

PLANNING DEVELOPMENT CONTROL COMMITTEE

1 April 2010

Attendance:

Councillors:

Jefferies (Chairman) (P)

Baxter (P)
Bell (P)
Busher
Evans (P)
Fall (P)

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

Deputy Members:

Councillor Hammerton (Standing Deputy for Councillor Busher)

Others in attendance who did not address the meeting:

Councillor Mather

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 11 March 2010, be approved and adopted.

2. **MEMBERSHIP OF SUB-COMMITTEES**

At the invitation of the Chairman, Councillor Tait provided background to his request that a Sub-Committee be appointed to consider a planning application for student accommodation in Sparkford Road, Winchester.

In summary, Councillor Tait referred to the concerns of local residents regarding the cumulative impact of student accommodation in the area. He requested that an appropriate forum be established to consider the application in the light of these wider issues, which he did not believe would be sufficiently dealt with otherwise. He reported that Ward Members were not always aware of public consultation events arranged by the applicant (under their obligations under the Statement of Community Involvement, SCI) until an application had already been submitted. Councillor Tait confirmed that his request for a Sub-Committee had received the support of the two other Ward Members.

In response, the Corporate Director (Operations) advised that it would not be reasonable for a specific application to be used as a starting point for consideration of the wider issues referred to by Councillor Tait. The

application had to be determined in accordance with existing policy and this was something that the Planning Development Control Committee did with every application before it. He acknowledged that, as part of this Committee's determination of the proposal, Members may need to refer its determination to a Planning Development Control (Viewing) Sub-Committee, but that was standard practice where Members felt that a site visit was essential to reach a proper conclusion. The Sub-Committee would consider matters pertaining to the application in detail, including the concerns of local residents, whilst still benefiting from the full membership of the main Committee. There may also be an opportunity for an extended public participation period.

The Director referred to recent legislation that introduced a new and specific use-class for houses in multiple occupation by numbers fewer than six people, which would now require planning permission from 6 April 2010. As a consequence, he advised that the Council needed to establish its policy position on such applications and that Cabinet would be asked to appoint a sub-committee, to assist in formulating appropriate supplementary planning guidance. It was likely to look to the expertise of this Committee as part of its membership. The University would be consulted on any draft policy and the Sub-Committee was likely to debate the impact that student accommodation had in the local area.

The Head of Planning Management clarified that the planning application for student accommodation to which Councillor Tait referred, had yet to have a target date applied for its determination, as it was currently subject to consultation with officers and other statutory bodies.

During debate, the Head of Legal Services reminded the Committee that whilst there may be a role for Members in pre-application discussions, this should be carefully structured, as there could be potential for legal challenge due to bias or predetermination arising from such dialogue.

At the conclusion of discussion the Committee agreed that, on occasion, Working Parties and/or Sub-Committees appointed to consider specific sites and proposals at a pre application stage had proved useful, by instigating dialogue between all interested parties. However, it was agreed that such a forum would not be appropriate for the Sparkford Road application, which had already been submitted. Officers were asked to provide further guidance to Members, outside of the meeting, as to when such forums may be acceptable. The Committee also welcomed the future appointment by Cabinet of a sub-committee to draft new supplementary planning guidance for the new use class for houses in multiple occupation.

RESOLVED:

That the request to appoint a Sub-Committee to consider planning application for student accommodation at Sparkford Road, Winchester (10/00076/FUL) be not supported.

3. **DEVELOPMENT CONTROL SCHEDULE**
([Report PDC847 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 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 therefore he spoke and voted thereon.

By way of a personal statement, Councillor Bell explained that there may be a perception of predetermination or bias in respect of Item 1. Councillor Bell withdrew from the Committee for that item and, having made representations during public participation, sat in the public gallery during the subsequent discussion.

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

Item 1: Martins Close, Compton Street, Compton – Case Number 10/00020/FUL

Dr Ashcroft and Councillor Bell (a Ward Member) spoke against the proposals and Ms Burton spoke in support.

Councillor Bell advised that she was also speaking on behalf of Compton Village Association. She also drew attention to the location plan in the Report and explained that the boundaries to the development site were not correctly shown, due to their revision from the previous scheme. She suggested that appropriate sectional views, showing changes in levels, should have been presented and also the changes in position of dwellings from the previously approved application.

