

PLANNING DEVELOPMENT CONTROL COMMITTEE

24 May 2007

Attendance:

Councillors:

Jefferies (Chairman) (P)

Baxter (P)
Busher (P)
Evans (P)
Huxstep (P)
Lipscomb

Johnston (P)
Pearce (P)
Ruffell (P)
Saunders (P)
Sutton (P)

Deputy Members

Councillor Godfrey (Standing Deputy for Councillor Lipscomb)

Others in attendance who addressed the meeting:

Councillors Berry and Wright

1. **APOLOGIES**

Apologies were received from Councillor Lipscomb.

2. **DEVELOPMENT CONTROL SCHEDULE**

(Report PDC687 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.

By way of personal explanation, Councillor Godfrey drew attention to Item 2, where his level of prior involvement with the proposal as a Ward Member may have risked the perception of pre-determination. Therefore he addressed the Committee as a Ward Member and sat apart from the meeting and did not vote thereon.

By way of personal explanation, Councillor Johnson drew attention to Item 5, where his level of prior involvement with the proposal as a Ward Member may have risked the perception of pre-determination. Therefore, he sat apart from the meeting, took no part in the debate and did not vote thereon.

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

Item 2: Land at rear of 63-67 Church Street, Micheldever - Case Number: 07/00601/FUL

Ms Hawkesworth (Micheldever Parish Council) spoke in opposition to the application and Mr Holmes (applicant's agent) spoke in support. Councillor Godfrey (speaking as a Ward Member) also spoke against the proposal.

In summary, Councillor Godfrey stated that the application was taller than that refused in 2005 and that its proposed location on high ground meant that the garages would have a detrimental impact on the countryside and nearby Conservation Area. He added that the proposal should be refused because its location did not fall within the curtilage of any existing building and was therefore contrary to policy.

During discussion, the Committee noted that although the application fell within the curtilage of the approved scheme which had yet to be built, the improved design had led to an increased ridge height. As such, the application could not be considered as permitted development.

Following further debate, the Committee agreed to grant planning permission, subject to the conditions set out in the Report which included an additional reason proposed by the Head of Planning regarding archaeology.

Item 3: Alan Day (Honda) Ltd, Stockbridge Road, Winchester – Case Number: 06/03645/FUL

Mr Mcfarland (on behalf of, the applicant for a neighbouring site), Ms Conway and Mr Weeks spoke against the application. Mr Tracey (the applicant's agent) and Dr Wright spoke in support. Councillor Berry (as a Ward Member) also spoke against the application.

In summary, Councillor Berry stated that the proposal offered little of benefit for the local community and that its height and massing would dominate neighbouring residential properties. She also stated that it would generate further traffic into an already congested area and that there was little that separated this application from the refused Aldi application on the neighbouring site. She also spoke against the appearance of the proposed building and questioned its need.

During debate, it was explained by the Head of Strategic Planning that a recent review of the Winchester Retail Study had identified that there was a substantial need for additional food retail outlets in Winchester, with the only available town centre site being Silver Hill. If all the current and projected future applications for food retail outlets were developed (including Silver Hill), the predicted supply would exceed demand. However, the difference was likely to diminish in future years as retail expenditure grew. Given that only one of the current applications was under consideration at the meeting, and taking account of the likely timing of development at Silver Hill, it was concluded that this application was unlikely to affect the commercial viability of Silver Hill.

In response to Members' questions, the Head of Planning clarified issues regarding the design and landscaping of the scheme, and the public consultation process undertaken by the applicant.

The Head of Planning reminded the meeting that the application had been the subject of press advertisements, neighbour notification and site notices. However, since the publication of the Report, it had become apparent that the application had not been included in the weekly list of applications when it was validated in January 2007. To remedy this situation, the application had been placed on the weekly list dated 23 May 2007. However, that action altered the timescale for representations and therefore, should Members be minded to approve the application, authority would need to be delegated to the Head of Planning (in consultation with the Chairman) to approve the scheme, subject to no new material considerations arising from re-listing

the application. In addition, the application was subject to a referral to the Government Office of the South East, prior to the decision being issued.

The Head of Planning also explained that further public representations had been received regarding recycling, sustainability, safer cycling, massing and scale, traffic, procedural issues and the commercial effect of the proposed store.

In addition to the conditions set out the Report, the Head of Planning proposed two further conditions which related to archaeology and landscaping, following further responses from the Landscape Team and the Sites and Monuments Officer.

Arising from discussion, the Committee agreed the need to amend the legal agreements to include a number of additional aspects, including the erection of bollards to protect the landscaping strip at Burnett Close. Members also requested that officers discuss with the applicant and Environmental Health officers possible restrictions on night-time lorry deliveries to the site, to be included in the legal agreement, so as to protect the amenity of neighbours. The Committee also agreed that Condition 11 be amended to include reference to provide recycling facilities at the site, which did not detract from its visual amenity and the restriction of other structures and equipment on all external areas, without the prior written consent of the Local Planning Authority.

Following debate, the Committee agreed to delegate to the Head of Planning authority to grant planning permission (in consultation with the Chairman) subject to the conditions (as set out in the Report and as amended above) and there being no new, significant material considerations arise from re-listing the application, as explained above. In addition, the application was subject to a referral to the Government Office of the South East, prior to the decision being issued.

