

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**2 April 2009**

Attendance:

Councillors:

Jeffs (Chairman) (P)

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

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

Deputy Members:

Councillor Berry (Standing Deputy for Councillor Huxstep)

Others in attendance who addressed the meeting:

Councillor Cook

Others in attendance who did not address the meeting:

Councillor Izard

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1. **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED:

That, in the absence of Councillor Huxstep, Councillor Johnston be appointed Vice-Chairman for this meeting only.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 12 March 2009 (less exempt item), be approved and adopted.

3. **MINUTES OF THE PLANNING DEVELOPMENT CONTROL (VIEWING) SUB COMMITTEE HELD 9 MARCH 2009**

(Report [PDC795](#) refers)

The Committee considered the minutes of the Planning Development Control (Viewing) Sub Committee held on 9 March 2009 with regard to Chilland Mill, Martyr Worthy, Winchester (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the Planning Development Control (Viewing) Sub Committee held 9 March 2009, be received.

4. **DEVELOPMENT CONTROL SCHEDULE**  
(Report [PDC797](#) refers)

Councillor Jeffs declared a personal (but not prejudicial) interest in respect of Item 2, as his wife was Chairman of the New Alresford Town Council Planning Committee which had opposed the application. He spoke and voted thereon.

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

**Item 1: The Crescent, Twyford, Winchester – Case Number 08/02554/FUL**

Mr J Sullivan spoke against the application and Mr I Soulsby (applicant) spoke in support.

The Head of Planning Management explained that, subsequent to the publication of the Report, amended plans had been received. These illustrated a roof to the dormer window on the eastern elevation of the property. In addition, the footprint of the neighbouring garage at 5 The Crescent had been amended.

Following discussion, the Committee agreed that the application should be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on Friday 17 April 2009. This was because Members did not consider it possible to determine the application without first visiting the site, to assess the proposed layout of the new dwelling and its relationship with adjacent houses and its overall impact within the immediate street scene.

**Item 2: 43 West Street, Alresford – Case Number 08/01595/FUL**

Mrs D Beckett and Mrs B Jeffs (New Alresford Town Council) spoke against the application and Mr J O'Donovan (agent for the applicant) spoke in support.

The Head of Planning Management clarified that the recommendation for approval was subject to financial contributions from a Section 106 Legal Agreement regarding highway improvements and public open space.

The Committee was also advised that, subsequent to the publication of the Report, amended plans had been received. These indicated the provision of one additional parking space and manoeuvring space for vehicles, by moving a two-storey projection on the western side of the proposed flats further to the south. The garden area of Plot 3 had also been slightly reduced to accommodate the extra parking space.

An additional letter of representation had been received subsequent to the publication of the Report. This raised new issues to those covered in the Report, regarding parking and access for tradesmen's vehicles and that the listed wall closing off the Hankins Court development be rebuilt as early as possible during construction.

Following discussion, the Committee agreed that the application should be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on Friday 17 April 2009. This was because Members did not consider it possible to determine the application without first visiting the site to assess the relationship of the proposals with an adjacent recent development and existing dwellings. It was requested that the Police Crime Prevention Officer be consulted about the proposed footpath through the site and that comments be made available at the subsequent Viewing Sub-Committee.

Item 3: 20 Bere Close, Winchester – Case Numbers 08/02717/FUL

Mr A Heppell spoke against the application and Mr S Bradley (applicant's agent) spoke in support.

The Head of Planning Management corrected an error in the Report. The amended plans as referred to on page 32 of the Report showed a reduction in the size of the roof lights on the front elevation from 1000mm to 400mm, not 100mm to 40mm as stated.

Following debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) set out in the Report.

Item 4: Snakemoor Farm, Snakemoor Lane, Durley – Case Number 09/00043/FUL

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

The Head of Planning Management advised that, subsequent to publication of the Report, representation from the Head of Cultural and Economic Services (Winchester City Council) had been received. In summary, this set out their support for farm diversification schemes to provide high quality and well designed self-catering accommodation for visitors to the District and the high demand for such facilities.

During discussion, the Head of Legal Services clarified that any planning consent granted would be subject to a legal obligation, to ensure that the building would be completed within a reasonable timescale after implementation of the consent.

At conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) set out in the Report and the legal obligation described above.

Item 5: Green Acre, Hundred Acres Road, Wickham – Case Number 08/02842/FUL

The Committee noted that, following withdrawal of the Parish Council's objections, this item had been determined under officers' delegated powers.

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 1 (The Crescent, Twyford, Winchester) and Item 2 (43 West Street, Alresford) these applications be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on Friday 17 April 2009.
3. That, in respect of Item 5 (Green Acre, Hundred Acres Road, Wickham), this item be withdrawn from the agenda and determined under officers' delegated powers.

