

Four Marks Parish Council

Minutes of the Meeting of the Extra-Ordinary Planning Committee Held on Wednesday 13th September 2017, commencing at 7.30pm At the Village Hall, Lymington Bottom, Four Marks

MEMBERS PRESENT: Cllrs Simon Thomas, Karin Black, Tim Brake, John Hammond and Anne Tomlinson
IN ATTENDANCE: Mrs Sarah Goudie (Clerk), Cllr Janet Foster, District Councillor Ingrid Thomas, Cllr John Davis, 12 members of the public
APOLOGIES: Cllr Davie Edgar, Cllr David Mills

17.81 PC OPEN SESSION

There were no issues to raise under the Open Session, however the Chairman agreed to re-open the meeting prior to each appeal discussion.

The meeting commenced at 7.35pm. **Standing Orders were applied.**

17.82 PC APOLOGIES FOR ABSENCE

Apoloiges for absence had been received from Cllrs D Edgar and D Mills.

17.83 PC DECLARATIONS OF INTEREST

There were no declarations of interest

17.84 PC PLANNING MATTERS

New applications:

- Reference No: 55275/004**
Location: Land East of Kitwood Place, Lyeway Lane, Ropley, Alresford SO24 0DA
Proposal: Lawful development certificate existing – use of land for external storage.

The Parish Council are unable to comment on this application as the documents referred to in the planning statement were not available to view at the time of discussion, therefore cannot make an informed decision.

Appeals notices for discussion:

- Reference No: 56591** **Planning Inspector Reference: APP/M1710/W/17/3174135**
Location: Virginia, 115 Lymington Bottom, Four Marks GU34 5AH
Proposal: Five detached dwellings with associated car parking/garaging, and widening of access road, following demolition of existing dwelling.
Appeal start date: 22 August 2017 **Representations by: 26 September 2017**

Open Session

David Ashton, resident, Lymington Bottom, raised concern over the Appellant's reference to 71 Lymington Bottom as a relevant comparison, reminding the Parish Council of the continual compliance issues with that site, and that there should be no semblance to the Appeal site.

Kay Johnson, raised her serious concerns over the density, the proposed design, and potential increase in water run-off. She advised the committee that they had photographic evidence of flash flooding and the Chairman advised them to send photos to the Inspectorate to support their concerns. Other issues raised were safety of the school children, as this term there are more cars than ever dropping off and picking up as the school increases in size.

Meeting then re-closed, Standing Orders were re-applied.

The Parish Council supplementary representation for this Appeal, taking into consideration comments made by Councillors and public is as follows:

The Parish Council, although having submitted a detailed objection at the Application stage as seen in the Officer's report recommending refusal, would like to submit additional representation, in response to the various assumptions, rather than facts, made in the Appellant's Statement of Case, and reiterate, although not planning constraints, the serious environmental and health and safety concerns.

In response to the Appellant's Statement of Case:

2.5 Four Marks no longer has a post office nor public house, and as the village grows the infrastructure is weakening.

3.2 The reference to equestrian use is incorrect, the farmland to rear and opposite the site is primarily agricultural, sheep and cattle being the prevailing livestock.

3.5 The adjacent property is actually named Westwood, not *Westwind*.

4.1 Each application should be decided on its own merit, and not because a precedent has been set elsewhere. The planning applications that the Appellant refers to in his statement cannot be used as a reason for this development to be granted permission or a reason to set a precedent for this type of development within this area of the settlement. The first application is two properties on a similar plot, *not 5* and on the other side of the road, some quarter of a mile away, and the second application is even further away in a different area of Lymington Bottom, where the neighbouring houses are primarily two storey. Both applications were decided prior to the adoption of the Medstead and Four Marks Neighbourhood Plan (M&FMNP) and would both now be considered contrary to Policy 1.

All reference to 71 Lymington Bottom should be discounted. The development itself currently bears no resemblance to the submitted and approved plans, as shown in the Appellant's statement of case, and is currently under compliance investigation for changing, without permission, from the approved permeable block paving to an expanse of tarmac replacing the front lawns of the properties to the rear of the development and the resultant flooding of Lymington Bottom, contractor vehicles blocking traffic and pedestrians on the way to the primary school, and unlawful removal of hedges, that were to be retained..