Item 4: Greenacres Special School, 61 Andover Road, Winchester – Case Number: 06/03311/FUL

The Head of Planning advised that there had been an error in the Report, as it had failed to record that the representations received from the public had raised concerns regarding the character of the proposed development and its adverse impact on the surrounding area.

Mr Bell-Chambers and Councillor Berry (as a Ward Member) spoke in opposition to the application. Mr Luken and Mr Parker (as representatives of the applicant) spoke in support.

In summary, Councillor Berry stated that the application was likely to increase traffic congestion and the likelihood of accidents at the Stoney Lane and Bereweeke Avenue junctions onto Andover Road. She commented that the application was out of character with the area, that it was an overdevelopment of the site and that the main block was large and overbearing. Councillor Berry added that the concerns she had expressed were shared with Councillor Worrall (another Ward Member), who was unable to attend the meeting.

Following debate, the Committee agreed that the Planning Development Control (Viewing) Sub-Committee determine the application, as concerns were raised regarding its character and, given the sloping levels of the site, its impact on neighbouring properties (particularly 63 Andover Road). The Sub-Committee would meet on-site at 9.30am on Tuesday 19 June 2007 and at 11.00am determine the application at a public meeting in the Guildhall, Winchester.

Item 6: 30 Brunel Close, Micheldever Station, Winchester – Case Number: 07/00687/FUL

The Head of Planning advised the Committee of an error in the Report, in that all references to 32 Brunel Close should have referred to 31 Brunel Close.

Councillor Wright (as a Ward Member) spoke against the application. In summary, he stated that he sympathised with the views of the owner of 31 Brunel Close (which was a neighbouring property), as he considered that the application would be overbearing to this property's garden and diminish its views of mature trees beyond. He explained that this contradicted the careful consideration that had been given to the spaces between the dwellings when they were designed 20 years ago. He also commented that the application was likely to affect a public footpath.

During debate, Members noted that the Council's policies regarding the protection of spaces between buildings did not prohibit development, but concerned the extent to which these gaps were filled and whether this produced an adverse effect. The Committee also noted that the application had no material affect on the route of footpath, which had been used since the development of the area. Although this route had not yet been reflected in the records of the County Footways Officer, it was noted that the County had raised no objection in relation to the application.

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

Item 7: The Garden House, Brandy Mount, Cheriton – Case Number: 07/00777/FUL

Ms Morgan spoke in support of the application.

Following debate, the Committee approved the application, subject to conditions, as set out in the Report.

In respect of the items that were not subject to public participation, the Head of Planning updated the Committee on the following issues.

Item 1: Stanmore Hotel, 212 Stanmore Lane, Winchester – Case Number: 07/00298/FUL

This item had been withdrawn from the agenda at the request of the applicant.

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 2, planning permission be granted subject to conditions as set out in the schedule, including an additional condition regarding archaeology.
3. That in respect of Item 3, the Head of Planning be delegated permission to grant planning permission (in consultation with the Chairman)

subject to the conditions as set out in the Schedule (together with an amendment to Condition 11 regarding recycling and further restrictions on external areas, bollards in Burnett Close and possible restrictions on lorry deliveries) and that no new, significant material considerations arise from the renewed period of re-listing and referral to GOSE.

4. That in respect of Item 4, planning permission be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee to be held on 19 June 2007, following further consideration regarding the character of the application and, given the sloping levels of the site, its impact on neighbouring properties (particularly 63 Andover Road).

3. **APPOINTMENT OF SUB-COMMITTEE AND REPRESENTATIVES 2007/08**
(Report PDC692 refers)

RECOMMENDED:

THAT THE COUNCIL'S CONSTITUTION BE AMENDED AS FOLLOWS:

PART THREE – RESPONSIBILITY FOR FUNCTIONS (PAGE 13) – INSERT THE FOLLOWING UNDER PARAGRAPH 4.4 AS A NEW SUB-PARAGRAPH 4 FOR THE PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE:

'4. THAT THE SUB COMMITTEE BE APPOINTED FROM THE WHOLE COMMITTEE, WITH TERMS OF REFERENCE AS SET OUT ABOVE, AND THAT IN THE EVENT OF THE UNAVAILABILITY OF A MEMBER TO ATTEND A MEETING, A STANDING DEPUTY OF THE SAME POLITICAL GROUP FOR PLANNING DEVELOPMENT CONTROL COMMITTEE MAY ATTEND AND VOTE'.

RESOLVED:

1 That the Planning Development Control (Viewing) Sub-Committee continue to be appointed from the whole Committee, with terms of reference as set out in the Report.

2 That the Chairman (Councillor Jeffs) and Vice Chairman (Councillor Saunders) of the Planning Development Control Committee also be appointed as the Chairman and Vice Chairman of the Viewing Sub-Committee for the 2007/08 Municipal Year..

3 That Councillor Johnston be appointed Chairman and Councillor Jeffs Vice Chairman of the Planning Development Control (Telecommunications) Sub-Committee for the 2007/08 Municipal Year.

4 That Councillor Johnston be appointed to the Stockbridge Oilfield Liaison Panel for the 2007/08 Municipal Year

The meeting commenced at 9.30am, adjourned for lunch at 12.50pm, recommenced at 1.40pm and concluded at 2.55pm.

Chairman