

PLANNING DEVELOPMENT CONTROL COMMITTEE

30 March 2006

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter

Bennetts (P)

Beveridge (P)

Davies (P)

Evans (P)

Jeffs (P)

Johnston (P)

Lipscomb (P)

Mitchell (P)

Pearce (P)

Pearson (P)

Read (P)

Saunders (P)

Sutton (P)

Deputy Members in attendance:

Councillor Godfrey (Standing Deputy for Councillor Baxter)

Others in attendance who addressed the meeting:

Councillors Clohosey and Wagner.

1. **APOLOGIES**

Apologies were received from Councillor Baxter.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 20 December 2005, 12 January 2006 and 2 February 2006 be approved and adopted.

3. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC616 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 10 as he was a member of the City of Winchester Trust which had commented on the application and he spoke and voted thereon.

Councillor Busher declared a personal and prejudicial interest in respect of item 3 as she was a member of the Management Committee of Bishops Waltham Citizen's Advice Bureau and was also a member of St Peter's Church. She left the meeting during consideration of this item. She also declared a personal (but not prejudicial)

interest in respect of items 7 and 8 as she was acquainted with the applicant and she spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in respect of item 10, 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 Evans declared a personal (but not prejudicial) interest in respect of item 1 as she was a member of Wickham Parish Council which had commented on the application although had taken no part in the Parish Council's discussions. She also declared a personal (but not prejudicial) interest in respect of item 3 as she was acquainted with one of the supporters of the proposal and as a former member of the Management Committee of Bishops Waltham Citizen's Advice Bureau, but had not attended a meeting for 2 years and had no prior knowledge of the application.

Councillor Pearson declared a personal and prejudicial interest in respect of item 3 as he was a member of the Management Committee of Bishops Waltham Citizen's Advice Bureau and he left the meeting during consideration of the item.

Councillor Read declared a personal and prejudicial interest in respect of item 4 as he was personally acquainted with a member of Boarhunt Parish Council which had commented on the application. He left the meeting during consideration of the item.

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

Item 1: Woodlands Farm, Biddenfield Lane, Wickham
Case Number: 06/00337/FUL

At the invitation of the Chairman, Councillor Clohosey, a Ward Member, (also on behalf of Wickham Parish Council) spoke in support of the application and against the officers' recommendation for refusal. In summary, Councillor Clohosey stated that he supported Wickham Parish Council's comments as set out in the Report that the agricultural occupancy restriction had been inappropriately imposed. He also advised that the current owner of the property (the applicant) had been unaware of this condition.

Mr Stubbs spoke in support of the application and against the officers' recommendation for refusal.

At the request of the Chairman, the City Secretary and Solicitor clarified that although it was relevant to have regard to the circumstances prevailing at the time of the restriction and whether they were appropriate, it was also necessary to refer to current relevant planning policies and the specific guidance provided in Circular 11/95. Therefore, it should be considered whether there was sufficient proof that that the tie no longer served a purpose today. The Director of Development referred to other relevant applications in the area and suggested that the applicant could have chosen to test this within the locality by means of market appraisal. If the marketing of the property, with its restriction, over a reasonable period of time had generated no interest then it could be argued that there was no requirement within the locality for it and that it may have been inappropriately applied from the outset.

Following debate, the Committee resolved to support the officer's recommendation to refuse planning permission.

Item 3: St Peters Church Hall, Free Street, Bishops Waltham - Case Number: 06/00019/FUL

Mr Barnfield and Mr Goddard (on behalf of the applicant) spoke in support of the application.

Subsequent to the publication of the Report, the Director of Development explained that the Conservation Officer had considered the proposals an improvement over the previous submission and that the design would enhance the conservation area and be a landmark building for the town.

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

Item 4: Recreation Ground, Trampers Lane, North Boarhunt - Case Number: 06/00287/OUT

Mrs Green and Mr Mead spoke in support of the application.

The Director clarified that the Boarhunt Village Design Statement did not refer to matters relevant to the siting or design of the village hall.

Following debate, the Committee resolved to grant outline planning permission as set out.

Item 5: Old Shawford Goods Yard, Shawford Road, Shawford – Case Number: 06/00122/FUL

Mr Beck and Mrs Caffryn spoke in support of the application.

In answer to Member's questions, the Director stated that he was satisfied that there was unlikely to be an overall increase in traffic movements at the junction with Shawford Road from that of the previous site's use. However, referring to the request made in the public participation element of the meeting for additional road signage, it was agreed that representation be made to Hampshire County Council (as the Highway Authority) via the Head of Planning Control.

Following debate, the Committee agreed to support the application as set out with delegated authority to the Director of Development to clarify appropriate additional wording to Condition 11 as so to restrict the size of the containers to 20 feet (6.1 metres) in length.

