

PLANNING DEVELOPMENT CONTROL COMMITTEE

11 January 2007

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter (P)
Bennetts (P)
Beveridge (P)
Busher (P)
de Peyer (P)
Evans
Huxstep (P)

Lipscomb (P)
Johnston (P)
Read (P)
Ruffell (P)
Saunders (P)
Sutton (P)

Deputy Members

Councillor Pearce (Standing Deputy for Councillor Evans)

Others in attendance who addressed the meeting:

Councillors Beckett, Clohosey and Jackson

1. **APOLOGIES**

Apologies were received from Councillor Evans.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 26 October, 16 November (less exempt business), 30 November and 7 December 2006 be approved and adopted.

3. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC664 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 Huxstep declared a personal and prejudicial interest in respect of Item 6 (Showman's Depot, Botley Road, Shedfield) as he was the owner of adjacent properties and withdrew from the room during the consideration of this item.

By way of personal explanation, Councillor Johnston drew attention to Item 10 (4 Glendee Close, Kings Worthy) as he was Chairman of Kings Worthy Parish Council, who had objected to the application, but he had taken no part in the Parish's decision to object. In addition, he lived approximately 100 metres from the application site

and, although he had raised no objection to the application, he did not wish to risk the perception of predetermination. Therefore, whilst remaining in the room, he withdrew from the body of the Committee and did not vote on this item.

Councillor Johnston also declared a personal (but not prejudicial) interest in respect of Item 7 (Rear of 44 Lovedon Lane, Kings Worthy) as Chairman of Kings Worthy Parish Council, which had objected to the application. As he had taken no part in the Parish's decision to object, he spoke and voted thereon.

By way of personal explanation, Councillor Lipscomb drew attention to Item 4 (Trailer Tek, Micheldever Station) where his level of prior involvement with the application as Ward Member may have risked the perception of predetermination. Therefore, he addressed the meeting as a Ward Member, sitting apart from the Committee, and he did not vote on this item.

Councillor Lipscomb also declared a personal (but not prejudicial) interest in respect of Item 1 (Horns Hill House, Webbs Green, Soberton) as a member of the South Downs Joint Committee and as a deputy member of the South Down Joint Committee's Planning Committee, which had commented on the application. As he had taken no part in their comments on the application, Councillor Lipscomb spoke and voted thereon.

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

Item 3: Little Haven, Mayles Lane, Wickham – Case Number: 06/03040/FUL

Mr Tutton (the applicant's agent) spoke in support of the application.

Following debate, the Committee approved the application as set out, subject to an additional informative that the conditions contained in permission W01393/14 were still applicable.

Item 4: Trailer Tek, The Old Grain Store, Warren Farm, Andover Road, Micheldever Station - Case Number: 06/02940/FUL

Ms Hamel (the applicant's agent) spoke in support of the application.

Councillor Lipscomb, as a Ward Member, also spoke in support. In summary, Councillor Lipscomb reminded the Committee that, at its meeting held on 16 November 2006, it had agreed to not accept the officers' recommendation to refuse. He stated that, since that meeting, the applicant had supplied all the information that was available to demonstrate that their customers were from the local area and that this therefore satisfied Policies SF1, CE16 and CE17 of the Local Plan, which permitted business use development in the countryside. He added that the nature of the business required its customers to use cars and that there were no objections from the local community to the application. He also raised no objection to the conditions as set out in the Report.

Councillor Beckett (Portfolio Holder for Economy and Tourism) also spoke in support of the application. In summary, he underlined the economic benefit of the business to the local economy and reminded the Committee that the policies permitted the reuse of redundant rural buildings and that this would adhere to the objectives of the Council's emerging new Corporate Strategy.

In response, the Director of Development advised that whilst the Committee should consider the Council's Corporate Strategy as a material consideration, it should not carry more weight than the statutory local plan policies.

In response to questions, the City Secretary and Solicitor clarified that at the 16 November meeting, the Committee had rejected the officers' recommendation to refuse the application. The item had been deferred to enable officers to acquire further information on the operation of the business (namely, to identify where their customers came from and the different types of service the business provided). Officers were also asked to formulate appropriate conditions that could be imposed should the Committee be minded to approve the application. Having assessed this new information (as set out in the Report) the officers' recommendation to refuse had not changed, but if the Committee were minded to approve, a list of appropriate conditions were set out in the Report.