Councillor Bell also reminded the Committee that the site was located within the Compton Street Conservation Area and was adjacent to listed buildings. She drew attention to concerns of local residents cited within the letters of objection to the application and to the many factors to take into consideration, such as the topography of the site, proximity of trees and the amenity space of dwellings.

Councillor Bell highlighted the permission for four dwellings, two large and two small, on the site granted in 2006. Dwelling H2 would be relocated forward (southward) on the site, in order to provide a more sizeable rear garden and to afford protection to mature trees behind. This agreement had been a factor in the Landscape Team recommending approval. She suggested that the current application reversed that negotiated agreement and may, as a consequence, place further trees at risk. Councillor Bell was concerned at an apparent lack of consistency in the opinion of officers with regard to this

matter, and she suggested that the mature trees within the Conservation Area should be duly protected from the consequences of the relocation of dwelling H2. She also reminded the Committee that the site sloped towards the south and the re-location of dwelling H2 northwards (up the slope) was likely to impact on views and the screening of the site from St Martins Field to the rear, by the raising of rooflines. Councillor Bell also stated that appropriate amenity space and access routes to the dwellings should be maintained.

Responding to the comments made, the Head of Planning Management advised that the changes from the previous approved scheme were not significant; therefore it was not appropriate for the applicant to supply section plans. It was also demonstrated that the latest proposals were an improvement by creating more space between dwellings H2 and H3.

The Head of Planning Management also advised that, since publication of the Report, a total of 10 letters of objection to the scheme had been received, outlining matters set out in the Report and also highlighting concerns of removal of trees.

Also since the publication of the Report, the Head of Planning Management advised that additional Informatives on working hours and burning on-site were recommended. These were noted by the Committee.

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.

Item 3: Land adjacent to 6 Manor Farm Green, Twyford – Case Number 09/01202/FUL (Retrospective)

Mr Gordon spoke against the application and Mr Strange (applicant) spoke in support.

Further to questions, the Head of Planning Management explained that the pond's primary function was to provide further biodiversity in the area, although it was recognised that the applicant also wished to utilise it to water his vegetable crops. The Head of Access and Infrastructure also confirmed that the applicant had commissioned an engineer's report, which had clarified that the pond's structure was sufficient to safely contain water, inclusive of any run-off from the adjacent field and from excessive rainfall.

The Head of Legal Services pointed out that the proposal could be referred for comment to the South Downs National Park Authority (which had recently been designated) and that the application should be determined subject to no new material objection being raised by that body.

During discussion, the Committee was concerned that the unnatural appearance of the pond was likely to have a detrimental impact on enjoyment of the landscape, including the adjacent footpath, and was therefore contrary to Policy CE15. Members noted the applicant's comments that the pond

would be partially used for agricultural purposes; however this was not an overriding justification for it to be located in this position.

Therefore, at the conclusion of debate, the Committee did not support the recommendation set out in the Report and instead agreed to refuse retrospective planning permission, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee and summarised above.

Item 4: Stedham House, South Hill, Droxford – Case Number 09/02578/FUL

Mr Lowe (applicant's agent) spoke in support of the application.

During discussion, the Historic Environment Manager explained how the detail of the application, in the opinion of officers, would enhance the Conservation Area. It was explained that the position of the original outbuilding that faced the street would be retained, as the view from the street of the building's ridgeline was important, as were the other important aspects of its historic construction, such as the hayloft door and windows. Although there would be some elements of reconstruction, its internal features and existing brickwork would be retained. Further to questions, the Head of Planning Management drew attention to the conditions that had been applied to stop garage doors being inserted to face the street, with recessed brickwork instead at this position, which was the preference of the Conservation Officer. It was also confirmed that the proximity of the new dwelling to the adjacent Cameron Cottage would not materially harm the occupant's amenity, nor be a basis for refusal that could be sustained.

During debate, the Committee was concerned that the development would not respond positively to the historic streetscape of Droxford. It was agreed that the application was therefore contrary to Policies HE5 and DP3 (ii) and (vii), as it failed to preserve or enhance the area, or respond sympathetically to its historic character. Members were also concerned that the proposal may also be intrusive and would have a detrimental impact on the amenity of existing dwellings, due to their close proximity.

