

PLANNING DEVELOPMENT CONTROL COMMITTEE

10 February 2005

Attendance:

Councillors:

Busher (Chairman) (P)

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

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

Others in attendance who addressed the meeting:

Councillors Cooper and Hammerton

841. **MEMBERSHIP OF SUB-COMMITTEES ETC**

RESOLVED:

1. That a Planning Development Control (Lower House, Wickham) Sub-Committee be established to consider and recommend to the Planning Development Control Committee on the application for residential accommodation at Lower House, Wickham.

2. That Councillors Baxter, Bennetts, Busher, Clohosey, de Peyer, Evans, Jeffs, Mitchell and Pearson be appointed to serve thereon.

3. That a meeting of the Sub-Committee be held on Wednesday 23 February 2005 to commence at 4.00 pm on site to be followed by a public meeting at Wickham Community Centre at 5.30 pm.

842. **PLANNING APPEALS (WEST) – SUMMARY OF DECISIONS**
(Report PDC507 refers)

RESOLVED:

That the report be noted.

843. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**
(Report PDC 504 refers.)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 7 January 2005 (attached as Appendix A to the minutes.)

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 7 January 2005 be received.

844. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**

(Report PDC509 refers.)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 25 January 2005 (attached as Appendix B to the minutes.)

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 25 January 2005 be received.

845. **PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**

(Report PDC508 refers.)

The Committee considered the minutes of the meeting of the Planning Development Control (Viewing) Sub-Committee held on 26 January 2005 (attached as Appendix C to the minutes.)

The Acting Director of Development Services reported that subsequent to the Viewing Sub-Committee meeting, the applicant had suggested that the application could be amended to set the application dwelling a further 1.5 metres into the ground, thereby reducing its height and potential visual impact. An amended scheme had not been formally submitted, but this would be forthcoming should the Committee indicate that this approach would be acceptable.

At the request of the Committee, the Acting Director of Development Services clarified a number of minor errors in the minutes referring to map references and also confirmed that the application site was nearby but was not in the East Hampshire Area of Outstanding Natural Beauty. In addition, the Acting Director illustrated to the Committee the position of the application dwelling in relation to footpaths and inward views to the site from the surrounding countryside and also explained in detail the planning policies relating to the application, particularly those of C19 and EN5 of the Local Plan.

In its consideration of the application, although certain Members stated that a large house in landscaped grounds was appropriate for a plot size of approximately 4.5 acres, on balance the Committee agreed that the replacement dwelling was too large and bulky and therefore supported the Sub-Committee's recommendation for refusal as set out.

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Viewing) Sub-Committee held on 26 January 2005 be approved and adopted.

846. **DEVELOPMENT CONTROL APPLICATIONS**
(Report PDC511 and Appendix 1 to Report PDC511 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 Busher declared a personal (but not prejudicial) interest in respect of item 5 as she was acquainted with the applicant and she spoke and voted thereon.

Councillor Busher also declared a personal (but not prejudicial) interest in respect of item 13 as she had some involvement at the early stages of this application as a local Ward Member, and she addressed the meeting as a Ward Member, sitting apart from the Committee and not participating in the decision on this item.

Councillor Evans declared a personal and prejudicial interest in respect of item 4 as she was acquainted with the applicant and she left the meeting during consideration of this item.

Councillor Evans also declared a personal (but not prejudicial) interest in respect of item 14 and she addressed the meeting as a Ward Member sitting apart from the Committee and not participating in the decision on that item.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of item 12, as he had sat on the East Hampshire Area of Natural Beauty Planning meeting which had discussed this item, but he had not expressed an opinion or voted on this item and he spoke and voted thereon.

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

In respect of item 1 and 2 - Martins Close, Compton Street, Compton, Mr Lawrence and Mr Walmesley, representing Compton and Shawford Parish Council, spoke in objection to the application. The Acting Director of Development Services stated that an additional condition should be included that the works to construct the five bedroom dwelling would not commence until the work to construct the two detached two bedroom dwellings had started. In addition, condition 9 was clarified in that the works relating to the development should only take place between 8 am and 6 pm, Mondays to Fridays and between 8 am and 1 pm on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority. Following debate, the applications relating to items 1 and 2 were approved as set out, subject to clarification of condition 9 as stated above, together with an additional condition relating to item 1 stating that work on the five bedroom dwelling should not commence until work on the two bedroom dwellings had started.

In respect of item 3 – Sandspur, Trampers Lane, North Boarhunt, Fareham, Mrs Griffith, applicant, spoke in support of the application. At the invitation of the Chairman, Councillor Cooper, a Ward Member, spoke on this item. In summary he stated that he supported Mrs Griffith's application, on which neighbours had been fully consulted and also had the support of the Parish Council. There had been four letters of representation from local residents in objection to the application but none of these residents had contacted himself as Ward Member and evidence had been submitted that the application would not represent a noise nuisance to neighbours. The Committee approved the application as set out.

