

ELLINGHAM, HARBRIDGE & IBSLEY PARISH COUNCIL PLANNING COMMITTEE

Minutes of the meeting held in Ellingham Church Hall on Tuesday 8 August 2017.

Members:

Cllr Spark
Cllr Loader - Chairman (P)
Cllr Burtenshaw (P)
Cllr Errington (P)
Cllr Lane
Cllr Webster (P)
Cllr Shand
Cllr Sampson (P)
Cllr Stainton-Burrell (P)
Cllr Trebilco
(P) denotes present

In attendance:

Natasha Mackenzie – Clerk

Members of the public (2)

1. Apologies

17/08/84P

The clerk had received apologies from Cllrs Spark, Lane, Shand and Trebilco.

2. Declarations of interest

17/08/85P

Cllr Errington declared a non-pecuniary interest in NPA CONS/17/0574 Forest Holm.

Cllr Burtenshaw declared a non-pecuniary interest in NFDC 17/10794 Cogley Wood Farm.

3. To approve the minutes of the last meeting

17/08/86P

A proposed addition to the minutes was received by a Linford resident regarding Linford Park Nursing Home. As Cllr Spark was not in attendance, it was agreed to refer to him and if the amendment is agreed, to add as a note at the next meeting on 12 September.

The minutes of the last Planning Committee meeting on 6 June 2017 were approved and signed as correct. Proposed by Cllr Webster, seconded by Cllr Sampson. 6 in favour (1 abstention as not present at that meeting).

4. Chairman's Report of Matters Arising

17/08/87P

16/160P – Ongoing use of outbuildings/garages for incidental use; ongoing research regarding whether any conditions had been put in place to prevent use as holiday lets or use as a separate dwelling. It was noted the Western Escarpment Steering Group may consider monitoring such issues in the future.

5. Public Forum - none

6. To consider responses for Development control and TPO applications:

Please note: applications are minuted in the order they were discussed.

17/08/88P

NFDC 17/10794 Cogley Wood Farm, Harbridge Green – Agricultural dwelling; detached garage; removal of existing. Cllr Burtenshaw explained the location and showed maps and photos. During discussions the following was established and discussed:-

- The application is for the Replacement of a temporary dwelling with a permanent agricultural dwelling, detached garage and removal of existing mobile home.
- The original mobile home was granted consent in April 2010 under 09/94622; the current applicants obtained permission under application 13/11075 to retain the temporary mobile home for a further period of 3 years which expires in October 2017.
- The plans show a single storey dwelling built as an L shape, constructed of timber cladding (painted black) on a brick plinth under a slate roof. It comprises a kitchen, living room, study and 2 bedrooms with 2 bathrooms. Floor area within 120 sq m as required for a small agricultural dwelling. In addition there is a farm office, animal dispensary and washroom which apparently falls outside the calculated floor area. There is a separate garage large enough for 3 farm vehicles.
- The height to ridge is estimated at 6 metres (using the scale on the drawings). The proposed site is slightly 'forward' of the existing mobile home but broadly in the same location, on higher ground which falls away to the south and east. **Clerk to highlight with the planning officer.**
- **Briefing Note from Planning Officer.** It is stated that the enterprise requires the permanency of a dwelling to be able to continue as a viable business and accede to welfare regulations. Accounts submitted to prove the business is financially viable and sustainable will be assessed by the Council's agricultural consultants. As ever with farming, some of the enterprises fluctuate with the changing climate e.g. fruit and vegetables are no longer viable and the mushroom enterprise has similarly been put on hold.
- Also, there is a public Footpath running through the central part of the site. Otherwise, the Officer has pointed out that views to and from the site are extremely limited due to the close proximity of adjoining woodland and dense trees to the south and east so the proposed development would not be visible or impact on residential amenity. It should be noted that these are deciduous trees and therefore the site is more visible in winter.
- **Objections or Comments of Support online.** There are 2 letters of support and 3 with objections - all from local or nearby residents. Broadly, the principle of an agricultural dwelling for a progressive working small holding is not in question; but the submissions of concern relate to visual impact, noise, size, location and whether it would be in keeping with other rural dwellings and the landscape.
- **Planning History.** The original planning permission in 2010 stated one of the conditions was that details of the siting must be submitted and approved by the LPA. The applicant was also advised that the building would be best sited immediately to the north of the existing barn; this advice seems not to have been taken. In a previous application/prior notification for the Barn (08/91666) it was also noted that the building should be 'reasonably well screened by trees and of an acceptable height and design for an agricultural building in this location' - so as not to be visible. One always has to balance the rights of an applicant to develop the land with those of third parties to privacy and a peaceful enjoyment. The original applicant was also aware that any building must not impact on the local landscape.
- In the last temporary permission (13/11075), the proposal was only considered acceptable on the basis it served the agricultural needs of a holding, planned on a sound financial basis and the occupation of the mobile home was limited to persons employed in agriculture. It went on to say that any 'other' buildings would be inappropriate in a countryside location if not required for agriculture.
- The proposed location was discussed, with alternative options of it being sited near the barn, and the possibility of additional evergreen screening to the proposed location to mitigate any impact on neighbours.

