

EAST HAMPSHIRE DISTRICT COUNCIL

Minutes of the NORTH PLANNING COMMITTEE held on Wednesday 28th April 2010 at Alton College, Alton at 6.30pm.

Present:	Cllr P D Burridge	Chairman
	Cllr A J Williams	Vice-Chairman
	Cllr Mrs P J Bradford	Cllr J M J Janes
	Cllr A S Carew	Cllr M C Johnson MBE
	Cllr K Carter	Cllr A I P Joy
	Cllr A B Chick	Cllr A R Ludlow
	Cllr Mrs M C Comber	Cllr R C S Millard
	Cllr P Drury*	Cllr A A Muldoon
	Cllr Mrs Z Faddy	Cllr Mrs P A Seward
	Cllr C J Graham	Cllr G P Watts

* minutes 99 – 104 (item ii)

And the following Officers:

Mr C Murray	Head of Planning Services
Mr T Whitty	District Team Manager
Mr A Ellis	Principal Team Leader
Mr T Wall	Highways Officer, Hampshire County Council
Mrs J Mansi	Planning Development Manager
Mr N Leach	Principal Solicitor
Mrs C Haveron	Committee Services Co-ordinator

99. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors F E Cowper, I Dowdle, Mrs Z Faddy, Mrs Y M Parker Smith and J F Smith.

100. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made all present aware of the fire exits and the emergency assembly point. He also explained that the car park to the college on the Old Odiham Road entrance would be closed at 9pm.

101. DECLARATIONS OF INTEREST

<i>Councillor(s)</i>	<i>Item Number</i>	<i>Nature of Interest</i>	<i>Details of Interest</i>
Cllr Mrs P J Bradford*	Section 1 – Item (i) - 33615/003 – ANSTEY	Personal & Prejudicial	Councillors were members of Alton

Cllr A B Chick*	<p>PARK, ANSTEY LANE, ALTON, GU34 2NB</p> <p>Section 1 – item (ii) - 52457/ - ANSTEY LANE FOOTBALL GROUND, ANSTEY LANE, ALTON, GU34 2NB</p> <p>Section 1 – item (iii) - 30667/013 – BASS SPORTS & SOCIAL CLUB, ANSTEY ROAD, ALTON, GU34 2RL</p>		Town Council, who owned some of the land.
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* The Councillor left the room during the discussion and voting on this item.

102. ACCEPTANCE OF SUPPLEMENTARY MATTERS

Councillors noted the supplementary matters papers which included information received since the Agenda had been published. These were reported verbally at the meeting and are attached as Annex 1 to these minutes.

103. TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER – DEVELOPMENT APPLICATIONS

The report of the Head of Planning Services, PS.274/2010 was considered and it was RESOLVED that:

Application No., Site and Description:	Resolution:
<p>33615/003/FUL</p> <p>Anstey Park, Anstey Lane, Alton, GU34 2NB</p> <p>JUNIOR FOOTBALL HUB COMPRISING THREE PITCHES TOGETHER WITH A CLUBHOUSE, FLOODLIGHTING AND THE PROVISION OF ASSOCIATED CAR PARKING, ACCESS ROAD AND LANDSCAPING</p>	<p>Refused for the reasons as set out in Appendix B.</p>
<p>52457//FUL</p> <p>Anstey Lane Football Ground, Anstey Lane, Alton GU34 2NB</p>	<p>Approved subject to conditions as set out in Appendix A.</p>

UPGRADE OF EXISTING FACILITIES COMPRISING 6 FLOOD LIGHTS, 2 TECHNICAL AREAS, NEW TICKET BOOTH AND SCREENING FENCE TO BOTH ENDS OF THE PITCH	
30667/013/OUT Bass Sports & Social Club, Anstey Road, Alton, GU34 2RL OUTLINE - NEW SUPERMARKET WITH A GROSS FLOOR AREA UP TO 4100SQM (AS AMENDED BY THE SUBMISSION OF AN ARBORICULTURAL DEVELOPMENT STATEMENT RECEIVED 18/03/2010)	Refused for the reasons as set out in Appendix B.
22467/005/FUL Unit 1-2, Mill Lane, Alton, GU34 2QJ A1 (RETAIL) FOOD STORE AT FIRST FLOOR LEVEL WITH UNDERCROFT PARKING, INCLUDING ASSOCIATED LANDSCAPING AND ACCESS IMPROVEMENTS, FOLLOWING DEMOLITION OF EXISTING BUILDINGS	Refused for the reasons as set out in Appendix B.

104. SECTION I – APPLICATIONS REPORTED IN DETAIL

The Head of Planning Services addressed the Committee. He apologised for the length of the Supplementary Matters Sheet. He explained that there was a relatively complex series of applications to consider which were to a degree interrelated.

Items 1 and 2 had to be considered on their individual merits as proposals to enhance facilities on existing sports pitch land at Anstey Park. When considering these applications there were two issues that the Committee must have regard to:

- a) the applications were to be determined on their individual merits as ‘enhancements’ – the applications could not be determined on the basis of whether they were a suitable replacements for existing facilities at either the Bass Sports and Social Club site or the existing Anstey Park football ground – that consideration only applied when considering item 3 on the agenda.
- b) Neither proposal involved any significant loss of open space – the existing and proposed uses remain as open space. The main issue related to the impact on the

character of the Park rather than loss of public open space. The issue of the physical loss of open space only applies to item 3 on the agenda.

He also informed the Committee that part of the works in items 1 and 2 could be undertaken under permitted development rights.

(i) 33615/003 – ANSTEY PARK, ANSTEY LANE, ALTON, GU34 2NB - JUNIOR FOOTBALL HUB COMPRISING THREE PITCHES TOGETHER WITH A CLUBHOUSE, FLOODLIGHTING AND THE PROVISION OF ASSOCIATED CAR PARKING, ACCESS ROAD AND LANDSCAPING

The Principal Team Leader introduced the report. He displayed an aerial photograph of the site, a site plan, a map and a layout of the proposed pitch. The public footpath was also shown along with indicative sketches of pitches, elevations of the proposed changing block and photographs of site. He referred Councillors to the Supplementary Matters Sheet which contained amendments to conditions 5 and 6, further consultee comments, further representations and changes to the recommendation.

The application was outside of the Settlement Policy Boundary (SPB) but was adjacent to it. It was also defined as being within the Local Gap. The plot had been levelled in the past as informal recreational area; it was also not currently easily accessible by car.

The application was for three pitches of different sizes, a club house, and a 1.8 metre security fence around the major pitch. There would be a 0.6 metre knee railing around the other two pitches. In addition, there was a proposal for eight floodlights mounted on 15 metre columns. There would be spill over into the second pitch, which could be used for training. In addition there was a proposal for two car parking areas and provision for cycle stands. A barrier was also proposed to restrict access to the site by vehicles.

The determining issues for consideration were:

- Principle of development and Local Plan Policy;
- Impact on the character and use of the Park;
- Sport England comments;
- Ecological implications;
- Arboricultural implications;
- Impact upon public highway use;
- Highway implications; and
- Comments from objectors.

The recommendation was for permission.

Mrs Margaret Lockett, Chair of the Anstey Park Casual Users Group, addressed the Committee. She explained that she was there on behalf of a large number of Altonians including the Alton Society, Anstey Residents Group, the “We love Anstey Park” campaign and over 1,000 young members of the “Hands off Anstey Park” Facebook page. They all felt passionately about what happened to a well used and loved open space, available for all to enjoy.

They recognised that this was a very serious matter for the town with many arguments for and against. There had been no proper consultation on the football hub. The only consultation had been in relation to the supermarket development, which had been presented as supporting the development of Anstey Park. They strongly disagreed with this.

The proposal would close off a significant part of the park which would effectively be privatisation of public open space. The sunken path along the edge of the proposed development would be a dangerous corridor for walkers. Once on the path there would be no way out until you reached the end and it was not overlooked.

There would be no significant gain in junior pitches. The proposal would only provide two undersized training pitches, which could be marked out now without needing to enclose any open space. The juniors had good facilities and were only moving to enable the private adult football club to be re-housed. This only needed to happen if the Committee gave permission to redevelop the Molson Coors site later in the meeting.

The road would have a significant impact, taking traffic into the heart of the park. Car parking on match days was already inadequate with over 50 cars regularly parked on the grass.

The proposed building would encroach on the Holybourne Strategic Gap, possibly setting a precedent for the future development, particularly given that Alton was on the edge on the new National Park and national experience was that development increased in such areas.

Mrs Lockett recapped:

- There was little public support for the proposed football hub and there had been no proper consultation;
- The development would cut the park in half and isolate Diggers Field;
- The road would have a significant impact on the park, taking traffic into the heart of the park;
- It would set a precedent by building on the Holybourne Gap; and
- The juniors would only benefit from two undersized training pitches, which could be marked out now without privatising or enclosing precious open space, which all enjoy now.