In respect of item 4 – land adjacent to Merrilees, Fareham Road, Wickham, Mrs Ferrone spoke in objection to the application. The Acting Director of Development Services stated that an additional condition should be included that the new window to the landing should be in obscure glazing and be non-opening. Following debate, the application was approved as set out, with the additional condition as stated.

In respect of item 5 – Beaulieu, Forest Road, Swanmore, Southampton, Mr West, representing Swanmore Parish Council, spoke in objection to the application. The Acting Director of Development Services stated that should the Committee be minded to approve the application, then the applicant agreed that planning permissions 2736/10; 2736/15 and 2736/16 would be revoked. Following debate, the Committee agreed to approve the application as set out, subject to planning permissions 2736/10; 2736/15 and 2736/16 being rescinded.

In respect of item 6 – Shepherds Grove, Shepherds Lane, Compton, Mr A Partridge, agent, spoke in objection to the application, and Mr Walmesley, representing Compton & Shawford Parish Council and Mr Bell, applicant, spoke in support. The Acting Director of Development Services stated that further representation had been received from neighbours in objection to the application, referring to ecological issues, and that the Urban Capacity Study had not taken into consideration the ecology of the site.

In assessing the application and in answer to Members' questions, the Acting Director of Development Services stated that development contributions towards highway improvements at the junctions to Otterbourne Road from Hurdle Way and Shepherds Lane could not at present be taken from developers as Hampshire County Council did not have a programme of works for highway improvements at Compton. There was also no clear guidance to assess the break point at which the junction from Hurdle Way and Shepherds Lane into Otterbourne Road would be judged to be adequate to safely accommodate additional traffic to be generated from proposed development to the western side of the M3 motorway in Compton. Although past planning appeal inspectors' decisions had supported development not taking place due to the impact on the sub-standard visibility splays at the junctions with Otterbourne Road (for example, Long Acre), these had been for developments generating traffic movements in excess of the traffic movements associated with a single new dwelling, such as the application at Shepherds Grove.

The Committee agreed on balance that should the applicant appeal to the Planning Inspector if the Committee agreed to refuse the application as set out, there could be no guarantee that due to the inconsistency of appeal decisions in the Compton area, that the Committee's decision would be supported. Therefore, taking this into account and assessing the relative impact on highway considerations of a single additional dwelling as proposed, the Committee supported the approval of the application. Authority was delegated to the Acting Director of Development Services in consultation with the Chairman, to agree appropriate conditions. In addition, the Committee supported the formation of a Design Statement for Compton which would look at highway issues and in order that developer contributions could be received for highway improvements in the absence of a programme of works by Hampshire County Council.

In respect of item 8 – Thorns Cottage, The Square, Wickham, Mr Carter, Chairman of the Wickham Society, spoke in objection to the application and Mr Bray spoke in support. The Acting Director of Development Services reported that one further letter of objection had been received stating that the site notice advertising the application had been incorrectly displayed and therefore the application had not been brought to residents' notice and also that the Local Plan Review was misguided in defining only a small part of the square as being primary shopping frontage. The Acting Director added that a letter of representation had been received from a Ward Councillor, Councillor Clohosey, who was unable to attend the meeting. In summary, Councillor Clohosey had asked the Committee to refuse the application for change of use from delicatessen to an estate agency. Councillor Clohosey had stated one of the reasons why Wickham remained vibrant and attractive to visitors and shoppers was because of the range of shops and businesses which it offered. There were already three estate agents operating in the village and there seemed little need to add to that number. The existing business added choice and variety in the services it provided and would be missed by residents and visitors alike. He continued that it appeared that this area of The Square was not now considered a primary shopping area. However, any loss of retail shops could only lead to the decline in viability of The Square. There had been ample evidence from other villages and towns of a similar size that the loss of shops could quickly accelerate and lead to the decline of an area. He asked the Committee to refuse the application.

In answer to Members' questions, the Acting Director explained that the re-defining of the primary shopping area had resulted from new policy guidance in PPG6 which had been considered in 2001 by the Winchester District Local Plan Committee and Cabinet and had been subsequently approved at Council. No objections to the revised Policy had been made. Therefore in assessing the application as an approved policy of the Council, it needed to be given considerable weight and as the application property was now excluded from the primary shopping area, a change of user from A1 to A2 was acceptable.

In discussing the application, Members expressed the view that the change of policy was misguided and would have a resultant effect of reducing the viability and vitality of The Square to the detriment of Wickham. It was also stated that the newly-defined primary shopping area excluded some of the major retail shops within The Square but did include premises which did not have a retail use, for example residential dwellings. It was also commented that Wickham had been judged in the Council's economic research to be a relatively deprived area and any reduction of shops that were available to local people would be disproportionately damaging for the local economy.

