

PLANNING DEVELOPMENT CONTROL COMMITTEE**6 October 2005**Attendance:

Councillors:

Busher (Chairman) (P)

Baxter
 Bennetts
 Beveridge (P)
 Chapman (P)
 Davies (P)
 Evans (P)
 Jeffs (P)

Johnston (P)
 Mitchell (P)
 Pearce (P)
 Pearson (P)
 Read (P)
 Saunders (P)
 Sutton (P)

Deputy Members:

Councillor Bidgood (Standing Deputy for Councillor Bennetts)
 Councillor Lipscomb (Standing Deputy for Councillor Baxter)

373. **APOLOGIES**

Apologies were received from Councillors Baxter and Bennetts.

374. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC589 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 items 11 and 12 as he was a member of the City of Winchester Trust, which had commented on these applications, and he spoke and voted thereon.

Councillor Busher declared a personal (but not prejudicial) interest in respect of items 1 and 14 as she was acquainted with both the objector and the applicant, and she spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in respect of items 11 and 12 as he was a member of the Council of the City of Winchester Trust, which had commented on these applications, and he spoke and voted thereon.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of item 5 as he was a member of the Meon Valley Leisure Club (the applicant) and he spoke and voted thereon. Councillor Pearson also declared a personal (but not prejudicial) interest in respect to item 10, as he was a member of Swanmore Parish Council which had commented on the application, and he spoke and voted thereon.

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

In respect of item 1 – Barclay House, Beeches Hill, Bishops Waltham - Mr Anderson spoke in objection to the application and Mr Lovell (on behalf of the applicant) spoke in support. Following debate, the Committee approved the application as set out.

In respect of item 3 – Jhansi Farm, Winchester Road, Waltham Chase - Mr Tutton , agent, spoke in support of the application. Following debate, the Committee supported the application and agreed to amend Condition 6 to read: “...~~minimum~~ *maximum* of 7 car parking spaces” and that further conditions be delegated to the Director of Development in consultation with the Chairman to maintain and protect the existing boundary landscaping and to prevent the surrounding land being used as ancillary storage space.

In respect of item 7 – Bumble Cottage, 6 Liberty Road, Newtown – Mr Tutton, agent, spoke in support the application and Mr Ansari spoke against the application. During debate, the Director reported that a further six letters of objection had been received subsequent to the publication of the above Report. In summary, these raised concerns relating to impact on the street scene, loss of light, highways and that the application did not comply with the Village Design Statement.

The Committee noted that this retrospective application was identical to that agreed by Members on 28 July 2005 except for the inclusion of the existing additional garage to the side which had been omitted on the previous application. Officers recommended that the application be approved as the principle of the development in its existing location had been agreed by this Committee on 28 July 2005; that the effect of the garage on the neighbouring property was negligible; and the effect of the garage on the street scene was not considered harmful to the visual amenity.

However, at the conclusion of debate, the Committee agreed to refuse the application and granted the Director of Development in consultation with the Chairman delegated powers to set out detailed reasons for refusal. Members agreed to adhere to their decision made at the 28 July Committee, which it considered to be a compromise that allowed the dwelling to be permitted in its existing position except for the side garage which it considered to be, given its proximity to the neighbouring property, overbearing. Concerns were also raised regarding the loss of light on the neighbouring property. Additionally Members commented upon the highway issues regarding the application and, in particular, noted the proximity of a dangerous bend in Liberty Road and the difficulties likely to be encountered by sewage treatment lorries and other service vehicles that, due to a lack of space, would not be able to fully park on-site.

In respect of item 8 – Fairways, Forester Road, Soberton Heath – Mr Morgan and a representative of Soberton Parish Council spoke in objection to the application and Mr Maclean (on behalf of the applicant) spoke in support. Following debate, Members agreed that the Viewing Sub-Committee should visit the site as concerns had been raised regarding the proposed dwelling’s proximity to its neighbouring properties. It was also agreed that the footprint of the proposed dwelling should be pegged out on site.

In respect of item 9 – Cherralee, Waterworks Road, Otterbourne – Mrs Bailey spoke in objection to the application (on behalf of Mr Ecott). Following debate, the Committee agreed the application as set out.

In respect of item 10 - Chase Lodge, Lower Chase Road, Swanmore – Mr Monroe spoke in support of the application. Following debate, the Committee agreed to refuse the application for the reasons set out in the above Report.

In respect of items 11 and 12 – The Coach House, 88 Christchurch Road, Winchester – Mr Rees (on behalf of the applicant) spoke in support of the application and Ms Farwell spoke in objection to the application. Following debate, the Committee agreed the application as set out in the above Report and granted the Director of Development in consultation with the Chairman delegated powers to clarify the condition regarding noise insulation, given the site's close proximity to the railway line.

