

PLANNING DEVELOPMENT CONTROL COMMITTEE

12 January 2005

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)
Bennetts (P)
Beveridge (P)
Davies (P)
Darbyshire (P)
Evans (P)
Jefferies (P)

Johnston (P)
Mitchell (P)
Pearson (P)
Read (P)
Saunders (P)
Sutton (P)
Tait (P)

Others in attendance who addressed the meeting:

Councillor Learney

Others in attendance who did not address the meeting:

Councillor Macmillan

707. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 8 November, 10 November, 8 December and 9 December 2004 be approved and adopted.

708. **INSTALLATION OF 2 NO. WINDOWS IN EXISTING GARAGE – 19 MONARCH WAY, WINCHESTER**

(Report PDC497 refers)

In the public participation part of the meeting, Mr Ling spoke in objection to the application and Mr Airey spoke in support.

The Director of Development Services summarised to the Committee a letter of objection received by the Council on 11 January 2005 from Councillor Rees, who resided at 20 Monarch Way, Winchester. The Director also added that six further letters of objection had been received since the report had been prepared.

In his representation to the Committee, Mr Airey commented that the application for the installation of the two windows was at the recommendation of the City Council's Environmental Health Officer to provide ventilation for tenants living in the converted garage.

In response to Members' comments, the Director of Development Services stated that although the installation of windows could result in the garage being more capable of occupation and therefore encouraging a breach of planning permission should it be further converted to be a self-contained unit of residential accommodation without consent being obtained, this would be an issue for the taking of enforcement action at an appropriate time. In terms of the application before the Committee, Members were being requested to determine if the installation of the windows as proposed would materially affect the appearance of the building and therefore require planning permission.

In their consideration of the application, a number of Members commented that although a kitchen unit was not incorporated within the converted garage, it did contain a WC and shower, and it was possible that the tenants could provide their own kettle and microwave and therefore establish the garage's use as a self-contained unit of residential accommodation. Although it was accepted that enforcement action could be taken in the future, some Members were of the opinion that any decision taken by the Committee, for example in providing planning permission for the installation of two windows that could lead to the garage being established as a self-contained unit of residential accommodation, was not an approach that should be supported by the Committee.

Therefore, after further debate, the Committee agreed that the proposal did constitute development as the installation of the windows would materially affect the appearance of the building and therefore required planning permission. After determining that planning permission was required, the Committee then resolved to refuse the application, as the installation of windows in the elevations of the garage would encourage its use as a separate residential unit and the undesirable precedent that this would set. The detailed wording for the reasons for refusal was delegated to the Director of Development Services in consultation with the Chairman to agree.

RESOLVED:

1 That the proposals constitute development and therefore planning permission is required.

2 That the application be refused as the installation of windows in the elevations of the garage would encourage its use as a separate residential unit and the undesirable precedent that this would set, with detailed wording being delegated to the Director of Development Services and the Chairman to agree.

709. DEVELOPMENT CONTROL APPLICATIONS

(Report PDC498 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 Davies declared a personal (but not prejudicial) interest in respect of items 3 and 9 as he was a member of the City of Winchester Trust which had commented on these applications, and he spoke and voted thereon.

Councillor Beveridge declared a personal (but not prejudicial) interest in respect of items 3 and 9 as he was a member of the City of Winchester Trust which had commented on these applications, and he spoke and voted thereon.

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

In respect of item 1 – Sarum Farm, Kilham Lane, Winchester, Mr Kinchin spoke in support of the application and against the officers' recommendation for refusal. The Director of Development Services reported that since preparing the report there had been further letters of objection from residents in Kilham Lane which reiterated points made in the letters of representation as set out in the report. The Council's Highway Engineer commented that although a travel plan had been submitted by the applicant, it did not meet Hampshire County Council's criteria for school travel plans and therefore the proposals as submitted were not sustainable and could not be supported from a highways viewpoint. Following debate, the Committee supported the officers' recommendation for refusal as set out.

In respect of item 2 – The Running Horse, 88 Main Road, Littleton, Winchester, Mr Lupton and Mr Everett representing Littleton and Harestock Parish Council spoke in objection to the application, and Mr Reid, applicant's agent, spoke in support. The Director of Development Services reported that since preparing the report, amended plans had been received from the applicant which had addressed a number of objections from neighbours. These included reducing the height of the proposed units by setting them further into the ground of the sloping site and also removing the windows to the bathroom on the flank of the development facing the neighbouring property at 86 Main Road, Littleton. In addition, two informatives had been provided from the Council's Environmental Health Department relating to hours of construction and the burning of materials on site.

At the invitation of the Chairman, Councillor Learney, a Ward Member, spoke on this item. In summary she stated that Littleton and Harestock Parish Council and a number of village residents were concerned that the proposals, if accepted, would result in development outside of the H1 Development Policy boundary and the resultant precedent that could be set for further pressure on back land development within Littleton. It was a breach of principles that could be copied elsewhere in the village and she asked the Committee to consider the policy implications of the proposals.

In addressing these issues, the Director of Development Services stated that precedent would not be set as the application property was a commercial development providing a facility for the village, where support for its continued use could be supported through planning policies. The application site straddled the countryside and residential settlement boundaries and it was the officers' opinion that there would be least visual impact on the countryside and on inward views to the site from the conservation area with the proposals as set out, rather than restricting development to the H1 policy boundary. With the amended plans to remove the window to the bathroom as put forward by the applicant, the officers' recommendation was to support the application as set out.

Following debate the Committee supported the application as set out, with the addition of the two informatives provided by the Environmental Health Department.

In respect of item 3 – land adjacent to 94 Teg Down Meads, Winchester, Mr Tiley spoke in objection to the application and Mr Brook, architect, spoke in support. The Director of Development Services stated that since preparing the report two further letters of objection had been received, raising issues as already set out within the report. Following debate, the Committee supported the application as set out.

In respect of items that were not subject to public participation, the Director of Development Services reported that item 5 – The Roman Post, London Road, Micheldever, had been withdrawn by the applicant.

Item 7 – Denmead Service Station, Hambledon Road, Denmead, Waterlooville, had been deferred, as following a planning appeal decision a contamination study was required from the applicant.

In respect of item 8 – Little Stocks Barn, Pound Lane, Meonstoke, the application was deferred for further negotiation between the officers and the applicant.

Item 4 – 4 Glendee Close, Kings Worthy, Winchester was approved as set out in the report. As the application was from an officer, the Director of Development Services confirmed that the application had been processed normally in accordance with the Protocol on Planning Matters.

That in respect of item 6 – Exton Park Organics, Allens Farm Lane, Exton, a further letter of representation had been received from Exton Parish Meeting, and also the East Hampshire Area of Outstanding Natural Beauty Joint Advisory Board had objected to the application. The letter of concern from the Parish Meeting had raised issues relating to visual impact. The Director of Development Services added that Condition 4 should be deleted as it was beyond the powers of conditions that could be imposed for Prior Notifications and Condition 5 should be amended to limit restrictions on flood lighting to those relating to the external lighting of the application building only. Following debate, the Committee supported the Prior Notification as set out.

Item 9 – 19 Monarch Way, Winchester, was considered in conjunction with Report PDC497 (Minute 708 refers).

RESOLVED:

That the decisions taken on the development control applications, as set out in the Schedule which forms an Appendix to the minutes, be agreed.

The meeting commenced at 2.00 pm and concluded at 6.10 pm.

Chairman