

PLANNING DEVELOPMENT CONTROL COMMITTEE

18 November 2010

Attendance:

Councillors:

Johnston (Chairman) (P)

Evans (P)

Hutchison (P)

Huxstep (P)

Jefferies (P)

Lipscomb (P)

Mitchell (P)

Pearce (P)

Tait (P)

Others in attendance who addressed the meeting:

Councillors Gemmell, Pearson and Weston

1. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee, held on 11 and 28 October 2010, be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

(Report [PDC875](#) refers)

The schedule of development control decisions arising from consideration of the above Report is circulated separately and forms an appendix to the minutes.

Councillor Huxstep declared a personal and prejudicial interest in respect of Items 1 and 2 as the application sites directly affected his property and he left the meeting room during consideration of both items.

Councillor Lipscomb declared a personal (but not prejudicial) interest in respect of Items 1 and 2, as he was acquainted with Councillor Huxstep and his wife, whose property was directly affected by both applications and he spoke and voted thereon during consideration of both items.

Councillor Gemmell (who would be making representations as a Ward Member in respect of Items 1 and 2) declared a personal (but not prejudicial) interest as she was acquainted with Councillor Huxstep and his wife, whose property was directly affected by both applications.

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

Item 1: 2 The Nurseries, Botley Road, Shedfield – Case Number 10/01556/FUL (Retrospective)

Councillor Gemmell (Ward Member), Mrs Huxstep and Mr Dye (representing Shedfield Parish Council) spoke against the application and Mr Ellis spoke in support.

The Head of Planning Management drew attention to the fact that the application site was located adjacent to Councillor Huxstep's property at the eastern boundary. A representation had been received from that property and placed on the case file. Since publication of the Report, Condition 1 had been deleted as its requirements had been incorporated into Condition 2. Condition 2 had been amended to refer to Mr and Mrs Burton rather than Mr and Mrs Whittle, who were the applicants for Item 2 below. Condition 9 had also been amended to account for the concerns of the arboricultural officer relating to the earth bund. The Committee noted these changes.

In summary, Councillor Gemmell advised that the site had been unauthorised for too long and she was unaware of any reasons to now change its status. The activities at the site were to the detriment of the character of the rural area and were also visually intrusive. She had received much correspondence from concerned local residents and she urged that, should planning permission be granted, all corresponding conditions be enforced.

In response to the comments raised, the Head of Planning Management explained the planning history of the site, including the Council's continuing activity relating to enforcement proceedings. The Head of Legal Services reminded the Committee that public authorities must consider the impact of their actions on individuals' human rights, which included those of the applicant. The Committee was also reminded that, although the proposals were for retrospective planning permission, this was not a material consideration.

As part of discussion, the Head of Planning Management drew attention to the planning policy advice given in the Report. The Committee was reminded that the application site (and that for Item 2 below) was in a countryside location where development was only generally acceptable in certain circumstances. Although the policies of the South East Plan had recently been reinstated following a judgement in the High Court, those relating to the level of need for travelling showmen pitches in the district had previously been under review. Therefore, as former Local Plan policy CE.27 (which dealt with travelling showmen sites) was also no longer applicable as it had not been saved, in the absence of any specific adopted development plan policies, the Committee should be particularly mindful of current relevant national guidance as set out in Circular 04/2007 and also the recent Inspector decisions with regard to the site, which were appended to the Report.

Referring to the Inspector's previous decision to grant temporary planning permission for Plot 1 within the same site, Members also noted that the Inspector had been mindful that work to clarify the policy related to the provision of sites in the district was ongoing.

During further debate, the Committee discussed whether it would be appropriate to grant temporary permission until 12 May 2012 (the same end date as the temporary permission on Plot 1) to bring consistency to permissions throughout the site, in view of the lack of clarity over the level of need for sites for travelling show people, plus the lack of certainty over the availability of space at the Micheldever site which should be resolved following appeals next year. Should the situation not be clearer by that time, then the occupants could come forward and request extensions to those permissions.

Following debate, the Committee agreed to grant retrospective temporary planning permission until 12 May 2012 for the reasons (and subject to the conditions) as set out in the Report and as described above, and the revision to Conditions 2 and 9 and deletion of Condition 1 as described above.

