

PLANNING COMMITTEE

30 March 2017

Attendance:

Councillors:

Ruffell (Chairman) (P)

Evans (P) (for Items 1 – 2)
Izard (P)
Jeffs (P) (for Items 1 – 3)
Laming (P)

McLean
Read (P)
Scott
Tait (P)

Deputy Members:

Councillor Berry (Standing Deputy for Councillor McLean) and Councillor Clear (Standing Deputy for Councillor Scott)

Others in attendance who addressed the meeting:

Councillors Cutler and Stallard.

Others in attendance who did not address the meeting:

Councillors Bell, Porter, Warwick (Portfolio Holder for Environment) and Weston (Deputy Leader and Portfolio Holder for Built Environment).

1. **MINUTES**

RESOLVED:

That the minutes of the meeting held on 9 March 2017, be approved and adopted.

2. **PLANNING APPLICATIONS SCHEDULE**
(Report PDC1084 and Update Sheet refers)

The schedule of planning application decisions arising from consideration of the above Report is circulated separately and forms an appendix to the minutes.

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1084.

Councillors Clear and Evans made a personal statement in respect of Item 2 (Land adjacent to Moorshill Farm, Fontley Road, Wickham) due to their roles as Chairman and Councillor of Wickham Parish Council respectively.

However, as they had not expressed any view on this particular application, they both spoke and voted thereon.

Applications outside the area of the South Downs National Park (WCC):

Item 1: - Proposed 4-bed dwelling (2 storey) with garage – Land West of Birch Lodge, Trampers Lane, North Boarhunt
Case number: 16/03027/OUT

The Head of Development Management referred Members to the Update Sheet which clarified that “GPDO” within the Report means ‘General Permitted Development Order’.

During public participation, Councillor Stallard (speaking in her capacity as County Councillor) and Ian Donohue spoke in support of the application and answered Members’ questions thereon.

During public participation, Councillor Cutler spoke on this item as Ward Member.

In summary, Councillor Cutler stated that he strongly believed there were grounds to permit this application based on the unprecedented level of support from the community with over 30 letters and a petition all indicating their overwhelming support for the application. Furthermore, the application had received the full support of the Parish Council with no objections.

He referred to the Shirrell Heath appeal which had been referenced as a comparator site and considered that the crucial difference between the applications was that only one letter of support had been received for the Shirrell Heath application and was therefore contrary to Policy MTRA3 in relation to community aspiration and support. However, he considered that this application fully complied with the policy requirements of MTRA3 in this respect and that community aspiration had been clearly demonstrated. In addition, Councillor Cutler expressed concerns that both MTRA3 and MTRA4 had been quoted in the report recommendation to refuse this application, yet he believed only one of these policies could apply.

In conclusion, he considered that the submission of a Community Plan to support this application was unwarranted due to the number of residents that had already provided 100% support in writing and urged the Committee to support the community and grant permission for this application.

In response to questions raised during public participation, the Head of Development Management clarified that, whilst various aspects of MTRA4 had been taken into consideration, in this case the assessment to refuse the application was based on it being contrary to Policy MTRA3.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons set out in the Report and as per the Update Sheet.

Item 2: - Installation of solar farm – Land adjacent to Moorshill Farm, Fontley Road, Titchfield

Case number: 16/000863/FUL / 05072406

The Head of Development Management referred Members to the Update Sheet which provided comments from the Highway Engineer recommending appropriately worded Grampian style conditions; further comments from one person on the scheme following the notification letter sent out to third parties; further information submitted by the applicant, as set out below and the planning officer's response, with changes to conditions (as underlined below) and /new conditions as follows:

In addition, a verbal update was provided which included a revision to Condition 12 to make reference to the design and construction of the road into the site to ensure surface water does not flow out of the site onto the highway. Following concerns raised by Members that the residents who live down Ironmill Lane might find their access blocked by vehicles accessing the site off the lane, officers were instructed to add a requirement that the new access off Fontley Road is used as soon as practical. This would be accomplished by an addition to condition 10.

Additional comments were received from the Applicant which the Planning Officer responded to accordingly.

10. Traffic Management

The following actions as set out in the Construction Management Plan dated April 2016 and prepared by Stilwell Partnership shall be implemented during the construction phase of the development hereby permitted:

Temporary Highway Signage - Section 2 paragraphs 2.5 and 2.6

Delivery Procedures - Section 8 paragraphs

Vehicle Routes - Section 4

Measures to reduce employee traffic - Section 5.3

Access to the site off Ironmill Lane by any vehicle or plant shall be limited to the initial establishment period of the construction phase and once the new access off Fontley Road is in a condition to be used by vehicular traffic, then all vehicles or plant arriving at or exiting the site shall use the new access and not Ironmill Lane.

