



BLACKWATER AND HAWLEY TOWN COUNCIL

Minutes of the virtual Planning & Payments Working Party Meeting of the Town Council held on Monday 26th July 2021 at 7.00pm

Present – Councillors:

Adrian Collett	Trish Monks
Terry Hunt	Andy Tarbet
Dave Lister	Sara Usher

In attendance:

Jo Shaw (Town Clerk)

P&P5350 Apologies for Absence

Apologies for absence were received from Cllrs Bob Harward

P&P5351 Declarations of Councillor Interests

There were no declarations of interest.

P&P5352 Public Representation

There were no members of the public who expressed a wish to speak.

P&P5353 Minutes

Councillors received the minutes of the Planning and Payment Committee meeting held on 21st June.

P&P5354 Matters Arising

There were no matters arising from the Minutes of 21st June 2021.

P&P5355 Planning Matters

Planning Applications received from Hart District Council for comment. After careful consideration and discussion, Councillors resolved to make the following comments:

21/01067/AMCON	21 London Road, Blackwater GU17 9AP	Variation of Condition 1 attached to Planning Permission 20/01498/AMCON dated 24/09/2020. The retail premises shall not open before 07.00 hours or remain open after 22.00 hours on Mondays to Saturdays and Bank Holidays and 10.00 hours to 17.00 hours on Sundays.	OBJECTION As the temporary consent for extended operating hours (LPA Ref: 20/01498/AMCON), has not been actioned and Lidl have not operated the proposed extending trading hours granted, it follows that no problems have been encountered. Blackwater and
----------------	--	---	---



			Hawley Town Council propose that the store operates the extended hours temporarily granted for a period of 12 months, to assess issues that arise throughout all seasons of the year, to ascertain if there are any problems before final permission is granted.
21/01632/AMCON	Hollybush House, Hawley Green, Blackwater GU17 9BP	Removal of Condition 8 attached to Planning Permission 15/02998/FUL dated 14/07/2016.	OBJECTION See Appendix 1

P&P5356 Other Business – not for decision

Bench at end of Frogmore Park Drive – Councillor Sara Usher reported that one of the slats on the seat was missing and some sharp screws were evident. The Town Clerk agreed to ask Facilities Staff to take a look.

Kingsway Flooding – Councillor Adrian Collett reported that he had circulated a summary of the results of the survey carried out by Councillors and Alex Jones from Hart District Council. Alex Jones agreed that there appeared to be no way for water to access Hawley Hill balancing pond and would investigate.

Yelabus – Councillor Adrian Collett reported that Yelabus were relaunching for Autumn. The Town Clerk agreed to send the new Council logo to John Ellis to be added to the Yelabus van.

Councillor Brian Blewett joined the meeting at 8pm

Land at Monkey Woods – Following a question from Councillor Dave Lister, Councillors confirmed their desire to incorporate this land within Council amenity at some future point.

Blackwater town Centre Flowers – Councillors agreed to add this item to the next Council Agenda.

Complaints Procedure – Councillors agreed to add this item to the next Council Agenda.

The meeting ended at 8.36pm

Chair _____



APPENDIX 1

21/01632/AMCON

Removal of Condition 8 attached to Planning Permission 15/02998/FUL dated 14/07/2016.

Strong Objection

Blackwater & Hawley Town Council, along with a number of local residents, objected to the original proposal for this development, fundamentally because of the obvious dangers associated with an increase in pedestrian and vehicular movements associated with a Day Nursery in this particular location.

Our safety concerns on this matter remain, and we consider it imperative that a suitable pedestrian crossing for Hawley Road, at least, is in place prior to the day nursery opening for business.

We acknowledge the applicants attempts to clarify with HDC and HCC Highways as to what exactly is required on his part in order to provide a safe route for the nursery patrons, in addition to other local residents and leisure users who would be affected by the overall increase in traffic, especially at busy times of the day.