Therefore, at the conclusion of debate, the Committee did not support the recommendation set out in the Report and instead agreed to refuse planning permission, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee and summarised above.

The following item had no public participation.

Item 2: 33 Cripstead Lane, Winchester 10/00234/FUL

The Head of Planning Management advised that since publication of the Report, a further two letters of support from local residents had been received. These were placed on the case file.

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.

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 (Land adjacent to 6 Manor Farm Green, Twyford), planning permission be refused, with authority delegated to the Head of Planning Management (in consultation with the Chairman) to agree detailed wording of the reasons for refusal as agreed by the Committee based on the following:

‘The development by reason of its unnatural appearance and the absence of any clearly defined essential need is contrary to the provisions of policy CE15 of the Winchester District Local Plan Review in that it constitutes an inappropriate intrusion into the landscape for which there is no overriding justification within an area of countryside that forms part of the South Downs National Park and adjacent to a public footpath’.

3. That, in respect of Item 4 (Stedham House, South Hill, Droxford), with authority delegated to the Head of Planning Management (in consultation with the Chairman) to agree detailed wording of the reasons for refusal as agreed by the Committee based on the following:

i. Development as proposed would be contrary to the provisions of policy HE5 of the Winchester District Local Plan Review in that it would not respond sympathetically to the historic settlement pattern introducing a building likely to be visually intrusive within the conservation area and to the detriment of the retention of the historic street scene.

ii. The proposed development by reason of its design, scale, layout and juxtaposition to neighbouring property, would be contrary to the provisions of policy DP3 (ii and vii) of the Winchester District Local Plan Review in that, respectively, it would not respond positively to the character appearance and variety of the local environment and would have an adverse impact on the amenity of Cameron Cottage.’

iii. 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 amenities of the area.’

4. **APPLICATION TO FELL 09/02688/TPO MATURE LIME TREE AT NO.1 WENTWORTH GRANGE, WINCHESTER**
[\(Report PDC846 Refers\)](#)

Councillor Lipscomb declared a personal (but not prejudicial) interest in respect this item, as the applicant, Mr Beedle, was known to him through membership of a political party. The applicant had also once indicated to him the tree in question, but they had no discussion on the matter and he expressed no view and therefore he spoke and voted thereon.

Councillors Jeffs and Huxstep also declared personal (but not prejudicial) interests in respect of this item, as the applicant, Mr Beedle, was known to them through membership of a political party. They both spoke and voted thereon.

Councillor Johnston also declared a personal (but not prejudicial) interest in respect of this item, as the applicant, Mr Beedle, was known to him as both had worked on the credit union. He both spoke and voted thereon.

Mr Beedle (resident of 1 Wentworth Grange, Winchester) spoke in support of the application to fell the mature lime tree.

At conclusion of debate, the Committee agreed to refuse the application to fell the tree for the reasons set out in the Report.

RESOLVED:

That the application to fell 09/02688/TPO Mature Lime Tree at No.1 Wentworth Grange, Winchester, be refused.

5. **MINUTES OF PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE HELD 2 MARCH 2010**
[\(Report PDC848 refers\)](#)

The Committee received the minutes of the Planning Development Control (Viewing) Sub-Committee, held on 2 March 2010, (attached as Appendix A to the minutes) which determined an application at the Lynchets, Hurdle Way, Compton Down.

RESOLVED:

That the minutes of the Planning Development Control (Viewing) Sub-Committee held 2 March 2010 be received and noted

The meeting commenced at 9.30am and concluded at 1.55pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

01.04.2010

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Compton And Shawford

Ward

Compton And Otterbourne

01 Conservation Compton Street
Area:
Case No: 10/00020/FUL
Ref No: W06907/07
Date Valid: 28 January 2010
Grid Ref: 446277 125951
Team: WEST **Case Officer:** Mr James Jenkison
Applicant: Andbury Properties Ltd
Proposal: Reposition of dwelling H2 on previously planning permission 06/01835/FUL; 2 no. roof lights to the East and West elevations and the reposition of the entrance porch (RESUBMISSION)
Location: Martins Close, Compton Street, Compton, Winchester Hampshire SO21 2AT
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 buildings 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 Full details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.