5.1 Opportunities;

- Sustainable and accessible location; whilst it is walking distance to the primary school, it is *not* in a sustainable position being a mile from the bus service, and transport link to secondary and further education, and even further to the local shops;
- High quality design and environment; the design may be of high quality, however is completely at odds with the existing street scene.
- The SDNPA *have* met their housing requirement as confirmed in the following link. <https://www.southdowns.gov.uk/planning/national-park-local-plan/authority-monitoring-report-amr/>
- The development does not complement nor enhance the area, see bullet point 2 above.
- The development will not enfold into the landscape, due to the topography of the land, the three properties to the rear of the site which are partially outside of the Settlement Policy Boundary, will be dominant and oppressive, and will result in loss of amenity to neighbouring properties.
- Retention of hedges and trees; from recent experience, trees and hedges can easily be removed.

7.6 The stark and incongruous urban design is completely out of character with the rural surroundings and wholly inappropriate for this edge of settlement.

8.1 The Settlement Policy Boundary was redrawn in conjunction with the Local Authority as part of the made Neighbourhood planning process. The Neighbourhood Plan was subject to public

consultation, examined by the Inspector and approved at referendum by a 93% yes vote, all prior to this application being submitted.

8.18 Despite reference to having taken into account recommendations contained within the Village Design Statement, the proposed dwellings bear no resemblance to anything suggested within that document. (Four Marks Village Design Statement – copy attached).

The Parish Council, upon reading the Appellants response to reasons for refusal, would like to further add:

Point 2, the refute that additional pressure would be put on the limited range of services: obviously four additional properties on their own would not put infrastructure under pressure, however the cumulative effect of the amount of new development that has already taken place, and with at least another 300 houses within 2 miles of the proposed site under construction, the pressure is already being experienced. Four Marks and South Medstead have already delivered 316 dwellings, some 80% over the Joint Core Strategy's minimum target of 175, all allocated and permissioned. There have also been 85 windfall properties in the Parish of Four Marks and 24 in South Medstead, compared to the target of 76 to 2028. This is why, as a small service centre, our sustainability, utilities, social cohesion and facilities are not enough and under enormous pressure

Point 6, while the Appellant's view that the linear form of development is not *particularly special*, that is not the view of the residents of Four Marks or the Parish Council. Linear development is prevalent within the village of Four Marks, particularly in the area of the proposed development, and there is a clearly a local distinctiveness in the surrounding amenity. The proposed development would be completely out of character, not only in this location, but Four Marks as a whole.

To Summarise:

The Parish Council would further reiterate their concerns over potential increase in water run-off. Lymington Bottom is a historic low lying river bed, and is regularly subject to flash floods, photographic evidence has been submitted separately to support this. Development in this location can only add to the issue.

Highways and safety issues. Whilst acknowledging that Highways are of the opinion that the additional vehicle movements will have no serious impact on the network, the safety concerns of pupils both walking, and being dropped off and picked up from school, is a grave matter. Four Marks Primary School is now at full capacity, each morning and evening every available area to park on the approaches to the school is taken up by parents dropping off and picking up. During the day there will be no egress or access issues at the proposed development site and the additional cars from the development will cause no issues, but it is unlikely that the majority of movement will take place during the day. **However** twice a day, this will not be the case. There is potential danger for both those trying to get out onto Lymington Bottom, with no sightline due to parked cars, and even more worryingly the children walking to and from school. This is the main pedestrian route, and since this application was submitted there has been an accident involving a child. The Parish Council would respectfully ask the Inspector, when they carry out their site inspection, to ensure that it takes place at either at morning drop off or afternoon pick up to fully appreciate the concerns raised in the Parish Council's objection.

The Parish Council are fully supportive of the Local Authority's reasons for refusal, and the policies that this application are contrary to, and firmly contradict the Appellants interpretation of compliance with those policies. The proposed development is **not** sustainable, there is no demonstrable need for this type or style of housing in the area, the site is on the edge of settlement and partially outside the Settlement Policy Boundary, and the design is wholly out of keeping with surrounding rural properties. It is inappropriate development of a residential garden, and therefore contrary to Policy 1 of the Neighbourhood Plan (please see attached references to recent local Appeal outcomes), and would respectfully ask the Inspector to acknowledge both the local residents and the Parish Council's concerns and dismiss this Appeal.

However, should the Inspector be minded to uphold the Appeal, the Parish Council would respectfully request the following conditions are implemented.

1. **All** existing trees and hedges **must** be retained.
2. **All** boundaries between properties **must** be hedging, **no fences or walls of any type**.
3. An appropriately conditioned, and fully enforceable, construction management scheme in place, which prevents any lorry activity before 9.30am and between 2.30 and 3.30pm, and there must be no construction traffic parking off site **at any time** during the development.

