

PLANNING DEVELOPMENT CONTROL COMMITTEE

5 April 2012

Attendance:

Councillors:

Jeffs (Chairman) (P)

Berry (P)

Clear (P)

Evans

Izard (P)

Johnston (P)

Laming

McLean

Pearce (P)

Read (P)

Ruffell (P)

Tait (P)

Deputy Members:

Councillor Wright (Standing Deputy for Councillor McLean)

Others in attendance who addressed the meeting:

Councillors Hutchison and Verney

Others in attendance who did not address the meeting:

Councillor Humby

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 8 March 2012 be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC928 refers\)](#)

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

Applications determined outside the area of the South Downs National Park:

The following item had speakers during public participation:

Item 1: Part demolition of modern extensions and garage and erection of 1 no. detached 4 bedroom dwelling at 25 Chilbolton Avenue, Winchester – Case Number 12/00125/FUL

The Head of Planning Management advised that, following the publication of the Report, a further letter of comment had been received (from Steve Brine MP) and that the references to Planning Policy Statements 1 and 3 should be removed from the Report, as these had been superseded by the National Planning Policy Framework. However, this did not change the recommendation to refuse consent.

In addition, amended plans had been received which proposed removal of a first floor window and included obscure glazing to another window on the southern elevation. This eliminated the unacceptable harm in terms of overlooking and therefore the Head of Planning Management explained that Reason for Refusal Number 2 should be deleted.

Professor Whitehouse (applicant), Mr Thomas (his architect) and Councillor Hutchison (a Ward Member) all spoke in support of the application.

In summary, Councillor Hutchison explained that the application was unusual for Chilbolton Avenue, in that it proposed the development of a single family house and because it was supported by the local community. He explained that the proposed dwelling used a similar footprint to the existing extension (which was to be demolished) and that it did not encroach towards the golf club to the rear. He also considered that the application was in compliance with the Local Area Design Statement. He did not agree with the primary reason for refusal, as he did not consider the proposed development to be cramped (unlike other recent developments in Chilbolton Avenue) and instead considered the proposed development to be a good use of the plot's large garden.

In response, the Head of Planning Management reaffirmed the view that the development was too cramped for the site, with two large houses very close to each other.

However, at the conclusion of debate, the Committee resolved to reject the recommendation to refuse as set out in the Report and, instead, grant planning permission. This was because the Committee did not agree with the reason for refusal, as it did not consider the application to be an over development of the site. Members also commented that they considered the application to be in character with the surrounding area. The Committee highlighted the similarity in the building form with the neighbouring site at Lang House, with its links between the yet to be developed villas.

In resolving to grant planning permission, subject to appropriate arrangements to secure highways and open space contributions, the Committee also delegated authority to the Head of Planning Management (in consultation with the Chairman) to set appropriate conditions to include an obscure glazed window on the southern elevation to minimise overlooking. The Head of

Planning Management would also consider whether the obscure glazed window should be non opening.

The following item had no speakers during public participation.

Item 2: Removal of existing porch and erection of timber to support solar panels at 4 Abbotts Ann Road, Winchester – Case Number 11/00459/FUL

In accordance with the Council's Constitution, this application was referred to the Committee for determination as the applicant was a Member of the City Council (Councillor Learney).

Subsequent to the publication of the Report, the Head of Planning Management explained that references to PPS1 in the Report should be removed, as it had been superseded by the National Planning Policy Framework. However, it was explained that this did not alter the recommendation in the Report to approve.

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

RESOLVED:

That the decisions taken on the Development Control Applications in relation to those applications outside the area of the South Downs National Park be agreed as set out in the Schedule which forms an appendix to the minutes, subject to the following:

- (i) That, in respect of Item 1 (25 Chilbolton Avenue, Winchester) planning permission be granted subject to appropriate arrangements to secure payment of highway and open space contributions, as the Committee did not consider the proposal to be an over development of the site. Authority was delegated to the Head of Planning Management (in consultation with the Chairman) to set appropriate conditions which should include obscure glazed window on the south elevation of the proposed dwelling to minimise overlooking which may be non opening if so advised by the Head of Planning Management.

Applications within the South Downs National Park determined on behalf of the National Park Authority:

The following items had speakers during public participation:

Item 3: Demolition of existing single storey extension and construction of new two storey extension and 2 no. canopies to the front at The White Cottage, Church Lane, Tichborne – Case Number 12/00173/SFUL

The Head of Planning Management explained that, subsequent to the publication of the Report, a further letter of support had been received. In addition, references to Planning Policy Statement 5 in the Report should be

removed as it had been superseded by the National Planning Policy Framework, but this did not alter the recommendation to refuse consent.

Mr Ottley (applicant), Mr Donohue (his agent), Mr Kilmister (Tichborne Parish Council) and Councillor Verney (Ward Member) all spoke in support of the applications (items 3 and 4, below).

In summary, Councillor Verney stated that a number of similar historic cottages had been extended in the area and that the proposals were in character. Using photographs, he also highlighted how the small cottage was incompatible with modern living, having a small twentieth century extension in poor condition and a small spare room that was accessible only via a vertical ladder. Finally, he added that the end elevation, which the Conservation Officer sought to preserve, featured a twentieth century window and that there were no public views of this elevation.