Reason: To ensure that traffic associated with the development does not have any adverse impact on the local road network.

12. Details of Roads

Before the access or any of the roadways are formed, details of their construction shall be submitted to and approved in writing with the local planning authority. The principles of Sustainable Urban Drainage shall be adopted (where practical) and consideration given in their

construction to the requirement for them to be removed at the end of the use hereby permitted. The access shall be designed and constructed to avoid shedding surface water from the site out onto the highway. The access and roadways shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety.

15. Contractor's Compound

The storage area and the contractor's compound shall be enclosed with a 2.4m tall metal or wooden hoarding painted in a colour to be submitted to and agreed in writing with the local planning authority in advance of the enclosure being installed. The enclosure shall then be painted in the agreed colour. Within one month of the site first exporting electricity to the grid the enclosure shall be dismantled and the adjoining footpath located between the compound and the access roadway dismantled, and all materials shall be removed from the site.

Reason: To protect the general character and appearance of the surrounding area

16. Landscaping of former Contractor's Compound Area

Within one month of the site first exporting electricity to the grid, a scheme for the landscaping of the area previously used as the contractor's compound together with the ground formerly occupied by the footpath positioned between the compound and the access roadway, shall be submitted to and approved in writing with the local planning authority. The scheme shall include details of position of new planting, native species numbers, seed mix, measures to protect the new plants and a timetable for the planting to take place. The maintenance and management of this area shall then be incorporated into the programme of future work as set out in the Biodiversity Management Plan to reflect the management of other similar areas of the site.

Reason: To protect the landscape character of the surrounding area.

New Conditions:

20. Parking during Construction.

Before any construction of the solar farm is commenced on site, details of provisions to be made for the parking and turning on site of employee and construction vehicles during the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme be fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

21. Visibility splays.

Before the construction of the solar farm hereby permitted is first commenced, the visibility splays of 2.4 metres by 120 metres as shown on the Stilwell Partnership Drawing number TSP/JSI/P3025/03 revision B dated April 2016 shall be provided at the junction of the access and public highway (Fontley Road). The splays shall be kept free of obstacles and retained thereafter.

Reason: In the interests of highway safety

During public participation, Vivian Laing and Councillor Alan Ediss (Wickham Parish Council) spoke in objection to the application and Sue Field (Agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons (and subject to the updated Section 106 agreement, conditions and informatives), set out in the Report and as per the Update Sheet, subject to verbal update revision to Condition 12, as set out above and an additional amendment to Condition 10 (Traffic Management) stating that no access from Iron Mill Close be permitted following development.

Item 3: - Variation of conditions no. 1 and 2 of planning enforcement appeal decision reference no. APP/L1765/C/13/2198472; to make the personal and temporary permission permanent – Ourlands, Mayles Lane, Knowle, Hampshire

Case number: 15/02529/FUL / W22773

The Head of Development Management referred Members to the Update Sheet which set out the correct comment received from Wickham Parish Council; outlining one further letter of objection and stated that, following agreement with the applicant, the application be deferred to enable further consideration of the 5 year supply for Gypsy and Traveller pitches.

Applications inside the area of the South Downs National Park (SDNP):

Item 4: - Outline planning consent for the erection of 1 no. bungalow – St Peters Farm, Church Lane, Hambledon, Waterlooville

Case number: SDNP/16/06261/OUT

During public participation, Mr Higham and Stephen Coe (on behalf of Hambledon Parish Council) spoke in objection to the application and answered Members' questions thereon.

In response to questions from Members, the Planning Solicitor clarified that officers believed that the caravan on site was for use as a 'mess room' in connection with the lawful use of the land, in this case for equestrian purposes and therefore was not in breach of planning control.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons set out in the Report.

Applications outside the area of the South Downs National Park (WCC):

Item 5: - Demolish existing building and replace with 7 no. proposed dwellings – New Farm Engineering Ltd, New Farm Road, Alresford
Case number: 16/02182/FUL

The Head of Development Management referred Members to the Update Sheet stating that one further letter of support had been received setting out details of the detrimental impact of the previous use in terms of smell and traffic, highlighting vacant premises in the vicinity and querying the requirement for its retention for employment.

The Head of Strategic Planning addressed the Committee to provide clarification on planning policy, which seeks to retain and protect employment use within the settlement boundary.

During public participation, Nigel Dyer (Agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons set out in the Report.

Item 6:-.(RESUBMISSION) Refurbishment of 4 existing flats together with single storey rear extension providing a new residential dwelling and single storey front extensions and parking – Old Saddlers, Stockbridge Road, Sutton Scotney
Case number: 16/01736/FUL

The Head of Development Management referred Members to the Update Sheet outlining amendments to the report /conditions and additional conditions as follows:

Amendment to page 83 'Engineer: Highways comment: Should refer to a 2 bedroomed unit and not unit(s) as stated.

