

PLANNING DEVELOPMENT CONTROL COMMITTEE

20 December 2005

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)
Bennetts (P)
Beveridge (P)
Chapman (P)
Davies (P)
Evans (P)
Jeffer

Johnston (P)
Mitchell (P)
Pearce
Pearson (P)
Read
Saunders (P)
Sutton (P)

Deputy Members:

Councillor Lipscomb (Standing Deputy for Councillor Read)

Others in attendance who addressed the meeting:

Councillors Allgood, Hiscock, Mather and Tait

656. **APOLOGIES**

Apologies were received from Councillors Jeffer, Pearce and Read.

657. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC606 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 4, 5, 8 and 15, as he was a member of the City of Winchester Trust, which had commented on these applications and he spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in respect of items 4, 5, 8 and 15 as he was a member of the Council of the City of Winchester Trust, which had commented on these applications. However he also held a Trustee role with regard to items 4 and 5 (appointed by the Council) with the applicants (St John's Winchester Charity) which made his interest personal and prejudicial.

Councillor Davies also declared a personal and prejudicial interest in respect of item 15, as a Vice-Chairman of the applicants (the Board of the Winchester Housing Group). Therefore, in respect of item 8 he remained in the meeting,

spoke and voted thereon, but in respect of items 4, 5 and 15 he left the room during their consideration.

Councillor Evans declared a personal (but not prejudicial) interest in respect of item 12 as a member of Wickham Parish Council who had commented on the application. Councillor Evans had taken no part in the Parish Council's discussions on the item and therefore spoke and voted thereon.

Councillor Sutton declared a personal (but not prejudicial) interest in respect of item 14, as a member of the South Downs Joint Committee who had who had commented on the application. She spoke and voted thereon.

The Chairman explained that subsequent to the publication of the report, items 1, 6 and 13 had been withdrawn by the applicants and that item 2 had been deferred.

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

In respect of item 3 (Inhurst Cottage, Soake Road, Denmead) Councillor Allgood (a Ward Member) stated that the application site was inappropriate given its location within the Denmead Strategic Local Gap; that local residents were concerned about a possible future subdivision of the land, and that there had been a lack of consultation with a neighbour. Following debate, the Committee agreed to grant planning permission as set out, subject to an additional landscaping condition to plant an indigenous hedge to grow around the gate returns.

In respect of items 4 and 5 (Bird in Hand Activity Centre, 14 Chesil Street, Winchester) Mr Leaman (the architect) spoke in support of the application. Councillor Tait (a Ward Member) also spoke in support of the application and against the officers' recommendation to refuse. In summary, he stated that the principal recommended reason for refusal related to the Conservation Officer's concern that the development did not use the opportunity to re-enforce the street frontage of Chesil Street. Councillor Tait also suggested that, with other nearby gaps in the street scene, this view was subjective. During debate, some Members raised concerns which included issues related to the street frontage, the massing of buildings and that, although the application now included the builders' yard, this had not produced a significant change in the application. However, following debate, the majority of the Committee agreed that the development was a positive contribution to the Conservation Area and opened up views to the river.

It was therefore agreed to delegate to the Director of Development, in consultation with the Chairman, authority to grant planning permissions with necessary conditions/planning obligations as required. Whilst noting that outstanding matters relating to the ecological impact of the development had not been fully resolved (which could identify an issue so significant that the Director may have to refer the decision back to Members at a future meeting) the Committee went on to discuss the associated conditions. Members agreed that these should include the times at which the gates onto Chesil Street and the footbridge over the river should be opened and closed. Members recognised the need to balance between the advantages of increased access for the public using the proposed river bridge and patrons of the Chesil Theatre, against the need to protect residents' privacy. In setting

these times, it was suggested that advice be sought from the Police and Community Safety Officer. The Committee also agreed that a legal agreement should be sought to ensure that the associated costs of physically closing the bridge should not fall on the Council. A condition should also be included to alter the width of the river terraces and also a condition to protect the yew tree at the rear of the development. With regard to item 5, it was agreed to add a condition that no demolition of the existing buildings should take place until planning permission for the new development, as set out in item 4, had been issued and contracts for the new development had been let.

In respect of item 7 (J Sainsbury PLC, Badger Farm Road, Winchester) Mr Lowin (on behalf of the applicant) spoke in support of the application. Following debate, the application was agreed as set out.

In respect of item 8 (Land between Sparkford Road and Airlie Road, Winchester) Mr Barns spoke in objection to the application. Councillor Mather (a Ward Member) spoke in objection to the application. In summary, she stated that she and Councillor Tait (another Ward Member) had highway concerns with regard to the application, given its location on a dangerous corner. In reply, the Director advised that it was not possible to sustain a highways reason for refusal. Following debate, the application was agreed as set out (subject to further clarification of building control regulations pertaining to drainage and delegated authority being granted to the Director of Development Services, in consultation with the Chairman, to agree additional conditions as required).

