

PLANNING DEVELOPMENT CONTROL COMMITTEE

29 October 2009

Attendance:

Councillors:

Jefferies (Chairman) (P)

Barratt
Baxter (P)
Busher (P)
Evans
Fall (P)

Huxstep (P)
Johnston
Lipscomb (P)
Ruffell (P)
Tait (P)

Deputy Member:

Councillor Pearce (Standing Deputy for Councillor Johnston)

Others in attendance who addressed the meeting:

Councillor Mather

Others in attendance who did not address the meeting:

Councillor Bell

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 8 October 2009, be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

(Report [PDC828](#) 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 Lipscomb declared a personal (but not prejudicial) interest in respect of Item 1 as 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.

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

Item 1: 20 Sparkford Close, Winchester – Case Number 09/01554/FUL

Ms Kime and Mr Bryant spoke against the application and Mr Taylor (applicant) spoke in support.

Councillor Mather (a Ward Member) spoke with regard to the application.

In summary, Councillor Mather was concerned that the proposals would create an unacceptably high density of dwellings in Sparkford Close. She also referred to the relatively small footprint of the existing dwellings and their modestly sized gardens. She was concerned at the loss of gardens in the area. Councillor Mather also had concerns relating to parking in the Close and the surrounding neighbourhood. Some cars were moved into the Close outside of controlled hours and occasionally parked on lawns and other green areas. In conclusion, Councillor Mather advised that residents had been forced to absorb significant changes in the neighbourhood in recent years, as a consequence of the University's development and that its character had substantially changed. She requested that the Committee consider whether the proposals represented overdevelopment of Sparkford Close and whether it was appropriate to force further development in the neighbourhood.

In response, the Head of Planning Management referred to the previous decision of the Planning Inspector to approve a similar scheme in Sparkford Close. No concerns had been raised with regard to garden space and that the housing density was considered to be acceptable, due to the sustainable location of the Close.

The Head of Planning Management also explained that, subsequent to the publication of the Report, an additional condition had been proposed at the request of the Highways Officer. This was to ensure that, in the interests of highway safety, officers would approve details of measures to be taken to prevent mud from vehicles leaving the site during the construction works being deposited on the public highway. This was supported by the Committee.

During discussion, it was agreed that a further condition be added (with its exact wording delegated to the Head of Planning Management, in consultation with the Chairman) to specify that the building could not, in the future, be internally reconfigured and could only be used for single people, including students.

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

The following item had no public participation:

Item 2: Lower Chilland House, Lower Chilland Lane, Martyr Worthy, Winchester – Case Number 09/01501/FUL

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

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 (20 Sparkford Close, Winchester), the application be granted, with authority being delegated to the Head of Planning Management and Head of Legal Services (in consultation with the Chairman) to agree detailed wording of an additional condition to specify that the building could not, in the future, be internally reconfigured and could only be used for single people, including students.

3. **MINUTES OF PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB COMMITTEE HELD 1 OCTOBER 2009**
(Report [PDC827](#) Refers)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee, held 1 October 2009, which determined an application at Hunts Frozen Food, 27 Andover Road, Winchester (attached as Appendix A to the minutes)

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee, held 1 October 2009, be approved.

4. **PLANNING APPEAL AT LAND OFF FRANCIS GARDENS, WINCHESTER**
(Report [PDC829](#) Refers)

RESOLVED:

That the Committee note the Council's change of position relating to the appeal at Francis Gardens, Winchester and its decision to effectively withdraw refusal reason 1, that states that development of the local reserve site would be unjustified on the basis of housing land supply and therefore, premature.