Reason: To protect the character and appearance of the building (or conservation area).

4 All rainwater goods shall be of cast iron unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the (listed) building.

5 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory provision of foul and surface water drainage.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes 1 of Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

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 east elevation(s) of the dwellings hereby permitted.

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

8 All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 8.00am Monday to Friday and 6.00pm Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining properties during the construction period.

9 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

10 The garage hereby approved shall not be used for any other purpose than the parking of cars.

Reason: To ensure the provision and retention of the carparking spacesIN: in the interests of local amenity and highway safety.

11 The development hereby approved must be carried out in accordance with the approved plans by The Genesis Design Studio, as listed below as they relate to house H2:

Site Plan: Dwg No: 7462/2, Revision G, dated Jan. 2009.

North and East Elevations Plot 2: Dwg No: 7462/14, Revision C, dated March 2009.

South and West Elevations Plot 2: Dwg No: 7662/13, Revision E, dated March 2009.

Reason: To ensure that the development is carried out in accordance with the amended plans.

12 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 or contours:
- means of enclosure, including any retaining structures:
- hard surfacing materials:
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- retained historic landscape features and proposals for restoration.

Soft landscape details shall include the following as relevant:

- planting plans:
- written specifications (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- implementation programme.

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

13 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.

14 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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.

15 No development or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

16 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.

17 The units on plots 3 & 4 shall not be converted into a single dwelling house without a grant of planning permission.

Reason: To ensure the retention of small dwellings, in accordance with Policy H.7 of the Winchester District Local Plan Review.

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: DP1, DP3, DP4, DP5, CE23, HE1, HE4, HE5, HE6, HE7, HE8, H4, H7, RT4, T2 and T4.
South East Plan 2009: CC6, BE6
3. There is a public foul sewer in Compton Street and this must be used in preference to any other method for the disposal of foul water.
4. The conditions attached to this application repeat the conditions for planning permission 06/01835/FUL and the applicant is advised that all details that have been approved for the discharge of the same conditions for planning permission 06/01835/FUL are acceptable for the discharge of the conditions for this application and are not required to be resubmitted. Repeating the conditions are necessary as work to implement 06/01835/FUL have not yet commenced.
5. 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 Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by Environmental Protection, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
6. No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under The Clean Air Act 1993.

Winchester Town

Ward

St Michael

02 Conservation Winchester Conservation Area
Area:
Case No: 10/00234/FUL
Ref No: W20502/03
Date Valid: 4 February 2010
Grid Ref: 447616 128052
Team: WEST **Case Officer:** Mr Neil Mackintosh
Applicant: Mrs Andrea Swain
Proposal: Erection of replacement dwelling
Location: 33 Cripstead Lane, Winchester, Hampshire, SO23 9SF
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 or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

3 No development shall take place until the following details have been submitted to, and approved in writing by, the Local Planning Authority;
a) details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted,
b) details of hard surfacing and replacement walls,
c) large-scale drawings of the windows, rooflights and doors,
d) details of the siting and design of any external meter boxes, ducting and flues.
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 character and appearance of the Winchester Conservation Area.

4 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.

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

Reason: In the interests of highway safety

6. The garage, parking and turning 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 incidental to the use of the dwelling house as a residence.

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

7. The development hereby permitted shall be carried out strictly in compliance with the submitted Arboricultural Impact Appraisal and Method Statement (Ecourban, reference 942-A1A), unless otherwise agreed in writing by the Local Planning Authority, who shall be notified in writing of the installation of protective measures and the commencement of operations on site.

Reason: To ensure the protection and long term viability of retained trees.

8. The landing window in the east elevation of the dwelling hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the Local Planning Authority, and the glazing shall thereafter be retained in this condition at all times.

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

9 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 development permitted by Classes A,B,C,D and E of Part One of Schedule Two of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the character and appearance of this part of the Winchester Conservation Area.

Informatives

1. This permission is granted for the following reason:

The development is in accordance with the policies and proposals of the Development Plans 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: SP3, CC1, CC6, H5

Winchester District Local Plan Review: DP3, DP4, H3, HE1, HE5, HE8, T4

3. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, should only take place between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays.