Item 2: 4 The Nurseries, Botley Road, Shedfield – Case Number 10/01555/FUL

Mrs Huxstep spoke against the application and Mr Ellis spoke in support.

The Head of Planning Management drew attention to the fact that since publication of the Report, Condition 1 has been deleted as its requirements are incorporated into Condition 2.

Mindful of the decisions that it had made with regard to Item 1 above, following debate, the Committee agreed to grant temporary retrospective planning permission until 12 May 2012 for the reasons (and subject to the conditions) as set out in the Report and described above, and deletion of Condition 1 as described above.

Item 3: Riverside, Highbridge Road, Highbridge – Case Number 10/02208/FUL

Mr Tabor (representing Otterbourne Parish Council) spoke against the application and Mr Donohue spoke in support.

The Head of Planning Management advised that, since publication of the Report, an additional Condition 6 was proposed. This stated that the caravan should not be used for residential purposes, unless a satisfactory means of foul drainage had been provided on the site and was in operation. This was required to ensure protection of the special interest of the River Itchen SSSI from foul drainage. This was noted.

The Head of Planning Management also drew attention to the relevant policies of the South East Plan, which had recently been reinstated following a judgement of the High Court.

Following debate, the Committee agreed to grant retrospective planning permission for the reasons (and subject to the conditions) set out in the Report and new Condition 6 described above with its exact wording delegated to the Head of Planning Management.

Item 4: Pigadillo House, Swanmore Road, Swanmore – Case Number 10/01626/FUL

The Head of Planning Management drew attention to the policies of the South East Plan, which had recently been reinstated following a judgement of the High Court.

Councillor Pearson (a Ward Member) and Mr Sheppard spoke in support of the application and Councillor Weston (a Ward Member) spoke in support of the recommendation to refuse permission.

In summary, Councillor Pearson advised that the Parish Council also disagreed with the recommendation to refuse the application, as he felt the proposal had successfully addressed the reasons for refusing permission for the previous scheme. The building would not be overbearing and was well screened from the public realm, and from the neighbours. He drew attention to a development recently granted planning permission in a garden area elsewhere in Swanmore. He therefore suggested that there should be consistency in the Council's approach to such schemes. Development should be allowed in garden areas, as there were no other brownfield sites in the village.

In summary, Councillor Weston suggested that this proposal was only marginally different to the previous application and had still not overcome all the reasons for its refusal. There was still inadequate space between the proposed development and the neighbours and she was also concerned at the precedent that approval may set in this area of the village, which was distinctive with large rear gardens.

Responding to the comments raised, the Head of Planning Management reminded the Committee that, although the new house may be well screened from the public realm, the character of the area as a whole should be taken into consideration. The development nearby that Councillor Pearson had referred to was a comprehensive redevelopment of a large site that incorporated access and fell entirely within the settlement boundary. In this instance, the position of the settlement boundary crossed the rear garden of Pigadillo and had been intended to stop tandem development of the gardens at this location. Therefore, the proposed development would be unacceptably cramped and the character of this area of Swanmore was likely to be compromised as a result.

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

Item 5: Lower Chase Farm, Lower Chase Road, Swanmore – Case Number 10/01739/FUL

Mr Tutton spoke in support of the application.

The Head of Planning Management drew attention to the relevant policies of the South East Plan, which had recently been reinstated following a judgement of the High Court.

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

Item 6: Abbots Worthy House, Abbots Worthy – Case Number 10/00710/FUL

Mr Odell, Ms Grant, Mrs Porter, Councillor Rutter (a Ward Member) and Mr Gordon (representing Kings Worthy Parish Council) spoke against the application. Mr Thomas (applicant) and Mr Coleman (representing 12 households in Mill Lane) spoke in support of the proposals.

The Head of Planning Management advised that additional consultation from the South Downs National Park had been received subsequent to the publication of the Report. In summary, this supported the conclusions of the Conservation and Arboricultural Officers as detailed in the Report. Attention was also drawn to the relevant policies of the South East Plan, which had recently been reinstated following a judgement of the High Court.

