

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**24 July 2003**

Attendance:

Councillors:

Busher (Chairman) (P)

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

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

Others in attendance:

Councillors Bailey, Cook, Mather and Macmillan

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269. **MEMBERSHIP OF SUB-COMMITTEES ETC**

RESOLVED:

1. That a Planning (Northgate House, Staple Gardens, Winchester) Sub-Committee be established to consider and recommend to the Planning Development Control Committee on the planning application at Northgate House, Staple Gardens, Winchester, and that the following Councillors be appointed to serve thereon for the 2003/04 Municipal Year:

<u>Lib Dem</u>	<u>Conservative</u>	<u>Labour</u>	<u>Independent</u>
(5)	(2)	(1)	(1)
Councillors: Beveridge Johnson Nunn Pearce and Sutton Deputy: Evans	Councillors: Baxter and Read Deputy: Tait	Councillor: Davies Deputy: de Peyer	Councillor: Busher Deputy: Hammerton

2. That a Planning (Antrim House, St Cross) Sub-Committee be established with terms of reference to consider and recommend to the Planning Development Control Committee on the planning application at Antrim House, St Cross, Winchester, and that the following Councillors be appointed to serve thereon for the 2003/04 Municipal Year:

<u>Lib Dem</u>	<u>Conservative</u>	<u>Labour</u>	<u>Independent</u>
(5) Councillors: Bennetts Evans Johnson Nunn and Sutton Deputy: Pearce	(2) Councillors: Pearson and Tait Deputy: Read	(1) Councillor: de Peyer Deputy: Davies	(1) Councillor: Busher Deputy: Hammerton

270. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 24 April 2003 numbered 1128 – 1138, 22 May 2003 numbered 51 – 67 and 18 June 2003 numbered 121 – 129 be approved and adopted.

271. **INSERTION OF WINDOWS (RETROSPECTIVE) AS AN AMENDMENT TO REPLACEMENT STORE AND GARAGE AT ELMS HOUSE, FINCHES LANE, TWYFORD – APPROVED UNDER REFERENCE W4336/10**  
(Report PDC323 refers)

At the meeting of the Committee held on 18 June 2003, this item was deferred for possible reasons for refusal to be brought to Committee. However, after reconsideration, the Committee agreed to approve the application as set out below.

RESOLVED:

That subject to the other matters set out in the original recommendation, the amendment be approved as detailed in the schedule of development control decisions, which is circulated separately and forms an appendix to the minutes.

272. **PLANNING APPEALS – SUMMARY OF DECISIONS**  
(Report PDC324 refers)

Members commented that it was important that the Committee was kept informed of the reasons why the Council had not been successful at planning appeals to see if there were any lessons that could be learned for the future.

RESOLVED:

That the report be noted.

273. **EMERGENCY TREE PRESERVATION ORDERS**  
(Report PDC328 refers)

RESOLVED:

That the report be noted.

274. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB COMMITTEE**  
(Report PDC325 refers)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub-Committee held on 12 June 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 12 June 2003 be received.

275. **REDEVELOPMENT OF LONGACRE, HURDLE WAY, COMPTON DOWN – REFERENCE W11420/04**  
(Report PDC329 refers)

To assist in their consideration of the report, Members of the Committee had been supplied with minutes of the meeting of the Planning Development Control (Longacre, Hurdle Way, Compton Down) Sub-Committee meeting which was held on 29 April 2003 (minute 58 of the meeting of the Committee held on 22 May 2003 and Report PDC313 refers, as amended at the meeting of the Committee held on 18 June 2003 – Minute 121 refers). In addition, with the permission of the Chairman, the Director of Development Services circulated at the meeting a revised recommendation in respect of this application.

