

PLANNING DEVELOPMENT CONTROL COMMITTEE

5 October 2005

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)

Bennetts

Beveridge (P)

Chapman (P)

Davies (P)

Evans

Jeffer (P)

Johnston (P)

Mitchell (P)

Pearce (P)

Pearson (P)

Read (P)

Saunders (P)

Sutton (P)

Deputy Members:

Councillor Bidgood (Standing Deputy for Councillor Bennetts)

Others in attendance who addressed the meeting:

Councillor Cook

363. **APOLOGIES**

Apologies were received from Councillors Bennetts and Evans.

364. **PLANNING APPEALS (EAST) – SUMMARY OF DECISIONS**
(Report PDC593 refers)

RESOLVED:

That the report be noted.

365. **PLANNING DEVELOPMENT CONTROL (LEARNING RESOURCES CENTRE,
PETER SYMONDS COLLEGE, WINCHESTER) SUB-COMMITTEE**
(Report PDC592 refers)

Councillor Davies declared a personal (but not prejudicial) interest in respect of this item as he was a member of the Council of the City of Winchester Trust which had commented on this application and he spoke and voted thereon.

Councillor Beveridge declared a personal (but not prejudicial) interest in respect of this item as he was a member of the City of Winchester Trust which had commented on this application and he spoke and voted thereon.

Councillor Busher declared a personal (but not prejudicial) interest in this item as she had a relative who was a student at the College and she spoke and voted thereon.

The Committee considered the minutes of the Planning Development Control (Learning Resources Centre, Peter Symonds College, Winchester) Sub-Committee held on 15 September 2005 (attached as Appendix A to the minutes).

With regard to protection of trees on the College campus, the Director of Development reported that the Principal of the College had indicated that the College would be willing to enter into a written undertaking that no works to trees on the site would be carried out without prior consultation with the City Council. The Committee supported this approach and requested that the City Secretary and Solicitor, in consultation with the Director of Development, produce a Deed of Undertaking for signing by the College and the College's land owners (Christ's Hospital Education Trust) which would satisfactorily address this issue.

RESOLVED:

1 That the minutes of the meeting of the Planning Development Control (Learning Resources Centre, Peter Symonds College, Winchester) Sub-Committee held on 15 September 2005 be approved and adopted.

2 That the City Secretary and Solicitor, in consultation with the Director of Development, enter into a Deed of Undertaking with the Peter Symonds College and Christ's Hospital Education Trust that no works to trees on the site will be carried out without prior written consultation with the City Council.

366. **LAND AT 80 - 81 HIGH STREET – SCHEME OF DELEGATION FOR SECTION 106 AGREEMENTS**
(Report PDC584 refers)

Following debate, the Committee agreed to approve the recommendation to Council to amend the Constitution (Scheme of Delegation to Officers) as set out below.

The Committee additionally agreed to pass a resolution that the element of the report relating to 80-81 High Street should be considered as an item of exempt business.

RECOMMENDED:

1 THAT PART 3 SECTION 6 OF THE CONSTITUTION (SCHEME OF DELEGATION TO OFFICERS), DIRECTOR OF DEVELOPMENT – PLANNING MATTERS PARAGRAPH 9, BE AMENDED TO READ AS FOLLOWS:

9. DECISIONS ON:

(A) THE ENTERING INTO OF SECTION 106 AGREEMENTS

(B) THE REVISED FORM OF A PLANNING PERMISSION; REQUIRED AS A MATTER OF URGENCY IN CONNECTION WITH A PENDING HEARING OF AN APPEAL, IN CONSULTATION WITH THE CHAIRMAN OR VICE-CHAIRMAN OF THE PLANNING DEVELOPMENT CONTROL COMMITTEE AND LOCAL MEMBER(S).

367. **DEVELOPMENT CONTROL APPLICATIONS**
(Report PDC588 refers)

The Schedule of Development Control Decisions arising from the consideration of the above report is circulated separately and forms an appendix to the minutes.

Councillor Beveridge declared a personal (but not prejudicial) interest in respect of item 1 as he was a member of the City of Winchester Trust, which had commented on this application, and he spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in respect of item 1 as he was a member of the Council of the City of Winchester Trust, which had commented on this application, and he spoke and voted thereon.

Councillor Johnston declared a personal (but not prejudicial) interest in respect of item 5 as the applicant was personally known to himself and he spoke and voted thereon.

Councillor Jeffs declared a personal and prejudicial interest in respect of items 2 and 3 as one of the persons making representation on the application was personally known to himself and he left the meeting for consideration of these items.