In respect of item 13 – 50 Falcon View, Badger Farm, Winchester – Mr Bharrathann (the applicant) spoke in support of the application. Following debate, the Committee agreed the application as set out in the above Report, subject to an amendment to Condition 1 (to read: "...development...shall be begun before the expiration of ~~five~~ *one* year from the date of this permission). Members also agreed to delegate to the Director of Development in consultation with the Chairman authority to re-write Condition 3 to require the applicant to agree the details of the boundary treatment and the wall which should include the provision of an opening from the existing garden.

In respect of item item 5 – Meon Valley Golf and Country Club, Shedfield, that was not subject to public participation– Members agreed the application as set out with an additional condition, delegated to the Director of Development, that requested that the applicant demonstrate where additional car parking would be located so as to accommodate the additional demand generated by Championship events.

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 3 – Jhansi Farm, Winchester Road, Waltham Chase - permission be granted as set out in the report subject to the following amendment to Condition 6: "...~~minimum~~ *maximum* of 7 car parking spaces"and additional conditions in respect of maintaining the boundary hedging and excluding open storage.

3. That in respect of item 5 – Meon Valley Golf and Country, Shedfield – the application be granted, subject to authority being delegated to the Director of Development to agree an appropriate additional condition to identify areas of over-flow car parking during larger events.

4. That in respect of item 7 – Bumble Cottage, 6 Liberty Road, Newtown – the application be refused with authority for detailed reasons for refusal being delegated to the Director of Development in consultation with the Chairman based on the principles that the positioning of the garage was, given its proximity to the neighbouring property, overbearing and an over dominant feature in the street scene.

5. That, in respect of item 8 – Fairways, Forester Road, Soberton Heath – a Viewing Sub-Committee visit the application site at 9.30am on Monday 24 October to assess the likely relationship between the proposed

dwelling and its neighbouring properties. The membership of the Sub-Committee was agreed as Councillors Busher, Davies, Evans, Jeffs, and Johnston.

6. That, in respect of item 11 and 12 – The Coach House, 88 Christchurch Road, Winchester – permission be granted, subject to authority being delegated to the Director of Development in consultation with the Chairman to agree appropriate conditions regarding noise insulation.

7. That, in respect of item 13 – 50 Falcon View, Badger Farm, Winchester – permission be granted subject to authority being delegated to the Director of Development in consultation with the Chairman to agree appropriate conditions as set out above.

375. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**

(Report PDC586 refers)

The Committee considered the minutes of the Planning Development Control (Telecommunications) Sub-Committee held on 9 September 2005 (attached as Appendix A of the minutes).

RESOLVED:

That the minutes of meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 9 September 2005 be received.

376. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**

(Report PDC592 refers)

The Committee considered the minutes of the Planning Development Control (Telecommunications) Sub-Committee held on 23 September 2005 (attached as Appendix B of the minutes).

RESOLVED:

That the minutes of meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 23 September 2005 be received.

377. **DEVELOPMENT SITE AT THE ORCHARD, BISHOPS WALTHAM – APPLICATION TO FELL FIRE DAMAGED TREE**

(Report PDC594 refers)

The Committee noted that this item had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda, so that consideration should be given to whether or not authority could be granted to fell a fire damaged tree that was protected by a Tree Preservation Order.

RESOLVED:

That the application to fell be granted, subject to a condition requiring a replacement tree to be planted.

378. **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>
379	Authority for Legal Action to be taken – Southbrook Stud, Durley Brook Road, Durley	<p>Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice obtained or action to be action in connection with:</p> <p>a) any legal proceedings by or against the authority; or</p> <p>b) the determination of any matter affecting the authority; whether, in either case, proceedings have been commenced or are in contemplation. (para 12)</p> <p>Information which, if disclosed to the public, would reveal that the authority proposes –</p> <p>a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>b) to make an order or direction under any enactment. (para 13)</p> <p>Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime (para 14)</p>

379. **AUTHORITY FOR LEGAL ACTION TO BE TAKEN – SOUTHBROOK STUD,
DURLEY BROOK ROAD, DURLEY**
(Report PDC590 refers)

At the invitation of the Chairman, Mrs Abraham as a resident of the property, spoke against the proposed possible enforcement action and advised the Committee of the circumstances regarding her residency.

The Committee thanked Mrs Abraham for her comments and, in her absence, considered the report in exempt session (detail in exempt minute).

The meeting commenced at 2.00 pm and concluded at 8.20 pm.

