

## **Four Marks Parish Council**

### **Minutes of the Meeting of the Planning Committee Held on Wednesday 2<sup>nd</sup> March 2016, commencing at 7.30pm At the Benian's Pavilion, Uplands Lane, Four Marks**

**MEMBERS PRESENT:** Cllr Simon Thomas (Chairman), Cllr John Hammond, Cllr David Mills, Cllr Kellie Knight, Cllr Anne Tomlinson and Cllr Janet Foster

**ATTENDING:** Mrs Sarah Goudie (Clerk), 2 members of the public

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#### **16.09 PC OPEN SESSION:**

The Applicants of Planning Item No.3 (25699/003) thanked the Planning Committee for giving them the opportunity to speak with reference to their application and give the members some background on the Application, additional details on the landscaping, and their keenness to reflect the natural environment of the surrounding area. Their points were noted and the Chairman thanked them for attending.

The Open Session closed at 7.35pm. Standing Orders were applied.

#### **16.10 PC APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **16.11 PC DECLARATIONS OF INTEREST**

Cllr S Thomas declared an interest in Planning Item no 3, being personally known to the Applicants. Cllr Tomlinson agreed to Chair the meeting at this point.

#### **16.12 PC COMMITTEE MINUTES**

- The minutes of the Planning Committee Meeting held on Wednesday 3<sup>rd</sup> February 2016 were proposed as an accurate record by Cllr Tomlinson seconded by Cllr Knight, and were signed by the Chairman.
- Matters arising.

Cllr Tomlinson asked the Chairman if he had prepared the letter to the Local Authority addressing the concerns over the recent Gypsy and Traveller decision and the shortcomings in the Officers report. He confirmed that he was still in the process of trying to draft an objective response. The Clerk advised that it may be advisable to wait until after the presentation at the HALC conference in case anything of relevance could be used.

Cllr Thomas asked the Clerk if anything had been done to rectify the issues that were raised over the Uplands Lane surface. The Clerk confirmed that nothing had been done to date but was trying to ascertain the most cost effective way forward to rectify the problem and would pass this over to the Open Space Committee.

The District Councillor had raised the issue with the Planning Manager, over the fact that the Parish Council were regularly not being consulted on neighbouring Parish applications on the parish boundaries. It was agreed that both Clerks should also write to Simon Jenkins and Julia Mansi to reiterate.

Cllr Thomas wished to clarify the comments minuted with reference to the Neighbourhood Plan, in that concern had been raised with the fact that the Medstead Junipers site was in the EHDC Allocations Plan and not the Neighbourhood Plan.

'The Neighbourhood Plan is in ownership of EHDC prior to referendum and alignment is required to make the Local Plan sound. The Neighbourhood Plan will have to, with reluctance, include this allocation or the EHDC Allocations Plan may be found unsound and require new consultation for 6 weeks, thus delaying the public referendum.

Of greater concern is that a reduction in the Neighbourhood Plan's soundness and thus weight, could lead to new developer applications for previously dismissed appeals.'

Cllr Tomlinson then updated the members on the current situation. She confirmed that the Plan had been approved, having been amended by the addition of the site that EHDC had chosen to include. The Referendum would be taking place on 5<sup>th</sup> May 2016, and Cllr Thomas reminded Councillors that they are now in purdah and cannot canvas for either a yes or no vote. It was agreed that the Clerk should circulate the rules and regulations, once confirmation was received. The Steering Group would be organising the promotional activity, and press and magazine articles. Each Parish Council Chairman has to prepare formal submissions.

## **16.13 PC PLANNING MATTERS**

### **New applications:**

1. Reference: 31516/009  
Location: Fairlea, 101 Blackberry Lane, Four Marks, GU34 5DJ  
Proposal: Detached garage  
No objection.
  
2. Reference: 56511  
Location: Daymer, 9 Lymington Bottom Road, Four Marks, GU34 5DL  
Proposal: Pre-decision amendment. Relocation of 1<sup>st</sup> floor window to north elevation  
No objection. No comment submitted.