Mrs Lockett thanked the Committee for giving her the opportunity of speaking and requested that they refuse the application.

Mr Jonathan Buckwell, DHA Planning addressed the Committee on behalf of the applicants. The proposal was an exciting opportunity to provide high quality facilities for Alton United Junior Football Club. The club played an important role in the community, having nearly 500 active members. It was one of the largest clubs of its type in the area, with a wide variety of boys and girls teams for all age groups.

The facility would not just replace the club's existing facility; it would significantly improve upon it, further promoting healthy activities for young people in the area.

Whilst existing ground conditions were poor, this area of Anstey Park had been designed for formal sports use and had long since been intended for this use. Research for the Council had shown that there was a shortfall in the number of junior football pitches in Alton. The proposal being considered would help to address that problem to a quality level which was unlikely to be funded by the public purse.

He said that the proposal would be of real benefit for young people in Alton and their families.

Claims that large swathes of Anstey Park would be fenced off and removed from public use were untrue. Only the main pitch and the clubhouse would be fenced, at the request of the club, in order to protect these facilities from dog fouling and vandalism. The remainder of the hub would be unfenced and open to the public. Elsewhere large areas of the park remained available for informal recreation and would remain completely accessible.

There would be no impact on trees and this point could be addressed by a condition if necessary.

Mr Buckwell urged the Committee to support this rare and exciting opportunity to improve sporting facilities for the benefit of the local community.

Cllr Mrs Bradford addressed the Committee and then left the room for this item as per earlier declaration of interest.

Cllr Chick declined to address the Committee and left the room for this item as per his earlier declaration of interest.

Cllr Mrs Bradford supported the comments of Officers and Mr Buckwell and said that there was little she could add. Anstey Park consisted of forty four acres of land and the proposal would take about two acres. Sport England supported the application and Alton needed more football pitches. She supported the application.

Cllr Watts, the local Councillor, addressed the Committee. She believed that in theory it was first class application, she acknowledged that the football club had outgrown its facilities and there was shortage of football pitches in Alton. She noted that the landowners, Alton Town Council, did not require permission to mark out the pitches. However, they would need permission for the buildings and flood lighting. She also noted the strength of feeling of the local community. There were two issues. One was the Local Gap, between Holybourne and Alton. She supported the maintenance of the Local Gap, and she believed it was important to maintain the gap. Building in the gap would set a precedent and would be against Policy C11 of the Local Plan. The proposal would substantially change the character of the park if given permission.

It was a good application and there was a need to find a good home for local football, but the applicants needed to go back to the drawing board.

Cllr Watts opposed the application on its affect on the Local Gap and the character of Park.

Cllr Janes, the local Councillor addressed the Committee. He supported everything that Cllr Watts had said. Councillors had a responsibility to reflect the views of the people present and respond to need.

Anstey Park was used by local people for casual use. It was a fabulous open space, wonderful and delightful. He referred to Diggers, an area of land within Anstey Park that many people did not even know existed. Over all the area should be big enough to meet all the needs of people.

He referred to a number of points raised including:

The path, known as "St Swithin's Way", which had been raised by Mrs Lockett. This path was enclosed and ran behind the Convent playing field. There was no escape between the fence and the side of the Convent.

He was concerned about the visual impact of the proposed building and car park, however, if they were to be moved to the far side of the plot, cars would not be able to reach them.

The proposed development would be in the Local Gap and he believed that the Committee should take this step with some concern.

Cllr Janes noted that the football club had 500 members; their needs also had to be considered.

Cllr Janes urged Councillors to think carefully about the application. Councillors made a number of comments/questions including (Officers answers are in italics):

- It was noted that Alton Town Council could build a fence up to 2 metres in height and layout three football pitches;
- The application would be denying access to local residents;
- It would change the character of Anstey Park;
- There was no need for an enclosure of the club house facilities;
- The marking out of the pitches was not an issue;
- The Local Gap had to be protected; it was a green open space of importance;
- There were concerns about the footpath, there had been no proposal for a pedestrian crossing, there was a sharp blind corner, which would be dangerous for pedestrians;
- There was concern about St Swithin's Way;
- There was concern about building in the Local Gap and outside of the SPB;
- Reference was made to PPG17 and how the application contravened it;
- Councillors noted the need for more football pitches in Alton;
- Councillors noted the number of representations against the application; and
- With the money agreed for the new supermarket, land could be purchased towards creating an excellent football area and club house away from Anstey Park.

Officers replied that the access point was a 5 metre track. There was a 10 metre wide gap between the main pitch and the site boundary that would allow adequate access to the area of Diggers Field beyond.

In respect of Right of Way concerns, it was agreed that there was a potential conflict that would be addressed.

The Head of Planning Services agreed that there were a number of issues for the future. There was an identified need for junior football pitches that would service the surrounding villages as well. The need would remain. The area of park being discussed had originally been created for sports pitch use.

- In the course of time this might be the best solution;
- There was a clear difference of opinion;
- The policy on gaps had changed; and
- It was urbanisation of a green area.

Cllr Janes referred the Committee to page 16 of the agenda and the determining issues listed on that page, he believed this would help Councillors determine the application. He also asked Councillors not to forget the youth of today.

The recommendation was for permission.

The Committee voted on the recommendation for permission.

Following a vote, the proposal, was declared **LOST**, 1 Councillors voting **FOR** approval, 13 Councillors voting **AGAINST** approval and 1 Councillor **ABSTAINING** from voting.

Cllr Watts proposed refusal for the following reason:

The proposal will result in the loss of the characteristic openness of Anstey Park through the introduction of buildings and floodlights to the detriment of the prevailing character of the park and the local gap. Furthermore, the proposed development will be harmful to the amenities of the users of the park and adjacent public footpath. The development is contrary to policies HE01, GS3, T4 and C11 of the East Hampshire Local Plan: Second Review

Cllr Janes seconded the proposal.

Cllr Joy proposed adding in a reason on the grounds of light pollution.

Cllr Carew seconded Cllr Joy's proposal.

The Head of Planning Services advised the Committee that he would not want to be that specific about floodlighting and light pollution.

The Committee voted on the refusal with the amendment regarding light pollution.

Following a vote, the proposal, was declared **LOST**, 3 Councillors voting **FOR** refusal, 12 Councillors voting **AGAINST** refusal and no Councillor **ABSTAINING** from voting.

The Committee then voted on Cllr Watts' original proposal for refusal.

Following a vote, the proposal, was declared **CARRIED**, 14 Councillors voting **FOR** refusal, 1 Councillor voting **AGAINST** refusal and no Councillor **ABSTAINING** from voting.

It was therefore **RESOLVED** that approval be REFUSED, as per Appendix B of these minutes.

(ii) 52457/ - ANSTEY LANE FOOTBALL GROUND, ANSTEY LANE, ALTON, GU34 2NB – UPGRADE OF EXISTING FACILITIES COMPRISING 6 FLOOD LIGHTS, 2 TECHNICAL AREAS, NEW TICKET BOOTH AND SCREENING FENCE TO BOTH ENDS OF THE PITCH

Cllrs Mrs Bradford and Chick returned to the room.

The Principal Team Leader introduced the report. He displayed an aerial photograph of the site, plans of the area, a map detailing light spillage and pitch

layout and photographs of the site. He referred Councillors to the Supplementary Matters Sheet which contained an amendment to condition 5, further consultee comments and further representations. The site was inside of the SPB and conservation area. The proposal aimed to upgrade the football ground to create a suitable replacement for existing football facilities as Bass Sports Ground. There were a number of other buildings including a scout hut and rugby pitches close by.

The proposal was an upgrade of existing facilities including six floodlights, two technical areas, a new ticket booth and a screening fence at both ends of the pitch. There were concerns about flood lighting and the Environmental Health Officer had been consulted about light spillage onto Anstey Lane and the amenities of neighbours. He referred the Committee to the map detailing light spillage and lux levels. He did not believe that the flood lights would detract from the character of the area. He asked the Committee to note that the Highways Officer had no objections to the application and that Sport England had withdrawn their objections.

The determining issues for consideration were:

- Impact of flood lighting;
- Comments of Sports England;
- The impact of the proposed refurbishments; and
- Highway implications.

The recommendation was for permission.

Mr Tony Grange-Bennett, Anstey Residents Group addressed the Committee on behalf of objectors. He explained the reasons for objecting to the application.

Six 15m floodlighting masts were designed to throw 180 lux across the pitch. Three of the masts were only 35m from houses in Anstey Lane and he believed that this was unreasonable. Two consultees had expressed concerns at the location of the masts and despite some theoretical re-jigging to limit spillage by using baffles and shields, objectors asked that the most serious consideration be given to the effect of light spillage and glare on residents and vehicle users, and also to the visibility and appreciation of the night sky. As per Policy P5 of the Local Plan.