In presenting the application to the Committee, the Head of Planning Management reminded the Committee that Items 7 and 8 below were part of the comprehensive development proposals for the site. Item 6 sought the required planning permissions, Item 7 was for consent to demolish the ancillary buildings that were located within the Abbots Worthy Conservation Area, and Item 8 was for consent to modify the listed brick and flint wall. The Chairman accordingly decided that representation for Items 6, 7 and 8 would be collectively heard. Decisions would then be taken by the Committee on each separate application.

In summary, Councillor Rutter referred to the proposed break in the listed wall to create new access and egress, and also the closing off of existing gateways. These proposals were unnecessary and would be detrimental to the character of the Conservation Area. She also pointed out that the high walls acted as a channel for traffic noise and pollution through the village. The blocking up of the gateways had exacerbated this problem. There were also concerns locally of road safety issues from the proposed new entrances to the site. Councillor Rutter also referred to the proposed removal of trees to facilitate the new driveway and raised concerns that this would further degrade the historic gardens and ecology of the area. The woodland also helped screen road noise and air pollution from the village.

In response to the comments raised, the Head of Planning Management reported that the Arboricultural Officer was satisfied that the trees to be removed were poor specimens and were probably self-seeded. The County

Council Ecology officer and the Highways Officer had not raised any objection to the proposals. There were no current tree preservation orders within the application site.

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

Item 7: Abbots Worthy House, Abbots Worthy – Case Number 10/00711/LBC

Having regard to the representations made and questions and debate during consideration of Item 6 above, the Committee agreed to refuse planning permission for the reasons set out in the Report.

Item 8: Abbots Worthy House, Abbots Worthy – Case Number 10/00717/LIS

Having regard to the representations made and questions and debate during consideration of Item 6 above, the Committee agreed to refuse planning permission for the reasons set out in the Report.

Item 9: Beechwood, Chase Grove, Waltham Chase – Case Number 10/01477/FUL

Councillor Gemmell (a Ward Member) spoke against the application and Mr Donohue spoke in support.

The Head of Planning Management drew attention to the relevant policies of the South East Plan, which had recently been reinstated following a judgement of the High Court.

Councillor Gemmell considered that this latest application, despite being reduced to a single storey extension, would still have a negative impact on the neighbour's amenity. Changes in the level of the land would make the proposed extension appear more prominent, such as when viewed from his lounge.

In response, the Head of Planning Management drew attention to the extension being approximately 13 metres away from the neighbour's house and that there were no windows that would face towards the objector. The extension's roof was to be hipped, which would further alleviate any potential impact from the built form of the proposals.

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

Item 10: The Firs, Alresford Road, Winchester – Case Number 10/01557/FUL

Mr Dale spoke in support of the application.

The Head of Planning Management advised that since publication of the Report, the applicant's agent had confirmed that the mobile home at the site would be only utilised during the construction period and then removed from

the site. It was not proposed to retain the mobile home as part of the completed development.

The Head of Planning Management drew attention to the relevant policies of the South East Plan, which had recently been reinstated following a judgement of the High Court.

Following debate, the Committee agreed to refuse planning permission for the reasons 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 Items 1 and 2 (Plots 2 and 4, The Nurseries, Botley Road, Shedfield) retrospective planning permission be granted for the reasons (and subject to the conditions) in the Report to allow the occupants and their dependents to occupy the Plots until 12 May 2012 and that authority be delegated to the Head of Planning Management to agree the exact wording of amended condition 2 with regard to the correct name of the occupiers and condition 9 with regard to the concerns of the arboricultural officer related to the position of the earth bund (Plot 2 only).

3. That, in respect of Item 3 (Riverside, Highbridge Road, Highbridge) retrospective planning permission be granted for the reasons (and subject to the conditions) in the Report and that authority be delegated to the Head of Planning Management to agree the exact wording of new condition 6 with regard to provision of foul drainage at the site.

3. **TREE PRESERVATION ORDER 2004 – LAND ADJACENT TO NEWLYN, BOURNE FIELDS, TWYFORD**
(Report [PDC873](#) refers)

RESOLVED:

That Tree Preservation Order 2004 be confirmed.