5. **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>
##	Exempt Minute of previous meeting held 12 March 2009:	) Information relating to any individual (Para 1, Schedule 12A refers)
	• Authority for Legal Action to be taken at land at Peststead Lane, Soberton	) Information which is likely to reveal the identity of an individual (Para 2, Schedule 12A refers)
		) Information in respect of which a claim to legal

	)	professional privilege could
	)	be maintained in legal
	)	proceedings. (Para 5
	)	Schedule 12A refers)
	)	
	)	Information relating to any
	)	action taken or to be taken in
	)	connection with the
	)	prevention, investigation or
	)	prosecution of crime (Para 7
	)	Schedule 12A refers)
	)	
##	)	Information relating to any
	)	individual (Para 1, Schedule
	)	12A refers)
	)	
	)	Information which is likely to
	)	reveal the identity of an
	)	individual (Para 2, Schedule
	)	12A refers)
	)	
	)	Information relating to the
	)	financial or business affairs
	)	of any particular person
	)	(including the authority
	)	holding that information).
	)	(Para 3 Schedule 12A refers)
	)	
	)	Information in respect of
	)	which a claim to legal
	)	professional privilege could
	)	be maintained in legal
	)	proceedings. (Para 5
	)	Schedule 12A refers)

6. **LAND AT CEDAR BUNGALOW, MALTHOUSE LANE, BIGHTON, ALRESFORD**  
(Report PDC798 refers)

By way of a personal statement, Councillor Jeffs explained that he had predetermined Report PDC798, by supporting the applicants' case outlined in the Report. Councillor Jeffs therefore withdrew from the Committee for that item and, having made representations as a Ward Member during public participation, sat in the public gallery during the subsequent discussion.

Councillors Jeffs and Cook (as Ward Members) and Mr Ashford (Chairman of Bighton Parish Council) spoke in support of the proposed amendment to the Section 106 Legal Agreement which required the demolition of Cedar Cottage.

In summary, Councillor Jeffs referred to the Committee's previous consideration of this matter at its meeting held 17 February 2009 and of his support to vary the Section 106 agreement. He clarified that this would allow two longstanding and elderly tenants of the owner to be re-housed in Cedar Bungalow. Although the Committee had previously supported the recommendation to not vary the Section 106 agreement, Members had requested further information on the likelihood that the tenants' existing home could be adapted to meet their needs and whether this could be funded by a grant. Councillor Jeffs referred to this information, as set out in the appendices in the Report, which had concluded that the necessary works to their existing home would be so extensive that they would not be funded by a Disabled Facilities Grant. The Occupational Therapist had concluded that Cedar Bungalow could be relatively easily adapted to meet the tenants' needs. Officers had also concluded that suitable alternative accommodation was not available in the vicinity and notably not in the village that the couple had resided in for most of their lives.

Councillor Jeffs drew attention to paragraph 6.2 of the Report that stated that, in exceptional circumstances, the considerable benefits to the health and welfare of the tenants were of material weight for the Committee to consider in making a decision. He therefore requested that the Committee support a variation to the Section 106 Legal Agreement, due to the exceptional circumstances of the tenants and that Cedar Bungalow be, instead, demolished on cessation of their occupation. He also reminded Members that the tenants had lived in, and been active members of, the village for most of their lives.

Councillor Cook supported Councillor Jeffs in his request for a modification to the Section 106 agreement. The variation would be for a temporary period whilst the tenants resided at the property. Councillor Cook referred to the tenants' current accommodation, which was in a poor state of repair, had no central heating and was unsuitable due to their disabilities. He advised that the owners had undertaken that they would make necessary improvements to Cedar Bungalow, which included installing double glazing.

At the conclusion of debate, the Committee agreed that as the tenants' current accommodation could not be easily adapted to meet their needs, it was preferable that they be housed in the landlord's other property, Cedar Cottage. Therefore, the Committee supported a variation to the Section 106 legal agreement which currently required its immediate demolition. In reaching its decision, Members were mindful of the considerable material weight of the exceptional circumstances of the tenants. It also had regard to the owner's undertaking that Cedar Bungalow would be brought up to a reasonable standard.

The Committee therefore did not support the recommendation set out in the Report to refuse modification of the Section 106 agreement and requested that the Head of Legal Services re-word the modification so that, instead, Cedar Bungalow be demolished immediately on cessation of the occupation by both tenants.

RESOLVED:

That the request to enter into a Deed to modify the Agreement, dated 2 August 2006, between the Manor Farm Limited (1), The Agricultural Mortgage Corporation plc (2), and HSBC Bank (3) and the Trustee of the Manor Settlement (4) and the Council (5) concerning land at Cedar Bungalow, Malthouse Lane, Bighton, Alresford and relating to the demolition of the Cedar Bungalow be agreed.