Item 6: Scats, Overton Road, Micheldever Station, Winchester – Case Number: 05/02270/REM

Mr Barlow spoke in objection to the application.

The Director of Development explained that final details of drainage works to the scheme would be a condition of any subsequent approval of the application. Proposals for the siting of a treatment plant and soakaways in the North West corner had raised concerns with the Drainage Engineers due to the constraints of the site here. However, it was explained that it was now proposed that the footpath along the boundary be omitted from the revised plans mainly due to land ownership issues that had not been resolved at the outline application stage. This would allow for the creation of the necessary drainage works (subject to revisions to the drainage condition) and would also alleviate concerns raised regarding safe access and egress

to the path and of the adequacy of the tree protection zones. The detail of the necessary works would be carried out in consultation with the arboricultural officer.

Following debate, the Committee approved the application subject to revisions to conditions and for the deletion of the footpath link from the scheme as explained above.

Item 9: Crossways, Curdrige Lane Curdrige Southampton – Case Number: 05/03041/OUT

Mr Hecks spoke in support of the application.

The Director reported that the proposals for an internal footpath to run parallel to Curdrige Lane had been subsequently deleted when the scheme was reduced from 4 to 3 units as it would serve no useful purpose.

Following debate, and in support of the application, it was agreed that additional conditions be included, for clarity, specifying that the existing dwelling be demolished and there be a maximum of 3 replacements.

Item 10: 3 The Drill Hall, Hyde Close, Winchester – Case Number 06/00025/FUL

Ms Mullins (the applicant) and Mr Ratcliffe spoke in support of the application.

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

Item 11: 6 Sparrowgrove, Otterbourne, Winchester – Case Number: 05/03006/FUL

Ms Ayre and Mr Churcher spoke in objection to the application. Ms Forward (on behalf of the applicant) spoke in support.

The Committee noted that the proposals would also be subject to an up-dated Arboricultural Impact Assessment. However, the Director explained that the relationship of the building to the trees on site had been carefully assessed by the Arboriculture Officer and he was satisfied that the development was acceptable.

Subject to the inclusion of the above, the Committee approved the application as set out.

Item 15: Old Inn Cottage, Vears Lane, Colden Common, Winchester – Case Number 06/00163/FUL

Councillor Wagner (a Ward Member) spoke in support of the application and against the officers' recommendations to refuse the application. In summary, he stated that refusal of the proposals may be difficult to sustain if the application was to progress to appeal.

Mr Larkin (the applicant) spoke in support of the proposals.

Responding to questions regarding the recommended reasons for refusal, the Director suggested that Reason 3 (that the applicant had refused to make adequate provision for public open space) could be addressed direct with the applicant, should the application be approved.

During debate of the highway objections raised, The Director reminded the Committee that this specifically referred to the sub standard junction with Church Lane and would be of particular concern should there be any further development within the vicinity. The Committee referred to the comments made by officers regarding the detrimental impact of the development on the rural character of the Lane. Following further discussion, it was agreed that this objection could not be supported.

At the conclusion of debate, the majority of the Committee agreed to not support the officers' recommendations for refusal and therefore agreed to grant planning permission and delegated authority to the Director of Development, in consultation with the City Secretary and Solicitor and the Chairman to agree appropriate conditions.

With regard to items that were not subject to public participation, the following matters were raised and changes to the Report's recommendations were made.

Item 2: Three Oaks Boarding Kennels and Cattery Botley Road Bishops Waltham
Case Number: 05/02939/FUL

The Director of Development informed the Committee that subsequent to the publication of the report, the archeological officer had been consulted and had reported that the application site was close to the old Winchester to Wickham Roman Road. These findings did not affect the officers recommendation, although an additional condition was recommended to those set out in the report to require a programme of archaeological work in accordance with a written scheme of investigation.

As a Ward Member, Councillor Busher stated that the proposals promoted some benefits to the appearance of the site.

Following debate, the Committee resolved to grant planning permission as set out with the addition of an archaeological condition.

Items 7 and 8: - Northfields Farm, Hazeley Road, Twyford, Winchester – Case
Number: 06/00170/FUL and Case Number: 06/00171/FUL

The Chairman agreed to consider the two applications together as they were intrinsically linked.

Councillor Wagner (a Ward Member) addressed the Committee regarding these items. He referred to previous negotiations between the planning department, the Parish Council and the applicant regarding the preparation of a Master Plan for the future employment use, or otherwise, of the site. He requested that the Committee should not lose sight of the undertaking for its progression.

The Director of Development reminded the Committee that following receipt of the Local Plan Inspector's report it had been made clear that the countryside policies of the Local Plan should be the basis for considering any proposals for future development of the site.