B&HTC understand that at the 16th September 2019 meeting with HCC, mentioned on the applicant's timeline, it was set out by HCC as to what the applicant is required to do in order to move matters forward so he can fulfil his responsibilities in this matter. The onus is therefore on the applicant to make the appropriate submission to HCC for approval, or not. As with any application, it is not for HCC or HDC to provide plans, designs or technical details on the applicant's behalf.

Contrary to the applicants claims that he is waiting for HCC & HDC to make contact with him regarding the above details, it is seemingly the opposite which is true. Given the time which has since elapsed, we feel that it's with some urgency that the applicant should liaise with HDC and HCC Highways to reconfirm what is required in order to get the issue resolved and implemented as soon as practicable.

While the applicant argues that the calculation for the developers Transport Contributions....

"...has no consideration of the level of journey offset from the elimination of existing out of area journeys necessitated by the lack of provision of a Day Nursery'

... we would argue that it is necessary to consider the increased number of journeys INTO the immediate area as a result of nursery patrons visiting, but wouldn't otherwise make that journey. Additionally, the number of patrons crossing Hawley Road, at busy times of day in terms of traffic would significantly increase the need for a crossing adjacent to Green Lane in particular.

It is quite likely that Green Lane, being a 'No Through Road' will become a popular parking spot the nursery patrons wishing to avoid longer journeys if travelling via Blackwater centre and would therefore have to cross Hawley Road with young children.

In addition to the concerns highlighted above, B&HTC disagree with the applicants' challenge to 4 of the 6 'tests', for the following reasons.



Precise

While accepting the language associated with the supporting reasons for clause 8 lacks careful and considered wording, any such oversights by the author is where the fault lies, not the wording of the condition itself, as the associated safety concerns remain.

Necessary

Taking the view that a pedestrian crossing is not necessary because the Highway Engineer was of the opinion that 'There is no sustainable position here for a refusal recommendation' is erroneous. The NPPF states that planners must not refuse applications which can easily be resolved by conditions. Condition 8 has been included to resolve concerns surrounding the safety matters highlighted.

Recorded incidents within 250 metres either side of the Hawley Green junction, should carry little weight in relation to the concerns raised here, as the concern is about the impact of the additional vehicle and pedestrian movements, including young children, generated by the nursery when added to the mix of existing movements.

Currently, there is limited vehicular traffic turning from Hawley Lane into the awkward Hawley Green junction. Similarly, pedestrian traffic at this point is fairly limited and tends to be at quieter times in terms of road traffic.

The alternative safe route via the traffic signals at Fernhill Lane may be an option for anyone visiting the local leisure facilities, however it's unrealistic to imagine all parents/guardians approaching the day nursery from the direction of Green Lane, will walk the additional 500+ metres (approx. 250m each way) with small children, when all they need to do is cross the road.

Memorial Hall car park is for hirers of the hall and leisure visitors. It is not a convenience for local private businesses. With plans to increase use of the Hall, it's perfectly conceivable that in the afternoon/evenings in particular, the Memorial car park may be busy/unavailable, which could result in inappropriate and dangerous parking practices on the narrow lane, exacerbating the perils of getting to nursery.

Enforceable

As the construction of the nursery building is all but complete, debating whether or not pre-commencement is entirely fair or appropriate is, perhaps, fruitless. However, B&HTC feel it's essential that the work to complete a suitably safe crossing point is carried out pre-occupation.

As the need for road related safety measures in the area is increased considerably by the addition of a day nursery, the applicant has accountability for ensuring the safety of his patrons, in addition to the 'usual' road users, pedestrians, who are more at risk from the increased traffic.

For these reasons, we feel the condition is entirely reasonable, although we strongly encourage HDC and HCC to engage with the applicant to get this agreed without further delay



Reasonable

As already alluded to, it is the view of B&HTC that there are very significant safety concerns associated with this development. Parents and guardians (perhaps older, less agile grandparents) of young children lacking in a full road safety awareness, will often be required to negotiate Hawley Road during the busy rush hours, in addition to Hawley Green, which currently accommodates two-way traffic and pedestrians, without even the refuge of a pavement.

We have no doubt that these dangers are real and feel it would have been unreasonable if these were not addressed.

DRAFT