

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**2 February 2006**

Attendance:

Councillors:

Busher (Chairman) (P)

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

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

Others in attendance who addressed the meeting:

Councillor Tait

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771. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 9 November, 10 November, 29 November and 1 December 2005 be approved and adopted.

772. **PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**  
(Report PDC612 refers)

The Committee considered the minutes of the Planning Development Control (Viewing) Sub-Committee held on 10 January 2006 (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Viewing) Sub-Committee held on 10 January 2006 be received.

773. **THE CONSTITUTION – UPDATE AND REVISION – PART 3 – RESPONSIBILITY OF FUNCTIONS – PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**  
(Report PDC613 refers)

It was suggested by a Member that Ward Members should not be a voting member on Viewing Sub-Committees for applications that were within their own ward. Instead a Ward Member should be represented at those meetings in their capacity as Ward Member only.

Following discussion, the Committee did not support this proposal.

Furthermore, the Committee also agreed that the present arrangements for its Viewing Sub-Committee should continue. The arrangements would be reconsidered when the Committee reviews its annual appointment to Sub Committees etc at the start of the next municipal year.

RESOLVED:

That the arrangements for the Planning Development Control (Viewing) Sub-Committee continue as at present and that they be reviewed further when the Committee considers its annual appointment to Sub Committees etc at the start of the next municipal year.

774. **ROSEMARY HOLT, EDWARD ROAD, WINCHESTER**  
(Report PDC610 refers)

This report was considered in conjunction with item 1 of Report PDC611, the schedule of Development Control Applications, as set out in the minute below.

RESOLVED:

That the decision taken in respect of Rosemary Holt, Edward Road, Winchester be as set out in the schedule, which forms an appendix to the minutes of the Development Control Applications.

775. **DEVELOPMENT CONTROL APPLICATIONS**  
(Report PDC611 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 1, 2 and 6, as he was a member of the City of Winchester Trust, which had commented on these applications, and he spoke and voted thereon.

Councillor Busher declared a personal (but not prejudicial interest) in respect of item 5, as she was acquainted with parties to the application, and she spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial interest) in respect of items 1, 2 and 6, as he was a member of the Council of the City of Winchester Trust, which had commented on these applications, and he spoke and voted thereon.

Councillor Davies also declared a personal and prejudicial interest in respect of item 7 as he was Vice-Chair of the Winchester Housing Group, the applicant, and he withdrew from the meeting during consideration of this item.

Councillor Evans declared a personal (but not prejudicial) interest in respect of item 5 as the applicant was known to herself and also in respect of items 6

and 11, as in both cases she knew the agent, and she spoke and voted thereon.

Councillor Pearson declared a personal (but not prejudicial interest) in respect of item 9 as he was a member of Swanmore Parish Council, which had commented on the application, but he had taken no part in the Parish Council's comments on this application, and he spoke and voted thereon.

Councillor Saunders declared a personal (but not prejudicial interest) in respect of item 1, as she was acquainted with Mrs Budd, who was a party to the application, and she spoke and voted thereon.

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

In respect of item 1 – Rosemary Holt, Edward Road, Winchester, Mrs Budd spoke in support of the application, and Councillor Tait, a Ward Member, at the invitation of the Chairman, also spoke in support.

In summary, Councillor Tait stated that he had sympathy with the applicant, as to have the application refused ran the chance that both Rosemary Holt and the Meadway Houses (Winchester) Ltd's other Nursing Home at Meadway could both be lost. The reason for refusal on density of development was a new reason as it had not been included in the original reasons for refusal. As a charity, the Trustees were obliged to get the maximum amount of proceeds from the site, and the valuation of the site and its ability to generate rental income would be influenced by its continued retention as having a community use. Councillor Tait referred to, by way of example, Kingsmead Day Nursery, which had re-located to an alternative site having a community use, but the original site had now been developed for residential development.

In reply, the Director of Development stated that the information submitted by the applicant to support making an exception to policy had been insufficient to justify granting permission.

At the request of the Committee, the City Secretary and Solicitor provided advice on the material considerations the Committee would need to take into consideration if it was minded to make an exception to policy. These included the linking of funding between the sale of Rosemary Holt and the redevelopment/refurbishment of Meadway, with the proceeds of the sale of Rosemary Holt being used as enabling development. This might be facilitated by means of a Section 106 Agreement or by a voluntary offer from the applicant. It would be for the Committee to give a judgement as to the weight of these factors in its consideration in making an exception to policy.

The Director of Development also explained that if the Committee were minded to approve the application (contrary to officer's recommendations), then this would constitute a change of use to residential, which would require a public open space payment.

As part of discussion, Members were mindful of the planning policy objections to the loss of a facility or service with no justification (Policy SF.6.) although were generally supportive of the intentions of the Trustees to fund improvements from the sale for Meadway House, as a residential care home

in Winchester also in their ownership. Members were also reminded that this decision could be viewed as setting a precedent. In addition, it was possible that if permission for a residential use was granted an application for further housing development could follow.

The Committee agreed that should permission be granted, it should be required that the applicant undertakes to implement the permission in respect of Meadway House and to complete those works and, if possible, tie the proceeds derived from the disposal of Rosemary Holt to the improvements at Meadway House.