It was proposed to recommend permission under option 1 with delegated powers to NFDC with the following comments:-

- **The Parish Council is supportive in principle of a permanent agricultural dwelling however further thought should be given to a better location to mitigate the visual impact on the landscape and any adverse impact on other residential dwellings.**
- **The plans do not give clarity of the proposed ridge height of the building and garage and these measurements should be taken into account when considering the best site for these buildings.**
- **Any approved dwelling should be conditioned as tied to the agricultural business operated on the land.**

Seconded, all in favour (6).

Cllr Loader requested Cllr Burtenshaw to take over as Chair.

17/08/89P

NPA 17/00603 West Cottage, South Gorley – replacement conservatory. Cllr Loader explained the location and showed photos of the property. The following was established and discussed:-

- The property is thatched, not listed, but noted as a significant building in the area.
- The existing UPVC conservatory is very narrow and sited on the southern elevation; it will be removed and a larger one erected in its place. Blinds are in use to prevent light pollution.
- Following a slight reduction in the size of the conservatory, the increase in habitable floorspace will be 30%, in line with policy DP11.
- The glazing will be floor to ceiling, with a tinted roof and black supports.
- The conservation officer will give comments.

It was proposed to recommend permission under option 3 to NPA, with the following comments:-

- **The Parish Council request the applicant takes steps to minimise any light pollution to help preserve the dark skies by the use of blinds.**
- **The Parish Council are happy if the conservation officer is satisfied and the increase of habitable floor space is within policy.**

Seconded, all in favour (6).

Cllr Loader resumed as Chair.

17/08/90P

NFDC 17/10758 Quiet Waters, Ivy Lane, Blashford – Stable block (retrospective).

Cllr Burtenshaw explained the location advising the application is retrospective for a stable building constructed of timber with 2 stables and a tack room/store situated towards the south eastern corner of the property.

The following was established and discussed:-

- according to the applicant the Stables were rebuilt on the same footprint of an old dilapidated outbuilding in about 2015 (which is just discernible from an older aerial photograph in 2012)
- the construction date of 2015 is probably correct as the site location plan dated 24 April 2015 also shows the original dilapidated building as one structure.
- the Briefing Note refers to a previous application (16/11692) for a Lawful Use Certificate for all the land to be considered as residential which was determined as 'Not Lawful' so the Stables are on land beyond the residential curtilage.
- there is also reference to Local Plan Policy DM25 which concerns recreational uses in the countryside, including horse keeping etc. i.e. development may be permitted if it meets a recreational need provided there are no unacceptable impacts.
- the adjoining land has been sanded and fenced off with a gate thus creating an adjoining manège which is not included in this application.

It was proposed to recommend permission under option 1 with delegated powers to NFDC subject to the following comments:-

- **The application should either be withdrawn and resubmitted to include the manège, or the applicant should be required to submit a further retrospective application for the manège which at present does not have the benefit of planning permission.**
- **In other respects the Parish Council do not consider the retrospective proposal has any adverse impacts on the rural landscape.**

Seconded, 5 in favour, 1 abstention.

Agenda item 7 was brought forward by the Chairman.

7. To consider responses for Lawful Development Certificate applications:

17/08/91P

NFDC 17/10652 Quiet Waters, Ivy Lane, Blashford – Continued use as ancillary self-contained annexe accommodation (Lawful Use Certificate for retaining an existing use or operation). Cllr Burtenshaw reminded all we are asked not to comment on the building itself but to provide evidence to support or reject the claim by the applicant.

