

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**11 December 2008**

Attendance:

Councillors:

Jeffs (Chairman) (P)

Barratt (P)  
Baxter (P)  
Busher (P)  
Fall (P)  
Huxstep (P)

Johnston (P)  
Lipscomb (P)  
Pearce (P)  
Ruffell (P)  
Tait (P)

Others in attendance who addressed the meeting:

Councillors Howell and Thompson

---

1. **MINUTES**

Following debate, the Committee agreed the following amendments to the minutes of its previous meeting held on 13 November 2008:

That, in respect of Item 1 (page 2), the replacement for "Condition 25" (which was indented in the Minutes) be deleted and, instead the principles contained within that Condition, form part of the emerging Section 106 Legal Agreement.

That, in respect of Item 5 (page 5), Owslebury Parish Council's objection had been submitted *before* the publication of the Report and not afterwards as stated in the minutes.

RESOLVED:

That, subject to the above amendments, the minutes of the previous meeting of the Committee, held on 13 November 2008, be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

(Report [PDC779](#) refers)

Councillor Lipscomb declared a personal (but not prejudicial) interest in respect of Item 2 as he was a member of the Council of the City of Winchester Trust, which had commented on the application. However, he had taken no part in the Trust's consideration of the item and he spoke and voted thereon.

By way of a personal explanation, Councillor Johnston stated that he had pre-determined Item 2. Therefore, he sat apart from the meeting, addressed the Committee as a Ward Member, and did not vote thereon.

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

Item 1: Land at rear of 155 Springvale Road, Headbourne Worthy – Case Number 08/01051/OUT

Dr Simkin, Mr Pearcey (Headbourne Worthy Parish Council), Mr Gordon (Kings Worthy Parish Council) and the Ward Members (Councillors Johnston and Howell) all spoke against the application.

In summary, Councillor Johnston stated that concerns regarding the application were shared by the majority of local residents, the local County Councillor Porter and the City Council's Portfolio Holder for Planning and Access.

He considered the application to be contrary to the Springvale Road Local Area Design Statement, which emphasised the importance of retaining the existing tree cover and the tranquil nature of Mount Pleasant. Councillor Johnston also considered the height, scale, bulk and mass of the application to be out of character and that the proposed access was detrimental to the quality of the road. He commented that it was particularly pertinent that the applicant had failed to provide a flood risk assessment given the site's vulnerability to flooding, which had led to the road's closure in 2001.

Councillor Johnston added that the proximity of the A34 to the application site would detrimentally affect future residents. Furthermore, the proposal to provide the play area at Willis Waye (rather than on-site) had generated opposition from residents of Willis Waye.

Councillor Howell agreed with the comments of Councillor Johnston and the other objectors who spoke.

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

Item 2: 16 Fox Lane, Winchester – Case Number 08/01998/FUL

The Head of Planning Control updated the Committee that, subsequent to the publication of the Report, officers had suggested an amendment to the recommendation (that the application be granted, subject to a payment towards public open space and a highways contribution). Officers also recommended an additional Condition (13) regarding levels.

The Head of Planning Control also corrected the Report in explaining that the reason the item had been brought to Committee was because it had been requested by a Ward Member (Councillor Thompson) and not also because of

the number of letters of objection received, which was only five. Furthermore, Councillor Thompson's request had not been appended to the Report. The Committee therefore noted that she had requested the item to be brought to Committee because she considered the application to be out of keeping with the area, because it would create a dangerous precedent, it proposed the demolition of two sound houses and because of the strength of local opposition.

Mr Glasgow and Councillor Thompson spoke against the application and Mr Tyrrell (the applicant's agent) spoke in support.

In summary, Councillor Thompson considered the application to be out of character with the surrounding area. She explained that the Stanmore estate had won an architectural award after its construction shortly after the Second World War and that the area continued to be characterised by houses with large gardens and spaces between. She considered this to be threatened by the application.

Councillor Thompson also stated that the application was an over-development of the site (contrary to Policies H3 and H4 of the Local Plan) and detrimental to the character of the surrounding, predominantly semi-detached properties. She highlighted the existing pressure on car parking spaces in the area, which she considered would be exacerbated by the proposal and that a number of affected properties had not been consulted on the application.

Finally, Councillor Thompson commented on what she considered to be the inappropriate design of the application. The proposed mass and wood cladding was neither consistent nor complimentary to the surrounding area. In recommending its refusal, Councillor Thompson invited the Committee to visit the site and warned of the danger approving the application would have in setting a precedent for similar development in Stanmore.

In response to questions regarding parking provision and the location of the access, the Head of Access and Infrastructure explained that it would not be possible to sustain a highways objection to the proposed scheme.

At the conclusion of debate, the Committee agreed to refuse planning permission and delegated to the Head of Planning Control (in consultation with the Chairman) authority to set out detailed reasons, based on the Committee's following concerns. The Committee had commented on the application's detrimental effect on the unique nature of the estate, which had remained largely preserved from the original, award-winning, architects' design. Therefore, Members considered the development to be contrary to Policy DP3 ii of the Local Plan, in that it did not respond positively or respect the character of the area and was a cramped form of development, with too high a density. The Committee also agreed to include the standard reasons regarding Open Space and Highways Contributions, so that they could be secured in any future Legal Agreement.