Following debate, the Committee agreed that the application should be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee (to be held on 26 April 2012) as the Committee wanted to visit the site, prior to that meeting, to better understand the internal layout of the building and the character of the surrounding area.

Item 4: Demolition of existing single storey extension and construction of new two storey extension and 2 no. canopies to the front at The White Cottage, Church Lane, Tichborne – Case Number 12/00180/SLIS

Although the Committee voted on the two applications separately, this item was considered with the above application and was therefore referred to the Planning Development Control (Viewing) Sub-Committee.

RESOLVED:

That Items 3 and 4 (The White Cottage, Church Lane, Tichborne, Alresford) be referred to a meeting of the Planning Development Control (Viewing) Sub-Committee (to be held on 26 April 2012) as the Committee wanted to visit the site, prior to that meeting, to better understand the internal layout of the building and the character of the surrounding area.

The meeting commenced at 9.30am and concluded at 12.15pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

05.04.2012

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Winchester Town

Ward

St Paul

1 Conservation

Area:

Case No: 12/00125/FUL

Ref No: W10210/07

Date Valid: 3 February 2012

Grid Ref: 446509 129774

Team: 1_NTH

Case Officer: Miss Megan Birkett

Applicant: Professor Michael Whitehouse

Proposal: Erection of 1 no. detached four bedroom dwelling with integral garage following part demolition of modern extensions plus new attached garage to South of 25 Chilbolton Avenue

Location: 25 Chilbolton Avenue, Winchester, Hampshire, SO22 5HE

Officer REF

Recommendation

:

Committee Decision:

Recommendation overturned – Application Permitted subject to:

1. A financial contribution towards public open space;
 2. An off-site contribution towards affordable housing.
- (NB both paid via an up-front payment with up-front payment form completed.)

Conditions/Reasons

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

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

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly

authorised by this permission shall, at any time, be constructed in the first floor of the south elevation(s) of the dwelling hereby permitted.

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

4 The first floor windows in the south 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 and non opening, 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.

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

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

6 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.

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

Reason: In the interests of highway safety.

8 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.

9 The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently

retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

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

10 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference WHIT/1750d written by Bill Kowalczyk of Professional Tree Services Ltd. and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

11 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 WHIT/1750d. Telephone 01962 848317.

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

12 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 848317.

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

13 No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement WHIT/1750d.

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

14 Any deviation from works prescribed or methods agreed in accordance with Method Statement WHIT/1750d 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.

15 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.

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, DP5, DP9, H3, H7, RT4, T2, T4

South East Plan 2009: CC6, H1, H4, H5, T4

2. A formal application for the connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel. 01962 858688), or www.southernwater.co.uk.

3. All building 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 bank Holidays. Where allegations of noise from such works are substantiated by Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

4. No materials should be burnt on site. Where 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.

Littleton And Harestock

Ward

Littleton And Harestock

2 Conservation

Area:

Case No: 12/00459/FUL

Ref No: W22531

Date Valid: 23 February 2012

Grid Ref: 446761 131509

Team: 1_NTH **Case Officer:** Heather Adams

Applicant: Ms Kelsie Learney

Proposal: (HOUSEHOLDER) Removal of existing porch and erection of timber frame supporting solar PV panels along the front of house

Location: 4 Abbots Ann Road, Winchester, Hampshire, SO22 6ND

Officer PER

Recommendation

:

Committee Decision:

APPROVED 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).

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

Tichborne

Ward

Cheriton And Bishops Sutton

- 3 Conservation Area:** Tichbourne Conservation Area
- Case No:** 12/00173/SFUL
- Ref No:** W16078/02
- Date Valid:** 2 February 2012
- Grid Ref:** 457050 130256
- Team:** 3_SDNP **Case Officer:** Beverley Morris
- Applicant:** Mr C Ottlley
- Proposal:** (HOUSEHOLDER) Demolition of existing single storey side extension and construction of new two storey side extension and erection of 2 no. canopies to the frontage
- Location:** The White Cottage, Church Lane, Tichborne, Alresford, Hampshire, SO24 0NA
- Officer** DEFE
- Recommendation**
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Committee Decision:

Defer for consideration by a Planning Viewing Sub Committee, who will view site on 24th April 2012, and consider the application at a meeting on 26th April 2012.

Tichborne

Ward

Cheriton And Bishops Sutton

- 4** **Conservation Area:** Tichbourne Conservation Area
- Case No:** 12/00180/SLIS
- Ref No:** W16078/03LB
- Date Valid:** 2 February 2012
- Grid Ref:** 457050 130256
- Team:** 3_SDNP **Case Officer:** Beverley Morris
- Applicant:** Mr C Ottley
- Proposal:** Demolition of existing single storey side extension and construction of new two storey side extension and erection of 2 no. canopies to the frontage (AFFECTS THE SETTING OF A LISTED BUILDING)
- Location:** The White Cottage, Church Lane, Tichborne, Alresford, Hampshire, SO24 0NA
- Officer** DEFE
- Recommendation**
:

Committee Decision:

Defer for consideration by a Planning Viewing Sub Committee, who will view site on 24th April 2012, and consider the application at a meeting on 26th April 2012.