At the invitation of the Chairman, a Ward Member, Councillor Bailey, spoke on this item. In summary, she stated that the application was of great local concern. She asked the Committee to consider if there were possible other reasons for refusal that could supplement those submitted by the Officers to the meeting. The density of the application was too great for the area and its height and mass would be a significant impact compared with surrounding buildings. This was a 3-storey development, with the third storey in the roof, which was not replicated in surrounding buildings. There was concern at the safety of the road access both in terms of vehicular movement and pedestrian safety. There were policy concerns as Policy EN1 applied but did not seem to have been given sufficient weight in the Officer's consideration. The higher density proposed would affect the character of the local area.

At the invitation of the Chairman, another Ward Member, Councillor Macmillan, continued in summary that the recommendation for refusal should also take into consideration the effects on character and sustainability. He urged the Committee to consider a recent appeal case at Maudley Lodge, which was similar to the Longacre application, and had been refused on the grounds of the application not being sustainable. There were points from this appeal decision that were relevant to this application. Planning policies were for guidance and not direction and the Council should not concentrate on too strict an interpretation in its consideration. Again, he asked that in addition to the reasons for refusal

concentrating on highways and open space, additional reasons for refusal regarding character and sustainability should be included.

In the public participation part of the meeting, Mr P Airey and Mr G Beckett (Chairman of Compton & Shawford Parish Council) spoke against the application and Mr Crooks, agent, spoke in support.

After detailed consideration, the Committee supported additional reasons for refusal. These were based on the impact on the character of the area due to the proposals' mass, size and height, that would not harmonise with its surroundings, creating an adverse affect on the character of the locality in terms of Policy EN13. In addition, the site was unsustainable in that it would generate a disproportionate number of car journeys due to its distance to the main Otterbourne Road from Hurdle Way. It was agreed that the precise wording for the reasons for refusal be delegated to the Director of Development Services in consultation with the Chairman and Vice-Chairman of the Committee.

**RESOLVED:**

That had an appeal for non determination not been lodged with the Planning Inspectorate, the City Council would have refused planning permission for the following reasons:-

1. The proposal is contrary to Policy T5 of the Hampshire County Structure Plan and Policy T9 of the Winchester District Local Plan in that:

(i) Hurdle Way is unsuitable in its present condition to take the type and amount of traffic likely to be generated by the proposal;

(ii) The road leading to and from the site has a sub-standard junction with Otterbourne Road, which has inadequate visibility splays to accommodate safely the additional traffic which the proposed development would generate.

2. The proposal is contrary to Policy R2 of the Hampshire County Structure Plan (Review) and Policy RT3 of the Winchester District Local Plan 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. The proposal would also be likely to prejudice Policy RT3 of the Emerging Winchester District Local Plan (Review), in that it would undermine this Plan's policies for recreational open space provision within the district.

3. The proposed development is contrary to Policy H8 of the Hampshire County Structure Plan 1996 – 2011 (Review), Proposal H5 of the Winchester District Local Plan, and the emerging policies of the Winchester District Local Plan Review Deposit and Revised Deposit in that it fails to make adequate provision for affordable housing. The proposal would, therefore, conflict with the housing strategies of these plans.

4. That additional reasons for refusal relating to the impact on the character of the area and that the proposals are unsustainable, be delegated to the Director of Development Services to agree in consultation with the Chairman and Vice-Chairman of the Committee.

276. **PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**  
(Report PDC327 refers)

The Committee considered the minutes of the Planning Development Control (Viewing) Sub-Committee held on 2 July 2003 (attached as Appendix B to the minutes).

Councillor Johnston declared a personal and prejudicial interest in this item as he lived in Bentley Close and his wife had objected to the application. He left the meeting during its consideration.

With the consent of the Chairman, the Director of Development Services circulated at the meeting details of amended plans which had been received by the Council. In summary, these plans had addressed a number of issues that had arisen at the Viewing Sub-Committee.