Following debate, the Committee agreed not to support the officers' recommendation for approval and therefore refused the application. The reasons for refusal were delegated to the Acting Director of Development Services in consultation with the Chairman for detailed wording based on the guiding principles as to the negative effect of the proposals on the economic health of the town; that its vitality and viability would be affected; that Wickham was a relatively deprived area with poor accessibility and the proposal would therefore disproportionately affect the local population; that a proper balance between A1/A2 and residential uses within The Square should be maintained; that the proposals would affect the appearance of the Conservation Area which represented a mix of shops on three sides of the Square and not a concentration of shops in a single area and for reasons based on page 82, paragraphs 8 and 9 of the emerging Local Plan.

In respect of item 12 – Swallow Cottage, 7 West Street, Soberton, Mr Hunt spoke in support of the application. Following debate, the Committee approved the application as set out.

In respect of item 13 – Yelf's Yard, Botley Road, Bishops Waltham, Southampton, Councillor Baxter took the chair for this item as Councillor Busher addressed the meeting as a Ward Member sitting apart from the Committee. At the invitation of the Vice-Chairman (in the Chair), Councillor Hammerton, a Ward Member, addressed the meeting. In summary, Councillor Hammerton referred to the planning appeal on the site and the effect that this had had on local residents. Although the site owner had agreed to undertake works to improve the site over time, these had not been carried out and she urged that the requirements of the outstanding enforcement notice should be pursued.

Councillor Busher added that part of the problem at the application site was that it had been raised onto two levels, with part now overlooking neighbouring properties and that planting on the site had been removed without replacement. She also requested that the large warehouse as proposed be reduced in height.

In response, the Acting Director of Development Services stated that the proposed warehouse would be reduced in height by one metre from 4.8 metres to 3.8 metres and that the removal of rubble on the northern boundary had been discussed with the Council's Environmental Health Department, who had no concerns about its removal. The Director also added that Condition 10 should be amended for the date to refer to 31 November 2005 and not 31 January 2005 as set out in the report and that Condition 1 should be amended so that the height of the wall should be 1.3m and not 1.2m as stated.

Following debate, the Committee approved the application as set out, subject to the inclusion of an additional condition to ensure that the local planning authority was informed of the use of electrical equipment on the site. In approving the application, the Committee also agreed that option 3 of Appendix 1 to report PDC511 be approved, in that no further legal action be taken in respect of the site following approval of the planning application as set out, subject to the above amendment to the conditions.

In respect of item 14 – Mount Hillary, Hoads Hill, Wickham, Fareham, Mr Jezeph, agent, spoke in support of the application and against the officers' recommendation for refusal. Councillor Evans addressed the meeting as a Ward Member, sitting apart from the Committee. Councillor Evans stated that she supported the application as this was a genuine horticultural business that employed local persons. The business had suffered a number of setbacks in the past, including storm damage to the greenhouses and that the properties at Mount Hillary and Bloomsbury House were no longer related to the horticultural practice. There was a need for an agricultural dwelling on the site in order that there was an employee available to oversee the site whilst the site owner was absent, marketing the business. The proposed dwelling would also be unobtrusive in its setting.

In response to Members' questions, the Acting Director of Development Services stated that the application was not supported by the County Land Agent and that the application did not meet the criteria of Policy C15 in that the horticultural practice had been previously managed from both Bloomsbury House (now occupied by the applicant's mother) and Mount Hillary (occupied by the applicant), both of which had now been alienated from the horticultural business. Following debate, the Committee supported the officers' recommendation for refusal as set out.

In respect of item 15 – land between Lilliput Cottage and Glebe Villas, Trampers Lane, North Boarhunt, at the invitation of the Chairman, Councillor Cooper, a Ward Member, spoke on this item. In summary he stated that the application site had been previously subject to four applications and three Planning Inspector's appeals, all of which had been dismissed. The application site frontage was very narrow and there were concerns about the positioning of the dwelling within the application site. Issues of concern also related to the effect on the street scene and the effect of light into neighbouring properties. In reply, the Acting Director of Development Services stated that to set the application property further back into the site would have a detrimental effect on the street scene and would also further affect the visual amenities and light of the neighbouring properties. Following debate, the Committee approved the application as set out.

In respect of item 16 – Larges Yard, Blackhouse Lane, North Boarhunt, Mr Wilson spoke in objection to the application and at the invitation of the Chairman, Councillor Cooper, a Ward Member, also spoke in objection to the application. In summary, Councillor Cooper stated that he supported Mr Wilson's representations in that Mr Wilson's solicitor had suggested a number of amendments to the wording of the conditions associated with the application, so that the long term relationship between the application site and the neighbouring Country Club owned by Mr Wilson could exist in harmony adjacent to one another. The Committee supported the application with conditions to be amended as proposed by Mr Wilson's solicitors and to include an informative relating to the need to restrict noise emissions from the site and to limit hours of operation, the wording to be agreed by the Acting Director of Development Services in consultation with the Environmental Health Department.

