

PLANNING DEVELOPMENT CONTROL COMMITTEE

3 July 2008

Attendance:

Councillors:

Jeffs (Chairman) (P)

Barratt (P)
Baxter (P)
Busher
Fall (P)
Huxstep (P)

Johnston (P)
Lipscomb
Pearce (P)
Ruffell (P)
Tait (P)

Deputy Members:

Councillor Weston (Standing Deputy for Councillor Lipscomb)

Others in attendance who addressed the meeting:

Councillor Bell

1. **APOLOGIES**

Apologies were received from Councillor Lipscomb (who had been unable to attend the site visit for items 8, 9 and 10 and therefore sent his Standing Deputy who had been on site), Councillor Busher and her Standing Deputy, Councillor Hammerton.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 12 June 2008 be approved and adopted.

3. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC757 refers\)](#)

The Schedule of Development Control Decisions arising from the consideration of the above Report is circulated separately and forms an appendix to the minutes.

The Chairman (Councillor Jeffs) declared a personal (but not prejudicial) interest in respect of Item 3, as his wife was the Chair of the New Alresford Town Council Planning Committee, which had commented on the application. Councillor Jeffs confirmed that he had no involvement whatsoever in the Town Council's deliberations and he therefore spoke and voted thereon.

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

Item 1: Crabtrees, Lanham Lane, Winchester - Case Number 08/00587/FUL

Mr Richardson (a neighbour) and Mr McKellar (agent) spoke in support of the application.

The Head of Planning Control recommended an additional Condition to those set out in the Report regarding ground levels and an additional Informative regarding the protection of nesting birds.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the Conditions, as amended above) set out in the Report.

Item 2: Perins School, Pound Hill, Alresford – Case Number: 08/01094/FUL

The Chairman (Councillor Jeffs) explained that, through his work as a Ward Member, he had publicly supported the application prior to its consideration at Committee and that he had therefore pre-determined this application. As a consequence, he addressed the Committee as a Ward Member and remained in the public gallery for the duration of this item and did not vote thereon.

Councillor Huxstep assumed the Chair for this item only.

The Head of Planning Control updated the Committee that a number of further representations had been received following the publication of the Report.

Hampshire County Council's Senior Ecologist had raised concerns regarding the protection of trees and hedges, but the applicant had confirmed that, apart from some minor trimming in certain locations and the removal of a tree by The Avenue, they did not intend to carry out major works to trees and hedges.

Similarly, the applicant had responded to a late representation from Southern Water and explained that the drainage serving the car park would use soakaways, rather than the public sewers.

New Alresford Town Council had underlined its support for the application, but raised detailed concerns regarding the height of the proposed lighting poles, the location of the path in relation to the sports pitches, that trees and hedges should be protected, that the footpath link to the open space in Thornton Close had not been secured and that it favoured the use of a permeable surface for the path.

Finally, the Head of Planning Control reported that Perins School, Alresford Town Partnership and County Councillor Porter had all submitted additional letters of representation in support of the application and that one additional letter of representation against the application had also been received.

Mr Considine and Mr Kett (both local residents) spoke against the application and Mr Gentry (New Alresford Town Council), Councillors Jeffs and Cook (as Ward Members) and Mr Pooley and Mr Howson (as representatives of the applicant) all spoke in support.

In summary, Councillor Cook highlighted the economic and social benefits of the scheme to the Committee. In response to the concerns raised by objectors, he considered that, for a number of reasons, the application would not increase the likelihood of local residents being affected by anti-social behaviour. The application

sought only to formalise the existing informal arrangements and that the pathway was to be located behind properties in Thornton Close and separated by fences, vegetation and a bank. He also stated that the proposed car park would benefit local businesses and he questioned the objections to the scheme raised by a member of the local Chamber of Commerce and the concerns raised by Hampshire Constabulary.

Councillor Jeffs reiterated many of the points made by Councillor Cook above. He elaborated on the current need for additional parking in Alresford to serve tourists, local residents and residents from surrounding villages. The car parking problem was, he suggested, particularly important, given the relatively poor public transport links available to the town and the uncertain future of the station car park. With regard to the proposed footpath, he highlighted the number of the partners involved in bringing the project forward, that it had been commended by SEERA, and that some residents' concerns about lighting for the footpath needed to be judged in context of the nearby, floodlit tennis courts. He also regretted that the footpath did not link through to Thornton Close.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the Conditions) set out in the Report.

Item 4: Lunn Poly Ltd, 64 St Georges Street, Winchester – Case Number 08/00349/FUL

The Head of Planning Control corrected an error in the Report, which was noted by the Committee. The supporting text on page 38 should read (correction shown in italics): "Proposals which would result in *substantially* more than 20% of such frontage being in a non-retail use will not be permitted." She also updated the Committee that the Head of Strategic Planning had confirmed that the application was contrary to Policy SF.5. If the application were granted, four of the seven units would be non-retail use, whilst the Policy required that 80% retail use be retained in the Primary Shopping Area.