The Director of Development reported that item 4 – Santoi, Hambledon Road, was withdrawn at the request of the applicant and that item 6 – Abbotsbury, School Lane, Itchen Abbas, was deferred in order that issues relating to drainage on the site could be clarified.

In the public participation part of the meeting, the following items were discussed.

In respect of item 1 – land to the rear of 50-52 Wavell Way, Winchester, Mrs Cornish spoke in objection to the application and Mr Buchanan, agent, spoke in support. Following debate, the Committee agreed to refuse the application and delegated authority to the Director of Development in consultation with the Chairman to agree detailed reasons for refusal based on guiding principles of over-development, the unsatisfactory relationship of the development with Montgomery Close and the detrimental effect on the character of the area.

In respect of items 2 and 3 – ICAA Education Centre, Bighton Road, Bighton, Alresford, Mr Buchanan, agent, spoke in support of the application and against the recommendation for refusal. In agreeing to refuse the application, the Committee agreed to delegate authority to the Director of Development to amend the reason for refusal in 1(ii) of item 2 to better reflect the issues relating to the loss of employment and, in reason 1(i) of item 3, to remove reference to insufficient evidence being supplied to the local planning authority (as amended plans had now been submitted).

In respect of item 7 – 47 West Street, Alresford (Hankins Garage), Mr O'Donovan, agent, spoke in support of the application. At the invitation of the Chairman, Councillor Cook, a Ward Member, spoke on this item. In summary, Councillor Cook stated that he personally supported the scheme and that it also had the support of Alresford Town Council. He had referred the item to Committee as it was an important application for Alresford. Although supportive, there were some residual concerns with the application in terms of entry and egress arrangements for delivery vehicles to the new Co-operative store particularly that vehicles would reverse onto Jacklyn's Lane. Concerns also remained over delivery times in that deliveries did not

take place at times coinciding with peak traffic movements, for example at school drop-off and pick-up times. These issues, he suggested, could be covered by condition.

The Director of Development explained to the Committee that vehicle movements to access the store would be controlled through a Section 106 Agreement with responsibility of the operation of the Agreement resting with the store's management.

Following debate, the Committee agreed the application as set out.

RESOLVED:

1 That the decisions taken on the development control applications as set out in the schedule which forms an appendix to the minutes, be agreed.

2 That in respect of item 1 – land to the rear of 50-52 Wavell Way, Winchester, authority be delegated to the Director of Development in consultation with the Chairman to agree detailed reasons for refusal based on the guiding principles of over-development, an unsatisfactory relationship of the development with Montgomery Close and the detrimental effect on the character of the area.

368. EXEMPT BUSINESS

RESOLVED:

That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
	Land at 80 - 81 High Street – Scheme of Delegation for Section 106 Agreements.	Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).

369. LAND AT 80-81 HIGH STREET – SCHEME OF DELEGATION FOR SECTION 106 AGREEMENTS

(Report PDC584 refers)

Cabinet considered the above report which set out recommendations relating to authorisation for the release of an obligation to provide car parking under a legal agreement in respect of development at 80-81 High Street/Staple gardens, Winchester (detail in exempt minute).

The meeting commenced at 2.00 pm and concluded at 4.40 pm.

PLANNING DEVELOPMENT CONTROL (LEARNING RESOURCES CENTRE, PETER SYMONDS COLLEGE, WINCHESTER) SUB-COMMITTEE**15 September 2005**Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)
Chapman
Davies (P)
JohnstonMitchell (P)
Pearce (P)
Saunders (P)
Sutton (P)Officers in Attendance:Mr J Hearn (Planning Team Manager)
Mr M Edwards (Arboricultural Officer)
Mr N Culhane (Engineer - Winchester City Council)371. **APOLOGIES**

Apologies were received from Councillors Chapman, Johnston and Deputy Members Pearson and Evans.

372. **CONSTRUCTION OF A NEW LEARNING RESOURCE CENTRE BUILDING WITH ASSOCIATED CAR PARKING AND TEMPORARY CAR PARKING SPACES ON THE PLAYING FIELD, PETER SYMONDS COLLEGE, OWENS ROAD, WINCHESTER (AMENDED PLANS – INCLUDING AMENDED DESIGN AND DELETION OF PLANNED BUS LAYBY).**
(Report PDC585 refers)

Councillor Busher declared a personal (but not prejudicial) interest in this application as she had a relative who was a student at the College. She spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in this application as he was a member of the Council of the City of Winchester Trust which had commented on the application, as a Governor of Lantern School (that was due to be constructed opposite the Peter Symonds site) and as a Trustee of the St Johns Charity which had owned properties near the College and he spoke and voted thereon.