To be attached as Appendices for reference:

Extracts from Recent Appeal decisions

Land to the North of The Telephone Exchange, Lymington Bottom Road, Medstead, Hampshire GU34 5EP – 39009

Appeal Decisions Site visit made on 11 January 2016 by Kenneth Stone BSc (Hons) DipTP MRTPI
09 February 2016 Appeal Ref: APP/M1710/W/15/3134150

There is also a Neighbourhood Plan for the area, Medstead and Four Marks Neighbourhood Plan 2015 -2028, which has been the subject of consultation, however this has not yet been the subject of examination and so the weight I attach to that is more limited.

23. Four Marks/Medstead has an identified allocation of a minimum of 175 new dwellings; the Council have provided evidence to confirm that there are permissions which bring the housing provision in the area to well in excess of this figure, in the region of 316. On this basis neither the Allocations Plan nor the Neighbourhood Plan are proposing allocating additional sites or extending the settlement policy boundary to provide additional sites.

68-70 Lymington Bottom Road, Four Marks, Alton GU34 5EP - 35561

Appeal Decision Site visit made on 18 October 2016 by Mr J P Sargent BA(Hons) MA MRTPI:
8 November 2016 Appeal Ref: APP/M1710/W/16/3151088 10.

However, this summer after the application before me had been determined, the Medstead and Four Marks Neighbourhood Plan was 'made', thereby becoming part of the development plan. As this is more recent than the District Plan, any conflict between the 2 must be resolved in its favour.

11. The Neighbourhood Plan now excludes the eastern half of the site from the SPB, so meaning that part is defined as countryside. It states that in the areas outside an SPB the approach of general restraint found in Core Strategy Policies CP6 and CP19 will apply. The development before me is in conflict with those policies as it is not for any of the circumstances they accept. Therefore, I consider that the introduction of housing here would detract from the existing pleasing rural landscape, so diminishing its value.

14. Whilst Neighbourhood Plan Policy 1 has been modified so as not to rule out new housing in residential gardens, it still seeks to resist 'inappropriate development ... where [it] would harm local character'. In my opinion this is an example of such development.

The Haven, Dinas and Merrow Down, Land west of Boyneswood Road, Medstead, Alton, Hampshire GU34 5DY

Appeal Decision Site visit made on 29 November 2016 by David Cliff BA Hons MSc MRTPI
22nd December 2016 Appeal Ref: APP/M1710/W/16/3154870

The site is not an allocated site for housing and has not been identified for development in the Medstead and Four Marks Neighbourhood Plan (MFMNP) which was formally made on 12th May 2016. Whereas, recently permitted major developments are included within it, the large majority of the site is outside of the settlement boundary defined in the newly made MFMNP the majority of the proposed development would be located outside of the defined settlement boundary and such development would not accord with the Council's development strategy for the area.

Cardinals, Station Approach, Four Marks, Alton, GU34 5HN Ref 55832/001

Appeal Decision Site visit made on 7 June 2017 by H Butcher BSc (Hons) MSc MRTPI

Decision Date : 29 June 2017 Appeal Ref: APP/M1710/W/16/3164918

7. I also find conflict with Policy 1 of the Medstead and Four Marks Neighbourhood Plan (2016) which seeks to resist inappropriate development of residential gardens where this would lead to harm to local character.

2. Reference No: 56591 Planning Inspector Reference: APP/M1710/W/17/3179071

Location: Westwood, 119 Lymington Bottom, Four Marks GU34 5AH

Proposal: Detached dwelling.

Appeal start date: 1 September 2017

Representations by: 6 October 2017

Open Session

Michael Collings, direct neighbour, raised concern over the rise of the proposed dwelling and how much of the dwelling will actually be dug into the ground, and lack of clarity on the plans which did not appear to be to scale. There is also confusion over the actual roof height and where the comparison with the 'sister' property is actually measured.

Meeting then re-closed, Standing Orders were re-applied.

The Parish Council supplementary representation for this Appeal, taking into consideration comments made by Councillors and public, is as follows:

The Parish Council, although having submitted a detailed objection, would like to submit additional representation to fully support the Local Authority's Planning Committee's unanimous refusal of this application.

The Planning Authority's reason for refusal is that *'the proposed development by virtue of the inadequate size of the plot and the size, bulk, height of the new dwelling to the side boundaries, together with the elevated position, would be overbearing in the street scene and would have a cramped appearance and poor relationship with the adjacent buildings. The proposal would therefore be at odds with the established spacious character of this part of the village and would be contrary to Policy CP29 of the East Hampshire Joint Core Strategy and Policy 1 of the Medstead and Four Marks Neighbourhood Plan.'*

The Appellant claims there is one single reason for refusal, however there are at least four reasons that the proposed dwelling is not appropriate on this site.