4. **TREE PRESERVATION ORDER 2006 – LAND AT NEWLANDS, HILL POUND, SWANMORE**
(Report [PDC874](#) refers)

RESOLVED:

That Tree Preservation Order 2006 be confirmed, with modifications

5. **CHANGES TO THE SCHEME OF DELEGATION TO OFFICERS AND OTHER ADMINISTRATIVE CHANGES**

(Report [PDC871](#) refers)

During discussion, the Head of Legal Services clarified that the proposed alterations to the Scheme of Delegation, as set out in Appendix 1, were relatively minor and would not hinder Members' right to request that matters be brought before the Committee for determination.

RESOLVED:

1. That the alterations to the Scheme of Delegation to Officers as set out in Appendix 1 be approved.
2. That the procedure for 'pre-emptive' site visits as set out in paragraphs 2.10-2.12 of the Report be approved.
3. That the Planning Development Control (Telecommunications) Sub-Committee be disbanded (paragraph 5.5 of the Report refers)
4. That the procedure regarding Ward Member deputations, who are unable to attend the Committee, as set out in paragraph 3.1 be approved.
5. That clarifications and changes be drawn to the attention of all Members via the Members' Briefing Note.

The meeting commenced at 11am and concluded at 7.10pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

18.11.2010

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Shedfield **Ward** **Shedfield**

01 **Conservation**

Area:

Case No: 10/01556/FUL

Ref No: W13157/10

Date Valid: 9 June 2010

Grid Ref: 455302 113398

Team: WEST **Case Officer:** Mr James Jenkison

Applicant: Mr And Mrs P Burton

Proposal: Use of land as a site for a family of travelling showmen and retention of hard standing and bund (RETROSPECTIVE).

Location: 2 The Nurseries, Botley Road, Shedfield, Southampton,
Hampshire SO32 2HN

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 When the premises cease to be occupied by Mr. and Mrs. Burton and their dependents living with them or at 12 May 2012, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought onto the premises in connection with the use shall be removed and the land restored to its former condition.

Reason: The development is not of a type considered suitable for permanent retention in this location and the restoration of the site following the cessation of the temporary use hereby permitted is necessary in the interests of countryside amenities. Temporary permission is considered the appropriate provision to ensure a consistent planning approach to the site given the appeal decision dated 12 May 2008 in respect of Mrs Bond's occupation of plot 1 at the site and the Council's evolving Local Development Framework which will include the identification of necessary provision for suitable sites for travelling showpeople in Winchester district.

2 Storage, maintenance, repairs and testing on the land shall be limited to equipment, rides and vehicles and any other ancillary items reasonably required in connection with or relating to the carrying out of a business as a travelling showperson by the occupants of the application site only.

Reason: To define the permission and circumstances relating to this planning permission.

3 No maintenance, repair or testing of equipment shall take place outside the hours of 09:00 to 18:00 on Mondays to Fridays; 09:00 to 13:00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of neighbouring residential amenities.

4 At no time shall the site be floodlit.

Reason: In the interests of countryside and neighbouring residential amenities.

5 At no time shall fairground sound amplification equipment be operated or tested on the site.

Reason: In the interests of countryside and neighbouring residential amenities.

6 No structure, container, vehicle, plant or equipment shall exceed a height of 5 metres above ground level when stored on the site.

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

7 Within 3 months of the date of this decision details of improvements to the surfacing of the access for a distance of 15 metres from the highway boundary, together with a programme for carrying out the works, shall be submitted to and approved in writing by the Local Planning Authority. The improvements shall be carried out in accordance with the approved details and programme.

Reason: In the interests of highways safety.

8 Within 1 month of the grant of this planning permission a revised landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate measures to be undertaken to prevent the earth bund from adversely impacting on boundary trees and planting including reconfiguration or relocation of the bund as appropriate. The scheme shall also show additional boundary planting to be undertaken to screen the site from public views and views from neighbouring properties. All new planting shall be undertaken within the first planting season following approval of such details and in accordance with the planting schedule specification approved. Should gaps occur in the hedgerow new boundary hedging shall be planted within these gaps in accordance with the planting specification approved. If any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective before the expiry of the this temporary permission, 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. For the avoidance of doubt the bund details shown on the submitted plans are not approved as a part of this planning permission.