The Sub-Committee met in the Guildhall, Winchester to consider a full planning application from Peter Symonds College to construct a Learning Resources Centre off Bereweeke Road, Winchester. The application was in accordance with the College's Masterplan for development and followed the Council's earlier decision to permit the demolition of Varley Cottage and Lodge, which cleared the site for the proposed development.

The proposal sought to develop a three storey building between the existing Science Block and the 1950s Varley Theatre. The proposed building would create a new square with Varley Theatre and this area of open space would be formally landscaped with new tree planting.

Members discussed the height of the proposed building and noted that its eaves would be approximately equal to the ridge height of the existing Varley Theatre building. Members also noted that the amended application had reduced the height of the proposed building by 1 metre though a reduction of the upper ceiling height and by reducing the pitch of the roof.

The proposed building had a modern style with red Chamwood hand made brick on the elevations facing onto and away from Bereweeke Road. This elevation was divided by a central wall of glass that would visually break up the scale of the elevations. The elevation towards the Science Block would be largely screened by the existing row of mature lime trees which were significantly taller than the proposed building. This elevation would be clad in cedar timber and featured three rows of windows. The design of these windows had been amended following comments by the Architects' Panel. The elevation towards Varley Theatre and the proposed new square was glazed and would have a framework of vertical brise-soleil and a large eaves overhang, all of a neutral grey colour. Mr Russell (on behalf of the applicant's architects) explained that the roof would be clad in coated aluminium that would provide an instant weathered look.

Inside the Learning Resources Centre, Members noted that a void would be created from the first floor to the glass at eaves level creating a well of light and a more efficient ventilation system.

In response to Members' comments, Mr Edwards confirmed that other than the loss of a small cherry tree and a large pine tree at the entrance, no trees would be lost as a consequence of the application. The College had proposed a scheme of planting to strengthen its tree belt at the boundary onto Bereweeke Road and had agreed suitable measures to protect existing trees during the construction period.

In light of the College's earlier action in felling several trees on the site of the application, Mr Edwards explained that officers did not consider it necessary to place Tree Preservation Orders on the College since the College had submitted a satisfactory Tree Management Plan to the Council. Outside of this application, it was noted that the Tree Management Plan had included an undertaking from the College to contact the Council prior to carrying out any work on any of its trees. Following discussion, Mr Hearn agreed to verify the legal status of this undertaking and report to the next meeting of Planning Development Control Committee.

Mr Culhane explained the traffic implications of the proposal. He stated that the College had originally intended to provide an area within its site to allow coaches and buses to set down. However, an independent safety audit of the original proposals had concluded that it would not be possible for coaches and buses to safely egress from the site without crossing the carriageway of Bereweeke Road. If a larger entrance were created this would create additional dangers with egressing traffic blocking each others' view of traffic on Bereweeke Road and pedestrians would be exposed to traffic for a greater distance as they crossed the entrances to the College. Members also noted that the Audit had raised concerns that the majority of the bus traffic entering the site were commercial services whose passengers might object to being set down in the private grounds of the College.

For these reasons, the College had amended their application to remove the proposed coach and bus layby within the site. It was proposed that these facilities would continue to be provided on Berewecke Road. Within the site, the College proposed a road passing to the north of the new square linking the entrance and exit points onto Berewecke Road. The road provided access for 24 rationalised car parking spaces under the existing belt of pine trees at the boundary of the site. Mr Culhane added that, as part of the application, the College had agreed to rationalise and designate its car parking arrangements across the entire site.

During the construction period, as these spaces would be temporarily lost, it was proposed that the playing field opposite the College (to the north of Berewecke Road) would be utilised as a car parking area. In response to Members' questions, it was confirmed that this temporary car park would provide the same number of car parking spaces as was presently available and that its foundations would be designed so as not to damage the field. Members noted that a similar arrangement had been successfully undertaken by the College elsewhere on its site.

In response to Members' comments concerning the proposed new Lanterns School opposite the College, Mr Culhane explained that the application from the College would not in itself generate any further traffic onto Berewecke Road. However, Members were concerned about the level of traffic outside the College at peak times and Mr Culhane agreed to re-consider the provision of uncontrolled parking spaces on Berewecke Road.

The Sub-Committee also noted the College's Green Travel Plan which discouraged their students' use of the private car.

During debate, Mr Warren (a representative of the College) explained that the proposal was sought not to accommodate an increased number of students but to provide better standard of facilities. It was noted therefore that within three months of the completion of the construction works, the temporary classrooms near the application site would be removed.