The garage backing onto 15 Bentley Close had been removed and a boundary wall would now separate the development from this property with open parking provided at this point. A detailed landscape scheme had been received, including details of reinforced planting at the boundary with No. 12 Bentley Close, and positioning of specimen trees to replace those to be removed from the site. In addition, a Drainage Engineer had been consulted and was satisfied that the percolation of water from the site would not cause a problem as a soakaway by means of concrete ring chambers would be installed beneath the access road. Car parking was to County standards and the City Secretary and Solicitor had advised that the covenant on the land was not something that could be considered as a material planning consideration. In terms of the site's relationship with 12 Bentley Close, units 9 and 10 were set lower and a cross-section showing this relationship had now been received. The proposals also address the potential for overlooking. The Officers' recommendation was to approve the application as circulated at the Committee by means of an amended recommendation.

In the public participation part of this meeting, Mr Drew spoke against the application, and Mr Bendall spoke in support.

At the invitation of the Chairman, Councillor Cook stated that he was speaking on behalf of a Ward Member, Councillor Hutton, who was unwell and could not attend the meeting. In summary, he stated that Councillor Hutton observed that the application before Members bore little difference to the one that was refused under delegated authority as being out of character. The incorporation of 2-storey flats to the front of the development was similar to those refused previously and there was concern that foundations would be exposed as part of the development. In response, the Director of Development Services explained to the Committee the differences between this application and the previously refused one. The positioning and form of the flats, adjacent to number 15, had been modified to lessen the impact on the neighbouring property, boundary treatment along Bentley Close had been changed, good quality materials had been incorporated on the roofs, the pair of semi-detached houses had been realigned to improve the enclosure of the courtyard effect and the design of the semi-detached bungalows has been amended to be more attractive. The Director added that, although the removal of the garage would improve the amenity of the neighbour, in terms of design, there would be some adverse affect as there would be some reduction in the enclosure of the courtyard.

After consideration of the amended plans and the points raised during debate, the Committee agreed to approve the application as set out in the amended recommendation.

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Viewing) Sub-Committee held on 2 July 2003 be received and that the decision taken on the development control application, as set out in the schedule which forms an appendix to the minutes, be agreed.

277. **DEVELOPMENT CONTROL APPLICATIONS**  
(Report PDC326 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 items 3, 5, 6 and 8 as he was a Member of the Winchester City Trust, which had commented on these applications, and he spoke and voted thereon. In addition, items 5 and 6 related to the Winchester Housing Group, of which he was a Member, and he declared a personal (but not prejudicial) interest in these items and spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in respect of items 3, 5, 6, 8, 22, 26, and 29 as he was a Member of the City of Winchester Trust which had commented on these applications and he spoke and voted thereon, except in the cases of items 5 and 6 where Councillor Davies was also on the Board of the Winchester Housing Group and in respect of these items he declared a personal and prejudicial interest and left the meeting during their consideration.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of item 4 and withdrew from the meeting and spoke on this item as a Ward Member and did not vote thereon.

Councillor Johnston declared a personal and prejudicial interest in respect of item 24 as he was a nearby resident and his wife had objected to the application, and he withdrew from the meeting during its consideration.

Councillor Sutton declared a personal (but not prejudicial) interest in respect of item 19 as she had received correspondence from the applicant and had visited the application site and spoke in favour of the application and did not vote thereon.

In respect of item 21, Mr J Hearn, Planning Team Leader, declared a personal and prejudicial interest in this item as he was acquainted with the applicant, and left the meeting during its consideration.

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

In respect of item 3 – 37 Christchurch Road, Winchester, Mr Jordan spoke against the application and Mr H Thomas spoke in support. At the invitation of the Chairman, a Ward Member, Councillor Mather, spoke on this item. In summary, she stated that she had concerns at the Officer's report in that the proposals would affect the character of the area, which was of substantial houses

in large mature gardens. She referred to the Winchester Trust's Paper on PPG3 which referred to the quality of the neighbourhood being improved by PPG3 proposals, but this was a large 5-bed dwelling which was crammed in and would alter the character of the area. She also referred to the loss of light to No. 37 by the proposals and that the issue of height of the new dwelling was not reflected in the plans. After taking these points into consideration and following debate, the Committee agreed the application as set out.