The meeting commenced at 9.30am and concluded at 11.50am

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE: DEVELOPMENT CONTROL MEETING

RESOLUTION

29.10.2009

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Item **Winchester Town** **Ward** **St Michael**

1 **Conservation** Winchester Conservation Area
Area:
Case No: 09/01554/FUL
Ref No: W21480/01
Date Valid: 3 August 2009
Grid Ref: 447476 128954
Team: EAST **Case Officer:** Andrea Swain
Applicant: Snow Taylor Limited
Proposal: Erection of 2 no. three storey terraced houses for student accommodation (RESUBMISSION)
Location: 20 Sparkford Close Winchester Hampshire SO22 4NH
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 building 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, 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 shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

5 The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with CBA 6885adsApr2008sV1. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848403. No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement CBA 6885adsApr2008sV1 . Any deviation from works prescribed or methods agreed in accordance with Method Statement CBA 6885adsApr2008sV1 shall be agreed in writing to the Local Planning Authority.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

6 No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

7 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 the south elevation(s) of the building hereby permitted.

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

8 The first and second floor window(s) in the south elevation of number 20B hereby permitted shall be glazed in obscure glass and thereafter retained.

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

9 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.

10 All windows and glazed external doors installed in the development shall be double glazed, comprising of a 10mm glass, 12mm airspace, and 8mm glass configuration. These units shall be fitted in the building envelope to ensure the required acoustic seal so as to achieve the standards contained within BS 8233: 1999.

Reason: To protect the amenity of the internal living environment.

11 All windows in habitable rooms shall be fitted with passive trickle ventilators which shall achieve a sound attenuation performance of not less than 42 dB Dne,w

Reason: To protect the amenity of the internal living environment.

12. Details of measures to be taken to prevent mud from vehicles leaving the site during the 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.

13. The buildings hereby permitted shall only be occupied by students attending universities or colleges or for single persons.

Reason: To ensure the permanent availability of student or single person accommodation.

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:-

South East Plan: CC.6 and H.5

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, DP9, H3, H7, T2, and RT4.

Item	Itchen Valley	Ward	Itchen Valley
2	Conservation Area:	Chilland Conservation Area	
	Case No:	09/01501/FUL	
	Ref No:	W03990/30	
	Date Valid:	19 August 2009	
	Grid Ref:	452371 132592	
	Team:	EAST	Case Officer: Andrea Swain
	Applicant:	Mr Dominic Gaunt	
	Proposal:	Proposed replacement of the front entry gates and brickwork piers from Lower Chilland Lane	
	Location:	Lower Chilland House Lower Chilland Lane Martyr Worthy Winchester Hampshire SO21 1EB	
	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 Details, and samples as appropriate, in respect of the following shall be submitted to and approved in writing by the Council as local planning authority before the relevant work is begun. The relevant work shall be carried out in accordance with such approved details.

(a) large scale (or shop) drawings of one typical gate leaf showing the decorative details and make-up of the gate;

(b) 1:5 or larger scale drawing of a typical railing head to the boundary fence.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of Policy HE.14 of the Winchester District Local Plan Review.

3 A sample panel of the new facing brickwork showing the proposed brick types, colour, texture, face bond and pointing shall be provided on site - to include an area of radiused brickwork as proposed on the new boundary wall - and the specification approved in writing by the Council as local planning authority (in consultation with English Heritage) before the relevant parts of the works are begun. The relevant parts of the work shall be carried out in accordance with such approved sample

panels. The approved sample panels shall be retained on site until the work is completed and has been approved.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of Policy HE.14 of the Winchester District Local Plan Review.

4 Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub contractors working on site and furnish them with a copy of the consent and approved drawings.

Reason: To avoid any misunderstandings

5 Protective measures, including fencing and ground protection, in accordance with the Method Statement for the construction of the gate piers Appendix 3 and written by Design ACB and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site. Any deviation from works prescribed or methods agreed in accordance with the above Method Statement shall be agreed in writing to the Local Planning Authority.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity

6 No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The Arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved Arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the Arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity

7 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels;
- hard surfacing materials;
- planting plans;
- written specifications;
- schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate;
- implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

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:-

South East Plan: CC1 and CC6

Winchester District Local Plan Review 2006: DP1, DP3, DP4, HE4, HE5, HE6, HE8, and HE16.