In respect of items not subject to public participation, item 7 – Home Farm, Reading Room Lane, Curdridge, the Acting Director of Development Services read to the Committee a letter received from Mr Maidment, the applicant, which had the support of Councillor Knasel, Ward Member, and also Hampshire County Councillor Mason. Councillor Knasel was in support of the application as the present permission for a three bedroom property was too small for the applicant's need to provide facilities and accommodation for horses that were in need of convalescence requiring their owners to sleep over at the premises. It was commented that the application also had support of the Parish Council. Following debate, the Committee agreed to refuse the application as set out.

In respect of item 11 – Silkstede Priors, Shepherds Lane, Compton, the Committee approved the application subject to the addition of a five year landscape maintenance condition, and item 17 – Kingfisher Nurseries, Selworth Lane, Soberton, was considered in conjunction with the minutes of the Planning Development Control (Viewing) Sub-Committee meeting held on 26 January 2005 (Report PDC508 refers.)

In respect of item 18 – Little Heathers, Outlands Lane, Curdridge, the Director of Development Services stated that a letter of objection had been received from the Parish Council, together with the occupier of a neighbouring property. The Committee approved the application as set out.

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 6 – Shepherds Grove, Shepherds Lane, Compton, the application be approved and authority be delegated to the Acting Director of Development Services in consultation with the Chairman, to agree appropriate conditions.

3. That in respect of item 8 – Thorns Cottage, The Square, Wickham, the application be refused and that the details for the reasons for refusal be delegated to the Acting Director of Development Services in consultation with the Chairman based on the guiding principles that the proposals would have a negative effect on the economic health of the town; that its vitality and viability would be affected; that Wickham was a relatively deprived area with poor accessibility and the proposal would therefore disproportionately affect the local population; that a proper balance between A1/A2 and residential uses within The Square should be maintained; that the proposals would affect the appearance of the Conservation Area which represented a mix of shops on three sides of the Square and not a concentration of shops in a single area and for reasons based on page 82, paragraphs 8 and 9 of the emerging Local Plan.

4. That in respect of item 16 – Larges Yard, Blackhouse Lane, North Boarhunt, authority be delegated to the Acting Director of Development Services in consultation with the Environmental Health Department to agree conditions as proposed by the applicant's solicitors and to include an informative relating to the need to restrict noise emissions from the site and to limit hours of operation.

847. **EXEMPT BUSINESS**

RESOLVED:

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> |
|----------------------|---|--|
| 867 | Pine Service Station, Southwick Road, Wickham | Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:- (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or are in contemplation). (Para 12 to Schedule 12A refers). |

Information which, if disclosed to the public, would reveal 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 13 to Schedule 12A refers).

848. **PINE SERVICE STATION, SOUTHWICK ROAD, WICKHAM**
(Report PDC505 refers)

RESOLVED:

That the recommendations set out in Recommendations 1(a) and (b) of Report PDC505 be approved and adopted.

The meeting commenced at 2.00 pm and concluded at 8.30 pm.

Chairman

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**7 January 2005**Attendance:

Councillors:

Bennetts (Chairman) (P)

Baxter (P)
Beveridge (P)
Davies (P)Mitchell (P)
Pearson (P)
Read (P)
Saunders (P)Officers in attendance:Mrs J Pinnock (Senior Planning Officer)
Mr S Dunbar-Dempsey (Open Space Project Officer)

868. REPLACEMENT OF EXISTING 8 METRE MONOPOLE SUPPORTING 6NO ANTENNAE AT LAND ADJACENT TO OTTERBOURNE ROAD, COMPTON, WINCHESTER

The Sub-Committee met at the application site on land adjacent to Otterbourne Road, Compton, Winchester.

The Chairman welcomed to the meeting Mr Henderson (representing the applicant's agent, Turner and Partners) and Mr Higgins (representing the applicant O2 (UK)).

The application site was located on the southern side of Otterbourne Road bordered by a mature bank of trees that provided a backdrop to the masts. The southern border of the site was adjacent to Junction 11 slip road from the M3 motorway. A demonstration mast had been raised to the full height of the proposals (15m) next to the existing mast to be replaced.

Mrs Pinnock explained that the prior notification application was to replace one of the two existing 8m masts with a monopole with a total height, inclusive of the six antenna, of 15m. The application also sought permission for an additional cabinet measuring 1.70m x 0.75m x 1.40m high. Mrs Pinnock confirmed that as the application was for a replacement mast, no alternative sites had been pursued by the applicant. Mrs Pinnock advised that the proposals were required to complete third generation mobile telecommunication coverage along the M3 motorway and the mainline railway.