In respect of items 5 and 6 – Parchment Street Project, 9a Parchment Street, Winchester, Mr Pullen and Mr Baker spoke in objection to the application and Mr Butler representing the Winchester Housing Group spoke in support. To assist the Committee in its assessment of the application, the City Secretary and Solicitor advised that, on the issues of right of way, it was for the relevant parties to come to an agreement at the time of conveyancing, but this would not prevent the granting of the application if agreed by Committee. After consideration, in agreeing the application, the Committee asked that an informative be included that a domestic sprinkler system should be utilised.

In respect of items 10 and 11 – Warden Lodge, Winchester Road, Bishops Waltham, Mr Garrett spoke against the application on behalf of the Highfield Court Residents Association. Following debate, the Committee agreed to approve the application as set out.

In respect of item 15 – land adjacent to Cherrydene, High Street, Shirrell Heath, Southampton, Mr Hillier spoke in support of the application and against the recommendation that the application would have been refused had an appeal not been lodged for non-determination. The Committee supported the reason for refusal as set out.

In respect of item 16 – April Cottage, Chapel Road, Swanmore, Mr Pavey spoke against the application. Following debate, the Committee approved the application as set out.

In respect of item 17 – land at Long Park Lane, Crawley, Mr Summer spoke against the application. In agreeing the application, the Committee requested that a condition be included that materials should be stored in a specific and specified area of the site, away from neighbouring properties, and that authority be delegated to the Director of Development Services in consultation with the Chairman to agree a condition with the Highway Authority on access.

In respect of item 21 – 60 Lovedon Lane, Kings Worthy, Miss Rose spoke against the application. In agreeing the application, the Committee agreed that an informative be included that, during the building period, no materials should be stored outside of the site.

In respect of item 22 – 4 Chilbolton Mews, 19 Chilbolton Avenue, Winchester, Mr Adams spoke against the application and Mr Martin spoke in support. Following debate, the Committee agreed the application as set out.

In respect of item 23 – 18 Larch Close, Kings Worthy, Mr Williams spoke against the application, and Mr Trollope spoke in support. In agreeing the application, it was noted that the applicant would liaise with the objector to agree the detail of a top fanlight window to the obscure glazed bathroom window to their mutual agreement and to the satisfaction of the Local Planning Authority.

In respect of item 25 – Pondside Farmhouse, New Road, Meonstoke, Ms S Walker spoke against the application. Following debate, the Committee agreed to defer consideration to its next meeting in order that possible reasons for refusal could be considered.

In respect of item 27 – 29/31 Broad Street, Alresford, Mr Atkins, Vice-Chairman of New Alresford Town Council, spoke in support of the application. At the invitation of the Chairman, a Ward Member, Councillor Cook, spoke on this item. In summary, Councillor Cook stated that an inappropriate cement render had been removed by the applicant, and a retrospective application had now been submitted to regularise this situation. He referred to historical circumstances that had led to today's situation, including the 1784 Brick Tax, which had led to a number of buildings being rendered at that time to avoid paying tax. 29/31 Broad Street could be dated to approximately 1684 pre-dated this tax and was most probably therefore exposed brickwork for the first 100 years of its existence. The building was listed in 1955 and this listing had been done in haste, and contained a number of inaccuracies. This included cement rendering which does not breathe and can cause buckling and cracking to the underlying structure, and requires removal. The Officer's recommendation that a lime-based render should now be used was inaccurate as it was not in place at the time of listing. A number of local people also thought that the removal of the cement rendering had resulted in an improvement in appearance in the conservation area. He requested that a common sense approach be taken and that there should be no doubt before the Officer's recommendation was endorsed. After detailed consideration, including questioning of the Council's Conservation Officer, the Committee agreed to accept the Officers' recommendation and to refuse the application as set out.

In consideration of items not subject to public participation, the Director of Development Services stated that in respect of item 8 – 14 Arthur Road, Winchester, the schedule should be denoted by a "D" and not an "O" as, in fact, only one representation had been made and the application was before Committee because it had been submitted by an Officer of the Council.