Condition 5 added to read: Prior to the first occupation of the new unit of accommodation hereby permitted, the full refurbishment of the existing buildings of Old Saddlers as per Drawing 0321/P/4B shall be implemented.
Reason: To conserve and enhance the character and appearance of the area.

Condition 8 amended to read: The parking spaces shall be provided in accordance with the approved parking layout plan 0321/P/1/B prior to the first occupation of the new unit of accommodation (known as flat 5).
Reason: In the Interests of Highway Safety

Condition 12 added to read: Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Additional Condition:

A detailed drainage layout, long sections and specification for the foul and surface water sewers, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

NOTE: Entering into an Agreement with Southern Water Services Ltd under Section 104 Water Industry Act 1991 shall be deemed to satisfy this condition.

Reason : Reason: To ensure the satisfactory provision of foul and surface water drainage.

The Highways Engineer addressed the Committee to outline the actions that had been taken by the applicant with the Land Registry to demonstrate ownership of the land which had proved unsuccessful and had indicated that the land was untitled and unregistered. He provided clarification on the legal position of the land in relation to the car parking provision on site.

During public participation, Barbara North and Greg Moss spoke in objection to the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons (and subject to the conditions and informatives), set out in the Report and as per the Update Sheet.

Item 7: - Demolition of the existing house at Southgate and the construction of 2 five bed dwellings, 2 three bed dwellings and 1 two bed dwelling with associated parking and landscaping (AMENDED PLANS RECEIVED 7 February 2017) – Southgate, Cross Way, Shawford
Case number: 16/02071/FUL

The Head of Development Management referred Members to the Update Sheet outlining a revision to Page 95 of the report, as highlighted in bold – 'Compton and Shawford Village Design Statement **dated 10 November 2011**'; and a change to the wording of Condition 9, additional conditions and informative, together with information about the CIL contribution.

During the consideration of this application and prior to public participation, the Committee agreed that this application be deferred for further information to be provided in relation to the viability proposals for this development.

Item 8: - Erection of 1 dwelling together with associated car parking, landscaping and access (AMENDED DESCRIPTION) (AMENDED PLANS RECEIVED 22.2.17) – Fire Station and Premises, North Walls, Winchester
Case number: 16/03224/FUL

The Head of Development Management referred Members to the Update Sheet which outlined several amendments to the report, and additional conditions and comments, as follows:

Additional Conditions:

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- 14 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination
- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations

Policy HE.1 Winchester District Local Plan Review; Policy CP20 of the Winchester District Joint Core Strategy

- 15 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available.

Policy HE.1 Winchester District Local Plan Review; Policy CP20 of the

Winchester District Joint Core Strategy

- 16 Before any works hereby permitted are begun, details of the foundations, piling configuration, drainage and services, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to be preserved.

Reason: To ensure the conservation and protection of important archaeological remains present within the site, in compliance with Policy HE.1 of the Winchester District Local Plan Review.

The Secretary of State had notified the Head of Development Management that a call-in request had been received and therefore, the issuing of a decision notice should be delayed until the situation has been assessed by the Secretary of State.

During public participation, Gerard Price (Applicant) and Angus Cook (Agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons (and subject to the conditions and informatives), set out in the Report and as per the Update Sheet.

Item 9: - Alterations to extant permission under planning application ref: 16/00320/FUL: Demolition of existing bungalow and outbuildings, proposed replacement single storey dwelling with attached garage – Texas, Texas Drive, Olivers Battery, Winchester
Case number: 17/00126/FUL

This application was withdrawn.

RESOLVED:

1. That the decisions taken on the Development Control Applications in relation to those applications inside and outside the area of the South Downs National Park be agreed as set out in the Schedule (appended to the minutes for information), subject to:

- (i) That, in respect of item 2 (Land adjacent to Moorshill Farm, Fontley Road, Titchfield) planning permission be granted, subject to a Section 106 agreement; revision to Condition 12, as set out in the verbal update above; and an additional amendment to Condition 10 (Traffic Management) stating that no access from Iron Mill Close be permitted following development;

(ii) That, in respect of item 3 (Ourlands, Mayles Lane, Knowle), the item be deferred to enable further consideration of the 5 year supply for Gypsy and Traveller pitches; and

(iii) That, in respect of item 7 (Southgate, Cross Way, Shawford), the item be deferred for further information to be provided in relation to the viability proposals for this development;

The meeting commenced at 9.45am, adjourned between 11:55pm and 2:00pm and concluded at 3:55pm.

Chairman