4. All bat species are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 and the Wildlife and Countryside Act 1981 (as amended). Legal protection covers bats and elements of their habitats. A European Protected Species licence would be required in order to allow prohibited activities, such as disturbing bats or damaging their breeding sites or resting places, for the purpose of development. The following criteria must be satisfied for such a licence to be granted:

- the purpose of the actions authorised must be for “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”; and
- there must be “no satisfactory alternative” to the actions authorised; and
- the actions authorised “will not be detrimental to the maintenance of the population of
the species concerned at a favourable conservation status in their natural range”.

Twyford

Ward

Colden Common And Twyford

03

Conservation

Area:

Case No: 09/01202/FUL

Ref No: W20163/01

Date Valid: 17 July 2009

Grid Ref: 447920 124035

Team: WEST

Case Officer: Mr Simon Avery

Applicant: Mr Stephen Strange

Proposal: Construction of a pond (RETROSPECTIVE) (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)

Location: Land Adjacent To 6 Manor Farm Green, Twyford, Hampshire

Officer PER

Recommendation

:

Committee Decision:

Recommendation overturned

REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

Conditions/Reasons

1 The development by reason of its unnatural appearance and the absence of any clearly defined essential need is contrary to the provisions of policy CE15 of the Winchester District Local Plan Review in that it constitutes an inappropriate intrusion into the landscape for which there is no overriding justification within an area of countryside that forms part of the South Downs National Park and adjacent to a public footpath

Droxford

Ward

Droxford, Soberton And Hambledon

04 Conservation Droxford
Area:
Case No: 09/02578/FUL
Ref No: W07292/05
Date Valid: 11 December 2009
Grid Ref: 460617 118197
Team: WEST **Case Officer:** Mr James Jenkison
Applicant: Mr. And Mrs. MacPherson
Proposal: Erection of a 2-storey detached dwelling in the north section of the rear garden of Stedham House, including the partial demolition and renovation of the existing outbuilding at the front of the site (Resubmission) (WITHIN THE CURTILAGE OF A LISTED BUILDING)

Location: Stedham House, South Hill, Droxford, Hampshire, SO32 3PB
Officer PER
Recommendation
:

Committee Decision:

Recommendation overturned

REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

Conditions/Reasons

1. Development as proposed would be contrary to the provisions of policy HE.5 of the Winchester District Local Plan Review in that it would not respond sympathetically to the historic settlement pattern introducing a building likely to be visually intrusive within the conservation area and to the detriment of the retention of the historic street scene
2. The proposed development by reason of its design, scale, layout and juxtaposition to neighbouring property, would be contrary to the provisions of policy DP3 (ii and vii) of the Winchester District Local Plan Review in that, respectively, it would not respond positively to the character appearance and variety of the local environment and would have an adverse impact on the amenity of Cameron Cottage.
3. 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 amenities of the area

Winchester Town

Ward

St Michael

**PDC
846**

Conservation

Area:

Case No: 09/02688/TPO

Ref No: WTPO/1156/21

Date Valid: 29 December 2009

Grid Ref: 447345 128794

Team: EAST

Case Officer: Mr Ivan Gurdler

Applicant: Mr Andrew Beadle

Proposal: Fell 1no. Lime Tree and replant with a Birch Tree.

Location: 1 Wentworth Grange Winchester Hampshire SO22 4HZ

Officer REF

Recommendation

:

Committee Decision:

TPO CONSENT REFUSED FOR THE FOLLOWING REASON(S):-

Conditions/Reasons

- 1 Reason :The tree is healthy and not causing structural damage to the adjacent buildings. No evidence has been produced by the applicant to justify felling the tree.
 - 2 Reason : The tree is part of the landscape scheme for the properties when they were built 15 years ago. The tree is in full public view and has high amenity value along with huge wildlife benefits.
 - 3 Reason : The removal of this tree will not increase light levels in the garden.
 - 4 Reason: DP 4 para 3.35 states the management and protection of trees and hedgerows in the district will be given high priority. The Council will continue to serve Tree Preservation Orders where appropriate.
-