In respect of items 12, 13 and 14, the Committee noted that a supplementary agenda had been submitted to the meeting with the minutes of the Planning Development (Knowle Hospital) Sub-Committee meeting held on 13 June 2003 (Report PDC330 refers). However, because negotiations were continuing, this item and consideration of the Sub-Committee minutes stood deferred to the Committee's next meeting.

In respect of item 26 – Hazemount, Park Road, Winchester, it was agreed that an additional condition be added to protect trees during the construction period.

In respect of item 28 – Marwell Manor Grain Store, Thompsons Lane, Owslebury, it was agreed to grant temporary permission as set out subject to Condition 1 being amended to grant permission for a limited period expiring on 31 July 2005 rather than 2006 as set out in the report.

In respect of item 29 – land adjacent to 16 Sheridan Close, Winchester, the Committee agreed that a Viewing Sub-Committee should visit the site in order that issues relating to possible over-development of the site, the assessment of gradients, parking issues, and access for emergency vehicles could be assessed on site and recommendations made to the next Committee. It was agreed that the Viewing Sub-Committee should visit the site on Tuesday, 5 August 2003 at 9.30am and that Councillors Busher, Sutton, de Peyer, Johnston and Nunn be appointed to attend.



In respect of item 4 – land adjacent to Beuna Vista, The Lakes, Swanmore, the Committee considered this report in conjunction with an exempt appendix. Councillor Pearson left the body of the meeting and addressed the Committee as a Ward Member for this item. Councillor Pearson submitted a written detailed presentation to the Committee for their information which, in summary, referred to the provision for permanent facilities for gypsy families within the County, the quality of the access road and footpath to the site, the actions taken by the applicant in terms of installing hardstandings for the provision of mobile homes on the site, and arguments about sustainability and intensive use of the site, together with the applicant's local connections. He added that also to be taken into consideration was the site's location within open countryside and the Local Gap designed to stop settlements merging and the adequacy of the access road and the provision of alternative sites. The Committee considered the detail of this application during exempt session. In reaching its conclusion, the Committee agreed to refuse the application as set out.

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 29, the Planning (Viewing) Sub-Committee visit the application site on Tuesday, 5 August 2003 at 9.30am and that Councillors Busher, Sutton, de Peyer, Johnson and Nunn be appointed to serve thereon.

3. That in respect of item 17, authority be delegated to the Director of Development Services in consultation with the Chairman to agree the wording of a condition acceptable in highway terms regarding the access.

4. That item 25 be deferred for possible reasons for refusal to be brought back to the Committee's next meeting.

5. That items 12, 13 and 14 be deferred for negotiations to continue with the applicant and that the items be re-considered at the Committee's next meeting, together with the minutes of the Knowle Hospital Sub-Committee held on 13 June 2003.

278. **PLANNING DEVELOPMENT CONTROL (KNOWLE HOSPITAL) SUB-COMMITTEE**  
(Report PDC330 refers)

RESOLVED:

That consideration of the minutes of the meeting of the Knowle Hospital Sub-Committee held on 13 June 2003 be deferred to the next meeting of the Committee, as negotiations were continuing with the applicant.

279. **MRS ANNA BUDGE**

The Committee were informed that this would be the last meeting that Mrs Budge, Planning Officer, would be attending as she would shortly commence employment with a Planning Agency. On behalf of the Committee, the Chairman thanked Mrs Budge for her work on behalf of the Authority and forwarded the Committee's best wishes for the future. In reply, Mrs Budge thanked the Committee for her time at Winchester.

280. **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>
281 & 282	Land adjoining The Lakes, Swanmore	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).

281. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC326 refers)

The Committee considered the exempt appendix to the Development Control schedule which discussed the detail of the application relating to item 4 – land adjoining The Lakes, Swanmore (detail in exempt minute).

The meeting commenced at 10.00am and concluded at 7.55pm