In respect of item 9 (Chillandham Cross, Chillandham Lane, Martyr Worthy) Mrs Ponting and Mrs Matthews (Itchen Valley Parish Council) spoke in objection to the application and Mr Lowes (the applicant) spoke in support. Following debate, the Committee agreed to visit the application site to consider the relationship between the proposed and existing buildings, the topography of the area, drainage and highways issues and the sustainability of the site. The details of the Viewing Sub-Committee were as set out below and the Committee delegated authority to the Sub-Committee to decide the application.

In respect of item 10 (Abbotsbury, School Lane, Itchen Abbas), Mr I Thomas, Mrs Compton and Mrs Matthews (Itchen Valley Parish Council) spoke in objection to the application and Mr H Thomas (the architect) spoke in support. Following debate, in which the Committee noted an error within the report (page 87, Criteria 2 of the Section 106 Agreement relating to the provision of affordable housing should have read that the requirement was for a 3 bedroom dwelling), it agreed to grant planning permission as set out.

In respect of item 14 (Land to the Rear of Holmdene, Hambledon Road, Denmead) Mr Keeling spoke in objection to the application and Mrs Smith (the applicant) spoke in support. Following debate, the Committee agreed to grant planning permission as set out subject to additional conditions to limit the land to non-commercial use and to prohibit the on-site burning of manure.

In respect of item 15 (2 Drayton Street, Winchester) Mr Hermitage and Mr Weeks spoke in objection to the application and Ms Slade (on behalf of the applicant) spoke in support. At the invitation of the Chairman, Councillor Tait spoke in objection to the application. In summary, he stated that the proposals were an overdevelopment of the site; that it was an inappropriate

location; that the development would deprive local children of an informal play space and he requested that Members visit the site. At the invitation of the Chairman, Councillor Hiscock (Portfolio Holder for Housing) spoke in support of the application. In summary, he underlined the need for affordable housing in the area and the high level of public consultation that had preceded the application. Following debate, the Committee agreed to grant planning permission as set out.

With regard to items that were not subject to public participation, in respect of item 12 (Tigh Na Mara, Manor Close, Wickham) the Committee agreed to grant planning permission as set out, subject to an amended condition relating to hard-standing/provision of car parking.

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 3 (Inhurst Cottage, Soake Road, Denmead) planning permission be granted as set out, subject to an additional landscaping condition to plant indigenous hedging around the gate returns.

3 That, in respect of items 4 and 5 (Bird in Hand Activity Centre, 14 Chesil Street, Winchester) authority be granted to the Director of Development, in consultation with the Chairman, to grant planning permission and agree the necessary planning conditions/legal agreement. The Committee agreed that these should include the times at which the gates are opened/closed and that the associated costs do not fall on the Council; an alteration to the width of the river terraces; the protection of the yew tree and that, in relation to item 5, demolition should only be permitted once conditions had been agreed in relation to item 4.

4 That in respect of item 8 (Land Between Sparkford Road and Airlie Road, Winchester) planning permission be granted subject to authority being delegated to the Director of Development, in consultation with the Chairman, to clarify building control regulations pertaining to drainage.

5 That in respect of item 9 (Chillandham Cross, Chillandham Lane, Martyr Worthy) a Planning Development Control (Viewing) Sub-Committee visit and decide the application at 9.30am on Tuesday 10 January 2006. Following the site visit, the meeting to reconvene at the Guildhall, Winchester. The membership of the Sub-Committee was agreed as Councillors Baxter, Busher, Davies, Saunders, and Sutton.

7. That, in respect of item 12 (Tigh Na Mara, Manor Close, Wickham) planning permission be granted, subject to an additional condition relating to hard-standing.

6. That, in respect of item 14 (Land at Rear of Holmdene, Hambledon Road, Denmead) planning permission be granted, subject

to additional conditions limiting the land to non-commercial use and prohibiting on-site manure burning.

658. **MINUTES OF THE PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE HELD ON 3 NOVEMBER 2005**

(Report PDC599 refers)

The Committee considered the minutes of the Planning Development Control (Telecommunications) Sub-Committee held on 3 November 2005 (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the Planning Development Control (Telecommunications) Sub-Committee held on 3 November 2005 be approved and adopted.

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

(Report PDC607 refers)

Members considered the above Report which set out Inspectors' conclusions on a number of planning appeals. In addition to noting the decision which challenged the Council's policies on extensions in the countryside, Members requested to be informed of the results of the Appeals considered between August-October 2005.

RESOLVED:

That the report be noted.

