



East Woodhay Parish Council

PLANNING COMMITTEE MINUTES 16th September 2024, 18:00, Woolton Hill Church Hall

Members Present: Cllr. Denys Blakeway, Cllr. Susan Cooper, Cllr. Rose Donoghue, Cllr. Karen Titcomb (Chair).

Clerk: Cllr Cooper.

Others Present: None.

1. **Apologies for Absence:** None.
2. **Declarations of Interest:** None.
3. **To approve Minutes of meeting held 2nd September 2024:** Approved.
4. **Public Participation:** None.
5. **Planning Applications and other matters to be considered:**

a) **24/01088/PREMV - Malverleys Farm & Dining Limited, Sungrove Farm, Abbey Wells Road, East End, RG20 0AF.** Licensing Act 2003, Full Variation of Premises Licence.

The Committee note that, following objections raised by the Parish Council and local neighbours, to Malverleys revised planning proposal to extend opening hours, the proposed extended opening hours, now subject to a revised license application, have been reduced. Specifically, use of the terrace will be reduced to 7pm most days and 4pm on Sundays.

Nevertheless, the proposal to extend opening hours remains unsupported by the Planning Committee/ Parish Council because of the unacceptable impact it will have on the peace and tranquillity of the local community - a key licensing consideration.

Our response to the application for extended licensing hours follows:

“The Planning Committee of East Woodhay Parish Council expect that this application will be granted. However, the Committee is unable to support it, for all the reasons which have been aired at length in previous correspondence with BDBC.

It is noted that the proposed opening hours, now subject to the license application, have been reduced (from 11pm to 10.30pm and from 7pm to 4pm on Sundays) since the recent application to amend the planning condition. It is also noted that the terrace will continue to only be available from 8-19.00h (Monday to Saturday) and 10-16.00h (Sunday).

Whilst acknowledging this, it remains the case that the original application was granted with a condition on opening hours following much concern by local residents: “To protect the amenities of the occupiers of

nearby properties in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.” There is no reason to change this now as the protection of the amenities of the occupiers of nearby properties remains of paramount importance.

This is an important decision. It is not about the number of support or objection letters that are sent to BDBC. It is about the impact on the lives of residents – especially those adjacent to the site, but also those who live on the approach roads to the site.

Section 9.2 of BDBC Statement of Licensing Policy says: “The Licensing Authorities expects that, in general licensed premises in rural locations will operate earlier terminal hours to reflect the tranquillity and lifestyle within the village area, and to protect local residents living close to the premises.”

Background Considerations:

1) This business is set in the heart of the countryside, where the skies were pitch black at night and where there was almost no noise – where one could ‘hear a pin drop’ especially in the dark of the night. It is common sense to conclude that this will have changed as a result of removing a farm and replacing it with a business which serves visiting customers. There is undoubtedly additional noise caused by visitors to Malverleys and the subsequent light nuisance from the buildings, outside lights and visitor cars. A change which has been managed by the applicant and accepted by the residents. However, that does not mean that it is acceptable to extend the hours by which this change is imposed on a formerly tranquil area.

2) The Committee note the applicant’s point that this is a ‘sophisticated’ venue which has operated ‘without issue’ since opening. The contra point is that local residents have tolerated the noise nuisance to date – which is presently limited by the opening hours. They have tried hard to tolerate the site, to get along with their own lives and with their neighbours, and they have tried to ignore or live with the imposition it has on their daily lives.

This does not lead to a conclusion that longer opening hours will naturally also be acceptable – a request for longer opening does actually suggest a demand from the customer base, will lead to more visitors (most of whom will come by car) and therefore more noise nuisance in all its forms and along the approach roads at night.

3) Given that the Malverleys Farm Shop is now in operation the key question here is whether the proposed extended opening hours will cause additional demonstrable harm to nearby residents by way of additional noise from visitors sitting on the terrace, music, talking/laughing/loud voices, trash being emptied (empty bottles etc.), additional cars to the premises (doors banging, lights, engine noise) and disturbance to the night skies and nocturnal animals and so on.

4) It is an undeniable fact, that the servicing of this business does produce additional and unexpected noise, e.g. bottles being tipped into bins, and visitors to the site do add noise from car engines, car doors banging and from voices (whether loud or soft – all beyond the control of the applicant.). When one starts from almost zero noise, especially at night (a farm), then anything extra will be a change – the issue is how much change should be imposed on the community?

Conclusion

The Committee still maintain that this is an unfair and unnecessary imposition on the peace and remaining tranquillity of local residents and, indeed, on those who reside on the approach roads to the site; remaining strongly of the view that extending the opening hours in this way will have an unacceptable impact on what remains of the peace and tranquillity of the neighbourhood – not least because of the additional vehicles travelling through the approach roads.

For this reason, the license should not be granted.

b) **24/02024/LDPO - Slade Hill Cottage, Station Road, Slade Hill, Woolton Hill, RG20 9TN.** Certificate of lawful development for the construction of an oak timber framed car port with pitched roof.

No comments or objections.

c) **24/02000/ROC - Plot 1, Land at Hollington Lane, Woolton Hill.** Variation of condition 1 of planning ref: 23/01214/ROC to revise the proposed house and garage of Plot 1.

Cllr. Titcomb recused herself from the discussion as she has personally commented on this application.

The remaining members of the Committee had no comments or objections.

6. Items for next Agenda:

24/02110/HSE - 2 Glenthorne, White City, Woolton Hill, RG20 9TG. Dropped kerb and new vehicle access.

Comment by 4th October.

7. Date of next meeting: 18.00, Tuesday, 1st October, Woolton Hill Church Hall.