The Sub-Committee noted that the existing masts were visible from the east from St Catherine's Hill and north and south along the M3 motorway. In response to a question, it was confirmed that the tree line was approximately 15m in height and that the proposed increase in height of the mast would not therefore be substantially above this.

Mrs Pinnock reported that the application was in accordance with national and local planning policies and that the applicant had submitted certification of ICNIRP compliance.

Mrs Pinnock advised that no representations had been received from Compton and Shawford Parish Council or local residents. However, the Ramblers Association had objected and stated that the increase in size would be excessively visually intrusive. They suggested that the mast should be relocated to the verges of either the M3 motorway or the railway, or further to the south west of Winchester at Crabwood reservoir.

At the conclusion of her presentation, Mrs Pinnock stated that officers considered that the extra height proposed would not be excessively visually intrusive and therefore recommended that that application be approved. Members were reminded that as this was a prior approval notification, officers would be able to negotiate with the applicant the colour that the equipment could be painted.

At the invitation of the Chairman, Mr Higgins and Mr Henderson answered a number of Members' questions. It was confirmed that the width of the column of the structure was to remain the same. It was also confirmed that there would not be a need for a temporary structure during construction as any break in signal would be minimal. A Member requested that as the trees between Otterbourne Road and the masts were utilised by colonies of Rooks, construction should be avoided around their nesting time in March. Mr Henderson advised that construction would be unlikely to occur at this time and advised that the applicant would be pleased to note this information.

Mr Dunbar-Dempsey recommended to the Sub-Committee suitable colouring of the equipment, taking into account their positioning against the tree line and the views towards the site. He advised that the existing colouration was 'holly green' and was less successful as it would be illuminated by the rising sun. He suggested that the mast's colour against the tree line would ideally be as dark as possible. He recommended a dark brown/green colour from the approved standard colour chart called 'Van-Dyke brown' (Reference BS 4800 - 10 B 29 on the British Standard Colour Chart). The Sub-Committee agreed to this.

In conclusion, Members agreed to support the prior approval notification, as it was unlikely to have additional impact on the visual amenity of the area. Members requested that the applicant be requested to ensure that the structure, antennae and existing cabinets be painted in a suitable colour namely 'Van-Dyke Brown'. The applicant was also requested to have regard to the comments raised regarding the nesting season of the nearby colony of Rooks. It was also noted that the ICNIRP compliance certification was unsigned and that this should be addressed and forwarded to the officers as soon as possible.

RESOLVED:

1. That prior approval of the details of the siting and appearance regarding the above application be agreed.
2. That the Director of Development Services negotiates with the applicant the painting of the mast and equipment in an appropriate colour (ideally 'Van-Dyke Brown').

The meeting commenced at 9.40am and concluded at 10.10am.

Chairman

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**25 January 2005**Attendance:

Councillors:

Bennetts (Chairman) (P)

Baxter (P)
Davies (P)
Johnston (P)Pearson (P)
Read (P)
Sutton(P)Others in attendance

Councillor Jackson (for Minute 870 only)

Officers in attendance:Mrs J Pinnock (Senior Planning Officer) (for Minute 869 Only)
Miss E Norgate (Principal Planning Officer) (for Minute 870 Only)
Mr S Dunbar-Dempsey (Landscape Officer) (for Minute 869 Only)

869. ERECTION OF 16 METRE HIGH CYPRESS TREE STYLE TELECOMMUNICATIONS MAST WITH ASSOCIATED GROUND AND ANCILLARY EQUIPMENT – MAYBUSH, OLIVERS BATTERY, WINCHESTER.

The Sub-Committee met at the application site at land at Maybush, Olivers Battery, Winchester.

The Chairman welcomed to the meeting Mr Hewart (representing the applicant's agent, Waldon Telecommunications) and Mr Harrop, Ms Canning and Ms Frapwell (representing the applicant Vodafone UK). Also present was Mr Sharmer from Olivers Battery Parish Council and Mrs Wilson, a school governor from Olivers Battery Primary School.

The application site was accessed via Olivers Battery Gardens and formed agricultural land associated with the residential dwelling 'Maybush'. A demonstration mast had been raised to the full height of the proposals (16m) at its approximate position.

Mrs Pinnock explained that a full planning application had been received from Vodafone UK for the erection of a 16 metre high Cypress tree style telecommunications mast with associated ground and ancillary equipment. A compound was also proposed and would measure approximately 5.3m x 5.3m and to be enclosed by a 1.2m timber post and rail fencing. This was to also house two small equipment cabins to measure approximately 1.3m x 0.8m and 1.5m high.

The Sub-Committee noted that there were two existing monopole masts close by that were visible from the south-east when travelling along Badger Farm Road. Adjacent to the site was a public right of way and to the north west of the site approximately 200 metres away was Olivers Battery Primary School. To the west of the site were residential properties at South View Park Homes. To the west and north of the site were residential properties in Olivers Battery. To the east were views over the Area of Outstanding Natural Beauty.