### **Cllr Tomlinson took over the Chair for this item.**

3. Reference: 25699/003  
Location: Brislands, Brislands Lane, Four Marks, GU34 5AG  
Proposal: Replacement dwelling and renovation of existing mushroom farm warehouse into a workshop/studio

Four Marks Parish Council have no objections and would support this application as it is a sympathetic and subtle improvement to the existing buildings and surrounding area.

Cllr Hammond raised an issue as to whether change of use would need to be applied for. Cllr Tomlinson closed the meeting at 19.57 to check with the applicants, who confirmed that they were unsure but would make the relevant checks. Cllr Tomlinson re-opened the meeting at 19.58.

### **Cllr S Thomas returned to the Chair.**

4. Reference: 22160/007  
Location: Land to the rear of 1-3 Gloucester Close, Four Marks GU34 5HX  
Proposal: Pre-decision amendment. Reposition of footpath link to open space, alteration to rear elevation of plot 6 and reposition of plots 7 and 10 (to address proximity relationship to protected trees)

Four Marks Parish Council acknowledge the relocation of the footway between Plots 2 and 3, giving access to the area of Open Space known as Storey's Sanctuary.

However the many previous objections to the first and second Reserved Matters are still maintained, in that this application is over development in mass and scale, poor layout and design and not in keeping with other properties in Gloucester Close and there are still concerns that the access road is too narrow for an 11m waste truck, although no notable amendments have made, it now appears to fit on the tracking map.

There are also concerns that although there are 3 metre wildlife buffer zones proposed on the western and southern boundaries, there is no additional planting proposed on the eastern boundary.

Condition request. Should the Planning Officer recommend permission and the Planning Committee are minded to approve the reserved matters, could we please ask for a Condition that prevents roof extensions and changes to roof heights.

This application is to be discussed at the Planning Committee on Thursday 10<sup>th</sup> March at Penns Place, a representative from Four Marks Parish Council will be required to speak.

5. Reference No: 56506  
Location: 32A Penrose Way, Four Marks, Alton, GU34 5BG  
Proposal: Single storey rear extension and conservatory to rear  
No objection.
6. Reference No: 26882/002  
Location: Lymington Cottage, 28 Lymington Bottom, Four Marks, GU34 5AH  
Proposal: Detached dwelling with garage  
No objection.
7. Reference No: 56561  
Location: 22 Penrose Way, Four Marks, GU34 5BG  
Proposal: Single storey extension to rear  
No objection.
8. Reference No: 55397/003  
Location: Romany, 89 Winchester Road, Four Marks, GU34 5HS  
Proposal: Permitted Development, Prior notification of single storey development extending 5 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.3 metres and a maximum height of 3.2 metres.

No objection to the proposal, however are concerned that there are no details of the previous application 55397/002, 'permission granted for new dwelling', shown on any of the submitted documentation and therefore does not give an accurate reflection of the surrounding area.

9. Reference No: 25256/034  
Location: Land at Friars Oak Farm, Medstead  
Proposal: Deed of Variation on S106 Agreement re affordable housing tenure change

Four Marks Parish Council wish to comment on this deed of variation application, being the neighbouring Parish. There are grave concerns that developers are now able to change S106 agreements, once they have been formally agreed, using changes in recommendations by Government policy to their advantage, whilst the residents of Medstead, Four Marks and Chawton, will be losing the provision of 20% affordable rented homes. Whilst it is appreciated that the Local Planning Authority are in a difficult position, surely this change should only be reflected in new applications before S106 agreements are signed, not ones that have already been agreed. If the developer were in a position originally to provide a 70:30 split, what has changed in the subsequent time that they are no longer able to viably carry out this condition of their S106 agreement?