It could be argued that adequate provision had not been made for car parking for teams and spectators. A recent letter in the press about the park reported "car parking was abominable; double parking, parking down the road, in Anstey Lane and on the grass in places". If agreed, the application would only exacerbate the parking situation.

The close boarded wooden fencing at both ends of the pitch would dramatically change the open aspect of the park and would be unpleasant to view. However, the FA Ground Grading rules for Category F do not require a fence that prevents viewing from outside and it was believed that this fence should be deleted.

The Planning Officer had reported that Sport England had stipulated that it was imperative that the proposals in the application provide suitable provision to compensate for the proposed loss of existing facilities at the Bass Sports Ground. However, it was abundantly clear that they did not.

The Enclosure had changing rooms that had caused Sport England to lodge a holding objection, it was only the size of one football pitch and there was no training pitch. Whereas, the Sports Ground had Category F changing rooms, it contained 4 acres of green and open space and it had a floodlit training pitch.

Mr Grange-Bennett said that the Alton Society had asked him to point out that was absolutely no need for this application if Coors was not developed.

Mr Grange-Bennett thanked the Committee and asked them to refuse the application.

Mr Jonathan Buckwell, DHA Planning addressed the Committee on behalf of the applicants.

The proposal before the Committee was for a relatively minor works to refurbish and upgrade facilities at Anstey Park Enclosure. The changes were all necessary to enable the ground to meet standards imposed by the Wessex League to allow Alton Town FC to move back to what was their former ground. As had been made clear in the Committee report, the floodlighting had been carefully designed and redesigned to minimise light spill and avoid nuisance to local residents and road users.

The proposed fencing was required by the Wessex League. Although it was shown for completeness on the plans, a fence of this nature did not require planning permission.

Mr Buckwell asked the Committee to grant the application.

Cllr Mrs Bradford addressed the Committee and then left the room for this item as per earlier declaration of interest. She had nothing to add other than concerns about the boarded fence and the floodlighting concerns. The concerns about the changing room facilities and bringing them to standards had been resolved.

Cllr Chick declined to address the Committee and left the room for this item as per his earlier declaration of interest.

Cllr Janes, the local Councillor, addressed the Committee. He referred the Committee to the determining issues which had been set out on page 37 of the agenda. Two of the determining issues had been resolved, and the third determining issue was not significant. He noted that the Highways Officer had withdrawn his objections. Light spillage onto the road was not a problem. There was however a potential for parking down Anstey Lane which could cause problems. The impact of the spillage from the flood lights had also to be taken into consideration.

Councillors made a number of comments/questions including:

- The applicant was upgrading the existing football pitch;
- Could not see a practical highway solution;
- Noted the condition about lighting after 10pm;
- Referred to PPG17;
- There was concern about noise;
- The development was not in the green belt or the countryside;
- A similar development had been built elsewhere;
- It was suggested that all lighting should be brought up to modern standards;
- There was concern about light pollution;
- There was concern about the cumulative effect of the flood lights on birds and bats;
- The application was not as controversial as the previous application;
- Welcomed the opportunity for the ground to be upgraded; and
- The ground did not meet Category F.

The recommendation was for permission.

Following a vote, the proposal, was declared **CARRIED**, 13 Councillors voting **FOR** permission, 2 Councillors voting **AGAINST** permission and no Councillors **ABSTAINING** from voting.

It was therefore **RESOLVED** that approval be GRANTED, as per the conditions as set out in Appendix A of these minutes.

Cllrs Mrs Bradford and Chick returned to the room.

The Head of Planning Services addressed the Committee about items 3 and 4. He drew the Committee's attention to the Supplementary Matters Sheet and the additional considerations relevant to these items.

He asked the Committee to note that reason for refusal one in both items 3 and 4 was the same. He also referred to advice from the Council's retail consultant includes the following:

“Alton town centre is relatively small and the amount of comparison shopping is limited. Food, grocery and convenience shopping is the predominant retail function. Other comparison shops and non-retail services rely on convenience facilities to attract customers. Facilities meeting day to day shopping needs are vital to the health of the town centre.

The level of direct trade diversion to either proposed food store from Alton town centre will be significant and will result in store/shop closures. There will also be an indirect impact from the loss of linked shopping trips. The Co-op and Marks & Spencer stores are vulnerable to closure, and the town centre could lose important anchor stores. Shop closures and the significant reduction in customer numbers will significantly harm the health and vitality of the town centre. Both food stores are contrary to Policy TC2 of the Local Plan and Policies EC16 and EC17 of PPS4.”

He also asked the Committee to bear in mind that if they concluded that the first reason for refusal was relevant in item 3, which would be considered first, it follows that it must also apply to item 4. Having regard to the advice being given it could not reasonably be concluded that the impact is not significant in one case but is in the other.

The Head of Planning Services drew attention to a second reason for refusal which had been amended and could be found on the white paper which was a late addition to the Supplementary Matters. This had been introduced as a result of proposals for a retail store in Station Road, Alton. An application had been received, although not yet registered as a valid application. The receipt of an application was nevertheless, a material consideration in the determination of both items 3 and 4.

He added that agents acting for Tesco had argued that a reason for refusal on these grounds would be inappropriate as any alternative site must be ‘available, viable and suitable’. However, he advised the Committee that this test does not require that the site must be the subject of a current application and the fact that an application had been lodged suggested it was available and viable. He advised that Officers were satisfied that the site was likely to be suitable in principle. Tesco’s agents argued that the site was not sequentially better as it was still out of centre. Officers accepted it was out of centre but was very close to being edge of centre and certainly had the potential to create better links with the town centre. Having taken legal advice and consultant’s advice it was considered appropriate to apply the second reason for refusal in its amended form.

(iii) 30667/013 – BASS SPORTS & SOCIAL CLUB, ANSTEY ROAD, ALTON, GU34 2RL – OUTLINE – NEW SUPERMARKET WITH A GROSS FLOOR AREA UP TO 4100SQM (AS AMENDED BY THE SUBMISSION OF AN ARBORICULTURAL DEVELOPMENT STATEMENT RECEIVED 18/03/2010)

The Principal Team Leader introduced the report. He displayed an aerial photograph of the site, a map of the area, a site plan, indicative images of the site and photographs of the site. He referred Councillors to the Supplementary Matters Sheet which contained corrections to the report, further consultee

comments, amendments received, further representations and changes to the recommendation. The site was currently the home of Alton Town Football Club and Bowls Club. The site was within the SPB and a small part the Anstey Conservation Area, which was predominately residential. It was also the former Eggar's School site and some neighbouring properties were Grade 2 listed buildings. There was no landscaping of note on the site.

There was no named occupier of the site and the application was similar to the next application in size. It was planned to provide 292 car parking spaces, 15 disabled and 16 parent/child parking bays. In addition there would be provision for 55 bicycles.

A Retail Impact Assessment had been undertaken. There were concerns about the impact on the town centre, streetscene, listed buildings and the amenity of residents through the increase in traffic and the delivery of goods to the store. Traffic issues were a material consideration. The Environment Agency had raised concerns about the risk of flooding. A Flood Risk Assessment had been undertaken and they had advised that they were not in a position to be satisfied.

The determining issues for consideration were:

- Principle of development;
- Retail impact and sequential test;
- Loss of open space and sports facilities;
- Design and layout;
- Flooding and protection of groundwater;
- Highway implications;
- Nature conservation;
- Environmental issues;
- Energy conservation;
- Archaeological implications;
- Covenant implications; and
- Developer Contributions.

The recommendation was for refusal.

Mr Bill Griffin addressed the Committee on behalf of the Anstey Residents Group and their supporters and for many others who had lodged objections. He was grateful to the Alton Society for providing useful inputs.

Objectors welcomed the recommendation that the application be rejected and the reasons which now appeared on the Supplementary Matters Sheet. In three minutes he could only offer three more reasons for your consideration.

Firstly, the proposed supermarket development was in a totally inappropriate location. Alongside a conservation area, amongst listed buildings, in a residential

area, it was completely out of place. Planning Officers observed that “the introduction of retail supermarket will not be characteristic of the area. The bulk, scale and functionality of such a building were not a form that would sit comfortably with its immediate neighbours”. Yet they go on to conclude that with respect to the impacts on residential amenity and the character of the area “On balance, neither of these issues was considered to constitute justifiable reasons for opposing the application”. He hoped that the Committee would conclude otherwise.

Secondly, the general consideration of Environmental Health, principally noise. It was quite extraordinary that the only way noise at night could be made acceptable was by local residents staying indoors. Night curfews belong to unstable regimes where there was public unrest and rioting in the streets. Alton did not have these. It would be unacceptable for local residents to have this restriction.