Mrs Pinnock detailed the planning history for telecommunications equipment at this site and in the vicinity. It was reported that the applicant had explored a number of potential mast shares in the area as well as alternative sites. A mast share at this location had been discounted due to the necessity to substantially increase the height of existing structures so as to gain the required coverage.

Mrs Pinnock reported that the application was in accordance with national and local planning policies and that the applicant had submitted certification of ICNIRP compliance. With the permission of the Chairman, Mr Hewart advised that the certificate was representative of the proposal's cumulative effect with the existing two masts and a supporting letter to this effect had been submitted with the application.

Mrs Pinnock reported on the following representations received. A resident of the nearby South View Park and also one from Keats Close had both objected to the proposals due to visual intrusion as well as associated health risks from such equipment, especially as this was to be located close to Olivers Battery Primary School. Olivers Battery School had made no comment regarding the application, although Mrs Wilson reported that the School had communicated directly with the applicant's agent. Referring to concerns of the Council's Environmental Health Department regarding the potential for intrusive background noise from the equipment, the Sub-Committee noted that the equipment would be some distance from residential properties and did not consider that the imposition of the condition was necessary in this instance.

Mr Dunbar-Dempsey (one of the Council's Landscape Architects) reported on a number of issues regarding the application. He drew the Sub-Committee's attention to the prominence of the proposal and existing masts in this elevated position and of the existence of a number of pine trees in the locality. He suggested that should the Sub-Committee be minded to approve the application, the mast should be a Pine tree style as opposed to a Cypress tree. Further to questions, he advised that in this instance he would not recommend a monopole mast as these were best associated with adequate surrounding tree cover.

At the conclusion of her presentation, Mrs Pinnock stated that officers considered that the proposed mast would not be excessively visually intrusive as it would be viewed against the exiting tree line and therefore recommended that the application be approved. Mrs Pinnock suggested that taking into account the comments of the Council's Landscape Officer, it should be recommended that the equipment should be a pine tree mast. She suggested that the application should be determined as submitted and that the design of the mast be delegated to officers to negotiate with the applicant in consultation with the Chairman of the Sub-Committee. Mr Harrop advised that Vodafone would be required to investigate the technical aspects of installing a Pine tree mast, however he considered that the proposal should be acceptable.

At the invitation of the Chairman, Mr Hewart circulated Frequency Intensity Tables to the Sub-Committee that demonstrated the relative impact on the primary school. The information advised that the bearing of the antennae at 300 degrees fell short of the school at a distance of 180 metres and was 0.3% within the ICNIRP guidelines.

With the permission of the Chairman, Mr Sharman representing Olivers Battery Parish Council, advised that the Parish Council considered that this was the best site for the location of a new mast.

With the permission of the Chairman, Mrs Wilson reported that the governors of Olivers Battery Primary School were opposed to the proposals mainly on health grounds related to the proximity of the site to the school.

Although acknowledging the objections of the governors of Olivers Battery Primary School, Members agreed to support the application subject to officers, in consultation with the Chairman of the Sub-Committee, negotiating with the applicant for the equipment to be a Pine tree mast as opposed to a Cypress tree mast. Members considered that the proposals (subject to the appearance as detailed above) were unlikely to have additional impact on the visual amenity of the surrounding area, nor would be intrusively noisy. Furthermore, officers were requested to ensure that the base station be painted an acceptable colour.

RESOLVED:

That Planning Permission be granted subject to amended plans being submitted to show the provision of a Pine Tree Mast the details of which are to be agreed by officers and the Chairman of the Sub-Committee and subject to the following conditions:

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 The equipment cabins shall be painted a dark green colour, details of which shall first be approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: In the interest of the visual amenities of the area.

870. **3.2 METRE EXTENSION TO EXISTING 24 METRE HIGH SLIMLINE LATTICE TOWER TO SUPPORT 3 ANTENNAE AND 1 COMMUNICATION DISH; 2. EQUIPMENT CABINETS AT GROUND LEVEL WITHIN EXISTING COMPOUND - LAND AT HARESTOCK CORNER, SALTERS LANE, WINCHESTER**

The Sub-Committee met at the application site at land at Harestock Corner, Salters Lane, Winchester. The site was located at the electricity sub-station accessed from Stockbridge Road, Winchester.

The Chairman welcomed to the meeting Mr Perring and Mr Jones (representing the applicant's agent, Mason D Telecommunications) and Mr James (representing the applicant SSE Telecommunications). Also present were Mr Hewart (from Waldon Telecommunications) and Mr Harrop, Ms Canning and Ms Frapwell representing the Vodafone UK who were to utilise the proposed mast share. A Ward Member for Littleton and Harestock, Councillor Jackson, was also present.

