

PLANNING DEVELOPMENT CONTROL COMMITTEE

22 May 2003

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter
Bennetts (P)
Beveridge (P)
Davies (P)
de Peyer (P)
Evans (P)
Hammerton (P)
Hatch (P)

Johnston (P)
Nunn (P)
Pearce (P)
Pearson (P)
Read (P)
Sutton (P)
Tait (P)

Deputy Members:

Councillor Jeffs (Standing Deputy for Councillor Baxter)

51. **APPOINTMENT OF VICE CHAIRMAN**

RESOLVED:

That Councillor Sutton be appointed Vice Chairman of the Committee for the 2003/2004 Municipal Year.

52. **DATE AND TIME OF MEETING**

RESOLVED:

That meetings of the Committee keep to the pre-published calendar, with meetings on single days to commence at 10.00am and on two consecutive days to commence at 2.00pm.

53. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**

(Report PDC304 refers)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 14 April 2003 (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 14 April 2003 be received.

54. **9 ALBANY DRIVE, BISHOPS WALTHAM**
(Report PDC309 refers)

The Director of Development Services requested that consideration of this application be deferred due to an administrative error in notifying neighbours of the opportunity to speak on the application. This item would now be considered at the Committee's next meeting.

The Committee also agreed that a report be submitted to the Environment and Access Performance Improvement Committee to propose an administrative procedure for deferred items for its consideration and action.

RESOLVED:

That the above item be deferred until the next meeting of the Committee and that the Environment and Access Performance Improvement Committee give consideration to the introduction of a procedure for deferred items.

55. **1 ASHTON COTTAGES, ASHTON LANE, BISHOPS WALTHAM**
(Report PDC311 refers)

Councillors Busher and Hammerton both declared a personal and prejudicial interest in this item as they both personally knew the person named in the report and both Members left the meeting during its consideration. The Vice Chairman, Councillor Sutton, took the chair for this item. In considering this item, the Committee passed a resolution to consider the item under exempt business in order that the personal circumstances relating to the potential applicant could be explained.

In explaining the personal circumstances relating to the applicants, the City Secretary and Solicitor advised the Committee that if the resolution as proposed was agreed by the Committee, then any planning application that was submitted for the use of the annexe as an independent dwelling personal to Mr and Mrs Blunt only could have conditions attached to safe-guard the Council's position.

After taking into account the comments made by the City Secretary and Solicitor the Committee agreed the resolution as set out.

RESOLVED:

That the officers be authorised to invite the submission of a planning application for the use of the annex as an independent dwelling personal to Mr and Mrs Blunt only.

56. **EMERGENCY TREE PRESEVATION ORDERS**
(Report PDC317 refers)

RESOLVED:

That the making of Tree Preservation Orders to protect trees of amenity value in respect of TPO 1785, 1786, 1787, 1788, 1789 and 1790 be noted.

57. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB COMMITTEE**

(Report PDC318 refers)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 12 May 2003 (attached as Appendix E to the minutes).

The Director of Development Services stated that in respect of the application at Woodhams Farm, Springvale Road, Kings Worthy, further letters of representation had been received that commented on visual intrusion and health concerns. It was explained that these factors had been taken into consideration by the Sub-Committee in reaching its decision to refuse the application.

Similarly, with respect to the application at Raglington Farm, Botley Road, Shedfield, two further written representations had been received including one from the Shedfield Society, who were also represented on site, and whose comments were taken into consideration by the Sub-Committee in reaching its decision. These representations had raised no new material issues that had not been taken into consideration by the Sub-Committee in reaching its decision to grant the application.

RESOLVED:

That the above information be noted and that the minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 12 May 2003 be received.

58. **PLANNING DEVELOPMENT CONTROL (LONGACRE, COMPTON DOWN) SUB COMMITTEE**

(Report PDC313 refers)

The Committee considered the minutes of the Planning Development Control (Longacre, Compton Down) Sub Committee held on 29 April 2003 (attached as Appendix C to the minutes).

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Longacre, Compton Down) Sub Committee held on 29 April 2003 be approved and adopted.

59. **PLANNING DEVELOPMENT CONTROL (VIEWING) SUB COMMITTEE**

(Report PDC314 refers)

The Committee considered the minutes of the Planning Development Control (Viewing) Sub Committee held on 6 May 2003 (attached as Appendix D to the minutes).

These Minutes were considered with items 14, 15 and 16 of the Development Control Applications report (Report PDC315 post refers).

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Viewing) Sub Committee held on 6 May 2003 be approved and adopted.

60. **APPLICATION FOR CERTIFICATE OF APPROPRIATE ALTERNATIVE DEVELOPMENT, LAND AT PONDSIDE LANE, BISHOPS WALTHAM**

(Report PDC307 refers)

RESOLVED:

That a certificate of appropriate alternative development be refused in respect of the residential development of the site.