### **Late Planning:**

10. Reference No: 35561/005 PARISH: MEDSTEAD  
Location: 68-70 Lymington Bottom Road, Medstead  
Proposal: 6 dwellings after demolition of 2 existing dwellings

Four Marks Parish Council, being the neighbouring Parish, and directly impacted by the 'South Medstead' area in terms of infrastructure, facilities and highways use wish to raise their objection to this proposal as follows:

1. Over development of the site both in size and design of the proposed dwellings and their density in layout.
2. This is back land development in a cul de sac style, which is contrary to Policy 1 "Development proposals for the subdivision of residential gardens will be refused in order to retain the special character of the parishes" recommendations laid out in the emerging Medstead and Four Marks Neighbourhood Plan, which has been approved by the Local Authority and is at pre-referendum stage, therefore carrying significant weight.  
**In Policy 1 para 4.7 states** "4.7 In redefining the Settlement Policy Boundaries, some dwellings which are themselves contained within the Boundaries are shown as having parts of their curtilages outside those Boundaries. This has been done in order to prevent back land house-building from taking place, where such development is considered to be harmful to the character of the area and detrimental to the enjoyment of nearby dwellings by their occupiers."
3. This part of Lymington Bottom Road is a linear development, as is the new development next door at Wisteria. This proposal is out of keeping and out of character with its surroundings.
4. Two prior applications on this site were refused and the last was dismissed at Appeal in May 2007. (Applications 35561/002 for 12 dwellings and 36661/003 for 7 dwellings)
5. **LPA 5 Year Land Supply.** Contrary to the Design and Access Statement, the Local Authority does indeed have a sound and proven 5 year land supply, as published by East Hampshire District Council on 16<sup>th</sup> December 2015. Approvals in this planning area of Four Marks and 'South' Medstead have already exceeded the minimum JCS allocations provision in the planning period to 2028 by 80%, with nearly 200 houses about to be constructed at the bottom of Lymington Bottom Road alone.
6. **Need.** Contrary to the Design and Access Statement there is not a need for this type of housing, as adjacent to this site, 5 dwellings of similar specification have recently been completed, none have sold.
7. The latest two appeals in this Four Marks & South Medstead planning area have been dismissed, including confirmation of a sound and proven 5 year land supply most

importantly the Land to the North of the Telephone Exchange, Lymington Bottom Road (39009/005) and 32 Telegraph Lane & 5 Blackberry Lane (54976/001).

8. There are drainage issues at each end of Lymington Bottom Road, which have yet to be resolved.
9. A proportion of the development site will be outside the SPB if the Neighbourhood Plan is adopted at Referendum. To date, all 149 English Neighbourhood Plans have been passed at Referendum by an average of over 80% YES votes, and most recently Alton. Again this Neighbourhood Plan document carries significant weight at this stage.

Taking into account all the objections detailed above and those raised by Medstead Parish Council and the local neighbourhood's residents, Four Marks Parish Council ask that the Planning Officer please refuse this application.

**Decisions notified:**

1. Reference No: 56518 PARISH: Four Marks  
Location: 7 Windmill Fields, Four Marks, Alton, GU34 5HJ  
Proposal: Installation of ramp to front of property to provide access for disabled tenant  
Decision: WITHDRAWN Decision Date: 29 January, 2016
2. Reference No: 26985/005 PARISH: Four Marks  
Location: Barranca, Swelling Hill, Ropley, Alresford, SO24 0DA  
Proposal: Single garage to front of dwelling  
Decision: PERMISSION Decision Date: 4 February, 2016
3. Reference No: 53357/005 PARISH: Four Marks  
Location: Fir Trees Farm, Alton Lane, Four Marks, Alton  
Proposal: Agricultural building (as amplified by additional statement dated, 21 January, 2016).  
Decision: PERMISSION Decision Date: 29 January, 2016
4. Reference No: 56506 PARISH: Four Marks  
Location: 32A Penrose Way, Four Marks, Alton, GU34 5BG  
Proposal: Certificate of lawful development for proposed works - single storey rear extension and conservatory to rear  
Decision: WITHDRAWN Decision Date: 11 February, 2016
5. Reference No: 51645/001 PARISH: Four Marks  
Location: 20 Kingswood Rise, Four Marks, Alton, GU34 5BD  
Proposal: Oak Tree adjacent to the eastern boundary at the front of the house - Crown reduce the western side of the canopy by 15% to leave a finished crown spread radius of 6 metres (no reduction in height).  
Decision: CONSENT Decision Date: 10 February, 2016
6. Reference No: 21625/003 PARISH: Four Marks  
Location: Selborne, 44 Winchester Road, Four Marks, Alton, GU34 5HR  
Proposal: Variation of condition 4 of planning permission 21652/002 to allow a change in design of log cabin, add white painted blockwork, raise roof ridge height by 400mm, roof tiles to match dwelling  
Decision: PERMISSION Decision Date: 12 February, 2016
7. Reference No: 25235/008 PARISH: Four Marks  
Location: 100 Winchester Road, Four Marks, Alton, GU34 5HU