The Sub-Committee noted that the site was well screened by mature trees although visible when viewed from Stockbridge Road and Salters Lane to the south-east. Miss Norgate reported that the nearest residential property was 110 metres away and the nearest school 600 metres away.

Miss Norgate explained that the full planning application was for a proposed mast share with an existing 24 metre high mast to be shared by '3' (the current user of the structure) and Vodafone. The total height of the mast would be 27.2 metres to include the antenna and so was an overall increase of 3.2 metres. Three antennae were to be situated at a height of 24.7 metres and there were no proposals to increase the size of the compound as this had been originally constructed with larger dimensions to accommodate a future potential mast share.

Miss Norgate reported that the application was in accordance with national and local planning policies and that the applicant had submitted certification of ICNIRP compliance.

Miss Norgate detailed to the Sub-Committee the following representations received. A local resident had expressed concern at the visual intrusion from the proposal as it was already unsightly at the existing height. Sparsholt Parish Council had also objected to the proposed additional height.

Further to a question from Councillor Jackson, it was confirmed that the Council's Arboricultural officer had been consulted and had been satisfied that there was to be no negative impact on the adjacent trees.

In conclusion, Members agreed to support the application as it was considered that the proposals were unlikely to have additional impact on the visual amenity of the surrounding area.

RESOLVED:

That permission be granted subject to the following conditions:

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be painted in colour 12B27 (olive green) from colour chart BS4800, to match the existing mast unless otherwise agreed in writing with the Local Planning Authority and shall be carried out within three months of the installation of the approved development.

02 Reason: In the interests of the amenity of the area.

The meeting commenced at 9.30am and concluded at 11.10am.

Chairman

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**26 January 2005**Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)
Darbyshire (P)Read
Pearson (P)Others in attendance who did not address the meeting:

Councillor Coates

Officers in attendanceMrs S Proudlock, Development Control Team Manager, West
Mr G Allpress, Planning Officer
Mrs V Fifield, Principal Landscape Architect
Mr I Elvin, Highway Development Control Officer

871. REPLACEMENT FOUR BEDROOMED DWELLING WITH ATTACHED DOUBLE GARAGE AND ACCESS DRIVE – KINGFISHER NURSERIES, SELWORTH LANE, SOBORTON, SOUTHAMPTON (REF NO W03815/13)

Councillor Busher declared a personal, (but not prejudicial) interest, in this application as she was an acquaintance of Mr Stickland who had attended the meeting as a representative of Soberton Parish Council, and she spoke and voted thereon.

The Sub-Committee met on site and the Chairman welcomed the applicant (Mr Hawthorne), a representative from Soberton Parish Council (Mr Stickland), a representative from the East Hampshire Area of Natural Beauty (Mr Belderson), and approximately five local residents.

The application site was the former Kingfisher Nursery which comprised 1.55 hectares of land lying between Selworth Lane and a footpath which ran along the former railway embankment. To the east of the application site was a two storey detached dwelling called Kookaburra, which was subject to an agricultural occupancy restriction by condition. It was this 170 sq. metres detached dwelling which was proposed for demolition and replacement. The site contained a substantial number of derelict greenhouses as well as other ancillary structures.

Mr Allpress explained that the proposal was to replace Kookaburra with a two-storey four bedroom dwelling with an attached double garage. The total floor area of the new dwelling would be approximately 644 sq. metres and Members noted the approximate footprint of the building on the site. The proposals would also include the removal of the agricultural occupancy condition imposed on W03815/02 in 1979, when planning permission for Kookaburra was granted. There would be the restoration of the site, meadow and paddock and provision for a dedicated alternative right of way to the bridleway which ran alongside the western boundary.

The Sub-Committee noted that a previous application for a similar proposal had been refused at a meeting of the Planning Development Control Committee on 28 June 2004 and that this refusal was currently under appeal by the applicant.

Mr Elvin commented on the proposed vehicular access which was proposed by the existing field access south of Hookers Dene. Although this provided less visibility than the present junction to Kookaburra, which would be closed off, land to the side of the proposed main access was in the ownership of the applicant and therefore sight lines could be improved. Taking into consideration the site's previous use as a nursery, Mr Elvin anticipated that the number of traffic movements would be less than the previous use and therefore no highway reason for refusal could be sustained.

At the invitation of the Chairman, Mr Stickland raised concerns on behalf of Soberton Parish Council about the proposed access onto Selworth Lane. He advised that as Selworth Lane was narrow and dangerous, the access would be better located at the southern end of the plot near the corner of Horns Hill and Selworth Lane, which had the advantages of lower traffic speeds and greater visibility. During discussion, Mr Hawthorne and Mr Elvin raised no objection to this proposal.