Following further consideration, the majority of Members decided that the Charity's intention to dispose of Rosemary Holt, in this instance, was to enable the improvement of its facilities at Meadway House. Consequently, in policy terms, there was sufficient justification for allowing a change of use from residential retirement home to a single dwelling and this was agreed subject to conditions and an appropriate Section 106 Obligation to be delegated to the Director of Development in consultation with the Chairman to agree.

In respect of item 2 – 165 Stanmore Lane, Winchester, Mr Weeks, representing Winchester Resident Association, spoke in objection to the application. In reply to a Member's question, the Director of Development confirmed that the Council's Arboricultural officer was satisfied that the beech tree on site was to be adequately protected during construction. Following debate, the Committee resolved to grant planning permission as set out.

In respect of item 5, - 1 Ashburton Villas, Winchester Road, Bishops Waltham, Mr Conroy spoke in support of the application. In response to questions, it was clarified that the upgrading of the access lane would be adequate for the use by refuse and emergency vehicles. Councillor Busher (as a Ward Member) requested that issues related to possible flooding should continue to be monitored. Officers also confirmed that the hedgerow at the boundary of the roadway would need to be pruned back but should not need to be totally removed although details would need to be submitted. Following discussion, it was agreed that condition 2 should be amended to ensure that if the road was damaged during the course of construction it be 'made good' before occupation. The Committee resolved to grant planning permission as set out with the amendment of condition 2 as stated above.

In respect of item 6 – Haverback, Airlie Lane, Winchester, Mr Cohen also spoke in support of the application. At the invitation of the Chairman, Councillor Tait (a Ward Member) also spoke in support of the application. In summary, he referred to the importance of the special character of the area. Therefore, in this instance, he suggested that the Council's policies related to density should be discounted. During discussion, Members were reminded that the Planning Inspectors at the Local Plan Inquiry had advised that there were some sites where the character of the area was so significant that it would be inappropriate to seek even the lower densities sought in Planning Policy Guidance Note 3 (PPG3). Although officers had recommended that the application be refused because insufficient information had been submitted to show that a higher density of development could not be achieved on the site, the majority of the Committee agreed that as the site was considered to be in an area of special character, that the application was acceptable. The Committee therefore agreed to grant planning permission

and delegated authority to the Director of Development, in consultation with the Chairman, to agree necessary conditions.

In respect of item 7 – land to the north of Goldfinch Way, Westhill Road, South Wonston, Mr Baldwin spoke in objection to the application and Mr Williams, representing the Winchester Housing Group, spoke in support. The Director of Development clarified that in Condition 3 the block paving area for the central area of parking should be reduced in width by three metres, and not four metres as set out in the report, and also that Condition 12 should specify that any planting removed from the hedgerow on the west should be replanted before the end of this month.

The Director also addressed written comments submitted by Councillor Godfrey, a Ward Member, as set out on page 41 of the report. In summary, the Director stated that Condition 12, as stated, would ensure that the hedge was replanted as soon as possible; the sightline splays could be achieved on site and benefits of the site for exception development compared with alternative sites in Sutton Scotney was explained to the Committee.

The Director of Communities also explained to the Committee the demand for affordable housing within Sutton Scotney and the fact that, as an exception site, housing would be retained for people from the Parish in perpetuity.

Following debate, the Committee agreed to grant planning permission with the amendment to Conditions 3 and 12 as outlined by the Director of Development above, together with an additional condition that provision be made on site for children's play equipment.

In respect of item 8 – Wood Larks, Cross Way, Shawford, Mrs Barry, applicant, spoke in support of the application. Following debate, the Committee approved the granting of planning permission as set out.

In respect of item 12 – Pipits Hill, Avington Road, Avington, Mr Thomas spoke in objection to the application. In answer to Members' questions, the Director of Development explained that a condition was included removing permitted development rights and, therefore, the erection of structures would require planning permission. Following debate, the Committee agreed to grant change of use as set out, subject to the inclusion of an additional condition that permitted development rights in respect of all hard standings be withdrawn.

In respect of items that were not subject to public participation, items 9 – Laurel Cottage, Chapel Road, Swanmore and item 3 – 1 Andrewes Close, Bishops Waltham, were granted planning permission as set out. In respect of item 4 – 26 Greens Close, Bishops Waltham, planning permission was granted as set out, subject to the inclusion of a Section 106 Agreement or upfront payment for public open space and the inclusion of an additional condition to include obscure glazing to prevent overlooking of neighbouring properties.

**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 – Rosemary Holt, Edward Road, Winchester, a change of use from residential retirement home to a single dwelling be agreed and authority be delegated authority to the Director of Development, in consultation with the Chairman, to agree necessary conditions and an appropriate Section 106 Obligation.

3 That in respect of item 6 - Haverbrack, Airlie Lane, Winchester, planning permission be granted and authority be delegated authority to the Director of Development, in consultation with the Chairman, to agree necessary conditions.

The meeting commenced at 9.30 am and adjourned for lunch at 1.00 pm, recommenced at 2.00 pm and concluded at 4.50 pm.

Chairman