

PLANNING COMMITTEE**22 June 2017****Attendance:**

Councillors:

Ruffell (Chairman) (P)

Clear (P) (Schedule items 1 - 3)
Evans (P)
Gottlieb
IzardJeffs
Laming (P)
Read (P)
Tait (P) (not
Schedule items 2 & 3)**Deputy Members:**Councillor Berry (Standing Deputy for Councillor Gottlieb)
Councillor Pearson (Standing Deputy for Councillor Jeffs)
Councillor Rutter (Standing Deputy for Councillor Izard) (Schedule Items 1 – 5).**Others in attendance who addressed the meeting:**

Councillors Burns, Cook and Horrill (Leader with Portfolio for Housing Services).

Others in attendance who did not address the meeting:

Councillors Ashton (Portfolio Holder for Finance), Bell, Brook (Portfolio Holder for Built Environment), Godfrey (Portfolio Holder for Professional Services), Griffiths (Portfolio Holder for Health & Wellbeing), Miller (Portfolio Holder for Estates), Warwick (Portfolio Holder for Environment) and Weir.

1. MINUTES

RESOLVED:

That the minutes of the previous meeting of the Committee held on 25 May 2017 be approved and adopted.

**2. PLANNING APPLICATIONS SCHEDULE
(Report PDC1091 and Update Sheet refers)**

A copy of each planning application decision is available to view on the Council's website under the respective planning application.

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1091.

Councillor Tait declared a personal (but not prejudicial) interest in respect of item 6 as he was a Trustee of the St Johns Winchester Charity that owned land adjoining the application site, and having a personal interest only he spoke and voted on this item.

The Committee noted that the Report for Item 6 had not been made available for publication within the statutory deadline. The Chairman agreed to accept the item onto the agenda as a matter requiring urgent consideration, to allow a decision to be made without delay.

Applications outside the area of the South Downs National Park (WCC):

Item 1: - (RESUBMISSION) Erection of 91 residential units, associated public open space, resident's car park, landscaping, access, car parking, partial realignment of road junction and associated works - Land Bounded by Tanners Lane, Kidmore Lane and Anmore Road, Denmead – Case number: 17/00335/FUL

The Head of Development Management referred Members to the Update Sheet which made amendments to condition 1 in that the development should be begun before the expiration of three years from the date of the permission (the applicant had requested five years); to condition 15 relating to archaeological works and included further comments from the Council's Landscape Officer and also clarification that the development was providing approximately 3.67 hectares of open space and not approximately 1 hectare as had been incorrectly referred to in the first sentence of the Open Space Section of the Schedule.

During public participation, Karl Endersby and Paul Bedford spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the s106 agreement, conditions and informatives set out in the Report and the Update Sheet.

Item 2: - Replacement dwelling and annexe - Brown Eaves, 170 Main Road, Colden Common – Case number: 17/00597/FUL

The Head of Development Management referred Members to the Update Sheet which stated that since the publication of the report, the Parish Council had withdrawn their request to speak as they were satisfied that the case officer's report, amended plans on the internal layout of the annex and conditions dealt with initial concerns raised by them. On this basis the Parish Council no longer had grounds to object to these applications based on the officer's suggested conditions being included.

During public participation, Lisa Davies spoke in objection to the application and answered Members' questions thereon.

During public participation, Councillor Cook also spoke on this item as a Ward Member.

In summary, Councillor Cook stated that she was speaking on behalf of local residents. The annex was already built and outside of the settlement boundary by 200 metres and was contrary to policy DM23. It was close to neighbouring properties and impacted on their amenity and light. She outlined the personal circumstances of Lisa Davies and her long association with Colden Common. There had been removal of trees from the garden of the application property and following contact with the Ward Members the Council's Planning Enforcement Officer had been involved. The works on the annex had been found to be in compliance and continued to be built and internal walls had been taken out for it to be acceptable. The site had been cleared and the annex had two bedrooms and did not have planning permission (for a new dwelling in the countryside) and set a precedent for Colden Common.

At the conclusion of debate, the Committee agreed to refuse permission for the following reasons: The replacement dwelling proposed was substantially larger than the one it replaced and by reason of its scale, mass and size was contrary to policy DM16, DM17 and DM23 Winchester District Local Plan Part 2, and was therefore harmful to the character and appearance of the area; and in addition, the annex in the rear garden was tantamount to a new dwelling in the countryside and did not comply with policy MTRA4 of the Winchester District Local Plan Part 1.

Item 3: - Replacement dwelling and annexe - Brown Eaves, 170 Main Road, Colden Common – Case number: 17/00598/HOU

The Head of Development Management referred Members to the Update Sheet which stated that since the publication of the report, the Parish Council had withdrawn their request to speak as they were satisfied that the case officer's report, amended plans on the internal layout of the annex and conditions dealt with initial concerns raised by them. On this basis the Parish Council no longer had grounds to object to these applications based on the officer's suggested conditions being included.

