

PLANNING DEVELOPMENT CONTROL COMMITTEE

12 January 2012

Attendance:

Councillors:

Jefferies (Chairman) (P)

Berry (P)

Clear (P)

Evans (P)

Izard (P)

Johnston (P)

Laming (P)

McLean (P)

Pearce (P)

Read

Ruffell (P)

Tait (P)

Deputy Members:

Councillor Scott (Standing Deputy for Councillor Read)

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 15 December 2011 be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC916 Refers\)](#)

The schedule of development control decisions arising from consideration of the above Report is circulated separately and forms an appendix to the minutes.

Applications determined outside the area of the South Downs National Park:

The following items had speakers during public participation:

Item 1: Dradfield Nurseries, Dradfield Lane, Soberton – Removal of Condition – Case Number 09/02679/FUL

Mr Burton (one of the applicants) spoke in support of the application.

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

Item 2: 18 Hundred Acres, Wickham – demolition of porch and store and construction of side extension - Case Number 11/02643/FUL

Mr and Mrs Weston (the applicants) spoke in support of the application.

At the conclusion of debate, the Committee agreed to refuse planning permission for the reasons set out in the Report.

Item 3: Greenacres, Furzeley Corner, Denmead – replacement of garage with single storey extension - Case Number 11/02518/FUL

The Head of Planning Management updated the Committee that, following the publication of the Report, an additional letter of support had been received. However, this letter did not raise any new issues that had not already been addressed in the Report.

Dr Wheaton and Mr Lander-Brinkley (both representing Denmead Parish Council) spoke against the application and Mr Olafsson (applicant's architect) spoke in support.

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

RESOLVED:

That the decisions taken on the Development Control Applications located outside the area of the South Downs National Park be agreed as set out in the Schedule which forms an appendix to the minutes.

Applications within the South Downs National Park determined on behalf of the National Park Authority:

There were no items within the South Downs National Park area.

3. **PUBLIC PATH ORDER AND DEDICATION AGREEMENT – FOOTPATH 24, BARFIELD CLOSE, WINCHESTER**
[\(Report PDC921 refers\)](#)

The Head of Legal Services summarised the Report and explained that the proposed works were related to the development of the new Council depot site on Barfield Close, Winchester.

RESOLVED:

1 That following completion of the new alternative footpath, the Head of Legal Services be authorised to make an Order under Section 118 of the Highways Act 1980 to extinguish Footpath 24 as shown on the plan attached at Appendix 1, and to confirm the Order as unopposed if no objections are made.

2. That following completion of the alternative route shown on the plan attached as Appendix 1, the alternative route be dedicated as a public footpath and the Head of Legal Services be authorised to execute the appropriate documents and enter into a dedication or other appropriate agreement with Hampshire County Council under the Highways Act 1980, to secure such dedication.

4. **CONFIRMATION OF TREE PRESERVATION ORDER (TPO) 2040 – SUNCROFT, LOWER ROAD, SOUTH WONSTON**
[\(Report PDC917 refers\)](#)

The Head of Landscape and Open Spaces explained that, following the publication of the Report, the Council had received further correspondence from an objector. The issues raised by the objector were noted by the Committee and, in summary, these related to concerns regarding the originally served TPO and concerns regarding the quality of the trees the order proposed to protect.

The Head of Landscape and Open Space also reported that, following a site visit on the morning of the Committee, he recommended a number of amendments to the TPO. These were to remove 1x maple from G1 and amend G2 to read *Prunus* instead of Plum from the Order (as the relevant maple tree was damaged by the recent strong winds and the Plum was amended to the latin species (*Prunus*) to avoid doubt)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2040 be confirmed, subject to the modifications set out above.

5. **PLANNING APPEALS – SUMMARY OF DECISIONS (APRIL – DECEMBER 2010)**
[\(Report PDC919 refers\)](#)

Following discussion, the Committee noted that officers anticipated bringing the Planning Appeal decisions for 2011 to the next meeting and, thereafter, quarterly reports throughout the year.

RESOLVED:

That the Report be noted.

6. **MINUTES OF THE PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**
[\(Report PDC920 refers\)](#)

RESOLVED:

That the minutes of the Planning Development Control (Viewing) Sub-Committee, held 13 December 2011 (and attached as an Appendix

A to these minutes) be approved and adopted.

7. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. 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>
##		) Information relating to the
		) financial or business affairs of
	High Court Challenge	) any particular person (including
	in relation to Appeal	) the authority holding that
	Decisions at Carousel	) information). (Para 3 Schedule
	Park, Basingstoke	) 12A refers)
	Road, Micheldever)
		) Information in respect of which
		) a claim to legal professional
		) privilege could be maintained in
		) legal proceedings. (Para 5
		) Schedule 12A refers)

8. **HIGH COURT CHALLENGE IN RELATION TO APPEAL DECISIONS AT CAROUSEL PARK, BASINGSTOKE ROAD, MICHELDEVER**

(Report PDC918 refers)

The Committee considered a report which set out the Council's options regarding a possible High Court Challenge in relation to the Appeal Decision at Carousel Park, Basingstoke Road, Micheldever (detail in exempt minute).

The meeting commenced at 9.30am and concluded at 1.10pm

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

12.01.2012

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Soberton

Ward

Swanmore And Newtown

1 Conservation

Area:

Case No: 09/02679/FUL

Ref No: W00337/14

Date Valid: 23 December 2009

Grid Ref: 461099 113607

Team: WEST **Case Officer:** Mr Rob Riding

Applicant: Mr And Mrs A Burton

Proposal: Removal of condition 4 of planning permission W00337/07 -
removal of agricultural occupancy condition

Location: Dradfield Nurseries, Dradfield Lane, Soberton, Southampton,
Hampshire, SO32 3QD

Officer PER

Recommendation

:

Committee Decision:

APPROVE:-

Informatives

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the
Development Plan set out below, and other material considerations do not have
sufficient weight to justify a refusal of the application. In accordance with Section
38(6) of the Planning and Compulsory Purchase Act 2004, planning permission
should therefore be granted.

2. The Local Planning Authority has taken account of the following development
plan policies and proposals:-

South East Plan 2009: C4

Winchester District Local Plan Review 2006: DP.3, CE.21

National Planning Policy Guidance/Statements: PPS1, PPS7

Soberton

Ward

Swanmore And Newtown

2

Conservation

Area:

Case No: 11/02643/FUL

Ref No: W12519/02

Date Valid: 8 November 2011

Grid Ref: 459668 111914

Team: 2_STH

Case Officer: Mr Andrew Rushmer

Applicant: Mr And Mrs J And E Weston

Proposal: (HOUSEHOLDER) Demolition of porch and utility store and construction of barn extension to side of existing cottage

Location: 18 Hundred Acres, Wickham, Fareham, Hampshire, PO17 6JB

Officer REF

Recommendation

:

Committee Decision:

REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

Conditions/Reasons

1 The extension is contrary to policy CE23 of the Winchester District Local Plan Review 2006 (and the explanatory text on page 43), as it will reduce the stock of small (1 or 2 bedroom) dwellings in the district.

Informatives

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: DP3, CE23
Planning Policy Statement 1
Planning Policy Statement 7

Soberton and Newtown Village Design Statement (2002).

Denmead Ward Denmead

3 Conservation

Area:

Case No: 11/02518/FUL

Ref No: W12194/06

Date Valid: 24 October 2011

Grid Ref: 465812 110484

Team: 2_STH **Case Officer:** Mr Simon Avery

Applicant: Mr Will Ralls

Proposal: (HOUSEHOLDER) Replacement of a detached garage with an attached single storey extension to a family home to provide a vital accessible accommodation (RESUBMISSION) (AMENDED DESCRIPTION)

Location: Greenacres, Furzeley Corner, Denmead, Waterlooville, Hampshire, PO7 6TS

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

3 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement (AIA and MS) reference 11246-AIA written by Barrie Draper of EcoUrban Limited and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site. No arboricultural works shall be carried out to trees other than those specified and in accordance with the AIA and MS. Any deviation from works prescribed or methods agreed in accordance with the AIA and MS shall be agreed in writing to the Local Planning Authority.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

4 The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Impact Appraisal and Method Statement reference 11246-AIA. The Arboricultural Officer shall also be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848317.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

5 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the existing dwelling. The dwellinghouse extended as hereby permitted shall only be used as a single unit of accommodation and shall not be subdivided, separated or altered in any way so as to create two or more separate units of accommodation.

Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

Informatives

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: DP3, DP4, CE2, CE23
South East Plan 2009: CC6, BE6

3. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

4. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

PDC 917

CONFIRMATION OF TREE PRESERVATION ORDER 2040

3 Conservation

Area:

Case No: TPO 2040

Ref No:

Date Valid:

Grid Ref:

Team:

Case Officer: Andrew Giles

Applicant:

Proposal:

Location: Suncroft, Lower Road, South Wonston, SO21 3HR

Officer CONFIRM

Recommendation

:

MINUTE.

TPO 2040 confirmed subject to modification as follows:-

2040G1 from 7 to 6 Maples,
2040G2 1 x plum re-named to 1 x prunus.