

PLANNING (VIEWING) SUB-COMMITTEE**30 November 2017****Attendance:**

Councillors:

Ruffell (Chairman) (P)

Clear (P)
Evans (P)
Gottlieb (P)
Izard (P)Jeffs
Laming
Read (P)
Tait**Officers in attendance:**Mrs J Pinnock – Head of Development Management
Ms F Sutherland – Planning and Information Solicitor
Mrs K Nethersole – Senior Planning Officer
Mrs R White - Historic Environment Team Leader**1. DISCLOSURES OF INTEREST**

There were no disclosures of interest made at the meeting.

It was noted that Councillor Tait had declared a personal (and prejudicial) interest in respect of the following items under consideration at the previous meeting of the Planning Committee held on 16 November 2017 (as he was a Trustee of St John's Winchester Charity that owned land adjoining the application site), and he was not present at this meeting of the Viewing Sub Committee.

2. DEMOLITION OF EXISTING PRIVY BLOCK AND ERECTION OF NEW TWO STOREY RESTAURANT EXTENSION. - 20-21 THE SQUARE, WINCHESTER CASE NUMBER: 17/01769/LIS

(Extract from Report PDC1098 Item 3 and Update Sheet of 16 November 2017 refers).

At its meeting held on 16 November 2017, the Planning Committee agreed that the above application be referred to the Planning (Viewing) Sub-Committee for determination in order to allow Members to observe the site to gain a better appreciation of the proposal in the context of its setting and its relationship with neighbouring listed buildings.

Public participation had taken place at the aforementioned meeting of the Committee where Simon Bridbury (applicant) had spoken in support of the application and answered Members' questions thereon. Councillor Tait had also been present during public participation to answer questions arising from the Committee prior to his withdrawal from the meeting.

Therefore, immediately prior to the public meeting, the Viewing Sub-Committee visited the application site where Members observed the site in order to gain a better appreciation of the proposal in the context of its setting and its relationship with neighbouring listed buildings.

The Head of Development Management presented the application to re-familiarise Members with the proposal and stated that the application had been taken to the Planning Committee for determination with a recommendation to refuse permission.

The Head of Development Management referred to the Update Sheet (16 November 2017) which stated that there were no updates. There was no further Update Sheet at the Viewing Sub Committee.

At the conclusion of debate, the Sub-Committee agreed to grant Listed Building Consent as it was agreed that a sensitively designed and carefully detailed extension would make a positive contribution and would not compromise the neighbouring listed buildings, with the precise wording as set out below.

RESOLVED:

That the application be permitted subject to the following conditions:

Conditions:

- 1 The works hereby consented to shall be begun before the expiration of three years from the date of this consent.
- 1 Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 2 No works beyond ground works shall commence on-site until a fully-detailed materials schedule has been submitted to and approved by the Local Planning Authority in writing. The submitted schedule must specify in detail the proposed materials, finishes and methods of workmanship proposed and must be accompanied by labelled samples as applicable to each building part. The works shall then proceed in strict accordance with the approved schedule unless agreed otherwise in writing by the Local Planning Authority.
- 2 Reason: To ensure the proposed materials are appropriate to the historic context of the site.
- 3 No development beyond ground works shall commence on-site until full working details of the hereby approved 2 storey extension, at a scale of 1:20 overall with details of windows, doors and glass balustrades at 1:5, have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding / original fabric. The development

shall then proceed in strict accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

3 Reason: To preserve the setting of adjacent listed buildings and the character and appearance of the conservation area.

4 Notwithstanding the approved development, the existing historic paved surface to the alleyway between the site and 22 The Square shall be retained.

4 Reason: To preserve the character of the conservation area

Informatives:

1 In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. The applicant was updated of any issues after the initial site visit.

2 The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Part 1 - Joint Core Strategy:
Policy CP20

Winchester District Local Plan Part 2 - Development
Management and Site Allocations: DM27, DM28 and DM29
SPD - High Quality Places

3 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.

4 Any upgrading to the internal surfaces or lighting to the alleyway between the application site and 22 The Square may require a separate application for listed building consent.

3. **DEMOLITION OF EXISTING PRIVY BLOCK AND ERECTION OF NEW TWO STOREY RESTAURANT EXTENSION.**
- 20-21 THE SQUARE, WINCHESTER
CASE NUMBER: 17/01768/FUL

(Extract from Report PDC1098 Item 3 and Update Sheet of 16 November 2017 refers).

At its meeting held on 16 November 2017, the Planning Committee agreed that the above application be referred to the Planning (Viewing) Sub-Committee for determination in order to allow Members to observe the site to

gain a better appreciation of the proposal in the context of its setting and its relationship with neighbouring listed buildings.

Public participation had taken place at the aforementioned meeting of the Committee where Simon Bridbury (applicant) had spoken in support of the application and answered Members' questions thereon.

Therefore, immediately prior to the public meeting, the Viewing Sub-Committee visited the application site where Members observed the site in order to gain a better appreciation of the proposal in the context of its setting and its relationship with neighbouring listed buildings.

The Head of Development Management presented the application to re-familiarise Members with the proposal and stated that the application had been taken to the Planning Committee for determination with a recommendation to refuse permission.

The Head of Development Management referred to the Update Sheet (16 November 2017) which stated that there were no updates. There was no further Update Sheet at the Viewing Sub Committee.

At the conclusion of debate, the Sub-Committee agreed to grant planning permission as it was agreed that a sensitively designed and carefully detailed extension would make a positive contribution and would not compromise the neighbouring listed buildings and delegated authority to the Head of Development Management in consultation with the Chairman to agree the Conditions and Informatives, as set out below.

RESOLVED:

That the application be permitted subject to the following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until the applicant or their agents or successors in title has implemented a programme of archaeological work in accordance, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:
 - o The programme and methodology of site investigation and recording,
 - o Provision for post investigation assessment, reporting and dissemination,

- o Provision to be made for deposition of the analysis and records of the site investigation (archive),
- o Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

2 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 DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

3 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.

3 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 DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

4 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.

4 Reason: To ensure the conservation and protection of important archaeological remains present within the site, in compliance with Policy DM26 Winchester District Local Plan Part 2.

5 No works beyond ground works shall commence on-site until a fully-detailed materials schedule has been submitted to and approved by the Local Planning Authority in writing. The submitted schedule must specify in detail the proposed materials, finishes and methods of workmanship proposed and must be accompanied by labelled samples as applicable to each building part. The works shall then proceed in strict accordance with the approved schedule unless agreed otherwise in writing by the Local Planning Authority.

5 Reason: To ensure the proposed materials are appropriate to the historic context of the site.

6 No development beyond ground works shall commence on-site until full working details of the hereby approved 2 storey extension, at a scale of 1:20 overall with details of windows, doors and glass balustrades at 1:5, have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding / original fabric. The development

shall then proceed in strict accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

6 Reason: To preserve the setting of adjacent listed buildings and the character and appearance of the conservation area.

7 Notwithstanding the development hereby approved, the existing historic paved surface to the alleyway between the site and 22 The Square shall be retained.

7 Reason: To preserve the character and appearance of the conservation area

Informatives:

1 In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. The applicant was updated of any issues after the initial site visit.

2 The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Part 1 - Joint Core Strategy:
Policy CP20

Winchester District Local Plan Part 2 - Development
Management and Site Allocations: DM27, DM28 and DM29
SPD - High Quality Places

3 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.

4 All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5 During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is

reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6 The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

7 Any upgrading to the internal surfaces or lighting to the alleyway between the application site and 22 The Square may require a separate application for listed building consent.

The meeting commenced at 10.30am and concluded at 10.55am

Chairman