The following was established and discussed:-

- It is not clear when the annexe building was constructed. It is understood from the sworn statement that it was allegedly in use in 2012.
- Site Plans accompanying previous applications for this property (15/10391 and earlier) all show a single outbuilding. However the Planning Portal guidance indicates that site plans on any application should show all other existing buildings on site.
- The Planning Statement in application 17/10758 (Stable Block - retrospective) says that the Stables were built in 2015 on the same footprint as the previous building and that this was a replacement of a lawful pre-existing outbuilding. If so, it is suggested an applicant cannot replace one pre-existing building with two?
- The accompanying aerial photo (taken in January 2012) and attached as evidence shows 'a building' but it is so indiscernible, it is inconclusive as to whether this is the original single dilapidated outbuilding.
- The applicant has submitted and is relying on an Appeal Decision made under section 191 Town and Country Planning Act 1990..... the LPA must grant a Certificate if the use is lawful and the time limits for taking enforcement have expired.
- The use is only lawful if it were a change of use of an existing building. It is considered that this is not the case as the 'existing' building has already been replaced by the Stable Block.
- The time limits are referenced under section 171 of the TCP Act 1990 as 4 years if a change of use for a building and 10 years for any other breach of planning control.

It was proposed to respond with the following comments to NFDC:-

In addition to the above comments:-

1. The supporting plans and documents lack clarity and therefore do not provide sufficient evidence in support of the application.

2. It is considered that this is a material change of use of the land - especially as that part of the property has been determined as not residential (16/11692) and as such, it would fall under the time limits for any other breach of planning control. i.e. 10 years.

Seconded, all in favour (6).

Chairman returned to agenda item 6 To consider responses for Development control and TPO applications:

16/08/92P

NPA 17/00568 Land at Shobley (Mill Lane E6L5 11Kv Circuit), Ringwood – 1No. new electricity pole with associated overhead wires. Cllr Burtenshaw advised this application is to be determined by the Secretary of State and **proposed to make no comment**. Seconded, all in favour (6).

16/08/93P

NFDC 17/10922 The Old Bailiffs Cottage, Salisbury Road – replace lead valley gutter; remove slates & re-hang where possible; felt and batten; insulate ceilings (Application for Listed Building Consent). Cllr Spark had reviewed the application and circulated his comments to all members, summarised as follows:-

- This application is for listed Building consent to repair the lead and slated leaking roof., and at the same time the applicant wants to add insulation internally to improve the heating bills.
- The case officer has no comments.
- The listed building consultant is not in favour because the internal work for the insulation is not detailed enough and she is worried about damp being created rather than prevented.
- While we are not sufficiently qualified to comment from a conservation aspect I suggest we would be in favour with the principal of the work (with delegated powers to the case officer) on condition that the conservation officer is satisfied with revised method statements.

It was proposed to recommend permission under option 1 with delegated powers to NFDC, with the following comments:-

- **The Listed Building Consultant must be satisfied with the proposals regarding the insulation work.**

Seconded, all in favour (6).

16/08/94P

NPA 17/00592 Cobbins, Gorley Road, Linbrook – extension to conservatory; alterations to fenestration; 3 dormer windows; proposed dormer windows to existing garage. Cllr Errington showed where the building is on aerial maps and streetview, noting this prominent building is within the Western Escarpment Conservation area and it has been subject to considerable expansion over the years. The following was established and discussed:-

- Photos along with existing and proposed elevations of the property were shown, and it was indicated:- where the roof lights are proposed to be changed to dormers on the second floor; where the roof lights in the room over the garage are proposed to be changed to 3 dormers; where the chimney is to be removed to allow the existing conservatory is to be significantly enlarged.

Cllr Loader proposed to suspend Standing Orders. Seconded, all in favour (6).

It was proposed to recommend refusal under option 4 to NFNPA for the following reasons:-

- **The introduction of dormer windows to the second storey attic space of the dwelling would consolidate this into a three-floored building, while considerably increasing its massing (being sited in a raised position relative to the surrounding ground to the south and west). The dormers would be particularly prominent on the north-western elevation and make the building even more dominant in its setting.**
- **The proposal for adding three dormers to the roof of the garage on the southern (drive-facing) elevation would, similarly, increase the massing of this building, while consolidating its potential as a habitable area. (While no documentation could be found for the consent of the addition of the existing three dormers and stepped entrance to the space above the garage on the north side, nor for its use as a habitable area, it is evident that it has formerly been equipped for self-contained accommodation, with a ground floor entrance / bathroom and kitchen / living space above the garage, though this space appears to be currently under modification).**
- **While there is no particular concern about the removal of the chimney stack from the north-west elevation (though whether this stack was formally consented in the 88/383351 Appeal is unclear from the drawings), the increase in size of the conservatory from roughly 16 to 40 sq.m. would further add to the massing on this elevation, with potential for additional light pollution from this fully glazed structure.**
- **As advised in the Planning Officer's briefing note, there was no second floor accommodation in place in 1982 and the current habitable floor area already considerably**

exceeds the 30% increase permitted under DP11. There would appear to have been several and significant modifications to the dwelling and garage from that consented in the 88/383351 Appeal, plus additional structures. It is the opinion of the Parish Council the entire site needs to be regularised and consented before any further development is awarded.