During discussion, the Director of Development advised Members of a further amendment to the proposed conditions to include Mr and Mrs Edan (the applicants) "trading as Trailer Tek" as a personal condition. In response to questions, the City Secretary and Solicitor explained that it was not unusual to add such a condition to planning permissions and that, if in the future the business was sold, the new owner would need to apply to amend the condition.

At the conclusion of debate, the majority of the Committee agreed to grant permission contrary to officers' advice, subject to the conditions set out in the Report and as amended above. Planning policies permitted retail use in the countryside that sold goods which local people needed on a regular basis. The Committee considered that the applicant had proven that the majority of their customers were local. Members noted that similar businesses were operated in Salisbury and Southampton and, as such, Trailer Tek was likely to draw its customers from the local area. However, a Member highlighted that 15% of the company's business was via mail order and that the location of these customers had not been submitted as evidence.

In supporting the application, the Committee also noted that the applicant had demonstrated that a large percentage (at least 40%) of the business fell within Class B1 and B8 use and that the policies permitted the development of this use class within the countryside. The Committee also considered that the application was likely to generate only a limited number of vehicle journeys in an unsustainable location.

The Committee noted that the business had operated on the site without any complaints from local residents and that the conditions would protect the amenity of the area by preventing the outside storage of goods. The Committee also noted that the business's landlords, Zurich, had indicated that there was no potential for the business to expand further on the site.

Item 5: Rutledge, 29 Main Road, Littleton, Winchester - Case Number: 06/03066/FUL

Mr Buchanan (an agent representing neighbouring properties) and Mr Elsmore (on behalf of Littleton and Harestock Parish Council) spoke against the application and Mr Haywood (the applicant's agent) spoke in support.

Councillor Jackson, as a Ward Member, spoke against the application. In summary, she stated that the application was an overdevelopment of the site, was detrimental to the character of the area, that it contravened the Village Design Statement and that traffic access to the site would be difficult without the removal of the substantial and important grass banks onto Main Road. She concluded that an application with fewer

dwellings would be more acceptable and recommended that the Committee convene a Planning Development Control (Viewing) Sub-Committee to visit the site and consider these issues in further detail.

Following debate, the Committee agreed that the Planning Development Control (Viewing) Sub-Committee should visit the site, to assess in further detail the application's potential effect on the character of the area through a possible overdevelopment of the site, the effect on surrounding properties and the substantial hedge that marked the site boundary, bin storage areas, and access issues. The Committee also requested that the plots of the proposed buildings be pegged out and that they were able to view the site from adjacent properties. They agreed to delegate to the Sub-Committee authority to determine the application. It was therefore agreed that the Sub-Committee would meet on site at 9.30am, Thursday 25 January 2007 (for Members only to familiarise themselves with the site) and that the debate and determination of the application would be held at 10.45am at St James Church Hall, Littleton.

Item 6: Showman's Depot, Botley Road, Shedfield - Case Number: 06/02659/FUL

Mr Clarke spoke against the application and Mr Henderson (speaking on behalf of the applicant) spoke in support.

Following debate, the Committee agreed to refuse planning permission for the reasons set out in the Report.

Item 7: Rear of 44 Lovedon Lane, Kings Worthy - Case Number: 06/03126/FUL

Mr Kimber (the applicant's agent) spoke in support of the application.

Following debate, the Committee agreed to grant planning permission, subject to the conditions set out in the Report.

Item 9: Land at Wickham Holt, Winchester Road, Wickham – Case Number: 06/03188/FUL

The Director of Development explained that the Committee had deferred the application from its previous meeting, held on 19 December 2006, so that the details of the garage serving Plot 3 could be reconsidered to reduce its size and to retain trees. The Director reported that the applicant had subsequently submitted amended plans which answered the Committee's previous concerns in reducing the size of the garage to a double garage and with a height of 5.25 metres. This allowed for the retention of two Portuguese Laurel bushes which provided additional screening between Plot 3 and Wickham Lodge. As bushes could not be protected through Tree Preservation Orders, the applicant had also agreed to a further condition which protected the retention of these bushes at a minimum height of 5 metres. The Director also explained that in the revised plans, a dormer window which faced Wickham Lodge had been removed from the roof of Plot 3.