Thirdly, the important question of public consultation. The views on the need for public consultation was not a further representation, it was sent to the case officer and acknowledged within the consultation period, as shown on page two of the Supplementary Sheets. PPG17 paragraph 10 was quite clear on this. In a context which applied to this scheme because of an overall loss of public recreational space in the total package of the proposal. Not just that, there was a loss of open space in the total package. He quoted “The developers will need to consult the local community and demonstrate that their proposals are widely supported by them”. Public consultation had indeed taken place. The result, using the developer’s own figures, demonstrated that their proposals were widely opposed by the local community. Ask yourself, then, why were there street surveys and a two day exhibition? Why did the developer use a section of the planning statement to claim support for the proposals, and why did this claim persist via the local media?

He asked the Committee to add to their list of rejections this failure of public consultation, which went to the very heart of local democracy.

Mr Jonathan Buckwell, DHA Planning addressed the Committee on behalf of the applicants.

Many, many people in Alton had told the applicants that the town needed another supermarket. They wanted this so that there could be choice, a mainstream alternative to Sainsburys, to encourage competitive pricing.

Some people had told the applicants that they preferred to drive to Basingstoke or Farnham, so that they could get better value for money.

The Coors site was the only available site which was big enough to provide a proper alternative to Sainsburys. That meant the right sized store and

convenient, surface level parking. Being within easy walking distance of many people's home, it would be served by public transport, and accessible to all.

This application was also the only one which would deliver wider community benefits, in the form of improved sports facilities.

Although, the applicants were required to provide a replacement for the existing facilities, it was worth remembering that the current facilities were private and used only by a small number of people. In addition, some of the facilities were in a poor state of repair.

The replacement package would provide better tennis, bowls and football facilities, which would have far greater benefits for the people of Alton.

All of the other issues could be dealt with by condition, or through a legal agreement. Discussions could continue after this evening to ensure that such an agreement contained sensible safeguards to deliver the improvements to open space provision.

The applicants believed that the application struck the right balance to deliver the type and size of supermarket that people wanted. It would also deliver a rare opportunity for improved sports facilities that were unlikely to be funded by the public purse.

He asked the Committee to support the application.

Cllr Mrs Bradford addressed the Committee and then left the room for this item as per her earlier declaration of interest.

Most of what she had wanted to say already been said. She was confused however, as another supermarket had appeared. This application was for outline planning permission and she suggested that there could be room to negotiate with the applicants to reduce the size of the proposed store. She was also concerned about access to Woodbine Cottages. There was only a small gap for access to the back of the cottages, which had not been addressed adequately.

Cllr Mrs Bradford was concerned about deliveries to the store which could be two an hour; she would like to see conditions imposed on delivery times if the Committee were minded to give permission.

Cllr Chick declined to address the Committee and left the room for this item as per his earlier declaration of interest.

Cllr Janes, the local Councillor, addressed the Committee. He believed that there were plenty of reasons to refuse the application. He acknowledged that Alton needed another supermarket; one of the best evidence for this was the price of petrol. The question was where to put this new supermarket. The site being

considered was not unsuitable for development, but he believed that it was not the right location for a supermarket. He was concerned about the distance from the site to the Manor Estate. Residents of the estate would have to walk to this site if they did not have a car. A more sustainable supermarket was required for Alton; however it was not this proposal.

Councillors made a number of comments/questions including (Officers answers are in italics)

- Councillors supported the reasons for refusal as set out;
- It would be an intrusive development;
- There was a need to think about other traders in town;
- Where was the public consultation;
- There was concern about the impact of the development on the listed buildings;
- There were concerns about the streetscene and the proposed means of access;
- There were inconsistencies in the application;
- The diameters of the road were not clear on width in respect of both the cycle lane and car lane exiting the site;
- The highways issues had not been adequately addressed;
- There was a suggestion that the item should be deferred; and
- Reference was made to PPG 17 paragraph 10.

The Chairman in reply to the suggestion of deferral said that there were wider retail strategy issues and that there was a need to press ahead with a decision.

The Head of Planning Services referred to the Sequential Test. He explained that the proposals were all the same, in that there were all "out of centre". Yes, the new proposal received was out of centre; however, it was closer to the centre than the others. The decision had been made more difficult with three applications for a supermarket

Officers had considered issues including neighbour impact and effect on the character of the area and could understand the concerns raised, but did not consider these to be reasons for refusal.

The County Highways Officer informed the Committee that the County Council had considered the transport issues in detail and confirmed that further information was required.

The recommendation was for refusal.

Cllr Burrige noted that there were concerns about the impact of the proposal on the character and appearance of the area and proposed an additional reason for refusal as set out below.

On the basis of the information submitted and the illustrative drawings, the Council is not satisfied that the development can be accommodated on the site without causing harm to the character and appearance of the street scene, which is characterised by a strong enclosed linear street pattern, and the adjacent conservation area. The proposal is therefore contrary to policies HE01, GS2 and HE08 of the East Hampshire Local Plan: Second Review

Cllr Joy seconded the proposal.

The Committee voted on refusal with the amendments to the reasons for refusal as set out in the Supplementary Matters Sheet and additional white sheet and the proposed reason set out above.

Following a vote, the proposal, was declared **CARRIED**, 13 Councillors voting **FOR** refusal, no Councillors voting **AGAINST** refusal and 1 Councillor **ABSTAINING** from voting.

It was therefore **RESOLVED** that approval be REFUSED, as set out in Appendix B of these minutes.

(iv) 22467/005 – UNIT 1-2, MILL LANE, ALTON, GU34 2QJ – A1 (RETAIL) FOOD STORE AT FIRST LEVEL WITH UNDERCROFT PARKING, INCLUDING ASSOCIATED LANDSCAPING AND ACCESS IMPROVEMENTS, FOLLOWING DEMOLITION OF EXISTING BUILDINGS

Cllrs Mrs Bradford and Chick returned to the room.

The District Team Manager introduced the report. He displayed an aerial photograph of the site, site elevations, a site plan, indicative images of the site and photographs of the site. He reminded the Committee that proposals for this site had been considered by the Committee two times and both occasions it had been refused. The site was on the old coach depot and a Focus DIY store was located close by, as was the proposed Chandlers Lodge development. He referred Councillors to the Supplementary Matters Sheet and additional white paper which contained further consultee comments, further representations and changes to the recommendation.

He explained that the store would be split level with undercroft car parking. The net floor space had been reduced from 3,600 sq metres to 2,520 sq metres and there would be 296 car parking spaces and 48 cycle spaces. Access into the site would be via a right hand turn lane. The proposal also included signalling the junction of Mill Lane with Montecchio Way. The access, layout, siting, design and landscaping remained the same as previously submitted.

He reviewed the key issues, benefits and sustainability of the proposal. He referred to the impact on the vitality and viability of Alton Town Centre. It was important not just for the livelihoods of the traders but also was a key to

community and the success of the community. The sequential approach had to be satisfied.

There were implications for sustainable modes of transport, plans had to be made for different modes of transport other than the car. There were also still concerns about the Spital Hatch junction, however, a scheme of improvement at this junction had recently been approved by HCC.

He referred to the Retail Impact Assessment which had shown that the proposal would result in loss of trade from the town centre. Marks & Spencers would be affected as well as Iceland.

There would be benefits and these included:

- Increased competition and choice;
- Deliver improvements to Alton Town Centre,
- Delivery of additional public transport; and
- Some additional employment (300 jobs gross);

The determining issues for consideration were:

- Principle of development;
- Retail impact and sequential test (sustainability);
- Design and layout;
- Flooding and protection of groundwater;
- Highway implications;
- Nature conservation;
- Environmental Health issues;
- Energy conservation; and
- Loss of employment.

Mr Edward Hepper addressed the Committee on behalf of the Alton Society. The Alton Society objected to the Tesco proposals for the following reasons:

- The store was still too big by comparison with EHDC's NLP survey. Although the stated sales area had been reduced by 30%, the building remained the same size indicating a likely increase in sales area, in, say, 5 years' time;
- This proposal would have a disastrous effect on the vitality of town centre;
- Tesco's transport proposals were still inadequate in respect of improvements at both ends of Mill Lane and for bus services along Mill Lane to the store;
- The sustainability and energy efficiency of the building was disappointingly below that of Tesco's proudly quoted leading new stores. Alton should not accept second best;

- By contrast, the proposed Waitrose store at the station was infinitely preferable in size, location and as a catalyst for the improvement of the station forecourt and of Normandy Street;
- Yesterday, by chance, he had been speaking to the 7-9 year olds at Anstey Junior School, at the Holybourne end of the town. To his surprise, a hand went up with the question “What about a new supermarket near Anstey Park?” We discussed it briefly and the teacher asked “Hands up those who would like a new supermarket in Alton”. Perhaps 10 hands went up. Then she asked “hands up those who would NOT like a new supermarket in Alton.” A forest of hands went up. Nine to one against. He rested his case.