Mr Gee (applicant) spoke in support of the application.

At the conclusion of debate, the Committee agreed to grant planning permission. Members considered that the proposal was in accordance with Policy SF.5 as they considered that it would enhance the vitality of this particular part of the primary shopping area. In delegating authority to the Head of Planning Control (in consultation with the Chairman) to agree Conditions, the Committee agreed that one of the Conditions should restrict the change of use, so that it could only be used in conjunction with the neighbouring take-away (which was controlled by the applicant) and that it should not be used as an independent or self contained restaurant. This was because the Committee considered the unusual circumstances of this particular application to be effectively an extension of the neighbouring take-away. Therefore, it would not unacceptably dilute the ratio of retail units to non-retail units in this unique part of the Primary Shopping Area.

Item 8: Triangle of Land, Junction of Lockhams Road and Chapel Lane, Curdridge – Case Number 08/00166/FUL

Items 8, 9 and 10 (Old Orchard, Twyford) had been referred from the last meeting (held 12 June 2008) to a meeting of the Planning Development Control (Viewing) Sub-Committee, which was scheduled to be held on 23 June 2008. Due to an administrative error, it was not possible to hold the public meeting that would have

determined those applications after each site visit. However, the informal site visits were held and were attended by Councillors Jeffs, Barratt, Baxter, Busher, Huxstep, Ruffell, and Weston.

Councillors Fall, Johnston, Pearce and Tait all explained that they had not attended the site visit and, given the Committee's previous decision to defer the item to the Viewing Sub-Committee, they did not consider that they had adequate information to determine the application. They therefore retired from the Committee for those items and did not speak and vote thereon.

The Head of Planning Control reported that, on the site visit, Members had noted the proposed accesses, relationship with surrounding buildings, location in the village, and landscaping issues. Although the footprint of the proposed building had been pegged out, this had been discounted at the site visit (at the applicant's request) as it was inaccurate.

The Head of Planning Control updated the Committee that, since the publication of the Report, amended plans had been received which moved the access for Plots 1 and 2 to the existing access point onto Lockhams Road. This had raised no objection from the Highways Officer. The Head of Planning Control also confirmed that the site was covered by a 1961 Group Tree Preservation Order.

Mr Westcott and Mr Donohue (agent on behalf of Curdridge Parish Council) spoke against the application, whilst Mr Gardiner (agent) spoke in support.

At the conclusion of debate, the Committee agreed to not grant planning permission. The Committee delegated authority to the Head of Planning Control (in consultation with the Chairman) to agree detailed reasons for refusal, based on its views that the application did not meet all the necessary criteria of Policy H4, and the corresponding supplementary planning document; as they did not consider the unusual position of the triangle of land to be an infill site for the purposes of the policy; and that the development of the site would be detrimental to the visual amenities of the countryside. In addition, the Committee agreed that the location of the site did not offer future inhabitants safe and convenient access to local services and make adequate provision for open space, in accordance with Policy RT.4 of the Local Plan.

Item 10: Old Orchard, Compton Street, Compton – Reference Number 08/00029/FUL

Councillors Fall, Johnston, Pearce and Tait took no part in the determination of this item, for the reasons set out above (see Item 8, Triangle of Land, Curdridge).

The Head of Planning Control reported that, at the site visit, Members had considered the proposal from Old Orchard and Martins Close and its probable effect from the dwellings Yew Tree Cottage (to the east) and Compton End (to the south). The height of the proposed buildings had been marked by the applicant with a wooden cross and the footprints of the buildings had been pegged out (as far as was possible, given the constraints of the existing buildings).

The Head of Planning Control updated the Committee that, subsequent to the publication of the Report, the applicant had submitted an additional plan which illustrated the land ownership regarding Old Orchard and its neighbouring property to the west, Martins Close.

In addition, a further letter of representation had been received from Councillor Beckett (a Ward Member) objecting to the scheme. In summary, this stated that he

did not concur with the Conservation Officer's advice that the proposal would preserve or enhance the character of the Conservation Area. He had also raised concerns that the proposed 3-storey development was out of character with the area; that its position on elevated ground would overshadow its neighbours; the loss of vegetation and that, although he considered that the site was not unsuitable for two dwellings, the proposals should have a greater respect for the Conservation Area.

Dr Ashcroft (a neighbour), Mrs Stevens (Compton Parish Council) and Councillor Bell (a Ward Member) spoke against the application. Mr Bradshaw (applicant) spoke in support.

