

**PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**

**11 December 2012**

Attendance:

Councillors:

Jefferies (Chairman) (P)

E Berry (P)

Clear (P)

Evans (P)

Johnston (P)

Izard (P)

McLean (P)

Pearce (P)

Read (P)

Ruffell (P)

Scott (P)

Others in attendance who did not address the meeting:

Councillor Mason

Officers in attendance:

Mr J Jenkison – Principal Planning Officer

Mr S Finch – Head of Planning Management

Mrs T Wilson – Principal Legal Officer

- 
1. **THE APEX CENTRE, CHURCH LANE, COLDEN COMMON – ERECTION OF 14 DWELLINGS, WITH ASSOCIATED ACCESS PARKING AND LANDSCAPING FOLLOWING DEMOLITION OF EXISTING - 12/01598/FUL**  
(Report PDC951 refers)

At its meeting held on 27 November 2012, the Planning Development Control Committee agreed that the above application be referred to the Sub-Committee, as Members agreed that it was not possible to sufficiently understand the application from the photographs alone.

Therefore, immediately prior to the public meeting, the Sub-Committee visited the site where it noted the location of the existing buildings, the policy boundary of the countryside and the character of neighbouring properties and gardens.

The site comprised approximately 0.48 hectares of relatively flat land, located along a private access off Church Lane. The front of the site comprised commercial buildings and was located within the settlement boundary. The rear section comprised a mostly grassed area of land within the designated countryside.

At the subsequent meeting, Mr Jenkison re-familiarised Members with the proposal which sought permission for 14 dwellings (comprising 8 two bed, 2 three bed and 4 four bed dwellings) with associated access, parking and landscaping, following the demolition of existing buildings.

The Sub-Committee also noted the information contained in the Update Sheet (later appended to the Report) which set out information received after the publication of the Report. In summary, this referred to a revised ecology report from the applicant regarding the location of bat boxes. Mr Jenkison explained that this new information had led to an amendment to Reason for Refusal 6 (as set out in the Update Sheet).

The Update Sheet also confirmed the applicant's willingness to provide contributions for open space and education and to provide two smaller units as affordable housing (under a shared ownership scheme).

The Sub-Committee also noted that, subsequent to the publication of the Report, a representation against the application had been withdrawn.

At the meeting held on 27 November 2012, the Committee received public participation from Mrs Sutton (Colden Common Parish Council) and Mr Barry (applicant's agent) who both spoke in support of the application. In accordance with the Council's procedures, public participation was not repeated at this meeting.

The Sub-Committee discussed the position of the countryside boundary and noted that this had been approved by a Planning Inspector in 2003, as part of the Local Plan Review. Members also noted the permission granted in 2000 which permitted outside storage to rear the commercial buildings (the area of land within the countryside) up to a maximum height of 3 metres.

During questions, the Sub-Committee noted that it was the officers' view that development in the countryside part of the site could be acceptable if viewed as an exception site. Therefore, officers had suggested that, to meet policy requirements, four of the proposed 14 dwellings should be affordable homes as the applicant had proposed to build four dwellings on that part of the site lying in the countryside. Mr Finch clarified that, in line with the Council's approach at the Hartridges site in Hambledon, having accepted the principle of the additional number of homes, it was not necessary that the four affordable homes had to be situated on the countryside part of the site, but could instead be pepperpotted around the site. However, the Sub-Committee noted that this potential solution to the countryside boundary issue had not been included in the application proposed by applicant.

Members noted the applicant's proposal to provide two affordable dwellings on site. Members also noted that, under the Council's current policies, if the entire application site fell within the settlement boundary, as the application proposed less than 14 dwellings and was under 0.7 hectares, there was no requirement to provide any affordable homes. Members also noted Mrs Wilson's advice that the Sub-Committee should assess the application against the Council's existing policies on affordable homes, rather than the emerging

Local Plan which proposed removing these thresholds and required all new development to provide the equivalent of 40% affordable home provision.

During debate, the Sub-Committee also discussed the cramped nature of the application.

The Sub-Committee discussed the loss of employment use that the application proposed. Mr Jenkison reported that the applicant had failed to demonstrate that employment uses of the site (or a mixed use development) were unviable. However, the Committee noted that all but one of the units on site had been vacant for some time and that the sole remaining occupier was currently looking for alternative premises. Furthermore, Members noted the large vacant modern office buildings near the site and, in these circumstances, the Sub-Committee concluded that Reason for Refusal 1 (to retain some employment use on site) was unjustified and should be deleted.

During debate, some Members found the scheme acceptable, as they considered the boundary line of the countryside to have been blurred by the semi-permanent structures which neighbouring properties had erected in their rear gardens. They also welcomed the two affordable housing units and the financial contribution to education through a legal agreement.

However, at the conclusion of debate, the majority of the Committee agreed to refuse planning permission, for the reasons set out in the Report, subject to the deletion of Reason for Refusal 1 (regarding loss of employment use, as detailed above) and the amended Reason for Refusal 6 (as set out in the Update Sheet).

**RESOLVED:**

That the application be refused for the reasons set out in the Report, subject to the deletion of Reason for Refusal 1 (regarding loss of employment use, as detailed above) and the amended Reason for Refusal 6 (as set out in the Update Sheet).

The meeting commenced at 11.00am and concluded at 12.30pm

Chairman