Mr Rod Eckles, then addressed the Committee as an ordinary resident who cared deeply about the future well-being of his town. He said that we needed to look beyond a simplistic desire for an alternative supermarket, given the threat to the viability of our town centre that an edge of town development would pose. There was evidence everywhere of irreparable damage caused to other similar towns by this kind of development.

Yes – Sainsbury’s did need competition, but great care was needed in the choice of site if the town centre was not to become a ghost town. Much of Alton’s attraction was to do with its diversity. Providing genuine choice should be about making provision for this diversity, rather than stifling it.

As for the scaling down of these proposals, history showed that Tesco’s would expand to fill this site at the earliest opportunity. He asked what next, a Mill Lane Retail Park?

To conclude, his plea was simple. This Authority had a proud record in protecting and nurturing the well-being of Alton’s town centre, through the Local Plan, and its support to local businesses. Please, allow this work to continue by refusing these proposals.

Mr Martin Robeson, of Martin Robeson Public Affairs on behalf of the applicants.

There was near universal acceptance that a new superstore here would deliver much needed choice and competition. The Tesco’s site was developed land with retail permission for household type goods. It was at an important entry into Alton where an attractive development would raise the profile of the business area.

Local traffic issues had now been resolved. A S106 undertaking also provided £480,000 towards improving local bus service accessibility within Alton. Money for the Borough Council to spend in consultation with the County.

The applicant’s highly sustainable, efficient and attractive building stayed as it was, but its sales area had been reduced by 30%. The reduction would be guaranteed by the S106 undertaking. There could be no appeal of such

undertakings for five years. Even then, a convincing case would need to be made to the Planning Committee.

Alton's shopping centre was focused on the tightly-knit, attractive High Street area. This was home to the likes of Waterstones, Currys, Dorothy Perkins, Peacocks, Boots, New Look and Clarks. A quality line up for a relatively modest town. These and the good quality independent clothing, furnishing and other retailers were what brought people to Alton. These shops were totally distinct from the superstore offer. Wherever you did your superstore shopping in Alton, you would still use the town centre. Independent evidence already showed the existing superstore on the outside of the town centre ring road was not generally used at the same time as this town centre shopping. It would not impact on the town centre.

The small Marks & Spencer food store and the little Co-op convenience shop served a distinctly different market. They would not close. Hence the lack of representations from them. Instead there was a 1,200 town centre petition to support.

To deliver the necessary choice and draw back those who food shop in Basingstoke, Farnham and even Winchester, a store is needed that could compete with at least the main food and everyday non-food ranges offered there. The late runner or perhaps it's just a non-runner, promoted a store 60% smaller than our original scheme. It would not do the job properly even if it were to pass all its difficult planning hurdles.

The Committee knew how determined Tescos were to come to Alton. The Town Council now wanted Tesco, and Tesco could deliver their scheme, and with it, their promises to the town.

Cllr Joy, the local Councillor addressed the Committee. He said that many concerns such as potential retail impact on the town centre, impact on the wider road network and high dependence on the car had been covered in the previous applications. He was pleased to see that Tesco had chosen to retain a design reflecting Alton's 'maritime history'. This resembled a Titanic scale cross-channel ferry. He encouraged others to take a long last look as he now proposed to sink it. He noted that the retail floor space had been reduced, but that the size of the building remained unchanged. Overall, the floor space had remained as before. This would be a long term issue. Highways matters were also still an issue and had not been adequately addressed. In particular, Highways had failed to take a proactive, holistic and forward thinking approach to traffic management at the Eastern end of Alton, nor had they considered the views of elected members on behalf of the town. In his opinion, the double mini roundabout proposals for the Spital Hatch Junction would be inadequate, inappropriate and ineffective. He was unhappy with the whole proposal.

Councillors made a number of comments/questions including (Officers answers are in italics)

- Competition was required in Alton;
- The reduced floor space was noted. Although it was also noted that the overall floor space had remained the same;
- The support for the development by Alton Town Council was noted;
- There was unhappiness about the highway solutions, particularly the Spital hatch junction;
- There were positives to the application;
- Alton deserved better;
- There was concern about the mix;
- There was support for the reasons for refusal; and
- It was important for the Committee to get the best supermarket for Alton and for it to be located where there would be the least problem for residents.

Cllr Chick read a statement from Cllr Smith who had not been able to attend the meeting.

The Highways Officer said that the Spital Hatch Junction was substandard for a number of reasons and required specific improvements, the current proposals were acceptable in principle. Highways Officers had to consider the impact of Tesco and what improvements would be needed as a result of the specific impact of the store.

The recommendation was for refusal.

Cllr Joy proposed an additional reason for refusal as set out below.

It has not been demonstrated that the local road network is capable of operating sufficiently with the additional traffic likely to be generated by the site proposals, particularly at the junction of Mill Lane / Wilsom Road / Papermill Lane and Ashdell Road, and consequently does not demonstrate the proposals will not have a significant impact to the detriment of the highway network contrary to policies GS2 and T9 of the East Hampshire District Local Plan: Second Review and CC7 of the South East Plan – Regional Spatial Strategy for the South East.

Cllr Graham seconded the proposal.

The Committee voted on refusal with the additional reason for refusal set out above.

Following a vote, the proposal, was declared **LOST**, 2 Councillors voting **FOR** refusal, 14 Councillor voting **AGAINST** refusal and no Councillor **ABSTAINING** from voting.

The Committee then voted on refusal as set out in the agenda and Supplementary Matters Sheet with additional white paper.

Following a vote, the proposal, was declared **CARRIED**, 14 Councillors voting **FOR** refusal, 1 Councillor voting **AGAINST** refusal and 1 Councillor **ABSTAINING** from voting.

It was therefore **RESOLVED** that approval be REFUSED, as per Appendix B of these minutes.

The meeting closed at 10.25pm.

.....
Chairman

During the course of the meeting 168 members of the public and 1 member of the press were present.

28 April 2010
Planning Committee - North

Supplementary Matters to be considered as part of Planning Officer's Report on Planning Applications.

SEC1 Item 1

Anstey Park, Anstey Lane, Alton, GU34 2NB

33615/003/FUL

CORRECTIONS

Amendments to conditions 5 and 6

5. **No use of the pitches** shall take place outside the hours of 07:30 to 21:00, Monday to Fridays, 09.00 to 18.00 Saturdays and 10:00 to 17:00 Sundays.

Reason To protect the amenities of local residents.

6. The floodlights hereby permitted shall be fitted with a time switch so that they are not illuminated outside the hours of use specified in condition 5 above.

Reason In the interests of amenity.

FURTHER CONSULTEE COMMENTS

County Highways Officer - Holding objection, although additional information has now been submitted to County Highway Officer to address concerns.

Environment Agency - Further information requested regarding infiltration rates on site. It needs to be demonstrated with that there will be no increase in discharge rates or volumes from this site as a result of the proposed development, with appropriate calculations. Similarly it needs to be demonstrated that the site will not flood from surface water up to a 1 in 100 year storm with a suitable allowance for climate change, or that any surface water flooding can be safely contained on site up to this event.

We cannot agree a drainage scheme unless we are certain that it is feasible. In this case, you would need to demonstrate that infiltration is possible. It should also be demonstrated water though a labelled site plan including all proposed drainage features, that there is sufficient space on site for the proposed SUDS features to appropriately manage surface water. (Officer note: the applicant is seeking to address this issue).

Arboricultural Officer - Objection. Further details required to address concerns regarding the potential impact upon the existing trees on the site boundaries. (Officer note: the applicant has suggested that a condition requiring the submission

of Arboricultural Method Statement prior to commencement of works could address the concerns of the Arboricultural Officer - officers accept that a condition would be appropriate in this case).

FURTHER REPRESENTATIONS

2 additional letters received raising no additional issues (244 in total).

For clarification one letter has suggested that the applicant's statement of community involvement has not complied with PPG 17 Para 10 as he considered the developer has not consulted the local community and demonstrated that their proposals are widely supported.

Such community involvement is only required when the existing open space is surplus to requirements and should include consideration of all the functions that open space can perform.

As referred to in the middle paragraph of page 17 of the agenda, the site for the football hub is already in recreational use and its use as sports pitches involves no loss of open space. Therefore the applicant is under no obligation to seek the support of the local community. Whilst the local opposition to the applications are noted, the applications are not in breach of the requirements of PPG17.

CHANGES TO RECOMMENDATION

Subject to satisfactory additional information to address the further comments of the Environment Agency and the County Highways Officer, being received by 17 May 2010 then the Head of Planning Services be given delegated authority, in consultation with the Local Ward Councillor and the Chairman of the North Planning Committee, to grant **PERMISSION** subject to the conditions, in the agenda, with conditions 5 and 6 amended as above, and the following additional condition:

Prior to the commencement of any work on the site an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Planning Authority. All works shall be carried out in strict accordance with the approved documents.

Reason - To ensure that the trees on and around the site are adequately protected from damage to their health and /or amenity value.