7. **EXEMPT MINUTE**

RESOLVED:

That the exempt minute of the previous meeting of the Committee, held on 12 March 2009, be approved and adopted.

The meeting commenced at 9.30am and concluded at 12.20pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

**RESOLUTION**

**02.04.2009**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON



Item	Twyford	Ward	Colden Common And Twyford
1	<b>Conservation Area:</b> <b>Case No:</b> 08/02554/FUL <b>Ref No:</b> W21114/03 <b>Date Valid:</b> 18 November 2008 <b>Grid Ref:</b> 448020 124710 <b>Team:</b> WEST <b>Applicant:</b> Mr R Powter <b>Proposal:</b> (AMENDED PLANS) 1 no. three bedroom dwelling (RESUBMISSION) <b>Location:</b> 6 The Crescent Twyford Winchester Hampshire SO21 1NL <b>Officer:</b> PER <b>Recommendation:</b>		<b>Case Officer:</b> Mr Ian Cousins
	<b>Committee Decision:</b> DEFER for consideration by Planning (Viewing) Sub Committee.		

Item	New Alresford	Ward	The Alresfords
2	<b>Conservation Area:</b> <b>Case No:</b> 08/01595/FUL <b>Ref No:</b> W09824/06 <b>Date Valid:</b> 14 August 2008 <b>Grid Ref:</b> 458683 132618 <b>Team:</b> EAST <b>Applicant:</b> Covemile Ltd <b>Proposal:</b> 7 no. dwellings comprising of 2 no. one bedroom flats, 2 no. two bedroom houses and 3 no. three bedroom houses (AMENDED PLANS) <b>Location:</b> 43 West Street Alresford Hampshire SO24 9AB <b>Officer:</b> PER <b>Recommendation:</b>	New Alresford Conservation Area	<b>Case Officer:</b> Mr Simon Avery
	<b>Committee Decision:</b> DEFER for consideration by Planning (Viewing) Sub Committee		

**Item**                      **Winchester Town**                      **Ward**                      **St Barnabas**

**3 Conservation**

**Area:**

**Case No:** 08/02717/FUL

**Ref No:** W20430/03

**Date Valid:** 26 November 2008

**Grid Ref:** 446782 130508

**Team:** EAST                      **Case Officer:** Andrea Swain

**Applicant:** Mr & Mrs A Hammond

**Proposal:** Loft conversion including dormer and velux windows, single storey kitchen side extension (RESUBMISSION)(AMENDED PLANS)

**Location:** 20 Bere Close Winchester Hampshire SO22 5HY

**Officer** PER

**Recommendation:**

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:

**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 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

**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 and HE16

**Item**                      **Durley**                                      **Ward**                      **Owslebury And Curdrige**

**4**                      **Conservation**

**Area:**

**Case No:**                      09/00043/FUL

**Ref No:**                      W02216/05

**Date Valid:**                      12 January 2009

**Grid Ref:**                      450287 116325

**Team:**                      WEST

**Case Officer:**    Mr James Jenkison

**Applicant:**                      Mr Ben Boyes

**Proposal:**                      Alterations to partially built two storey building to form single storey building to provide 2 no. holiday accommodation (RESUBMISSION)

**Location:**                      Snakemoor Farm Snakemoor Lane Durley Southampton Hampshire SO32 2BW

**Officer**                      PER

**Recommendation:**

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S) AND A LEGAL OBLIGATION TO REQUIRE REMOVAL OF ALL PARTS OF THE EXISTING BUILDING WHICH DO NOT FORM PART OF THE BUILDING PERMITTED BY THIS GRANT OF PLANNING PERMISSION UPON IMPLEMENTATION OF THIS CONSENT:-

**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 development 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in any of the elevations or roof of the development hereby permitted.

Reason: To protect the amenity and privacy of the adjoining residential properties.

4 The holiday accommodation units hereby permitted shall be used for holiday accommodation only which shall be limited to any one occupier occupying a unit for a maximum period of 4 weeks and for no more than 3 times per year, with a break between each occupation anywhere on the site, by the same occupier, of 4 weeks. A register of the names of the occupiers of each of the holiday accommodation units and their arrival and departure dates shall be kept by the developer and shall be produced to the Local Planning upon reasonable notice.

Reason: To accord with the terms of the application since the site lies within an area where residential properties would not normally be permitted.

5 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.

6 No development shall commence before a method statement and schedule of works detailing how the proposed development is to be implemented shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To demonstrate how the existing building is to be modified in accordance with the permission hereby granted.

## **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: CE16, RT18

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