During debate, the Committee generally supported the need to comprehensively consider the future of the site however accepted that to further extend the temporary consent was not warranted having regard to the advice of Circular 11/95 on the use of

conditions in planning permission. The Committee was assured that the Master Planning process was to continue in the meantime to consider the future use of the wider site.

The majority of the Committee agreed to support both applications as set out.

Item 13: St Kilda, 4 New Road, Colden Common, Winchester – Case Number 06/00226/OUT

With the permission of the Chairman, Councillor Sutton (as a Ward Member) addressed the Committee. Responding to clarification that the Conservation Officer had not considered the building worthy of listing, she stated that the building was worthy of retention because of its pleasant appearance and historic significance within the largely Victorian area of the settlement. Councillor Sutton also raised concerns of flooding and specifically highway matters along this busy road and the implications the development may have.

The Director of Development stated that officers were satisfied that the revised scheme had overcome previous highway concerns raised in response to a previous application for the site. It was also clarified that previous refusal was not with regard to the loss of the building itself and a refusal on this basis would be difficult to defend.

Following debate, the majority of the Committee resolved to grant outline planning permission subject to the conditions 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 5 – Old Shawford Goods Yard, Shawford Road, Shawford:

(i) Planning permission be granted and authority be delegated to the Director of Development in consultation with the Chairman to agree an additional condition to clarify that the size of containers to be stored on site.

(ii) That the Head of Planning Control make representation on behalf of the Committee to Hampshire County Council regarding the possible installation of appropriate road signage along Shawford Road warning of the junction to the Goods Yard.

3 That in respect of item 6 - Scats, Overton Road, Micheldever:

(i) Planning permission be granted and authority be delegated to the Director of Development in consultation with the Chairman to agree a condition relating to details of drainage works on site.

(ii) That proposals for a footpath along boundary as contained with the development scheme be deleted.

4 That in respect of item 9 – Crossways, Curdrige Lane Curdrige planning permission be granted and authority be delegated to the

Director of Development in consultation with the Chairman to agree a conditions specifying that the existing dwelling be demolished and there be a maximum of 3 replacements.

5 That in respect of Item 11 - land adjacent to 6 Sparrowgrove (RESUBMISSION) (AMENDED PLANS) - 6 Sparrowgrove, Otterbourne, Winchester planning permission be granted subject to the submission of a revised Arboricultural Impact Assessment to the satisfaction of the Director of Development.

6 That in respect of Item 15 - Old Inn Cottage, Vears Lane, Colden Common, Winchester - planning permission be granted and authority be granted to the Director of Development, in consultation with the City Secretary and Solicitor and the Chairman to agree appropriate conditions.

4. **PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**
(Report PDC618 refers)

Councillor Davies declared a personal (but not prejudicial) interest in respect of item 10, as he was a member of the Council of the City of Winchester Trust which had originally commented on this application and he spoke and voted thereon.

The Committee considered the minutes of the Planning Development Control (Viewing) Sub-Committee held on 20 March 2006 (attached as Appendix A to the minutes)

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Viewing) Sub-Committee held on 20 March 2006 be received.

5. **VOTE OF THANKS**

As it was unlikely that there would be any further meetings of the Planning Development Control (Telecommunications) Sub Committee in this Municipal Year, Members thanked the Chairman, Councillor Bennetts, for his guidance and the officers for their hard work and support during the past Municipal Year.

Councillor Bennetts reciprocated appropriately.

6. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. 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>
#	Consideration of legal action at Showmen's Site, The Nurseries, Botley Road, Shedfield	Information relating to any individual (Para 1 to Schedule 12A refers). Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (Para 5 to Schedule 12A refers). Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime (Para 7 to Schedule 12A refers).

7. **CONSIDERATION OF LEGAL ACTION AT SHOWMEN'S SITE, THE NURSERIES, BOTLEY ROAD, SHEDFIELD**
(Report PDC587 refers)

The Committee considered a report that set out current planning and enforcement action on the above site and options available to the Council (detail in exempt minute).

The Chairman welcomed to the meeting approximately 20 Showmen currently resident at the site. Also present was Mr Henderson, Vice President of the National Showmen's Guild. The Chairman invited representations to be made from those present and explained that members of the Committee would then be invited to ask questions in response. The Showmen would then be requested to leave the meeting at which point the Committee would discuss the matters contained within the Report and any matters raised by the Showmen in their representations. Finally, the Chairman explained that the Showmen would be informed of the decision of the Committee at the earliest possible time.

The meeting commenced at 9.30am and adjourned for lunch at 1.15pm, recommenced at 2.15pm and concluded at 7.10pm.