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE9 September 2005Attendance:

Councillors:

Bennetts (Chairman) (P)

Davies (P)
Johnston (P)Pearson (P)
Read (P)Others in attendance

Councillors Jackson and Mitchell (for Minute 381 only)

Officers in attendance:Mrs J Pinnock (Principal Planning Officer)
Miss L Booth (Planning Officer)
Miss M Birkett (Planning Technician)

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381. **(AMENDED DESCRIPTION) 18.9 METRE MONOPOLE, WITH 3 METRE SURMOUNT, PROVIDING THREE 1.9 METRE ANTENNAE, SECURE COMPOUND ENCLOSED BY 2.5 METRE PALISADE FENCING, EQUIPMENT CABINET AND METER CABINET WITH EXISTING ACCESS AND ANCILLARY DEVELOPMENT – HARESTOCK SUB-STATION, STOCKBRIDGE ROAD, WINCHESTER.**

The Sub-Committee met at the application site at land to the south west side of the A272 Stockbridge Road, Winchester, just after the turning for Littleton Road on the opposite side of the road. The proposal was to locate the equipment in the electricity sub-station area adjacent to existing telecommunications equipment.

The Chairman welcomed to the meeting Mr Jones (representing the applicant's agent, Mason D Telecoms) and Mr Abbott (representing the applicant, SSE Telecom). Also present was Councillor Jackson (a Ward Member for Littleton and Harestock), Councillor Mitchell (a Ward Member for St Barnabas) and Mr Parker representing Sparsholt Parish Council. There were no members of the public present.

Mrs Pinnock explained that a full planning application had been received from Scottish and Southern Energy (SSE) Telecom for a 18.9 metre high monopole with three 1.9 metre antennae with equipment cabinet in a secure compound enclosed by 2.5 metre high palisade fencing. The structure was to be a 02UK Limited installation within the sub station. The total height of the proposals including the equipment was to be 21.9 metres. The mast was required to provide third generation mobile telecommunications coverage to the surrounding area of Weeke, Harestock and Littleton.

Mrs Pinnock reported that the application was in accordance with national and local planning policies and that the applicant had submitted certification of ICNIRP compliance. In drawing Members' attention to the representations made regarding the proposals as set out in the report, Mrs Pinnock reminded Members that although the Council's Landscape Architect had had no objection to the proposals, conditions had been recommended regarding the colour of the cabinets, monopole and fencing. Mrs Pinnock also advised that the Council's Highway Engineer had initially raised concerns over visibility at the junction of the compound with Stockbridge Road due to the increased traffic to the site for servicing etc. However, the Highway Engineer was now satisfied that his concerns had been addressed following submission of amended plans and that approval was subject to conditions requiring the inclusion of visibility splays and also surfacing of the driveway.

At the invitation of the Chairman, Mr Jones confirmed that he was satisfied with the conditions requested by officers as set out above.

In determining the application, the Sub-Committee noted that the adjacent lattice mast within the site was 27.2 metres high. A flag had been situated on this structure to indicate the height of the proposals in comparison. Members noted that the application was for a monopole and so would effectively be less intrusive.

Following a question from Councillor Jackson, Mrs Pinnock stated that she was satisfied that the addressing of the Highway Engineer's concerns regarding visibility from the highway would not entail excessive trimming or removal of foliage at the site boundary.

At the invitation of the Chairman, Mr Parker from Sparsholt Parish Council addressed the Sub-Committee in support of their written representation regarding the proposals.

In conclusion, Members agreed to support the application as it was considered that the proposals were unlikely to have additional impact on the visual amenity of the surrounding area. It was agreed that an additional informative be included regarding landscaping around the perimeter of the compound and of the condition regarding highway safety as requested by the Highway Engineer.

RESOLVED:

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 The mast, antennae and equipment cabin shall be painted Olive Green (12B27) from the BS4800 range to match the existing mast and equipment at the site unless otherwise agreed in writing with the Local Planning Authority and shall be carried out within three months of the installation of the approved development and thereafter retained.

02 Reason: In the interest of the amenity of the area.

03 Prior to the commencement of development visibility splays of 2.0m by 160.0m shall be provided to the north, and 2.0m by 120.0m shall be provided to the south. These splays should be kept clear of all obstructions over 1.05m for perpetuity.

03 Reason: In the interests of highway safety.

04 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 4.5 metres from the highway boundary.

04 Reason: In the interests of highway safety.

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: TC1, C1
Winchester District Local Plan Proposals: FS4, EN5, C.1, C.2, C.6
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3, DP17, C.1, C.5

382. **INSTALLATION OF TWO 1.85 METRE MONOPOLES AND TWO 3.7 METRE SATELLITE DISHES; RELOCATION OF ONE EQUIPMENT CABIN - ARQIVA SITE, CRAWLEY COURT TRANSMITTING STATION, PEACH HILL LANE, CRAWLEY, WINCHESTER**

The Sub-Committee met at the application site at land at Crawley Court. The site was located outside the conservation area within the existing satellite dish compound of Crawley Court. It was noted that the site was secure, with no public access and was well screened with mature trees around the boundaries.

Members proceeded to view the application site then reconvened outside Crawley Court to discuss the proposal in detail and to determine the application.