The meeting commenced at 9.30 am, adjourned for lunch at 1.45 pm, recommenced at 2.30 pm and concluded at 4.15 pm.

Chairman

APPENDIX A

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE

3 November 2005

Attendance:

Councillors:

Bennetts (Chairman) (P)

Busher (P)
Davies (P)

Johnston (P)
Read (P)

Officers in attendance:

Mr S Avery (Planning Officer)

660. **ALTERATIONS TO EXISTING 14.6 METRE HIGH MONOPOLE TO ACCOMMODATE BOTH 2G AND 3G ANTENNAE - LAND AT ALRESFORD ROAD, WINCHESTER**

The Sub-Committee met at the application site at land at Alresford Road, Winchester to the east of St Swithun's School and close to 'Spitfire' Bridge over the M3 motorway.

The Chairman welcomed to the meeting Mr Henderson and Mr Higgins (representing the applicant's agent, Turner and Partners) together with the Head of St Swithun's School, Dr Harvey and Mr Haig, Chair of the School Governors. Also present were 4 parents of pupils of the school.

In this item, Councillor Davies declared a personal (but not prejudicial) interest as he was a member of the Council of the City of Winchester Trust, which had commented regarding the proposals and he both spoke and voted thereon.

In this item, Councillor Busher declared a personal (but not prejudicial) interest as she was personally acquainted with both Dr Harvey and Mr Haig, who were objecting to the proposals and she both spoke and voted thereon.

The application site was located on Highway Authority land on the north side highway verge of the B3404 Alresford Road, just to the east of the Spitfire Bridge near the M3 motorway. The site was also adjacent to the perimeter of St Swithun's School. The site was 80 metres from the nearest school building (a swimming pool), 180 metres from the main school building and 130 metres from the nearest residential dwelling on Alresford Road to the south west. The East Hants Area of Outstanding Natural Beauty (AONB) was to the south of the site. Mr Avery reported that the mast would be visible from the M3 and the AONB. As a consequence, the Council's Landscape

Officer had recommended that the structure be painted matt black in order to minimise its visibility from long distance views.

Mr Avery reminded the Sub-Committee that the proposals were amendments to the previously agreed prior notification application for an 11 metre high slimline monopole (14.6 metres including antennae). Therefore, the siting of the mast had already been considered and approved in principle. This proposal was for marginal changes (mostly to increase the girth of the pole and shroud) previously approved in February 2005. However, the structure had yet to be erected. The footprint and height of the equipment cabinet was revised from 1.7 metres x 0.75 metres x 1.4 metres high, to 1.9 metres x 0.75 metres x 1.6 metres high. The proposals were ICNIRP compliant and the direction of the mast's beams would continue to be aimed away from the school. The structure was to be in exactly the same position.

Mr Avery reported an additional letter of representation had been received in opposition to the application, bringing the total to five. These detailed objections regarding health concerns from the mast's proximity to the school, failure to consult with the school and also concerns over highway safety.

With the permission of the Chairman, Mr Henderson explained that the minor change in design was required to additionally incorporate 2G network capacity for coverage in the vicinity.

At the invitation of the Chairman, Dr Harvey addressed the Sub-Committee. She explained that her objections to the proposals remained the same as those for the original application, although she noted that the siting of the mast had been agreed in principle. However, Dr Harvey was disappointed that the applicant had not consulted with the school regarding the proposals.

On behalf of his client, Mr Henderson apologised for this oversight and acknowledged that, although the applicant may have considered that the amendment was so minor that it was unnecessary, Operators were generally committed to consult with local schools for new developments. He also assured Dr Harvey that his client would inform the school should there be any future need to change the mast's beam direction towards the school buildings. Mr Henderson also stated that he would advise the school when the mast was to be erected.

At the invitation of the Chairman, three members of the public addressed the Sub-Committee also in opposition to the application. In summary, they stated that the amended application was unsightly and would not fit in with the existing street furniture (which was the basis of the original application's approval). It was suggested that the proposal for dark colouring of the mast exacerbated this.

Following discussion and referral to the plans of the application, Members agreed that generally the detail of the proposals were not materially different to those previously approved by the Sub-Committee. It was agreed that screening of the cabinet was not necessary and that the mast should match the style of the existing street furniture (galvanised steel) and the cabinet should be painted a dark green colour.

Members also requested that the Director of Development write to all Telecommunications operators to remind them of their obligations to consult

with local schools as part of their commitments for pre-application consultation for new developments.

RESOLVED:

That no objection be raised and that the applicant be advised that the mast should match the style of the existing street furniture (galvanised steel) and that the cabinet should be painted a dark green colour.

The meeting commenced at 9.30am and concluded at 10.10am.

Chairman