In the event that satisfactory additional information is not received by 17 May 2010, then planning permission will be refused under the adopted scheme of delegation.

**SEC1 Item 2
52457//FUL**

**Anstey Lane Football Ground, Anstey Lane,
Alton GU34 2NB**

CORRECTIONS

Amendment to condition 5 to read:

5. The floodlights hereby permitted shall be fitted with a time switch so that they are not illuminated between the hours of 22.30 - 09:00 hours daily.

Reason To protect the amenities of local residents and local highway users.

Condition 7 has been reproduced in error and should read:

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

Design & access statement

LA101 - Sports facilities location plan

LA103 RevB - Existing site plan for refurbishment

LA201 RevB - Landscape architecture

LA207 - Typical lighting plan for 180 lux average full size pitch

LA212 RevB - Seniors lighting contours

HED.863.502 - Alton replacement leisure facilities (ticket booth)

HED.863.501 - Timber close board fence

HED.863.213 - Changing facilities

HED.863.215: Anstey Enclosure Social Facilities

Reason - To ensure provision of a satisfactory development

FURTHER CONSULTEE COMMENTS

County Highways Officer - Following the receipt of additional information relating to the flood lights and light spillage, the applicant has addressed the concerns previously raised. No objection subject to a condition to control the light spillage onto the highway. (Officer comment: condition 4 of the recommendation relates to this)

Sport England - has confirmed the withdrawal of their objection. In considering this application on its own merits, the proposal will result in an upgrade of the existing facilities at this site. These changes would meet policy Exception 2 of Sport England's Playing Field Policy that states the proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

FURTHER REPRESENTATIONS

One additional letter received raising no new issues.

ADDITIONAL CONSIDERATIONS RELEVANT TO ITEMS 3 AND 4

Since the publication of the Agenda, an application has been received at Kerridges, Station Road, Alton for an additional out-of-centre supermarket with a net retail floor area of 1,400sqm. Without prejudice to the determination of this application at a later date, no compelling information has so far been made available that would suggest that in principle this may not be achievable. Given that the available retail expenditure in Alton is finite, the retail impact and sustainability considerations of such a site must therefore be weighed in the balance in considering the appropriateness of the current application. Policy EC5.2(c) of Planning Policy Statement 4 requires a sequential approach that, when considering out-of-centre sites, preference should be given to sites which "...are or will be well served by a choice of means of transport and which are closest to the centre and have a higher likelihood of forming links with the centre."

The applicants for the scheme at Mill Lane have dismissed this site as preferable to the site at Mill Lane on the basis that it could not accommodate a proposal that could meaningfully compete with the larger floorspace of the existing Sainsbury store. The Council's retail consultant disagrees with this assertion and the indication that a major retailer is applying for such a store would suggest that such a store would be feasible and able to offer reasonable competition. The retail consultant goes on to say; "If the either the Tesco or the Coors store is approved then the alternative smaller food store scheme is unlikely to be implemented. The disbenefit of not securing a more central store with better links to the town centre should be taken into account."

**SEC1 Item 3
30667/013/OUT**

**Bass Sports & Social Club, Anstey Road,
Alton, GU34 2RL**

CORRECTIONS

The text in section 11 of the Planning Considerations has not been reproduced in full. The section should read as follows:

11. Covenant implications

Reference has been made to the existing covenant relating to the application site. The Council's Solicitor has confirmed that a Deed of Covenant dated the 15th July 1935 made between Courage and Company and the Alton Urban District Council restricts the use of the land. It makes it clear that the majority of the land shall not be used at any time for anything other than as 'private open space'. It is clear that the proposed use does not comply with this covenant. However, the Town and Country Planning Act 1947 (and replacement Planning Acts) makes it clear that the Deed of

Covenant does not restrict the exercise of the statutory powers of the Local Planning Authority. In other words, the covenant is irrelevant as far as the assessment of merits of the planning application is concerned.

This does not mean that the covenant restricting the use of the application site is totally irrelevant to the use of the site. The Covenant remains in force and may be enforced by the Council (as the successor in title to the Alton Urban District Council) until such time as it is varied or discharged. In addition, there is legal authority that the grant of planning permission may be relevant if an application is made to discharge the covenant, either on application to this Council or to the Secretary of State. The Town and Country Planning Act 1971 makes it clear that if an application is made to the Secretary of State to discharge or modify the covenant then the test to be applied on deciding whether to discharge or modify the covenant is whether the covenant is "inconsistent with the proper planning or development of the area". In the light of this test, it is possible that the Council could be construed to be acting unreasonably if it resisted an application to modify or discharge the covenant having already granted planning permission for development resulting in the loss of the open space.

In conclusion, despite the above, the covenant should not be taken into account in determining the planning application.

FURTHER CONSULTEE COMMENTS

Environmental Health - An air quality assessment has been submitted. The assessment considers the likely impact of the construction phase of the supermarket and operational phase - including road traffic data. The EHO has raised no objection subject to an informative and condition.

County Highways Officer - Objection.

Despite additional information being submitted the Highway Authority is unable to provide a positive recommendation at this time.

In order to address the County's concerns modelling will need to be provided which demonstrates that the junctions operate efficiently addressing the issues County have raised. In addition, the provision of a regular local bus service in close proximity to the site will need to be secured for the life of the store to ensure a choice of transport modes, along with necessary pedestrian and cycle improvements. The applicant has failed to make provision for these necessary improvements, nor adequately mitigate the impact of proposed development. Amendments to the access arrangements will need to be made taking into account the comments made above.

It is recommended the application be refused for the following reasons:

It has not been demonstrated that the local road network is capable of operating

sufficiently with the additional traffic likely to be generated by the site proposals and consequently does not demonstrate the proposals will not have a significant impact to the detriment of the highway network contrary to policies GS2, T9 of the East Hampshire District Local Plan: Second Review and CC7 of the South East Plan – Regional Spatial Strategy for the South East

In the opinion of the Planning Authority the proposal involves development that cannot be reconciled with national planning policy guidance PPG13 and is contrary to policy CC7 of the South East Plan – Regional Spatial Strategy for the South East and T2 of the East Hampshire District Local Plan: Second Review in that it fails to make the best possible use of opportunities to reduce reliance on the private car. The failure to utilise alternative means of transport to the private car would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality

Sport England - Objection. We are unable to withdraw our objection to the application for a supermarket on the site of the Bass Sports & Social Club.

This is because, although it is proposed to replace the playing fields that will be lost from the Bass Sports & Social Club site, the proposals will not be of a better or equivalent quality and will not be subject to equivalent or better management arrangements prior to the commencement of development.

In order to satisfy Sport England criteria the proposals should provide facilities that satisfy both Alton Town Football Club (located at the Coors Ground) and Alton United FC (located at Anstey Park Football Ground). The replacement grounds therefore needs to include:

- (a) “equivalent or better quality and of equivalent or greater quantity”
- (b) “equivalent or better management arrangements”

In order to accommodate Alton Town Football Club at the Anstey Park Football Ground, improvements are proposed as part of application ref. 52457. However, the improvements proposed are not sufficient to ensure that the Club can remain in the Wessex League. Sport England have listed a number of additional requirements including the specifications for changing rooms. The Wessex League requires the Anstey Park Ground to meet Ground Grade F.

In addition, Alton Town Football Club has a floodlit training pitch at the Bass Sports and Social Club site. Whilst new floodlit facilities are being provided for Alton United, it is understood that Alton Town will not be able to use them. This means that Alton Town Football Club will not have access to a flood lit training area and therefore the proposals also fail to meet the requirements of policy E4. *(Officer note: The lack of a floodlit training facility in itself does not make the package of facilities unacceptable in the opinion of officers - a floodlit training area is not a requirement of Wessex League membership and alternative training provision could be accommodated*

elsewhere in Anstey Park.)

In conclusion, for Sport England to withdraw its objection to the proposed supermarket development on the Bass Sports and Social Club site, the above issues will need to be addressed. Sport England would urge the Council not to grant planning permission until these issues are resolved.

Environment Agency - Maintain objection as the additional information fails to address all of their concerns.

AMENDMENTS RECEIVED

With regard to the provision of open space in lieu of land lost at the Bass Sports and Social Club, the applicant has offered the following, which could be secured through a Section 106 legal agreement:

- a) The developer provides the Council with replacement open space land of equivalent area. If the developer is unable to secure a suitable replacement site they will;
- b) Pay the actual costs the Council incur in identifying and purchasing replacement land.

If a suitable replacement site is not secured within 6 months the developer will;

- c) Pay a contribution of £150,000 for the acquisition of land for public open space.

The applicant would be committed to providing the replacement open land through the Section 106 agreement.

Officer comment: Officers consider the above offer for either provision of land or contribution to buy land to be appropriate.

