

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**6 July 2006**

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter (P)  
Bennetts (P)  
Beveridge (P)  
Busher (P)  
de Peyer (P)  
Evans  
Huxstep (P)

Johnston (P)  
Read (P)  
Ruffell  
Saunders (P)  
Sutton (P)  
Wood (P)

Deputy Members:

Councillor Godfrey (Standing Deputy for Councillor Ruffell)  
Councillor Higgins (Standing Deputy for Councillor Evans)

Others in attendance who addressed the meeting:

Councillor Macmillan

---

1. **APOLOGIES**

Apologies were received from Councillors Evans and Ruffell.

2. **THE CONSTITUTION – UPDATE AND REVISION – PART 3 – RESPONSIBILITY OF FUNCTIONS – PLANNING DEVELOPMENT CONTROL (VIEWING) SUB COMMITTEE**

(Report PDC630 refers)

The Committee agreed to add clarification to the revision of the Constitution for the procedure for the Planning and Development Control (Viewing) Sub Committee that although Ward Members and a representative of the appropriate Parish Council were invited to attend meetings, they could not vote on the items under consideration.

In addition, in respect of the procedure for public participation at meetings of the Planning and Development Control (Viewing) Sub Committee (Appendix 2 of the report refers) it was also agreed that the public participation procedure for the main Committee be adopted at meetings of the Viewing Sub Committee. The public participation procedure was three minutes for objectors, a separate three minutes for the Parish Council and three minutes for supporters with Ward Members being able to speak for a total of five minutes per individual.

The recommendations below reflect these amendments.

It was also clarified that if a Planning Development Control Committee member was unable to attend a meeting of the Viewing Sub Committee, a deputy could be called to attend and would have full voting rights on that Sub Committee.

**RECOMMENDED:**

**THAT COUNCIL APPROVE THE REVISIONS TO THE CONSTITUTION AS SET OUT BELOW:**

4.2 Planning Development Control (Viewing) Sub Committee

To consider and determine those planning applications which the Planning Development Control Committee decides should first have a site visit by a group of members, unless Planning Development Control Committee decides when it is set up that it should specially report back to Committee.

NB: The Sub Committee is appointed to reflect either:

- (a) the political balance of the Council, or
- (b) through alternative arrangements, in accordance with a modified political balance formula approved by Planning Development Control Committee from time to time.

~~consists of the Chairman, Vice Chairman and three other Members who are appointed on an alphabetical rota basis from the membership of the Committee. A substitute Member can be called (i.e. next on the rota) provided the Committee Administrator is notified in sufficient time by the Member who cannot attend.~~

The Sub Committee should normally include the Chairman and/or the Vice Chairman and at least 3 additional Members be invited to attend, although other members of the Committee can attend and vote if they so wish **having regard to the above.**

The Ward Member(s) and a representative of the appropriate Parish Council are also invited to attend the meeting (but not vote), in addition to the applicant and/or his agent. Objectors/supporters are notified of the date of the visit, which is also advertised on site.

**RESOLVED:**

That the procedure at meetings of the Planning (Viewing) Sub Committee be approved as set out below:

1. Introduction by the Chairman.
2. Short presentation by the Director of Development on the application and the issues that need to be addressed.
3. Applicant and agent present their proposals.
4. Members of the Sub Committee ask questions of the applicant and agent and request the Director of Development to provide clarification as appropriate.

5. Those objecting to the proposals are invited to comment for a period of 3 minutes in total.
6. Parish Council representatives are invited to comment for a period of 3 minutes in total.
7. Ward Members are invited to comment for a period of 5 minutes per individual.
8. The applicant and agent have the opportunity to reply for a period of 3 minutes in total.
9. The Director of Development provides a summary and makes a recommendation.
10. The Sub Committee makes its decision, which is minuted and presented to the next ordinary meeting of the Planning Development Control Committee for information only, unless the Planning Development Control Committee has decided when it was set up that it should specially report back to Committee.

### 3. **CHAIRMAN'S ANNOUNCEMENT**

The Chairman announced that the meeting of the Committee scheduled for 15 February 2007 had been rescheduled to meet on Wednesday 21 February 2007. This was to accommodate an external booking in the Guildhall, Winchester.

### 4. **DEVELOPMENT CONTROL APPLICATIONS** (Report PDC631 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 Beveridge declared a personal (but not prejudicial) interest in respect of item 4, as he was a member of the City of Winchester Trust, which had commented on this application, and he spoke and voted thereon.

Councillor Jeffs declared a personal and prejudicial interest in respect of item 3, as he had been in discussion with the residents and the Parish Council regarding the application and also lived in close proximity to the application site. He withdrew from the meeting for consideration of this item.