The Sub-Committee considered the visual impact of the proposals on the Area of Outstanding Natural Beauty and viewed the site from a number of locations along Horns Hill and Kookabura, which were both elevated above the site. The latter afforded views across to the other side of the valley and gave some impression of the visual impact that the proposed development may have from that direction. Members also considered the impact of the proposals from the footpath that ran along the disused railway track adjacent to the western boundary of the site and noted that the proposed landscaping between the proposed dwelling and track would be attached as a condition to any planning consent. Mr Hawthorne underlined the applicant's flexibility in accepting conditions and stated that the property would be, at its closest, approximately 30 metres from the path.

At the invitation of the Chairman, Mr Belderson commented on the East Hampshire ANOB's objection to the proposal. Particular concern was raised as to its mass and the potential views of its roofs, particularly in such a prominent situation within a designated part of the Area of Outstanding Natural Beauty. Mr Belderson also commented that the scheme's position was out of character with other properties as it did not face onto a road. However, Mr Belderson stated that if Members were minded to approve the scheme, its proposed location in the north east of the site was preferable as this position minimised its visual impact on the valley and would be within the cluster of existing buildings.

Members noted the earthworks that were required to level the site of the proposed new dwelling and in response to comments Mr Hawthorne suggested that his clients would consider erecting the building at a lower base which would reduce the height of the ridgeline, in comparison with existing buildings, by 0.5 metres.

Members discussed the landscaping issues of the application and in response to questions Mr Hawthorne clarified that the substantial trees at the boundary of the site would remain as part of the proposal, but that a number of conifer trees would be lost within the plot. Mrs Fifield raised no objection to the scheme for re-planting and the proposed new hedgerow to divide the site was noted.

With regard to representation, Mr Stickland, on behalf of Soberton Parish Council, spoke in support of the proposals. His comments were echoed by the local residents who all spoke in support of the proposals and underlined the need to improve the site from its current dilapidated state and to clear it of the potentially dangerous remains of greenhouses. In response to Mr Stickland's comments concerning outstanding planning enforcement issues on the site, Mrs Proudlock agreed to investigate and report back to the next Planning Development Control Committee.

Mr Allpress stated that in assessing the application under the Council's planning policies, the principle of a replacement dwelling was considered acceptable on the site and that the applicant had provided supported evidence that the agricultural occupancy requirements of Policy C17 could now be relaxed. Mr Allpress also suggested that the proposed dwelling was considered not to be of a scale and mass which reflected properties found in the local area. Although Mr Hawthorne listed a number of other large properties in the area, Members noted significant differences between these (and their setting) and the proposed dwelling.

Mr Allpress recommended that the application proposed a replacement dwelling that would by virtue of its design, mass and scale, be significantly larger than the two storey dwelling it would replace, and result in a dwelling which was unsympathetic to the sensitive surroundings and would therefore appear visually incongruous. Mrs Proudlock recommended that the policy C19 (replacement dwellings in the countryside) should be interpreted in conjunction with policies EN.5 (criteria for new development) as part of Member's deliberations on this application. The building would also have a detrimental visual impact on an area of countryside designated as an Area of Outstanding Natural Beauty and the proposals made no effort to follow the contours of the land.

At the conclusion of the meeting, and after use of the Chairman's casting vote, the Sub-Committee recommended that the application be refused as the proposed dwelling represented too large a development in an area of countryside, was larger than the building it sought to replace and because of its visual intrusion on the former railway public footpath.

RECOMMENDED:

That the application be refused for the following reasons:

01 The proposed development does not accord with the requirements of policies C1, C2, UB3, E6, E7 and H10 of the Hampshire County Structure Plan 1996-2011 (Review) and proposals C.1; C.2; C.7, C.19, EN.5, and EN.7 of the Winchester District Local Plan and proposals C.1, C.6, C.7, C.22, DP.1, DP.3 and DP.5 of the Winchester District Local Plan Review and Revised Deposit in that:-

a) The application proposes a replacement dwelling that would by virtue of its design, mass and scale, be significantly larger than the two storey dwelling it would replace, and result in a dwelling which is unsympathetic to these sensitive surroundings and would appear visually incongruous.

b) The proposal would by virtue of its siting, scale, mass and design result in a building that would have a detrimental visual impact in an area of countryside which is closely related to an Area of Outstanding Natural Beauty.

c) The proposal would represent an undesirable form of development which will detract from the visual amenities of the site from long range view points to both the north west and south of the site, in an area that has been designated as countryside and close to an Area of Outstanding Natural Beauty.

Informatives

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

Hampshire County Structure Plan Review: C1, C2, E6, E7, H10, UB3
Winchester District Local Plan Proposals: C.1, C.2, C.7, C.17, C.19, EN.5, EN.7, T.9
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C.1, C.7, C.20, C.22, DP.3, DP.5, T.2, T.3, T.4

The meeting commenced at 9.30 am and concluded at 10.45 am.

Chairman