Reason: In the interests of the rural amenities of the locality and the amenities of the adjacent residential property.

Informatives

1. The Local Planning Authority has taken account of the following national guidance, case law development plan policies and proposals:-

Circular 04/2007
APP/L1765/A/07/2051524
APP/L1765/A/03/1110565

Winchester District Local Plan Review 2006: DP3, CE5.

Shedfield Ward Shedfield

02 Conservation

Area:

Case No: 10/01555/FUL

Ref No: W13157/09

Date Valid: 9 June 2010

Grid Ref: 455285 113385

Team: WEST **Case Officer:** Mr James Jenkison

Applicant: Mr And Mrs Whittle

Proposal: Use of land as a site for a family of travelling showmen and retention of hard standing (RETROSPECTIVE)

Location: 4 The Nurseries, Botley Road, Shedfield, Southampton, Hampshire, SO32 2HN

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 When the premises cease to be occupied by Mr. and Mrs. Whittle and their dependents living with them or at 12 May 2012, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought onto the premises in connection with the use shall be removed and the land restored to its former condition.

Reason: The development is not of a type considered suitable for permanent retention in this location and the restoration of the site following the cessation of the temporary use hereby permitted is necessary in the interests of countryside amenities. Temporary permission is considered the appropriate provision to ensure a consistent planning approach to the site given the appeal decision dated 12 May 2008 in respect of Mrs Bond's occupation of plot 1 at the site and the Council's evolving Local Development Framework which will include the identification of necessary provision for suitable sites for travelling showpeople in Winchester district.

2 Storage, maintenance, repairs and testing on the land shall be limited to equipment, rides and vehicles and any other ancillary items reasonably required in connection with or relating to the carrying out of a business as a travelling showperson by the occupants of the application site only.

Reason: To define the permission and circumstances relating to this planning permission.

3 No maintenance, repair or testing of equipment shall take place outside the hours of 09:00 to 18:00 on Mondays to Fridays; 09:00 to 13:00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of neighbouring residential amenities.

4 At no time shall the site be floodlit.

Reason: In the interests of countryside and neighbouring residential amenities.

5 At no time shall fairground sound amplification equipment be operated or tested on the site.

Reason: In the interests of countryside and neighbouring residential amenities.

6 No structure, container, vehicle, plant or equipment shall exceed a height of 5 metres above ground level when stored on the site.

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

7 Within 3 months of the date of this decision details of improvements to the surfacing of the access for a distance of 15 metres from the highway boundary, together with a programme for carrying out the works, shall be submitted to and approved in writing by the Local Planning Authority. The improvements shall be carried out in accordance with the approved details and programme.

Reason: In the interests of highways safety.

Informatives

1. The Local Planning Authority has taken account of the following national guidance, case law development plan policies and proposals:-

Circular 04/2007

Appeal decision APP/L1765/A/07/2051524

Appeal decision APP/L1765/A/03/1110565

Winchester District Local Plan Review 2006: DP3, CE5.

Otterbourne

Ward

Compton And Otterbourne

03

Conservation

Area:

Case No: 10/02208/FUL

Ref No: W07126/09

Date Valid: 2 September 2010

Grid Ref: 446572 121286

Team: EAST

Case Officer: Mrs Jane Rarok

Applicant: Mr G Cooper

Proposal: Change of use of agricultural land to private Gypsy site for one family siting of one mobile home and one touring caravan

Location: Riverside, Highbridge Road, Highbridge, Eastleigh, Hampshire, SO50 6HS

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 The use/occupation of the site hereby permitted shall be personal to the applicant, Mr George Cooper. When the premises cease to be occupied by the applicant, Mr George Cooper, the use hereby permitted shall cease and all materials, mobile homes, caravans and equipment brought on to the site in connection with the use shall be removed.

Reason: The site is situated in the countryside where new residential premises are not normally permitted.

2 Not more than one mobile home and one touring caravan, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time and these shall be located in the positions shown on the approved plans WIN/874/ID/001a, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the extent of this planning permission.