Councillor Jeffs also declared a personal and prejudicial interest in respect of item 8, as he was acquainted with the applicant and had been personally involved in a past application by the applicant, and he left the meeting during consideration of this item.

Councillor Read declared a personal and prejudicial interest in respect of item 1 as he was acquainted with the applicant and he left the meeting during consideration of this item.

Councillor Wood declared a personal (but not prejudicial) interest in respect of item 5, as he was acquainted with one of the neighbours to the application site and he spoke and voted thereon.

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

Item 1. Hope Cottage, Hambledon Road, Denmead (case number 06/01299/FUL)

Mr B Gibbs, representing Denmead Parish Council and Mrs Coulter (applicant) spoke in support of the application and against the Officers' recommendation for refusal.

Following debate, the Committee agreed that it did not support the recommendation for refusal and agreed that planning permission be granted. In reaching its decision, the Committee agreed that the highway objections were not of sufficient weight to warrant refusal. There were no reported traffic accidents due to its operation and that the use of the garage for the fancy dress hire business had been in operation at the application site for nine and a half years, without prior complaint.

The Director of Development was granted delegated authority, in consultation with the Chairman, to approve detailed wording for conditions for the granting of planning permission, to include that the permission was personal to the applicant only; that the garage should be used for the hire of fancy dress costumes only and not for general A1 use; that the restriction on the fancy dress hire use should be to the garage only and to no other rooms at the premises and that, in consultation with the applicant, operational hours of use be agreed.

Item 2. 1 St Stephens Road, Winchester (case number 06/01212/FUL)

Mr A Duffin spoke in objection to the application and Mr Batho (applicant) spoke in support.

Following debate, the Committee approved the granting of planning permission subject to the inclusion of an additional condition that a porous surface should be used within the parking spaces, in order to assist in the protecting of trees on the side.

Item 3. Land at Goscombe Lane, Gundleton (case number 06/00626/FUL)

Ms L Wallace spoke in support of the application.

The Director of Development stated that one additional letter of objection had been received since the report was prepared. The reasons for objection as contained within the letter were read out to the Committee and are held on the case file.

Following debate, the Committee approved the granting of planning permission subject to condition 3 being amended to read: "there shall be no "do it yourself" or other livery undertaken on the land at anytime."; and that an additional condition be included to relate to the control of flood lighting on the site. It was also agreed that the reference to the title of the applicant made consistent throughout.

Item 4. Arbour Cottage, Upham Street, Upham (case number 06/01700/OUT)

Mr B Knights representing Upham Parish Council spoke in objection to the application and Mr I Ellis (agent) spoke in support.

The Director of Development reported that since the report was prepared, two further letters of representation had been received, one in support and one in objection. The letter in support stated in summary that the proposal was an acceptable size and in the spirit of the Village Design Statement. The letter in objection stated the proposal would be to the detriment of local surroundings and an infringement on pleasant countryside. A copy of the letters is held on the case file.

The Director continued that it had now been verified that the public open space contribution in respect of the previous refused application had not been refunded by the Council and could be used for this application. As such, a legal agreement to cover public open space would not be necessary.

Following debate, the Committee approved the recommendation to grant Outline Planning Permission as set out.

Item 5. Littlestowe, Southdown Road, Shawford (case number 06/01590/FUL)

Mr R Skipper spoke in objection to the application and Mr Jezeph (agent) spoke in support.

At the invitation of the Chairman, Councillor Macmillan, a Ward Member spoke on this item.

In summary, Councillor Macmillan stated that he had concerns over the massing and density of the proposals and its affect on the character of the area. Compton and Shawford Parish Council supported two units on the site as the present proposals represented over development. The scheme would result in properties with small gardens which was not representative of the character of Shawford in general and was particularly out of keeping with properties in Southdown Road. He also questioned the reasoning why the rear boundary to the application site had been straightened, which he stated would bring the site under half a hectare, which would have been the trigger for affordable housing to be developed on site. He also had concerns about the archaeological implications of the development. In conclusion he stated that the density and massing would set a precedent for other development in the area, particularly for those applications that were already subject to appeal.

In response, the Director of Development stated that Southdown was previously protected by EN1 Policies but since this policy was not being carried over in the new local plan and taking account of the guidance in Planning Policy Guidance Number 3, this previous policy was not now a determining factor. It was also the Officers' opinion that the bulk and massing of the proposals would not have been improved by the development of one dwelling to either side of Littlestowe. The character of development was more in keeping with Otterbourne Road, which comprised of smaller dwellings much more closely related to each other, rather than Southdown which was singular dwellings in large plots. The site area was restricted to less than half a hectare because of the presence of preserved trees and an archaeological feature (a holloway) and the density of the developable at thirty two dwellings per hectare, met PPG3 guidance. There was also no requirement for affordable housing provision given the site's area of just less than 0.17 hectares and notwithstanding this the developable area was significantly restricted by archaeology and protected trees.