FURTHER REPRESENTATIONS

A letter has been received on behalf of the applicants for the Station Road proposals which generally highlights the benefits of the Station Road proposals and makes the argument that it would be sequentially preferable to the other two supermarket sites and would be in a better position to form links with the town centre. The letter also promotes the benefits of regeneration that the store would bring to the wider Station Road area.

One letter on behalf of Aldi, raising the following concerns:

- a) the applicant has not demonstrated compliance with the requirements of the sequential approach; and
- b) there is clear evidence that the proposal is likely to lead to significant adverse impacts on Alton Town Centre.

CHANGES TO RECOMMENDATION

In light of the additional information relating to the retail proposals at Station Road an additional reason for refusal is proposed within the revised recommendation below.

Furthermore, in light of the offer relating to the provision of replacement open space and the latest comments received from Sport England, the recommendation is revised to amend the second reason for refusal detailed in the committee agenda. As the overall recommendation remains for REFUSAL, the reasons for refusal also refers to the absence of a Section 106 agreement to secure the package of measures to ensure that this issue is properly addressed in the event of a subsequent appeal.

Additional reasons for refusal as recommended by the County Highway Officer are also included.

The full recommendation is now for REFUSAL for the following reasons:

1. In the opinion of the Local Planning Authority the retail floorspace proposed would be likely to have a significant adverse impact upon the vitality and viability of the existing town centre, contrary to Policy TC2 of the East Hampshire District Local Plan: Second Review and Planning Policy Statement 4.
2. The sequential assessment fails to demonstrate that adopting a flexible approach to the proposals would not allow for a viable or achievable store on an alternative out-of-centre site that would meet the identified need, have a more acceptable impact on Alton town centre, be better served by a choice of means of transport and which would be closer to the town centre and have a higher likelihood of forming links with it. Consequently the proposal would be contrary to the objectives of Planning Policy Statement 4.
3. Notwithstanding the proposed and permitted replacement sports facilities, the proposals make inadequate provision for replacement football facilities at the Anstey Park football ground and no legal agreement is in place to secure the delivery of the range of facilities and other provisions. As such the proposals do not fully reprovide for the loss of the existing recreational facilities on the site, contrary to Policy R2 and HC1 of the East Hampshire District Local Plan: Second Review and PPG17.
4. It has not been demonstrated that the local road network is capable of operating sufficiently with the additional traffic likely to be generated by the site proposals and consequently does not demonstrate the proposals will not have a significant impact to the detriment of the highway network contrary to policies GS2, T9 of the East Hampshire District Local Plan: Second Review and CC7 of the South East Plan – Regional Spatial Strategy for the South East
5. In the opinion of the Planning Authority the proposal involves development that

cannot be reconciled with national planning policy guidance PPG13 and is contrary to policy CC7 of the South East Plan – Regional Spatial Strategy for the South East and T2 of the East Hampshire District Local Plan: Second Review in that it fails to make the best possible use of opportunities to reduce reliance on the private car. The failure to utilise alternative means of transport to the private car would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality

6. From the information contained within the Flood Risk Assessment, insufficient information has been submitted to demonstrate that the proposal will adequately mitigate against flooding within the locality. The proposal is therefore contrary to Planning Policy Statement 25.

SEC1 Item 4

Unit 1-2, Mill Lane, Alton, GU34 2QJ

22467/005/FUL

FURTHER CONSULTEE COMMENTS

County Highways Officer - A formal consultation on the proposal has now been received from the Highway Authority. Their concerns relating to the inherent unsustainable nature of the site and the failure to make the best possible use of opportunities to reduce reliance on the private car have been reiterated and are not considered to have been overcome by this application. As previously, no objection is raised to the proposed improvements at the junction with Montecchio Way. Following discussions as to the provision of two mini roundabouts at the Spitalhatch junction the Highway Authority now raise no objection in principle:

"This current application has proposed the construction of a double-mini roundabout at this junction. In addition to the 'in principle' plan within the application, a safety audit, land plan and a junction assessment using the computer modelling program ARCADY has recently been submitted to the Highway Authority which indicates the junction will operate within capacity. Swept path analysis has been provided in addition to a Road Safety Audit and a Designer's response which addresses the issues raised. The audit raised concern over the level of visibility to the right when exiting Mill Lane which is an existing problem for vehicles at this point. It is considered that there is potential to increase visibility at this point by altering the extent of the bank and providing a retaining structure. Consequently the works are considered acceptable 'in principle'."

A unilateral undertaking has been offered by the applicant to secure a number of financial contributions including a business improvement contribution of £75,000. As this contribution is now secured, reason 5 on the agenda is no longer recommended as a reason for refusal.

FURTHER REPRESENTATIONS

Three further letters have also been received from planning agents;

One on behalf of the applicants for the Station Road proposals which generally highlights the benefits of the Station Road proposals and makes the argument that it would be sequentially preferable to the other two supermarket sites and would be in a better position to form links with the town centre. The letter also promotes the benefits of regeneration that the store would bring to the wider Station Road area.

One on behalf of Sainsbury's, making the following comments:

- a) the proposal will draw trade directly from the town centre, harming the vitality and viability;
- b) users of the Tesco site will be unlikely to make linked trips;
- c) Sainsbury's plays a vital role in supporting the town centre, any impact on Sainsbury's is a direct impact on the town centre; and
- d) the Bordon Eco-Town will further influence the retail hierarchy in Alton and in combination with this the Tesco store would undermine the viability of the town centre.

One on behalf of Aldi, raising the following concerns:

- a) the applicant has not demonstrated compliance with the requirements of the sequential approach; and
- b) there is clear evidence that the proposal is likely to lead to significant adverse impacts on Alton Town Centre.

Further correspondence has also been received from the applicant including;

1) a legal agreement securing;

- a) bus service contribution of £480,000;
- b) business improvement contribution of £75,000;
- c) Mill Lane improvement contribution of £20,000;
- d) town centre contribution of £100,000;
- e) a package of highway works; and
- f) contributions for monitoring purposes.

and;

2) a letter highlighting the benefits of the proposal (circulated to all Councillors)

CHANGES TO RECOMMENDATION

In light of the additional information relating to the retail proposals at Station Road an additional reason for refusal (2) is proposed within the revised recommendation

below.

REFUSAL for the following reasons:

1. In the opinion of the Local Planning Authority the retail floorspace proposed would be likely to have a significant adverse impact upon the vitality and viability of the existing town centre, contrary to Policy TC2 of the East Hampshire District Local Plan: Second Review and Planning Policy Statement 4.
2. The sequential assessment fails to demonstrate that adopting a flexible approach to the proposals would not allow for a viable or achievable store on an alternative out-of-centre site that would meet the identified need, have a more acceptable impact on Alton town centre, be better served by a choice of means of transport and which would be closer to the town centre and have a higher likelihood of forming links with it. Consequently the proposal would be contrary to the objectives of Planning Policy Statement 4.
3. It is considered that the site is in an out of centre location, divorced from residential populations, and the proposed use would be likely to increase reliance on, and the number of trips made by, the private car, contrary to the key objectives of PPG13, PPS4 and policies T1 and T2 of the South East Plan – Regional Spatial Strategy for the South East and does not comply with policies GS1 and T2 of the East Hampshire District Local Plan: Second Review.
4. The proposal involves development that cannot be reconciled with national planning policy guidance PPG13, PPS4 and is contrary to policies CC7 of the South East Plan – Regional Spatial Strategy for the South East and T2 of the East Hampshire District Local Plan: Second Review in that it fails to make the best possible use of opportunities to reduce reliance on the private car. The failure to utilise alternative means of transport to the private car would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality.

EAST HAMPSHIRE DISTRICT COUNCIL

MINUTES OF NORTH PLANNING COMMITTEE

APPENDIX A

**PS.274 /2010
28 April 2010**

PROPOSAL	UPGRADE OF EXISTING FACILITIES COMPRISING 6 FLOOD LIGHTS, 2 TECHNICAL AREAS, NEW TICKET BOOTH AND SCREENING FENCE TO BOTH ENDS OF THE PITCH
LOCATION:	Anstey Lane Football Ground, Anstey Lane, Alton GU34 2NB
REFERENCE NO:	52457//FUL/AE

- 1 The development hereby permitted shall be begun **before the expiration of three years** from the date of this planning permission.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990

- 2 Notwithstanding any indication of materials that may have been given in the application or in the absence of such information, **no development shall start on site until** samples / details including manufacturers details of all the materials to be used for external facing and roofing have been submitted to and approved in writing by the Planning Authority. The development works shall be carried out in accordance with the approved details.
Reason - To ensure that the materials used in the construction of the approved development harmonise with the surroundings.

- 3 **No development shall start on site until** a fully detailed landscape and planting scheme for the hedgerow boundaries behind each goal has been submitted to and approved in writing by the Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. These works shall be carried out in the **first planting season after practical completion or first occupation of the development**, whichever is earlier, unless otherwise first agreed in writing by the Planning Authority.