61. **INSERTION OF WINDOWS (RETROSPECTIVE) IN REPLACEMENT STORE AND GARAGE AT ELMS HOUSE, FINCHES LANE, TWYFORD (REFERENCE W4336/10)**

(Report PDC310 refers)

The Director of Development Services requested that consideration of this application be deferred due to an administrative error in notifying neighbours of the opportunity to speak on the application. This item would now be considered at the Committee's next meeting.

RESOLVED:

That the above item be deferred until the next meeting of the Committee.

62. **PLANNING DEVELOPMENT CONTROL (HUMPHREY HOLDINGS, TWYFORD) SUB COMMITTEE**

(Report PDC308 refers)

The Committee considered the minutes of the Planning Development Control (Humphrey Holdings, Twyford) Sub Committee held on the 15 April 2003 (attached as Appendix B to the minutes).

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Humphrey Holdings, Twyford) Sub Committee held on 15 April 2003 be received.

63. **PLANNING APPEALS – SUMMARY OF DECISIONS**

(Report PDC306 refers)

RESOLVED:

That the report be noted.

64. **APPOINTMENT OF SUB COMMITTEES AND REPRESENTATIVES 2003/2004**

(Report PDC305 refers)

In making its appointments, the Committee agreed that it would be of benefit to appoint a permanent Chairman and Vice-Chairman of the Telecommunications Sub-Committee to assist in developing an area of expertise in this important area of the Council's work.

It was also agreed not to re-appoint the Bushfield Camp Sub-Committee as it had been indicated by the Director of Community Services that a meeting would not be required in the near future and that any significant issues would be taken directly to

Cabinet. It was also agreed not to re-appoint the St Cross and Whiteley Sub-Committees, but instead to appoint Sub-Committees to deal with any specific applications in those areas as required.

Arising out of the consideration of the appointment of Sub-Committees, the Committee also requested that the Environment and Access Performance Improvement Committee give consideration to the criteria to be taken into account in deciding whether a Sub-Committee should be appointed to deal with a specific application.

RESOLVED:

1. That the following Sub Committees be not reappointed:

- (a) The Dean, Alresford
- (b) Salters Lane, Winchester
- (c) Humphrey Holdings, Twyford
- (d) Longacre, Compton
- (e) Wallops Wood, Hambledon
- (f) Bushfield Camp
- (g) St Cross

2. The terms of reference of the bodies to be reappointed be confirmed as set out in report.

3. That the following appointments be made:

- (a) Viewing Sub Committee

That the continuation of the arrangements for covering meetings of the Viewing Sub Committee be agreed.

- (b) Knowle Hospital Sub-Committee

<u>Lib Dem</u>	<u>Con</u>	<u>Lab</u>	<u>Indep</u>
(5)	(2)	(1)	(1)
Bennetts, Evans, Hatch, Sutton	Clohosey, Read, Pearson	Davies	Busher
Deputy: Beveridge	Deputy: Baxter	Deputy: de Peyer	Deputy: Hammerton

- (c) Telecommunications Sub Committee

That the continuation of the arrangements for covering meetings of the Telecommunications Sub Committee be agreed and that Councillor Bennetts be appointed Chairman and Councillor Baxter Vice Chairman for the 2003/2004 Municipal Year.

- (d) East Hampshire AONB – Joint Advisory Committee

Councillor Cook (Portfolio Holder for Environment, Economy and Development)

(e) Stockbridge Oilfield Liaison Panel

Councillor Johnston

4. That the Environment and Access Performance Improvement Committee give consideration to the criteria to be taken into account in deciding whether the appointment of a Sub-Committee is necessary to consider an application.

65. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC315 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

Councillors Beveridge and Davies declared personal (but not prejudicial) interests in respect of items 1, 10, 11, 12, 13, 14, 15 and 16 as they were Members of the Winchester City Trust, which had commented on these applications and they spoke and voted thereon.

Councillor Evans declared a personal (but not prejudicial) interest in items 17 and 19 as she was a Wickham Parish Councillor. The Parish Council had objected to these items but she had taken no part in this objection; therefore she spoke and voted thereon. Councillor Hatch also declared a personal (but not prejudicial) interest in items 17 and 19 as she was a Whiteley Parish Councillor and she spoke and voted thereon.

Councillor de Peyer declared a personal and prejudicial interest in respect of items 14, 15 and 16 as he was a nearby resident, and left the meeting during consideration of these items.

Councillors Busher and Hammerton both declared a personal and prejudicial interest in respect of item 5 - Barclays Bank Plc, The Square, Bishops Waltham and left the meeting during its consideration. Councillor Sutton, Vice-Chairman, took the Chair for consideration of this item.

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

In respect of item 1 – Enniskerry, Sleepers Hill, Winchester, the Committee noted that this item had been deferred to allow additional information to be supplied by the applicant relating to car parking and landscape issues to be properly assessed and submitted in writing for consideration by the Committee.

In respect of item 2 – Meadow Suite, School Lane, Denmead, Mr Trickett spoke in support of the officers' recommendation for refusal, and Mr C Mitra, agent, spoke against. Following debate, the Committee supported the officers' recommendation for refusal.

