4)

Details of 'Bygone Symphony' windows, supplied by Box Clever Sash Windows

Image of 'Oak Salisbury External Door', supplied by [www.magnettrade.co.uk](http://www.magnettrade.co.uk)

Details of the proposed windows and door, in the 'Heritage Statement for 42 Queens Road, Basingstoke, RG21 7RH', submitted by the applicant.

Received 8<sup>th</sup> November 2018

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 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented permissions.

**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 paragraph 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 a s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

- the applicant was provided with pre-application advice;
- the application was acceptable as submitted and no further assistance was required.

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

**10. Application – 18/03304/FUL: External alterations to create new door openings from existing window openings, new entrance canopies and new roof lights. Erection of enclosed and secure bin and cycle stores, along with additional cycle and car parking spaces for visitors. Site: The Upper Barn,**

## **Middle Barn and South Barn Minchens Court Minchens Lane Bramley**

The Committee considered the report set out on pages 168 to 181 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 and felt that the alterations would significantly change the character and appearance of the building.

Policy D1 of the Bramley Neighbourhood plan, that development in and around Bramley Village must protect, complement and enhance the character area was raised. Members thought that the proposed alterations would have a detrimental impact to the village and would be contrary to local plan policies EM1 and EM10

Members compared the current configuration and use of the building to the proposed alterations and were concerned that it could limit the business and commercial use and negatively impact on employment.

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

- 1 The proposed development by virtue of the number of openings and windows would result in a significant detrimental change to the rural 'barn-like' character of the building, and the setting of the settlement of Bramley, including important views to, and within, the settlement, contrary to Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011 - 2029 and Policies D1 and D2 of the Bramley Neighbourhood Plan 2011 - 2029.

Meeting ended: 22:35

**Chairman**