3 No commercial, industrial or retail activity shall take place on the site, including the storage of goods, materials or other items not ancillary to the residential use.

Reason: To protect neighbouring amenities and the character of the countryside.

4 The touring caravan shall only be stored on site and shall not be occupied as a separate residential unit of accommodation.

Reason: The site is situated in the countryside where new residential premises are not normally permitted.

5 At no time shall the site be floodlit.

Reason: In the interests of countryside and neighbouring residential amenities

6 The caravan shall not be used for residential purposes unless a satisfactory means of foul drainage has been provided on the site and is in operation. This shall take the form of a sealed tank cesspit unless an alternative means of foul water disposal is agreed in writing by the local planning authority. The sealed tank cesspit (or any alternative facility agreed by the local planning authority) shall be maintained in good condition at all times and emptied of waste on a regular basis.

Reason: In order to ensure protection of the special interest of the River Itchen SSSI from foul drainage.”

Informatives

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

Winchester District Local Plan Proposals: DP3, CE5

South East Plan Policies: CC1 (Sustainable Development); H1 (Housing Provision); H4 (type and size of new housing); NRM2 (Water Quality); NRM5 (Conservation and Improvement of Biodiversity); C4 (Landscape and Countryside Management); C5 (Managing the Rural-Urban Fringe).

2. 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

road which would cumulatively further detract from and erode the character, appearance and variety of this part of Swanmore.

2. 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, DP5, DP9, CE2, CE3, CE5, H3, RT4

South East Plan Policy: CC6 (Character of the Environment)

| | Swanmore | Ward | Swanmore And Newtown |
|-----------|---------------------------|--|-------------------------------------|
| 05 | Conservation Area: | | |
| | Case No: | 10/01739/FUL | |
| | Ref No: | W01898/19 | |
| | Date Valid: | 9 August 2010 | |
| | Grid Ref: | 456727 116103 | |
| | Team: | WEST | Case Officer: Mr Ian Cousins |
| | Applicant: | Mr Joe Jenkins | |
| | Proposal: | Replacement of existing dwelling with detached four bedroom dwelling | |
| | Location: | Lower Chase Farm, Lower Chase Road, Swanmore, Southampton, Hampshire, SO32 2PB | |
| | Officer | REF | |
| | Recommendation | | |
| | : | | |

Committee Decision:

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

Conditions/Reasons

1 The proposed development is contrary to Policies DP.3, CE.2, CE.3, CE.5 and CE.23 of the Winchester District Local Plan Review 2006 in that the replacement house, due to its increased height, depth, length of frontage and bulk and its unsympathetic design, would significantly change the character of the existing

dwelling and result in increased visual intrusion within the countryside and a Local Gap. As such it would fail to respond positively to the character and appearance of this rural environment.

Informatives

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

Winchester District Local Plan Review 2006: DP.3; CE.2; CE.3; CE.5; CE.23

South East Plan Policy – CC6 (Character of the Environment)

| | Kings Worthy | Ward | Kings Worthy |
|----|---------------------------|---|-------------------------------------|
| 06 | Conservation Area: | Abbots Worthy Conservation Area | |
| | Case No: | 10/00710/FUL | |
| | Ref No: | W04525/13 | |
| | Date Valid: | 7 May 2010 | |
| | Grid Ref: | 449673 132620 | |
| | Team: | EAST | Case Officer: Mr Nick Fisher |
| | Applicant: | Mr M Gardner | |
| | Proposal: | (REVISED DESCRIPTION) Erection of a new 5 bed dwelling with double garage and associated garden area; proposed new vehicular access to serve the proposed new dwelling from Mill Lane through the listed wall, with oak gates and associated restoration and repairs to the listed walls; erection of solar panels with associated free standing structure adjacent the the listed boundary wall | |
| | | Demolition of buildings attached to the main house that accommodated the child day care use; cessation of the child day care use; demolition of the coach house and ancillary buildings; formation of new access from B3047 to serve Abbots Worthy House with new driveway and associated removal of trees; closing up of the two existing entrances with solid wooden panels with pedestrian gate. | |
| | Location: | Abbots Worthy House Abbots Worthy Winchester Hampshire SO21 1DR | |
| | Officer | REF | |
| | Recommendation | | |
| | : | | |

Committee Decision:

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

Conditions/Reasons

1 The proposed development is contrary to policies H3, H4 and CE23 of the Winchester District Local Plan Review 2006 for the following reason:-

The site is located within a countryside location and the site is not considered to meet the requirements of the infilling policy. As such there is no justification to allow further residential development.