In respect of item 7 – Kiln Copse Vineyard, Lodge Hill, Newtown, Fareham, Councillor Coates spoke on behalf of Soberton Parish Council against the application and Mr Ward, the agent, spoke in support. Following debate, the Committee agreed the application as set out.

In respect of item 10 – Willis Pianos, 24 North Walls, Winchester, Councillor Nelmes, a Ward Member, addressed the meeting at the invitation of the Chairman. In summary, Councillor Nelmes stated that she appreciated the design of the proposed dwellings to the rear of 24 North Walls, Winchester, and that their development would not effect any future development on the adjoining St Peter Street car park. Neighbouring residents in North Walls had been concerned at the possibility of overlooking, but the internal design of the properties had been demonstrated to show that overlooking would not pose a problem as the windows on the eastern elevation were at a high level and would not provide the possibility of overlooking. However, she was concerned at the height of the proposed dwellings, which would reduce sunlight to the rear gardens of adjoining properties. She suggested that the properties be reduced from 3 bedroom to 2 bedroom dwellings in order that the top bedroom could be removed and the height of the dwellings reduced.

In considering the representations of Councillor Nelmes, the Committee recognised that the loss of light was a material planning consideration and agreed that the application be deferred to allow this additional information to be received from the architect demonstrating the effect of the proposals on the loss of light to neighbouring properties, to include measurement and photographs, and that the possibility of archaeology finds be further explored with the Council's Archaeological Officer.

In respect of item 11 – 10 Back Street, Winchester, Mrs Harding spoke in support of the application and against the officers' recommendation for refusal. Following debate, the Committee supported the officers' recommendation for refusal.

In respect of item 13 – Princess Court, St Peter Street, Winchester, Mrs Mundy, representing the Princess Court Residents Group Ltd, spoke in support of the application and against the Officers' recommendation for refusal. Following debate, the Committee supported the Officers' recommendation for refusal as set out.

In respect of item 14 and 16 – Rosenheim, 42 St Cross Road, Winchester and item 15 – 64 Edgar Road, Winchester, these items were considered in association with the minutes of the Viewing Sub-Committee meeting held on 6 May 2003 (Report PDC314 refers). The Director of Development Services explained that the Viewing Sub-Committee had requested that its comments be taken into consideration in continued negotiation with the applicant on the application. However, the applicant was not willing to amend the application as submitted. Following consideration, the Committee agreed to approve the application under item 15 – Two storey side extension, 64 Edgar Road, Winchester, and agreed to defer items 14 – Detached double garage with studio flat over, Rosenheim, 42 St Cross Road, Winchester and item 16 – (amended description) Detached 5-bedroom dwelling with integral garage and new access, Rosenheim, 42 St Cross Road, Winchester, in order that reasons for refusal could be brought to its next meeting.

Arising out of consideration of item 17 – Whiteley Farm, Whiteley Lane, Burridge, Southampton, the Committee requested the Director of Development Services to inform all Members of the possibility of securing progress on the provision of improvements to the infrastructure serving Whiteley.

In addition, in respect of item 19 – Land at Solent 2 Business Park, Rookery Avenue, Whiteley, it was requested that the Committee's dissatisfaction with progress on the Section 106 Legal Agreement be relayed to Hampshire County Council.

In respect of item 20 – Land at Long Park Lane, Crawley, Mr Pape spoke against the application and Mrs Yaldren spoke in support. During consideration of this item and following Members' questions, it was noted that points of clarification arising from the Committee could not be answered, as no scale drawings were available to accompany the application. It was therefore agreed that the application be deferred in order that scale drawings could be received from the applicant to allow the Committee to properly assess the application.

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 item 1 be deferred to allow the officers to prepare in writing details of the Officer's response to issues on the site regarding car parking and landscaping.

3. That in respect of item 7 a condition be included that it be essential that the materials are to match those of the existing property.

4. That item 10 be deferred to allow measurements and photographs to be taken to demonstrate the effect of the proposals on loss of light to the rear gardens of neighbouring properties.

5. That items 14 and 16 be deferred for reasons for refusal to be brought to the Committee's next meeting.

6. That item 20 be deferred in order that scale drawings can be obtained from the applicant.

7. That the Director of Development Services inform all Members on possible ways to proceed to improve the infrastructure at Whiteley.

8. That in respect of item 19 the Director of Development Services write to Hampshire County Council informing them of the Committee's dissatisfaction over the progress towards the completion of the Section 106 Agreement attached to the outline application.

66. **EXEMPT BUSINESS**

RESOLVED:

That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
67	1 Ashton Cottages, Ashton Lane, Bishops Waltham	Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:- (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or are in contemplation). (Para 12 to Schedule 12A refers).

67. **1 ASHTON COTTAGES, ASHTON LANE, BISHOPS WALTHAM**
(Report PDC311 refers)

The Committee received information from the City Secretary and Solicitor relating to the personal circumstances of Mr and Mrs Blunt. Details are set out in Minute 55 relating to this item.

The meeting commenced at 10.00 am and concluded at 3.50 pm

G Busher
Chairman