The Director continued that amended plans had also been submitted to ensure that the houses on plots 3 and 4 had a gross floor area of 75m<sup>2</sup>. These amended plans had been brought to the attention of Compton and Shawford Parish Council and the Ward Members.

Following debate, the Committee approved the granting of planning permission as set out subject to the applicant entering into a legal agreement and conditions as set out.

Item 6. Byways, The Drove, Manor Road, Durley (case number 06/01749/OUT)

Mr Simpson spoke in objection to the application.

The Director of Development stated that since preparing the report, a further amended plan had been submitted to allow for additional on site parking, as required by the Highway Engineer. In addition, a further letter of objection had been received. The objector stated that they were not against the proposal, in principle, but would prefer single storey dwellings and action to control construction traffic. A copy of the letter was held on the application file. In addition, all residents of The Drove and the Parish Council had been informed that three dwellings were proposed and not two as described in the proposal description. Those parties had also been informed of the date of the Planning Development Control Meeting.

Following debate, the Committee approved the recommendation subject to the amendment of condition 9 to state that a Grampian style condition be included that The Drove (which was a private road) should be repaired to a satisfactory standard (following the implementation of the permission) and that these works be carried out before the first new dwelling was occupied.

Item 8. Land adjacent to Swan Hotel car park, Station Road, Alresford (case number 06/01628/FUL)

Mr R Atkins speaking both as an individual objector and on behalf of New Alresford Town Council spoke in objection to the application. Mr Cozens spoke in support of the application.

The Director of Development updated the meeting that, since the report was prepared, the Arboricultural Officer was concerned that there was insufficient space for the new tulip tree nearest to the housing development to grow adequately, given its proximity to the building and the second replacement tree. It was therefore recommended that this second replacement tree was omitted, as there was sufficient space for one new Tulip tree shown as plot one in the far south eastern corner to grow fully. This replacement tree would eventually compensate adequately for the amenity lost by the removal of the sycamore tree.

A new condition should therefore be added to the recommendation as follows: 'The one number Liriodendron tulipifera plot two to the left of the new access entrance is hereby not approved and shall be omitted from the development.' Reason – there is inadequate space for it to grow sufficiently in the interest of the amenities of the Conservation Area.

The Director of Development continued that the Highways Engineer had also requested that the access be splayed back by 45 degrees, however this had not been incorporated into the layout plan. However, the access arrangement was not materially different from the arrangement that the Committee had previously found acceptable. In addition, it would further reduce the space available for the replacement tree to grow which was unacceptable and would be visually detrimental to the appearance of the historic wall and the entrance to the Conservation Area.

Following debate, the Committee approved the application subject to a Section 106 Legal Agreement or Unilateral Undertaking as set out and subject to condition 5 being supplemented to include reference to an irrigation and maintenance programme to maintain the long-term viability of the Tulip tree.

In respect of items that were not subject to public participation:-

Item 7 – 37 Spring Lane, Colden Common (case number 06/01306/OUT) was granted planning permission as set out, subject to the applicant entering into legal agreements as stated.

Item 9 - Pitcot House, Pitcot Lane, Owslebury (case number 06/01846/OUT) the Director of Development updated the Committee on the following information received after the report had been published. The consultation response from the Environment Agency had stated that it had no objection in principle. A condition was recommended to require details of foul drainage to be submitted to the local planning authority for written approval prior to commencement to development. An application for a discharge consent would also be required from the Environment Agency, for any discharge of effluent to the ground of water course at the site.

The Director of Development continued that the Landscape Architect had revisited the site because the hedging had been removed from the boundaries since the initial consultation. The Landscape Architect had commented that the removal of the conifer hedging had taken place although tree species had been retained to the boundary. The Landscape Architect had no objection subject to a landscape condition being included as set out in the main report.

Following debate, the Committee approved the application subject to the inclusion of a legal agreement requiring the making of a public open space payment through the open space funding system.

RESOLVED:

1. That the decisions taken on the development control applications, as set out in the schedule which forms an appendix to the minutes, be agreed.
2. That in respect of item 1. Hope Cottage, Hambleton Road, Denmead, the Director of Development be granted delegated authority, in consultation with the Chairman, to approve detailed wording for conditions for the granting of planning permission, to include that the permission was personal to the applicant only; that the garage should be used for the hire of fancy dress costumes only and not general A1 use; that the restriction on the fancy dress hire use should be to the garage only and to no other rooms at the premises and that, in consultation with the applicant, operational hours of use be agreed.

The meeting commenced at 9.30am, adjourned for lunch at 12.40pm, recommenced at 1.30pm and concluded at 4.35pm.

Chairman