Any trees or plants which, within **a period of 5 years** after planting, are removed, die or become seriously damaged or defective, shall be

replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Planning Authority.

Reason - In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

- 4 **Prior to the commencement of works**, a scheme for the monitoring of the flood lighting a in compliance with the light spillage detailed in plan reference HED.863.212. Rev B shall be submitted to and approved by the Local Planning Authority. The testing of the lighting to accord with the light spillage detailed in plan reference HED.863.212. Rev B monitoring and any maintenance required shall be carried out strictly in accordance with the approved monitoring/maintenance scheme.

Reason - To protect the visual amenity of the area and amenity of neighbouring properties

- 5 The floodlights hereby permitted shall be fitted with a time switch so that they are not illuminated between the hours of 22.30 - 09:00 hours daily.

Reason - To protect the amenities of local residents and local highway users.

- 6 **No development shall start on site until** plans of the site showing details of the existing and proposed ground levels, and proposed drainage and finish condition for the football pitches (to accord to Sport England requirements) have been submitted to and approved in writing by the Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. This certification shall be submitted in writing to the Planning Authority on completion of the football pitches The development thereafter shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory provision of football pitches together with relationship results between the new development and adjacent buildings and public areas

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

Design & access statement

LA101 - Sports facilities location plan

LA103 RevB - Existing site plan for refurbishment

LA201 RevB - Landscape architecture

LA207 - Typical lighting plan for 180 lux average full size pitch

LA212 RevB - Seniors lighting contours

HED.863.502 - Alton replacement leisure facilities (ticket booth)

HED.863.501 - Timber close board fence

HED.863.213 - Changing facilities
HED.863.215: Anstey Enclosure Social Facilities

Reason - To ensure provision of a satisfactory development

Informative Notes to Applicant:

- 1 The Council has granted permission because:

This application proposes refurbishments to the football ground in Anstey Park. The majority of the refurbishments are minor in nature, some of which do not require planning permission. Most significantly, the application proposes the introduction of six flood lights mounted on 15m high columns. Following the submission of additional information confirming measures to control the light spillage at an acceptable level, it is considered that the proposals are acceptable and would not detract from the character and appearance of the park or the amenities of local residents. The proposal is therefore considered to be compliant with policies contained within the East Hampshire District Local Plan: Second Review.

It is therefore considered that subject to compliance with the attached conditions and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

- 2 Whilst there is no current indication of any issues, there nevertheless may still remain a possibility of contamination or risk being discovered during the course of development. **In the event that contamination is found at any time when carrying out the approved development, it is recommended to report this in writing immediately to the Local Planning Authority.** An investigation and risk assessment should then be undertaken by competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings, including a remediation statement, is recommended and should be forwarded for appraisal to the Local Planning Authority. Following completion of remedial measures a verification report should be prepared that demonstrates the effectiveness of the remediation carried out. **It is recommended that no part of the development should be occupied until all remedial and validation works are complete and a Completion Certificate has been issued. This should ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.**

EAST HAMPSHIRE DISTRICT COUNCIL

MINUTES OF NORTH PLANNING COMMITTEE

APPENDIX B

**PS.274 /2010
28**

April 2010

PROPOSAL	JUNIOR FOOTBALL HUB COMPRISING THREE PITCHES TOGETHER WITH A CLUBHOUSE, FLOODLIGHTING AND THE PROVISION OF ASSOCIATED CAR PARKING, ACCESS ROAD AND LANDSCAPING
LOCATION:	Anstey Park, Anstey Lane, Alton, GU34 2NB
REFERENCE NO:	33615/003/FUL/AE

- 1 The proposal will result in the loss of the characteristic openness of Anstey Park through the introduction of buildings and floodlights to the detriment of the prevailing character of the park and the local gap. Furthermore, the proposed development will be harmful to the amenities of the users of the park and adjacent public footpath. The development is contrary to policies HE01, GS3, T4 and C11 of the East Hampshire Local Plan: Second Review

PROPOSAL	OUTLINE - NEW SUPERMARKET WITH A GROSS FLOOR AREA UP TO 4100SQM (AS AMENDED BY THE SUBMISSION OF AN ARBORICULTURAL DEVELOPMENT STATEMENT RECEIVED 18/03/2010)
LOCATION:	Bass Sports & Social Club, Anstey Road, Alton, GU34 2RL
REFERENCE NO:	30667/013/OUT/AE

- 1 In the opinion of the Local Planning Authority the retail floorspace proposed would be likely to have a significant adverse impact upon the vitality and viability of the existing town centre, contrary to Policy TC2 of the East Hampshire District Local Plan: Second Review and Planning

Policy Statement 4.

- 2 The applicant has failed to demonstrate that the retail needs which the proposal seeks to meet could not be adequately met on a site closer to the town centre with better access to public transport and less reliance on car-borne custom and by means of a smaller scale store which would have less impact on the town centre. Having regard to the adverse impact of the proposal on the town centre and the inaccessibility of the location, this failure is contrary to the objectives of PPS4 and is an additional negative impact under Policy EC17.2
- 3 Notwithstanding the proposed and permitted replacement sports facilities, the proposals make inadequate provision for replacement football facilities at Anstey Park and no legal agreement is in place to secure the delivery of the range of facilities and open space provisions. As such the proposals do not fully reprovide for the loss of the existing recreational facilities on the site, contrary to Policy R2 and HC1 of the East Hampshire District Local Plan: Second Review and PPG17.
- 4 It has not been demonstrated that the local road network is capable of operating sufficiently with the additional traffic likely to be generated by the site proposals and consequently does not demonstrate the proposals will not have a significant impact to the detriment of the highway network contrary to policies GS2, T9 of the East Hampshire District Local Plan: Second Review and CC7 of the South East Plan – Regional Spatial Strategy for the South East
- 5 In the opinion of the Planning Authority the proposal involves development that cannot be reconciled with national planning policy guidance PPG13 and is contrary to policy CC7 of the South East Plan – Regional Spatial Strategy for the South East and T2 of the East Hampshire District Local Plan: Second Review in that it fails to make the best possible use of opportunities to reduce reliance on the private car. The failure to utilise alternative means of transport to the private car would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality
- 6 From the information contained within the Flood Risk Assessment, insufficient information has been submitted to demonstrate that the proposal will adequately mitigate against flooding within the locality. The proposal is therefore contrary to Planning Policy Statement 25.
- 7 On the basis of the information submitted and the illustrative drawings, the Council is not satisfied that the development can be accommodated on the site without causing harm to the character and appearance of the street scene, which is characterised by a strong enclosed linear street pattern, and the adjacent conservation area. The proposal is therefore

contrary to policies HE01, GS2 and HE08 of the East Hampshire Local Plan: Second Review

PROPOSAL	A1 (RETAIL) FOOD STORE AT FIRST FLOOR LEVEL WITH UNDERCROFT PARKING, INCLUDING ASSOCIATED LANDSCAPING AND ACCESS IMPROVEMENTS, FOLLOWING DEMOLITION OF EXISTING BUILDINGS
LOCATION:	Unit 1-2, Mill Lane, Alton, GU34 2QJ
REFERENCE NO:	22467/005/FUL/TW

- 1 In the opinion of the Local Planning Authority the retail floorspace proposed would be likely to have a significant adverse impact upon the vitality and viability of the existing town centre, contrary to Policy TC2 of the East Hampshire District Local Plan: Second Review and Planning Policy Statement 4.
- 2 The applicant has failed to demonstrate that the retail needs which the proposal seeks to meet could not be adequately met on a site closer to the town centre with better access to public transport and less reliance on car-borne custom and by means of a smaller scale store which would have less impact on the town centre. Having regard to the adverse impact of the proposal on the town centre and the inaccessibility of the location, this failure is contrary to the objectives of PPS4 and is an additional negative impact under Policy EC17.2
- 3 It is considered that the site is in an out of centre location, divorced from residential populations, and the proposed use would be likely to increase reliance on, and the number of trips made by, the private car, contrary to the key objectives of PPG13, PPS4 and policies T1 and T2 of the South East Plan – Regional Spatial Strategy for the South East and does not comply with policies GS1 and T2 of the East Hampshire District Local Plan: Second Review.
- 4 The proposal involves development that cannot be reconciled with national planning policy guidance PPG13, PPS4 and is contrary to policies CC7 of the South East Plan – Regional Spatial Strategy for the South East and T2 of the East Hampshire District Local Plan: Second Review in that it fails to make the best possible use of opportunities to reduce reliance on the private car. The failure to utilise alternative means of transport to the private car would result in an unacceptable increase in the number and length of car journeys to the detriment of the environment and the locality.

Informative Notes to Applicant:

- 1 Should satisfactory provision for alternative employment measures be secured, the relevant reason for refusal (4) to this decision would be satisfied.