Mr McGarry (a local resident) spoke against the application and Mr Harris (the applicant's agent) spoke in support.

Councillor Clohosey spoke as a Ward Member against the application. In summary, he suggested that the proximity of the trees to the proposed buildings meant that, despite their Tree Preservation Orders, they were likely to be under threat. If removed, considerable overlooking to existing properties was likely to result and that

the trees added significant amenity value to the area. He also suggested that the proposed access road was impractical, due to the location of preserved trees on the site. In conclusion, Councillor Clohosey requested that the Planning Development Control (Viewing) Sub-Committee visit the site to consider these issues in further detail.

Following debate, the Committee agreed that the Planning Development Control (Viewing) Sub-Committee should visit the site to assess the change in gradient across the site, overlooking issues, and the screening provided by the trees and bushes. The Committee also requested that the plots of the proposed buildings be pegged out. It was agreed that the Sub-Committee would have delegated powers to determine the application and that the Sub-Committee would meet on site at 2.00pm, Thursday 25 January 2007 (for Members only to familiarise themselves with the site) and that the debate and determination of the application would be held at 2.45pm at Wickham Community Centre, Wickham.

During consideration of items that were not subject to public participation the following amendments to the Report were agreed:

Item 1: Horns Hill House, Webbs Green, Soberton – Case Number 06/03082/FUL

The Committee agreed to the Director of Development's request to amend the reference to the informatives on page 8 to Conditions 4, 5 and 6.

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, planning permission be granted subject to the conditions set out in the Report and the following additional informative: The applicant is reminded that the other conditions contained in permission W01393/14 are still applicable.

3. That in respect of Item 4, planning permission be granted subject to the conditions set out in the Report and the conditions be personalised to refer to Mr and Mrs Edan, trading as Trailer Tek. The Committee agreed to grant planning permission because the applicant had demonstrated that business served local people, that a large percentage of the business was classified as B1 and B8 uses, that it would generate little traffic movement and that the business had operated on the site without complaints from local residents.

4. That in respect of Item 5, the application be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee to be held on 25 January 2007.

5. That in respect of Item 9, the application be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee to be held on 25 January 2007.

6. **MINUTES OF THE PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**
(Report PDC666 refers)

The Committee considered the minutes of the Planning Development Control (Telecommunications) Sub-Committee held on 22 December 2006(attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the Planning Development Control (Telecommunications) Sub-Committee held on 22 December 2006, be received.

7. **EQUIPPED PLAY FACILITY AT FREEMANS YARD, CHERITON**
(Report PDC663 refers)

Mr O'Donovan (on behalf of the applicant) spoke in support of the application.

Councillor Verney addressed the Committee as a Ward Member. In summary, he explained the Parish Council's objection to the equipped play facility. He suggested that its installation should be deferred until the new development was occupied, so that the new residents could contribute to its design. He also stated that, in the meantime, there were good play facilities elsewhere in the village and the proposed facilities would not be covered by the Parish Council's existing insurance policy.

Following debate, the Committee agreed that the proposed facilities should be provided for the reasons set out in the Report.

RESOLVED:

That the play area at Freeman's Yard should be equipped to "Local Area for Play" (LAP) Standard, in line with Local Plan policy RT.4 and the City Council's recreational space standard.

8. **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>
##	Exempt Minutes of the meeting of the Committee held on 16 November 2006: Morn Hill, Winchester – Hotel Development) Information which reveals that the authority proposes:) a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or) b) to make an order or direction under any enactment. (Para 6 Schedule 12A refers)

9. EXEMPT MINUTES

RESOLVED:

That the exempt minutes of the previous meeting held on 16 November 2006, referring to the Hotel Development at Morn Hill, Winchester, be approved and adopted.

The meeting commenced at 9.30am, adjourned for lunch at 12.50pm, recommenced at 1.30pm and concluded at 3.30pm.

Chairman