Seconded, all in favour (6).

16/08/95P

NPA CONS/17/0570 Forest Edge Farm, Highwood - Fell 1 x Pine tree, Fell 1 x Ash tree, Fell 1 x Birch tree. Cllr Spark had reviewed the application and circulated his comments to all members, summarised as follows:-

- Please note the Pine tree to be felled is incorrectly marked on the applicant's plan as it is on the left of the corner not the right. It is dangerously leaning over one another tree.
- The Birch is leaning and has mould and rot in its base.
- The Ash has grown too large for its' location. The applicant is applying for felling but wants to discuss pollarding with the tree officer.
- There are numerous new trees that the owner has planted all over his property and he has assured me that this would continue.

It was agreed to propose to raise no objection to the NPA Tree Team. Seconded, all in favour (6).

16/08/96P

NPA CONS/17/0574 Forest Holm, Mockbeggar - Fell 2 x Red Oak trees, Fell 2 x Leyland Cypress trees, Fell 1 x Spruce tree, Prune 2 x Cherry trees. Cllr Spark had reviewed the application and circulated his comments to all members, summarised as follows:-

- This is the last property at the very end of Newtown Lane in Mockbeggar.
- The application is to fell two Lelandii, fell a spruce, fell 2x Red Oaks and prune two Cherrys by 1m.
- The Oaks are of a substantial size, and do form part of the skyline when viewed from Mockbeggar. However they are at the top of a very steep slope and if either were to fall (bad weather, erosion??) they would demolish the house.

It was proposed to recommend to raise no objections to the NPA Tree Team with the following comment:-

- **The Parish Council feel the oaks are very prominent on the landscape but understand they are high on a bank which could be a danger.** Seconded, all in favour (6).

16/08/97P

Forestry Commission Felling operations in Holly Hatch – various tree operations. Cllr Spark had reviewed the application and circulated his comments to all members, summarised as follows:-

- The tree work at holly hatch seems to be a clean-up operation to maintain the the lawn alongside the stream, and pleasingly much of the work leaves Hawthorn, Holly and other trees/shrubs that are good for the local wildlife.
- The pollarding of lots of the willow clears the area and makes it more accessible.

It was proposed to raise no objections. Seconded, 5 in favour, 1 abstention.

7. To consider responses for Lawful Development Certificate applications:

This was discussed under 17/08/91P

NFDC 17/10652 Quiet Waters, Ivy Lane, Blashford – Continued use as ancillary self-contained annexe accommodation (Lawful Use Certificate for retaining an existing use or operation)

8. Decisions received from NFDC & NPA (circulated prior to Agenda):

17/08/98P

NPA 17/00321 Linford Park Nursing Home, Linford – *granted stc*

NFDC 17/10624 Church Cottage, Churchfield Lane, Harbridge – *granted stc*

NPA CONS/17/0424 Forest Corner, Cross Lanes, Mockbeggar – raise no objections

NFDC 17/10346 Nonsuch, Mockbeggar Lane – refused

9. To consider responses for Planning Authority Committee meetings, Appeals and Enforcements:
17/08/99P

Appeal APP/B1740/W/17/3176868: NFDC 16/11717 Druce Acres – 7 field shelters (retrospective). The clerk advised the appeal is being decided under written representations, and the committee's previous comments need to be submitted. **Clerk to action.**

10. Correspondence

17/08/100P

The clerk had circulated details of the HCC Serving Hampshire – Balancing the Budget consultation; deadline 21 August, and encouraged all to respond individually.

17/08/101P

The clerk reminded all their support is vital for the Ellingham Show on Saturday – the more the merrier!

17/08/102P

It was noted with disappointment that the works on Harbridge School have been halted.

17/08/103P

Issues regarding flooding on the Rockford Loop road had been reported to the clerk, and she advised HCC Flood Water Management are investigating.

The meeting closed at 9.55pm.

**The next Planning Committee meeting will be held on
Tuesday 12th September 2017 at 7.30pm in Ellingham Church Hall.**