2 The proposed development is contrary to policy SF7 of the Winchester District Local Plan Review 2006 for the following reason:-

The proposal will result in the loss of a community uses / service from the site without justification.

3 The proposal is contrary to policies HE4, HE6, HE7, HE9, HE14, HE15, HE16, of the Winchester District Local Plan Review 2006 and policies contained in Planning Policy Statement 5 for the following reasons:-

The proposed creation of an access / entrance through the listed wall adjacent to Mill Lane will harm the wall which is a heritage asset that contributes towards the character and appearance of the Conservation Area. There is no good reason or wider public interest to justify the wall being breached.

The outbuildings and extensions that it is proposed to demolish are heritage assets. There is no justification in terms of public benefit to allow the demolition of these buildings

4 The proposed development is contrary to policies DP1, HE6 of the Winchester District Local Plan Review 2006 for the following reasons:-

Insufficient structural information has been supplied to demonstrate that the demolition of a section of wall is able to take place without damaging other sections of the wall. Insufficient information has been supplied has been provided regarding the required re-building work and finished appearance of the wall and associated ancillary equipment.

Informatives

1. 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, CE5, CE6, CE8, CE10, CE23, H3, H4, HE5, HE6, HE7, HE9, HE14, HE15, HE16, SF6, SF7, RT4, T1, T2, T3, T4.

South East Plan Policy – CC6 (Character of the Environment)

Kings Worthy

Ward

Kings Worthy

07 Conservation Area: Abbots Worthy - Boundary amendments 1986 and December 1998 Published August 1997
Case No: 10/00711/LBC
Ref No: W04525/14LBCA
Date Valid: 7 May 2010
Grid Ref: 449673 132620
Team: EAST **Case Officer:** Mr Nick Fisher
Applicant: Mr M Gardner
Proposal: (REVISED DESCRIPTION) Demolition of buildings that are attached to the main house that previously accommodated the children's day care centre; demolition of the coach house and ancillary buildings
Location: Abbots Worthy House, Abbots Worthy, Winchester, Hampshire, SO21 1DR
Officer Recommendation: REF
:

Committee Decision:

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

Conditions/Reasons

1 The proposed development is contrary to policies HE6 and HE7 of the Winchester District Local Plan Review 2006 and Planning Policy Statement 5: Planning for the Historic Environment for the following reason:-

In the absence of a tangible level of public benefit there is no justification for the loss of buildings considered to be historic assets. The proposal is thereby contrary to policy HE7 of the WDLPR 2006 and Government policy guidance in PPS5.

Informatives

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

Winchester District Local Plan Review 2006: DP1, DP3, DP4, CE5, CE10, HE6, HE7.

South East Plan Policy – CC6 (Character of the Environment)

| | Kings Worthy | Ward | Kings Worthy |
|-----------|-------------------------------|--|-------------------------------------|
| 08 | Conservation Area: | Abbots Worthy - Boundary amendments 1986 and December 1998 Published August 1997 | |
| | Case No: | 10/00717/LIS | |
| | Ref No: | W04525/15LB | |
| | Date Valid: | 7 May 2010 | |
| | Grid Ref: | 449673 132620 | |
| | Team: | EAST | Case Officer: Mr Nick Fisher |
| | Applicant: | Mr M Gardner | |
| | Proposal: | (REVISED DESCRIPTION) Proposed new vehicular access to serve the dwelling proposed at the site, from Mill Lane through the listed wall (constituting partial demolition) with oak gates with associated restoration and repair to the listed walls; closing up of the two existing accesses serving Abbots Worthy House with solid wooden panel with a pedestrian access | |
| | Location: | Abbots Worthy House, Abbots Worthy, Winchester, Hampshire, SO21 1DR | |
| | Officer Recommendation | REF | |
| | : | | |

Committee Decision:

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

Conditions/Reasons

1 The proposed development is contrary to policies DP1, HE6 of the Winchester District Local Plan Review 2006 for the following reasons:-

Insufficient structural information has been supplied to demonstrate that the demolition of a section of wall is able to take place without damaging other sections of the wall. Insufficient information has been supplied has been provided regarding the required re-building work and finished appearance of the wall and associated ancillary equipment.