A Member was concerned that location of the existing storage shed at the Berewecke Road boundary would be visually detrimental to the proposed square. Although it was noted that this shed provided storage for examination equipment (which had to be on level ground near to the examination hall in Varley Theatre) Members suggested that applicant re-consider the location of this shed.

At the invitation of the Chairman, Mr Skinner spoke as a local resident and as a representative of the City of Winchester Trust. In summary, he welcomed the proposals and particularly the proposed scheme of tree planting. However, in light of the new Lanterns School opposite, Mr Skinner raised road safety concerns regarding Berewecke Road and Mr Culhane explained that this would be considered by the County Council as part of its Safer Routes to School initiative.

At the conclusion of the debate, Members welcomed the scheme and recommended its approval to the Planning Development Control Committee. In agreeing the conditions set out the report, Members agreed to amend Condition 10 as set out in bold below:

RECOMMENDATION:

That Planning Permission be granted subject to the following conditions:-

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 The materials and design of the new wall adjacent to the western most access point shall match that of the existing front boundary wall.

03 Reason: To ensure a satisfactory visual relationship between the new development and the existing.

04 The car park shall be constructed, surfaced and marked out in accordance with the approved plan (reference number 04072 34 B) before the development hereby approved is brought into operation. That area shall not thereafter be used for any other purpose than the parking, loading, unloading and turning of vehicles. No additional parking, other than that shown on drawing (reference number 04072 39 A) shall be provided on the College site, without the prior approval, in writing, of the Local Planning Authority.

04 Reason: To ensure that adequate on-site parking and turning facilities are made available and in line with Government Guidance in PPG 13.

05 The easterly access shall be signed 'in only' and the westerly access signed 'out only' and marked out as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

05 Reason: In the interests of highway safety

06 The temporary car park on the playing field site shall be removed upon first occupation of the building hereby approved and the site restored to its current use as recreational open space.

06 Reason: To comply with Government guidance in PPG 13 and the Development Plan policies which seek to retain the land as recreational open space

07 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local

Planning Authority and these works shall be carried out as approved. These details shall include the following as relevant:

- existing and proposed finished levels or contours
- means of enclosure
- car parking layout
- other vehicle and pedestrian access and circulation areas
- hardsurfacing materials
- minor artefacts and structures (e.g. street furniture, refuse or other storage units, signs, lighting etc)
- proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines etc, including lines, manholes, supports etc)

Soft landscaping details shall include the following as relevant:

- planting plans
- written specification (including cultivation and other operations associated with plant and grass establishment
- schedules of plants, noting species, plant sizes, and proposed numbers/densities where appropriate
- retained areas of grassland cover, scrub, hedgerow and woodland
- implementation programme

07 Reason: To improve the appearance of the site in the interests of visual amenity.

08 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

08 Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

09 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

09 Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

10 The existing trees shown as being retained on the approved plan shall not be lopped, topped, felled or uprooted without the prior written

approval of the Local Planning Authority. These trees shall be protected during building operations in accordance with tree protection and management proposals set out in the Barrell Treecare report reference 5009-AIA-MW daret 05/04/05

10 Reason: To retain and protect the trees which form an important part of the amenity of the area.

11 The new tree planting shall be carried out in accordance with drawing no. 29 rev.B, unless otherwise agreed in writing by the Local Planning Authority.

11 Reason: To ensure the long term character and amenity of the area.

12 No development or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

12 Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

Informatives

01. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3, ED1, T2, T4, T5, T6, E6, E8, E16, E19

Winchester District Local Plan Proposals: EN.1, EN.2, FS.1, EN.5, EN.6, EN.7, EN.8, EN.13, T.8, T.9, T.11, T.12, W.1, W.3, W.26, RT.2,

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP.1, DP.3, DP.4, DP.5, DP.6, DP.10, SF.5, T.1, T.2, T.3, T.4, T.5, W.1, W.6, RT.1, RT.2

03. The applicant is advised that a licence will be required to carry out highway works. Please contact: The Engineering Services Manager, Engineering Department, Winchester City Council, Winchester, (Telephone: 01962 848326.

04. All work relating to the development hereby approved, including works of demolition, or preparation prior to operations, should only take place between the hours of 0800 - 1800 Monday to Friday and 0800 - 1300 Saturdays and at no time on Sundays and Bank Holidays. Where allegations of noise from such works are substantiated by the Health and

Housing Service, a Notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.

05. No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under the Clean Air Act 1993.

The meeting commenced at 11.00am and concluded at 12.00pm

Chairman