The following item had no public participation.

Item 5: 11 Priors Dean Road, Harestock, Winchester – Case Number 08/02504/FUL

The Head of Planning Control updated the Committee regarding further responses to consultations, which had been received since publication of the Report. It was also clarified that this was an officer application and had been processed in the normal manner.

Littleton and Harestock Parish Council had registered no objection to the proposal.

The applicant had also submitted further information on 9 December 2008, which had clarified the level of the proposed driveway; means by which water would be discharged from the driveway and the details of the proposed materials. The information submitted was considered to be satisfactory, and therefore conditions 2, 3 and 4 were recommended to be deleted.

The applicant had also confirmed that water would drain to a soakaway.

At conclusion of debate, the Committee agreed to grant planning permission for the reasons and subject to the conditions as set out in the Report and as amended above with the deletion of conditions 2, 3 and 4.

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 (16 Fox Lane, Winchester), planning permission be refused and authority delegated to the Head of Planning Control (in consultation with the Chairman) to agree detailed reasons based on the Committee's conclusion that: the application was contrary to Policy DP3 ii of the Local Plan, in that it did not respond positively or respect the character of the area and the Committee considered the application to be a cramped form of development with too high a density; and that the application failed to provide the required Open Space and Highways Contributions.

3. That, in respect of Item 5 (11 Priors Dean Road, Harestock, Winchester), planning permission be granted subject to the conditions as set out in the Report with the deletion of conditions 2, 3 and 4.

4. **CONFIRMATION OF TREE PRESERVATION ORDER 1926**  
(Report [PDC776](#) refers)

RESOLVED:

That, having taken into consideration the representations received, that Tree Preservation Order 1926 be confirmed.

5. **PROCEDURES FOR PLANNING DEVELOPMENT CONTROL VIEWING AND TELECOMMUNICATIONS SUB COMMITTEES**  
(Report [PDC781](#) refers)

RESOLVED:

1. That the new procedure for the Planning Development Control (Viewing) Sub-Committee be agreed as set out in Section 5 of the Report and the Planning Protocol and Constitution be amended as necessary as part of the annual review process.

2. That the new procedure for the Planning Development Control (Telecommunications) Sub-Committee be agreed as set out at Section 6 of the Report and the Planning Protocol be amended as necessary at the next review of the Protocol.

3. That, in recognition of their role representing the view of the Council and the local community, Portfolio Holders be permitted to speak for up to five minutes each at the end of the public participation slot reserved for Ward Members.

6. **PLANNING APPEALS – JUNE TO NOVEMBER 2008**  
(Report [PDC777](#) refers)

RESOLVED:

That the Report be noted.

7. **MINUTES OF THE PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE MEETING HELD 14 NOVEMBER 2008**  
(Report [PDC778](#) refers)

The Committee considered the minutes of the meeting of the Planning Development Control (Viewing) Sub-Committee held 14 November 2008.

RESOLVED:

That, subject to Councillor Pearce being recorded as not being present, the Minutes of the Planning Development Control (Viewing) Sub-Committee held 14 November 2008 be received.

8. **VOTE OF THANKS**

This was the last Committee meeting that would be attended by Mrs Fiona Tebbutt, Head of Planning Control, before she left the City Council to commence work in Canada.

The Chairman and the Committee wished her well for the future and thanked her for her time at Winchester, which had seen many improvements to the Planning service during her three years with the Authority.

Mrs Tebbutt thanked the Chairman and the Committee for their supportive comments.

The meeting commenced at 9.30am, adjourned for lunch between 12.40pm and 13.25pm and concluded at 13.55pm.

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE: DEVELOPMENT CONTROL MEETING

**DECISIONS**

**11.12.2008**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON

**Headbourne Worthy**

**Ward**

**Sparsholt**

**1 Conservation**

**Area:**

**Case No:** 08/01051/OUT

**Ref No:** W18868/01

**Date Valid:** 29 April 2008

**Grid Ref:** 448860 132795

**Team:** EAST

**Case Officer:** Mrs Jill Lee

**Applicant:** Parsons And Joyce Contractors Ltd

**Proposal:** Erection of 62 dwellings; ancillary car parking, open space, landscaping and nature conservation area.(OUTLINE)

**Location:** Land at rear of 155 Springvale Road, Headbourne Worthy, Hampshire

**Officer** REF

**Recommendation**

:

**Committee Decision:**

REFUSED FOR THE FOLLOWING REASONS

**Conditions/Reasons**

1 The proposed development would be contrary to policy DP6 of the Winchester District Local Plan Review and L2 of the Springvale Road Local Area Design Statement in that it would result in the loss of a significant number of trees and vegetation which make an important contribution to the character and appearance of the area and the valley side which has a leafy and semi - rural feel due to the existing level of vegetation.

2 The proposed development is contrary to policy DP3 of the Winchester District Local Plan and D1 and D5 of the Springvale Road Local Area Design Statement in that it would result in development which by virtue of its height, scale, bulk and design would be out of scale and character with the existing surrounding development and which fails to respond in a positive manner to the character, appearance and variety of the local environment.