2 The proposal is contrary to policies HE4, HE6, HE14, HE16 of the Winchester District Local Plan Review 2006 and Planning Policy Statement 5 for the following reasons:-

The proposed creation of an access / entrance through the listed wall adjacent to Mill Lane will harm the wall which is a heritage asset that contributes towards the character and appearance of the Conservation Area. There is no good reason or wider public interest to justify the wall being breached.

Informatives

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

Winchester District Local Plan Review 2006: DP1, DP3, HE4, HE6, HE14, HE16

South East Plan Policy – CC6 (Character of the Environment)

| | Shedfield | Ward | Shedfield |
|-----------|---------------------------|---|-------------------------------------|
| 09 | Conservation Area: | | |
| | Case No: | 10/01477/FUL | |
| | Ref No: | W22017 | |
| | Date Valid: | 7 June 2010 | |
| | Grid Ref: | 456202 115219 | |
| | Team: | WEST | Case Officer: Mr Simon Avery |
| | Applicant: | Mrs Ford And Mr Gibbon | |
| | Proposal: | (HOUSEHOLDER) Single storey front extension and single storey rear extension to Beechwood; single storey front extension to neighbouring property Clayton | |
| | Location: | Beechwood Chase Grove, Waltham Chase, Southampton, Hampshire, SO32 2LF | |
| | 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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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

3 The proposed ground floor windows in the east elevation of the existing house and the new extension 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.

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

South East Plan Policy – CC6. BE6

3. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, 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 Health and Housing Department, 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.

Chilcomb

Ward

Itchen Valley

10 Conservation

Area:

Case No: 10/01557/FUL

Ref No: W20421/04

Date Valid: 21 July 2010

Grid Ref: 451666 129326

Team: EAST **Case Officer:** Mr Nick Fisher

Applicant: Mr Malkeat Singh

Proposal: Demolition of existing dwelling and outbuildings and erection of replacement five bedroom detached dwelling with detached garage

Location: The Firs, Alresford Road, Winchester, Hampshire

Officer REF

Recommendation

:

Committee Decision:

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

Conditions/Reasons

1 The proposed development is contrary to policies DP3 and CE23 of the Winchester District Local Plan Review 2006 for the following reasons:

a) The proposed replacement dwelling with associated garage responds poorly to the countryside location. The proposed buildings are poorly scaled / massed, excessively large with excessive depth. The proposals will result in a prominent form of development and increased visual intrusion within an area of countryside to the detriment to the character and appearance of the area. It is considered that the replacement building does not reflect the low key character of the existing building.

b) The appearance and size of the entrance area lead to the further urbanisation of Alresford Road and will appear to be out of character with the rural appearance and nature of the area.

c) Insufficient landscaping has been proposed upon the sites boundaries to reduce the prominence of the building, this is important because the site relies upon nearby trees and planting that are not controlled by the applicant.

d) The introduction of further close board fencing upon the sites boundaries will result in increased urbanisation of the countryside.

2 The proposed development is contrary to planning policies DP1 and DP13 of the Winchester District Local Plan Review for the following reasons:

- a) Insufficient information has been provided to deal with the potential for contamination at the site, a contamination assessment is required, this is because the previous uses at the site may have contaminated the ground.
- b) Insufficient information has been provided regarding the amount of excavation and change in levels required by the development. Insufficient information has been provided regarding the relocation / use of the spoil.
- c) Insufficient information has been provided regarding the proposed site entrance and associated retaining walls, changing in levels and gates.
- d) Insufficient information has been provided regarding future landscaping at the site.

Informatives

1. 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, CE4, CE5, CE23, H3, RT4, T1, T2, T3, T4, T5,

South East Plan Policy – CC6 (Character of the Environment)