- The proposed dwelling is will be higher and on the smaller plot – thus giving a much more cramped appearance with a greater reduction in spaciousness around the dwelling.
- The height, size and bulk of the proposed dwelling would be overbearing in the existing street scene; Westwood is on the edge of the settlement, directly adjacent to the settlement policy boundary, it is the first property you see on entering the village and the last property you see as you leave the settlement area. The proposed dwelling would become that property, but instead of, as detailed in EHDC planning policy, feathering into the countryside and having minimal impact, the proposed two storey 5 bed roomed dwelling would have the opposite effect, becoming an overbearing 'book end'.
- Although still within the building line of the existing properties, the design of the proposed dwelling would be completely out of character with the existing street scene.
- The topography of the land is a major concern, and the elevation will only enhance the dominance of the proposed dwelling. The Appellant states the dwelling would be visually contained by the screening provided by existing mature trees and hedges, but Westwood itself is already visible from all aspects despite the natural 'screening', the proposed dwelling would be more even more visible. More importantly, the screening cannot be guaranteed, trees and hedges can be removed at any time, and as the majority of the screening does not belong to Westwood, there is no control over their management.

- Pre-application advice advised that the proposed dwelling was too large and cramped on the plot, and indeed the first application was withdrawn on the advice of planning officers. The re-submitted proposal is the same footprint with just small changes to the ridgeline.
- There are noticeable variances in scale between drawings, therefore the actual height and size of the proposed new dwelling cannot be accurately assessed against Westwood. The difference in heights varies dependent upon which drawing you are looking at.

The Appellant refers to a seemingly similar development on the western side of Lymington Bottom, however the original dwelling here was demolished, and replaced with two similar chalet style properties. The smaller of the two is on the smaller plot and is lower in height, size and bulk, to the sister property and tapers off towards the adjacent bungalow to the South, feathering down in size away from the settlement. Rather than a comparison this only highlights exactly why the Appellant's proposal is inappropriate.

Referring to the planning balance contained within the Appellants statement of case, the site is not a 'short distance' but over a mile to all services other than the primary school, including the bus service to secondary and further education establishments. The Economic Dimension stating that an additional family will be spending at the shops, cannot be a reason for approval, as they would have to drive to those services, and it is more than likely that they would drive to a more cost effective shopping area, such as Alton or Alresford, and cannot be considered a justifiable reason to construct the dwelling.

In addition, the Parish Council, would ask the Inspector to take into consideration two other areas of their concern:

- Water run-off. Lymington Bottom is a historic low lying river bed, and is regularly subject to flash floods. Any development here will only exacerbate the situation.
- Primary School. With the primary school at full capacity, and no parking provision for parents, twice a day the area is clogged with parked cars dropping off and picking up pupils, The footpath in front of the proposed dwelling is the main pedestrian route to and from the school, and since this application was submitted there has been an accident involving a child outside the school. Any additional development in this area will have serious safety implications.

In summary, the proposal is clearly at odds with both ***Policy 1 of the Medstead and Four Marks Neighbourhood Plan*** and ***Core Strategy Policy CP29***.

The proposal is inappropriate development of a residential garden that would harm the local character, and therefore the planning authority's refusal should be sustained, and as such the Parish Council respectfully ask the Inspector to support the local authority, local residents and the Parish Council themselves and dismiss this Appeal.

However, should the Inspector be minded to uphold the Appeal, would ask for the following conditions to be implemented and fully enforceable.

1. All existing trees and hedges must be retained.
2. The **boundary** between the two properties must be native hedgerow, **no fences or walls of any type**.
3. No lorry activity before 9.30am and between 2.30 and 3.30pm, and there must be no construction traffic parking off site at any time during the development.

To be attached as Appendices for reference:

Extracts from Recent Appeal decisions

68-70 Lymington Bottom Road, Four Marks, Alton GU34 5EP - 35561

*Appeal Decision Site visit made on 18 October 2016 by Mr J P Sargent BA(Hons) MA MRTPI:
8 November 2016 Appeal Ref: APP/M1710/W/16/3151088 10.*

17.85 PC NEXT MEETING
Wednesday 4th October 2017

17.86 PC The Chairman closed the meeting at 9.10pm

.....
Chairman