In introducing the proposal, Miss Booth stated that the prior approval application from Arqiva (previously NTL broadcasting) was for the installation of two 1.85 metre monopoles and two 3.7 metre satellite dishes and also the relocation of one equipment cabin.

The Chairman welcomed to the meeting Mr Holden-Brown (representing the applicant Arqiva). There were no members of the public present.

Miss Booth reported that the application was in accordance with national and local planning policies and that the applicant had submitted certification of ICNIRP compliance. Miss Booth advised that Crawley Parish Council had no comments regarding the proposal.

Following questions, Miss Booth explained that the nearest residential dwellings were beyond the site boundaries, the closest being approximately 80 metres away from the proposal site.

At the invitation of the Chairman, Mr Holden-Brown reported that the cabin to be relocated as part of the proposals had previously been utilised for test equipment.

In conclusion, Members agreed to support the siting and appearance of the application.

RESOLVED:

That no objection be raised with respect to the siting and appearance of the proposal.

The meeting commenced at 9.30am and concluded at 11.00am

Chairman

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**23 September 2005**Attendance:

Councillors:

Bennetts (Chairman) (P)

Busher (P)

Davies (P)

Pearson (P)

Read (P)

Sutton (P)

Officers in attendance:

Mr S Avery (Planning Officer)

383. 12 METRE MAST WITH EQUIPMENT HOUSING – ROADSIDE VERGE BEHIND UNITS 4 AND 5, PROSPECT ROAD, ALRESFORD (CASE NO. 05/01962/TCP)

The Sub-Committee met at the application site, where the Chairman welcomed to the meeting Mr Crutchfield on behalf of the applicant – T Mobile.

The applicant had erected a demonstration mast on site to illustrate the height and position of the proposed mast.

Mr Avery explained that this was a Prior Notification Procedure of Schedule 2, Part 24, Class A of the General Committee Development Order, and therefore the local planning authority could only consider the siting and appearance of the proposed development. The equipment cabin would occupy a footprint of 1 x 1.6 metres and was 1.3 metres in height. The pole would be finished in a brown wood colour, with the cabinets to be painted green.

Mr Avery informed the Sub-Committee that nine letters of objection had been received to the application, referring to matters of visual impact due to the height of the telecommunications pole; lack of screening in the vicinity of the application site; that need had not been justified; concerns over health and the lack of public consultation by T Mobile, the applicants.

Mr Avery continued that it was the officers' recommendation that no objection be raised to the Prior Notification. It was considered that Prospect Road was an appropriate siting for the mast as the visual impact was acceptable when taken into consideration with the existing street furniture including wooden telegraph poles, industrial units and vegetation. The nearest residential properties were approximately 60 to 70 metres away from the application site and the application was ICNIRP compliant. The applicant had demonstrated a need for the mast and alternative sites had been taken into consideration and discounted to the satisfaction of the Local Planning Authority. The application was also acceptable in terms of its design.

In answer to questions by the Sub-Committee, Mr Crutchfield explained that there would be two equipment cabins, one to contain electrical equipment for the transmission of telecommunications information and one to contain the power source and an electrical meter. The City Council's Engineering Department had raised no objections regarding highway safety implications although the applicant would need to obtain a licence from the Highway Authority for the works.

In assessing the merits of the application, the Sub Committee viewed the demonstration mast from a vantage point on nearby Meryon Road and also observed its position in relation to adjacent industrial buildings and residential properties on Jacklyns Lane.

In view of the existing industrial buildings, telegraph poles, vegetation including trees and commercial setting of the application site, the Sub-Committee agreed to raise no objection to the Prior Notification. The Sub-Committee requested that the pole and associated cabinets be painted in a dark green (olive green) or brown (Van Dyke brown) to further mitigate their visual appearance.

The meeting of the Sub-Committee had not been advertised on site or by letter to neighbouring residents. However the Sub-Committee took into consideration the written representation of neighbours and addressed their concerns on site.

Following debate, the Sub-Committee agreed to delegate the decision to the Director of Development in consultation with the Chairman and Vice-Chairman of the Telecommunications Sub-Committee and the Chairman and Vice-Chairman of the Planning Development Control Committee who were all present at the Sub-Committee meeting.

RESOLVED:

That authority be delegated to the Director of Development in consultation with the Chairman and Vice-Chairman of the Telecommunications Sub-Committee and the Chairman and Vice-Chairman of the Planning Development Control Committee to raise no objection to the Prior Notification subject to the following condition:

1. The associated cabinets shall be painted in a dark green (olive green) or brown (Van Dyke brown) colour.

Reason: In the interests of the amenity of the area.

Informatives

01. 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).

(Note: Further to the meeting, the Director of Development exercised his delegated function in consultation with the Members listed to approve the application as set out above).

The meeting commenced at 9.30 am and concluded at 10.05 am.

Chairman