- Proposal: Four dwellings after demolition of existing dwelling (as amended by plans received 11 January 2016)
- Decision: PERMISSION Decision Date: 15 February, 2016
8. Reference No: 56319/001 PARISH: Four Marks
- Location: Hanworth, 92 Telegraph Lane, Four Marks, Alton, GU34 5AW
- Proposal: Prior notification for single storey development extending 8.0 metres beyond the rear wall of the original dwelling, incorporating an eaves height of 2.5 metres and a maximum height of 2.8 metres. (AS AMENDED BY PLANS RECEIVED 19/02/2016).
- Decision: Gen Permitted Development Conditional
- Decision Date: 22 February, 2016

#### 16.14 PC LOCAL AUTHORITY ISSUES:

- **25235/008 100 Winchester Road.** The Parish Council were in receipt of an email from a concerned resident, following the granting of permission for 4 dwellings, despite strong objections, raising the fact that the applicant would not be paying the £106,179 due in Developers Contributions. The Local Planning Authority submitted the following paragraph to justify this exemption.

*“The proposal triggers a requirement for the developer to make financial contributions to mitigate the impact of development on local infrastructure. These have been identified as public open space provision, community facilities and affordable housing, amounting, in accordance with the East Hampshire Guide to Developer Contributions, to £106,179.*

*The applicant subsequently submitted a viability report, which has in turn been assessed by the District Valuer Service. The conclusions are that the development would be un-viable, and that it could only be made viable if contributions are brought to nil. However, the applicant has agreed to make a contribution towards the public open space requirement of £3,939 and though the failure of the scheme to mitigate impacts on community facilities and affordable housing weighs against the application, considerable weight must also be given to the NPPF, which states “Local Planning Authorities should look to be flexible in applying policy requirements wherever possible” and that the scale of obligations and policy burdens should not affect the deliverability of development. An upfront payment of £3,939 has been made and given the viability assessment, it is considered that this is a reasonable level of contribution without making the scheme unviable, thus in accordance with Policy CP32.*

The Parish Council are concerned that this will set a precedent, particularly as the report is not in the public domain, and comment was made that if the developer cannot afford to pay the contributions, then they should not be building the development. However it was acknowledged that the Local Planning Authority were in a difficult position and at least were able to secure some provision towards open space.

The Clerk agreed to respond to the correspondent accordingly.

- Local Plan Stage 3. This will include policy for Gypsy & Travellers sites and windfall sites and is currently out for consultation, but Parish Council’s do not appear to have been notified. It was agreed that the Clerk should write to Simon Jenkins and ask why details of the consultation had not been circulated to the Parish Councils, although details are on the East Hampshire District Council Website.
- Neighbourhood Plan. The Plan was approved at Cabinet last week, however with slight changes to the version approved at Full Council. This would be discussed further at the Parish Council meeting on 16<sup>th</sup> March 2016.

- Cllrs I and S Thomas attended the Devolution debate at Hampshire County Council's offices the previous day and Cllr S Thomas advised the members that he had already sent off an email detailing the shortcomings of the meeting. The presentations were irrelevant and inappropriate, the meeting room was uncomfortably warm, the equipment did not work and there were no discussions on some of the most important issues, including housing. There were some very disgruntled Parish Councillors, and the potential that there would be a breakaway southern group. Any follow up correspondence would be forwarded on to all members.

**16.15 PC      NEXT MEETING**

Wednesday 6<sup>th</sup> April 2016, 7.30pm, at the Benian's Pavilion, unless advised to the contrary.

**16.16 PC      The Chairman closed the meeting at 8.40pm.**

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Chairman