

PLANNING DEVELOPMENT CONTROL COMMITTEE

24 August 2006

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter
Bennetts (P)
Beveridge (P)
Busher (P)
de Peyer (P)
Evans (P)
Huxstep (P)

Johnston (P)
Read
Ruffell (P)
Saunders (P)
Sutton (P)
Wood (P)

Deputy Members in attendance:

Councillor Godfrey (Standing Deputy for Councillor Baxter)

Others in attendance who addressed the meeting:

Councillors Beckett, Spender and Verney

1. **APOLOGIES**

Apologies were received from Councillors Baxter, Read and Pearson (Deputy Member).

2. **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED:

That, in the absence of the Vice-Chairman (Councillor Read) Councillor Busher be appointed Vice-Chairman for this meeting only.

3. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC642 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.

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

Item 1: Cobbles, Stockbridge Road, Sutton Scotney - Case Number: 06/01979/FUL

Mr Thomas (agent) spoke in support of the application and against the officers' recommendation for refusal.

The Committee noted that as this item had been referred to the Committee at the request of a Councillor, the material reasons for this request should have been included in the officer's Report. The Director of Development gave a summary of the reasons for referral at the meeting.

Following debate, the Committee resolved to support the officer's recommendation to refuse planning permission.

Item 2: Fernhurst, Lower Moors Road, Colden Common - Case Number: 06/01532/FUL

Mr Edwards spoke in objection to the application and Mr Beck spoke in support.

Councillor Sutton (a Ward Member) spoke in opposition to the application. In summary, she stated that the proposal was an over development of a site on the fringe of a rural village and would create a significant loss of amenity to residents, especially those of Frampton Close.

Following debate, Members were mindful of existing policies relating to density of dwellings per hectare. However, the majority of the Committee considered that the application would be over-development of the site and would have an adverse effect on the character of the surrounding area. Therefore the Committee agreed to not support the officers' recommendation for approval and refused planning permission for the reasons given above.

Item 3: The Grange, Grange Park, Northington, Alresford - Case Number: 06/01911/FUL

Mrs Nightingale (Chairman of Northington Parish Council) spoke in objection to the application and Ms Kani (the applicant) spoke in support.

Following debate, the Committee resolved to grant planning permission as set out.

Item 4: Lunways Inn, London Road, Micheldever – Case Number: 06/01712/OUT

Mr Cuncliffe (Agent) spoke in support of the application.

Following debate, the Committee resolved to grant outline planning permission as set out and delegated authority to the Director of Development to include an additional Condition to remove permitted development rights for the site in respect of fencing.

Item 5: 42 Old River, Denmead – Case Number: 06/01860/FUL

Mr Gibbs (Denmead Parish Council) spoke in objection to the proposed car port element of the application and not the proposed rear extension to the house

Following debate, the Committee approved the application as set out.

Item 6: Lyndale, Chapel Road, Swanmore – Case Number: 06/02130/FUL

Mr Buchanan (agent) spoke in support of the application.

The Director reported that since publication of the Report, two further letters of representation had been received objecting to the proposal. The letters reiterated issues already raised by earlier representations in the Report, including its impact on

the character of Chapel Road, the amenities of neighbouring properties, its design and highway safety.

The Director also detailed some minor alterations made to Conditions numbered 07, 08 and 09 since publication of the Report. Condition 07 had been changed as follows in italics 'The proposed access and drive *including footway crossing*'. Condition 08 now included '...minimum distance of *five metres*'. Condition 09 now specified the '*provision of parking spaces*'. In addition, the Director suggested a new Condition 10 to state: '*That the dwelling shall not be occupied until the mobile home is removed*' and a new Condition 11 advising that: '*That the first floor flank windows in Plots 1 and 2 be obscure and top opening*'.

During discussion, concern was raised that the arrangements of car parking spaces were limited to forecourt parking for Plots 2 and 3, whereas the generous provision for the larger Plot 1 was located to the rear. It was agreed that delegated authority be granted to the Director of Development, in consultation the Chairman, to agree appropriate changes, if possible, to the parking conditions to increase the provision for Plots 2 and 3, possibly to additionally include the forecourt to Plot 1.

Following debate, the Committee approved the application as set out in the Report, subject to the to the inclusion of the amended and additional conditions as detailed above and the delegation of authority to the Director of Development, in consultation the Chairman, to agree appropriate changes, if possible, to the parking conditions.

Item 7: Keld, Hurdle Way, Compton Down, Winchester – Case Number 06/02110/FUL

Mr Pugh (representing the Compton Down Society) and Councillor Beckett (a Ward Member) spoke in objection to the application. Mr Masker (agent) spoke in support.