3 The proposal is contrary to Policy DP.9 of the Winchester District Local Plan Review in that it fails to make adequate provision for improvements to transport and the highway network, in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

4 The proposed development is contrary to the housing policies of the Winchester District Local Plan Review in that it fails to make provision for affordable housing. The proposal would therefore conflict with the housing strategies of this plan.

5 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Revised 2006 in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

### **Informatives**

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

Winchester District Local Plan Review 2006: DP3, DP4, DP6, DP8, DP9, H3, H5, H7, RT4, T4.

Springvale Road Local Area Design Statement 2007: L2, D1, D3, D5.  
PPS1, PPS3, PPS25.

**Winchester Town**

**Ward**

**St Luke**

**2 Conservation**

**Area:**

**Case No:** 08/01998/FUL

**Ref No:** W21058/01

**Date Valid:** 21 August 2008

**Grid Ref:** 446393 128374

**Team:** EAST

**Case Officer:** Mr Nick Fisher

**Applicant:** Mr Keith Read

**Proposal:** .Demolition of no.16 Fox Lane & no.1 Chatham Road.  
Erection of 2no. 2 bedroom houses, 2no. 2 bedroom flats and  
2no. 1 bedroom flats in two storey building (RESUBMISSION)

**Location:** 16 Fox Lane Winchester Hampshire SO22 4DY

**Officer** PER

**Recommendation**

:

**Committee Decision:**

REFUSED FOR THE FOLLOWING REASONS

**Conditions/Reasons**

1 The Proposed development does not respect the form, architectural style and density of the surrounding area. It does not respond positively to the character and appearance of the local environment and is contrary to DP3(ii) of the Winchester District Local Plan Review 2006.

2 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Review 2006 in that it fails to make adequate provision for public recreational open space to the required standard and would therefore be detrimental to the character of the area.

3 The proposal is contrary to Policy DP9 of the Winchester District Local Plan Review 2006 in that it fails to make adequate provision for improvements to transport and the highway network, in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and the burden imposed on the existing network arising from the development.

## **Informatives**

The Local Planning Authority has taken account of the following development plan policies and proposals:-Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP9, H7, H3, RT4, T1, T2, T3

**Bishops Waltham**

**Ward**

**Bishops Waltham**

**3 Conservation**

**Area:**

**Case No:** 08/02036/FUL

**Ref No:** W21242

**Date Valid:** 19 September 2008

**Grid Ref:** 454554 117807

**Team:** WEST **Case Officer:** Elaine Walters

**Applicant:** Mr D McKeagney

**Proposal:** Two storey extension to terrace to form 2 bedroom dwelling and modifications of existing dwelling to include new front door and porch to the front.

**Location:** 7 Battery Hill Bishops Waltham Southampton Hampshire SO32 1BS

**Officer** PER

**Recommendation**

:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS(S)

**Conditions/Reasons**

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

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 details and samples of the materials to be used in the construction of the external surfaces of the hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that

originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

4 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

6 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

7 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

8 The parking area shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

Reason: To ensure the permanent availability of parking for the property.

9 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are

encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

### **Informatives**

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

Winchester District Local Plan Review 2006: DP3

2. The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850).

3. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

4. 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.

**Bishops Waltham**

**Ward**

**Bishops Waltham**

**4 Conservation**

**Area:**

**Case No:** 08/02039/FUL

**Ref No:** W21254

**Date Valid:** 19 September 2008

**Grid Ref:** 454574 117774

**Team:** WEST **Case Officer:** Elaine Walters

**Applicant:** A2 Dominion South Ltd

**Proposal:** 2 storey extension to terrace to form two bed dwellings and alterations to existing end of terrace property including new porch

**Location:** 2 Battery Hill Bishops Waltham Southampton Hampshire  
SO32 1BT

**Officer** PER

**Recommendation**

:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S)

**Conditions/Reasons**

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

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 details and samples of the materials to be used in the construction of the external surfaces of the hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that

originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

4 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

6 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

7 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

8 The parking area shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

Reason: To ensure the permanent availability of parking for the property.

9 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

### **Informatives**

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

Winchester District Local Plan Review 2006: DP3

2. The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850).

3. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

4. 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.

**Littleton And Harestock**

**Ward**

**Littleton And Harestock**

**5 Conservation**

**Area:**

**Case No:** 08/02504/FUL

**Ref No:** W21284

**Date Valid:** 31 October 2008

**Grid Ref:** 446718 131870

**Team:** EAST

**Case Officer:** Mr Andrew Rushmer

**Applicant:** Mrs Amanda McInnes

**Proposal:** Replacing and extending existing surfacing to front drive

**Location:** 11 Priors Dean Road Harestock Winchester Hampshire SO22  
6JT

**Officer** PER

**Recommendation**

:

**Committee Decision:**

APPROVE SUBJECT TO THE FLOWING CONDITION(S)

**Conditions/Reasons**

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

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

**Informatives**

1. 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.

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

Winchester District Local Plan Review 2006: DP3

---