In summary, Councillor Bell stated that she did not oppose the demolition of the existing building, or the potential of the site to accommodate two new dwellings. However, she opposed this application as she considered that the size and scale of the proposed buildings would have a detrimental impact on the neighbouring listed buildings. She commented that the size of the two proposed buildings was so great that it provided only one bedroom less than a previous, rejected application for four dwellings on the site.

Councillor Bell also commented that the proposals did not preserve or enhance the Conservation Area, that its height (accentuated by its location on elevated ground) was out of character and that it would have a detrimental impact on, and would be visible to, the neighbouring listed buildings. She also raised concerns regarding the loss of the orchard, its effect on hedgerows and that it had originally attracted objections from the Council's Arboricultural Officer in relation to new European legislation which had yet to be implemented.

During debate, Members discussed the significance of the ownership of a triangle of land from Martins Close to Old Orchard, the health of one of the trees between Old Orchard and Yew Tree and the Arboricultural Officer's view that the transplanting of fruit trees within the site was likely to be unsuccessful.

At the conclusion of debate, the Committee agreed to not grant planning permission. Members delegated to the Head of Planning Control (in consultation with the Chairman) authority to agree detailed reasons for refusal based on the Committee's concerns that the design, scale and massing of the houses, combined with the elevated nature of the site, would be detrimental to the character of the conservation area. The Committee also noted the failure to provide the adequate open space provision or contribution constituted a further reason for refusal.

Item 9: Old Orchard, Compton Street, Compton – Reference Number 07/01591/LBC

Councillors Fall, Johnston, Pearce and Tait took no part in the determination of this item, for the reasons set out above (see Item 8, Triangle of Land, Curdridge).

Given the Committee's decision regarding the re-development of the site (item 10, above) the Head of Planning Control requested that the recommendation set out in the Report be amended to refuse Conservation Area consent as PPG15 advised that, without an acceptable replacement scheme, existing buildings within the Conservation Area should not be demolished.

Dr Ashcroft (a neighbour) and Mrs Stevens (Compton Parish Council) spoke in support of the revised recommendation (to not permit the demolition of the existing building) and Mr Bradshaw (applicant) spoke against.

At the conclusion of debate, the Committee agreed not to grant conservation area consent and delegated authority to the Head of Planning Control, in consultation with the Chairman, to agree detailed reasons based on the advice in PPG15.

The following items had no public participation:

Item 3: 2 Nursery Road, Alresford – Case Number 08/00772/FUL

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the Conditions) as set out in the Report.

Item 5: 6 King Alfred Place, Winchester – Reference Number 08/00994/FUL

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the Conditions) as set out in the Report.

Item 6: Tree Preservation Order, Bus Shelter, Main Road – Reference Number 08/004444/TPO

At the conclusion of debate, the Committee agreed to grant the permission for the reasons (and subject to the Conditions) as set out in the Report.

Item 7: Tree Preservation Order, The Soke, 12 Chesil Street, Winchester - Reference Number 08/00824/TPO

At the conclusion of debate, the Committee agreed that the application be refused for the reasons set out in the Report.

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 (Crabtrees, Lanham Lane, Winchester), planning permission be granted for the reasons given and subject to the Conditions, as set out in the Report, subject to additional Conditions regarding ground levels and the protection of nesting birds.

3. That, in respect of item 4 (Lunn Poly Ltd, 64 St Georges Street, Winchester), planning permission be granted and authority be delegated to the Head of Planning Control (in consultation with the Chairman) to agree Conditions, including a Condition to restrict the use of the premises so that they could only be used in conjunction with the neighbouring take-away.

4. That, in respect of Item 8 (Triangle of Land, Junction of Lockhams Road and Chapel Lane, Curdridge), planning permission be refused and that the Head of Planning Control be delegated authority (in consultation with the Chairman) to agree detailed reasons for refusal, based on the Committee's concerns that the unusual position of the triangle of land was not an infill site and that the location of the site failed to offer future inhabitants safe and convenient access to local services and make adequate provision for open space in accordance with Policy RT.4 of the Local Plan

5. That, in respect of Item 10 (Old Orchard, Compton Street, Compton), Conservation Area consent be refused and that delegated authority be given to the Head of Planning Control (in consultation with the Chairman) to agree detailed reasons for refusal, based on the Committee's concerns that the application was contrary to PPG15, given the Committee's decision as set out below.

6. That, in respect of Item 9 (Old Orchard, Compton Street, Compton), planning permission be refused and that the Head of Planning Control be delegated authority (in consultation with the Chairman) to agree detailed reasons for refusal, based on the Committee's concerns that the application's design, scale and massing, combined with its elevated position, would be detrimental to the character of the area. The Committee also agreed that the applicant's failure to provide adequate open space provision or contribution be included as a further reason for refusal.

The meeting commenced at 9.30am, adjourned for lunch at 1.15pm, recommenced at 2.00pm and concluded at 3.50pm.

Chairman