In summary, Councillor Beckett referred to highway matters as the main reason for his objection to the proposals. He reiterated the concerns of the Compton Down Society regarding the methodology for the assessment of the Traffic Impact Assessment calculations undertaken, at both the junctions for vehicular access to Otterbourne Road at Hurdle Way and Shepherds Lane from Compton Down. He supported the alternative survey undertaken by the Compton Down Society, that indicated a higher rate of traffic movements of 11 trips per dwelling as opposed to 8 assumed by officers. He also rejected assumptions that specific routes of access and egress to Otterbourne Road were dependent on the location of the development. Councillor Beckett therefore rejected the recommendations of officers as he considered that the junctions would remain sub-standard and hazardous.

The Director of Development reported that since publication of the Report, a further seven letters of representation have been received objecting to the proposal. The letters detailed highway safety matters and that the site had not been identified in the Council's Urban Capacity Study. The Director also reported that the financial contribution of £2,000 for off-site highway improvements was no longer being sought, because traffic from the proposed house would tend to use the Hurdle Way junction rather than the Shepherds Lane junction, where improvements to crash barriers were proposed.

During debate, the Committee noted that officers had based their recommendation for approval on assessments regarding incremental development in the area, assuming each new dwelling would generate 8 trips per day and percentage increases in traffic using the junctions at Hurdle Way and Shepherds Lane to

Otterboure Road from Compton Down. Members noted that officers had considered that three additional dwellings could be developed utilising Hurdle Way for access, before a material increase in traffic flow could be identified and a highways objection sustained. Members questioned the approach adopted by officers and therefore whether this proposal was within a maximum increase threshold of 5 per cent of traffic trips at the Hurdle Way junction.

In conclusion, the Committee suggested that in order to determine the application, they required further clarity of the figures regarding the number of additional dwellings which were the subject of current planning applications, and those with permission already and details of the relative assumptions regarding vehicular movements and the implied junction use. Therefore, the Committee resolved to defer the application to a future meeting so that officers could provide additional information as described above.

Item 8: Sainsbury's Supermarkets Ltd, Badger Farm Road, Winchester – Case Number: 06/01785/FUL

Councillor Spender (a Ward Member) spoke in objection to the application. In summary, he stated that the proposals would impact upon the residents of the neighbouring Oliver's Battery Parish (in particular the residents of Parliament Place) from additional deliveries to the supermarket. This may impact upon residents' amenity in addition to potential road safety implications.

Mr Lowin (agent) spoke in support of the proposals.

The Director of Development reported that since publication of the Report, Oliver's Battery Parish Council had submitted representation regarding the application. They commented that the application site adjoined their Parish and that they were concerned that insufficient justification had been given to vary previous conditions to limit the expansion of the sales floor, particularly as: "any variation which would result in an increase in the retail space will bring about more deliveries and more traffic and noise in the area".

In conclusion, the Committee approved the application as set out and requested the Director to ask if the applicant would be agreeable to make a voluntary contribution towards off-site highway improvements in the vicinity of the application site.

Item 9: Newtown Garage, Church Road, Newtown – Case Number 06/01857/FUL

Mrs Thomas (representing Soberton Parish Council) spoke in objection to the application.

The Director of Development reported that since publication of the Report, an additional Condition 17 was to be included to specify the use of areas for equestrian pursuits and that these should not be for any commercial riding or training purposes.

The Director also reported that since publication of the Report an additional three letters of support had been received from residents, stating that the application was more favourable than the existing car storage use and, being within the bund, would complete this corner of the village.

Following debate the Committee agreed to grant planning permission subject to the conditions 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 2, Fernhurst, Lower Moors Road, Colden Common:

(i) Planning permission be refused and authority be delegated to the Director of Development, in consultation with the Chairman, to set out detailed reasons for refusal based on the following principles:

That the development would over-development of the site and would have an adverse effect on the character of the surrounding area.

3 That in respect of item 4 Lunways Inn, London Road, Micheldever:

(i) Planning permission be granted and authority be delegated to the Director of Development in consultation with the Chairman to agree a condition relating to the removal of permitted development rights for the site so that a suitable design of fencing could be secured.

4 That in respect of item 6 Lyndale, Chapel Road, Swanmore:

(i) Planning permission be granted and authority be delegated to the Director of Development in consultation with the Chairman to agree a condition relating to appropriate changes, if possible, to the parking conditions.

5 That in respect of item 7 Keld, Hurdle Way, Compton Down:

(i) The application be deferred for further information regarding the clarity of the figures for the number of recent additional dwelling developments and those with planning permission and the relative assumptions regarding vehicular movements and the implied road junction use.

6 That in respect of Item 8 Sainsbury's Supermarkets Ltd, Badger Farm Road, Winchester:

(i) Planning permission be granted and that representation be made to the applicant regarding a voluntary contribution towards off-site highway improvements in the vicinity of the application site.

4. **TEMPORARY USE OF LAND FOR MOTOCROSS EVENTS; ENGINEERING WORKS TO FORM CORNERS AND JUMPS FOR MOTOCROSS TRACK AND ASSOCIATED WORKS (RESUBMISSION) (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) PROPOSED MOTOCROSS SITE, ALRESFORD ROAD, WINCHESTER**
(Report PDC639 refers)

Councillor Verney spoke in support of the proposals. In summary, he stated that he had been pleased that there had been no issues regarding noise and disruption from

the previous Motocross event held in June 2006. He suggested that there should be a robust traffic management plan to ensure that congestion on the A272 was kept to a minimum.

The City Secretary and Solicitor advised that since the publication of the Report, Counsel had confirmed that the cumulative effect of permitted development for the various events at the Matterley Farm now required a temporary planning permission for the September event.

During discussion, Members noted that the requirements for this event involved fewer engineering works than the previous application and were generally satisfied that there would be minimal disturbance to the landscape. The Committee was mindful that granting temporary permission in this instance would allow the Council greater control; however there was concern of the cumulative effect of regular motocross and other events on the site.

Officers were therefore requested to detail potential courses of action and options available to the Council for the control of events held at Matterley Farm and the impact that these may have on the landscape. The Committee agreed with the advice of the City Secretary and Solicitor that this should be considered in exempt session.

Following debate, the Committee agreed to support the officers' recommendations to grant temporary planning permission, subject to the conditions as set out.

RESOLVED:

That the decision taken on the above Development Control Application, which is set out in the schedule which forms an appendix to the minutes, be agreed.

5. **CONFIRMATION OF TREE PRESERVATION ORDER 1888**
(Report PDC640 refers)

The Director of Development advised that a letter had been received from an objector on the morning of the Committee. The objector had suggested that he had not been given enough notice to make arrangements to address the meeting and that he disagreed with the Arboriculture Officer in respect of his assertion, as set out in the Report, that the likelihood of subsidence caused by the trees would be minimal.

The Director advised that the confirmation of the emergency tree preservation order would protect the trees from potential harm from any ensuing development of the site.

RESOLVED:

That Tree Preservation Order 1888 be confirmed.

6. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE – MINUTES OF THE MEETING HELD ON 31 JULY 2006**
(Report PDC637 refers)

The Committee considered the Minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 31 July 2006.

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 31 July 2006 be received.

7. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE – MINUTES OF THE MEETING HELD ON 7 AUGUST 2006**
(Report PDC641 refers)

The Committee considered the Minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 7 August 2006.

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 7 August 2006 be received.

8. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. 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>
#	Transaction of land at High Street Winchester	Information relating to the business affairs of any particular person (including the authority holding that information) (Para 3 to Schedule 12A refers)
#	Temporary use of land for Motocross events; engineering works to form corners and jumps for Motocross Track and associated works) (RESUBMISSION) - Proposed Motocross Site, Alresford Road) - LEGAL ADVICE)	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) (Para 5 to Schedule 12A refers).) Information which reveals that he 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 6 to Schedule 12A refers).

9. **TRANSACTION OF LAND AT HIGH STREET, WINCHESTER**
 (Report PDC643 refers)

The City Secretary and Solicitor explained that the proposals had previously been considered by the Committee at its meeting on 5 October 2005, when Members had agreed that the options available to the City Council should be investigated further, including a view on the potential of the land from the Estates Division.

The Committee discussed a Report that set out proposals regarding a transaction of land at High Street, Winchester (detail in exempt minutes).

10. **TEMPORARY USE OF LAND FOR MOTOCROSS EVENTS; ENGINEERING WORKS TO FORM CORNERS AND JUMPS FOR MOTOCROSS TRACK AND ASSOCIATED WORKS (RESUBMISSION) (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) PROPOSED MOTOCROSS SITE, ALRESFORD ROAD, WINCHESTER – LEGAL ADVICE**
 (Report PDC639 refers)

The City Secretary detailed potential courses of action and options available to the Council for the control of events held at Matterley Farm and impact that these may have on the landscape (detail in exempt minutes).

The meeting commenced at 9.30am and adjourned for lunch at 1.00pm, recommenced at 2.00pm and concluded at 7.05pm.

Chairman