During public participation Lisa Davies spoke in objection to the application and answered Members' questions thereon.

During public participation, Councillor Cook also spoke on this item as a Ward Member.

In summary, Councillor Cook stated that she was speaking on behalf of local residents. The site description of the application on page 42 of the Schedule was incorrect as the application site was not within the defined settlement boundary of Winchester. The annex was erected close to the neighbouring

property Tanglewood on land that had been raised and had a retaining wall and had caused flooding in Tanglewood's garden.

At the conclusion of debate, the Committee agreed to refuse permission for the reason that the annex in the rear garden was tantamount to a new dwelling in the countryside and did not comply with policy MTRA4 of the Winchester District Local Plan Part 1.

Item 4: - Change of use from a barn currently used for the storage of equestrian feed and equipment to a small woodworking workshop with storage area, including the addition of low-level PIR exterior security lighting to the front of the barn - Land To North Of Honeysuckle Cottage, Sutton Wood Lane, Bighton – Case Number: 17/00270/FUL

During public participation, Simon Cook spoke in objection to the application and Jaga Baughan (applicant) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report, with wording of Condition 3 being amended to remove the reference to (B2 – use class) and the wording of Condition 5 being amended to reflect the two new additional Conditions, (new Condition 6) to include the Standard Lighting Condition and (new Condition 7) that the doors to the barn should be installed prior to the first use and should be kept shut when power tools were in use by a craftsman, with the precise wording being delegated to the Head of Development Management in consultation with the Chairman to agree.

Item 5: -.Construction of a 30MW containerised battery storage unit (sui generis) to provide backup electricity services to the grid for a period of 25 years from the date of commissioning of the storage unit - Land at Down Farm, Port Lane, Hursley
Case number: 17/01044/FUL

The Head of Development Management referred Members to the Update Sheet which referenced an amendment to condition 8, to include: Details of biodiversity enhancement in the form of bat box provision to be approved in writing by the local planning authority prior to installation; and an amendment to condition 9 to read: No external lighting should be placed on the equipment or compound during either the construction or operational phase of the development without the prior written consent of the Local Planning Authority.

During public participation, Mr Billington (Agent) and Richard Richie (Winchester Action against Climate Change) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet.

Item 6: - Demolition of former bus maintenance workshop building within the bus station site. The remaining buildings on the site will remain unchanged. Following demolition of the building, pavement, bus bay alterations and minor repair works will be carried out.

This includes: reconfiguration of existing bays, footpath alterations, new line markings, supply and installation of new electronic passenger information boards, external lighting, pedestrian barriers, decorations, replacement roof covering to walkways and new shelters.- Stagecoach Hampshire Bus Station 161 - 162 High Street, Winchester.

Case number: 17/01290/FUL

The Committee noted that the Report had not been made available for publication within the statutory deadline. The Chairman agreed to accept the item onto the agenda as a matter requiring urgent consideration, to allow a decision to be made without delay.

The Head of Development Management referred Members to the Update Sheet which outlined the response from the John Thompson Partnership regarding the Central Winchester Regeneration Supplementary Planning Document; the response from Environmental Health who raised no objection subject to informatives regarding suitable hours of work (informative 04) and potential for Asbestos Containing Material (informative 08); an additional informative 09 regarding the potential for protected species within the site and also a summary of a letter of support from the Head of Passenger Transport at Hampshire County Council and also a summary of further correspondence from the City of Winchester Trust. The Head of Development Management reported at the meeting that there was no objection from the Council's Ecologist.

During public participation, Judith Martin spoke in objection to the application and Councillor Burns commented on the application and Councillors Horrill and Graeme Todd (on behalf of the applicant) and Patrick Davies (City of Winchester Trust) spoke in support of the application, subject to the comments of the Trust set out in the Update Sheet, and all answered Members' questions thereon.

In Summary, Councillor Burns stated that the officer's presentation had alleviated her concerns about archaeology. A condition to limit the weight of tracked vehicles during demolition and a methodology statement were required. Previous trial pits in the area indicated that the limited groundworks associated with the proposal would not adversely affect any significant buried archaeological remains. In respect of resurfacing, the use of flexible block paving that was more easily removable was preferred as an interim measure rather than the use of a reinforced material. The issue of bats on site would be covered by a report.

In summary, Councillor Horrill stated that there was public support for the application for renovation of the bus station and that expenditure to complete the renovation had been approved by Cabinet on 5 April 2017 as part of its purchase by the City Council. There was local support to remove buses from

the High Street to reduce accidents and occasional damage to property. The garage space would be used to route buses through the bus station from the Broadway to Friarsgate. The remaining space could be used for archaeological study and creative uses could also be looked at. The garage building had not been identified as being of significance during the study of the area and an assurance was given that the weight of plant machinery to be used during demolition would be no heavier than a bus. The site had two inspection chambers ranging from 1.2 to 1.4 metres in depth and also a large maintenance inspection pit (within the garage) which was 21 metres by 1.5 metres by 1.4 metres. There had been some intervention on the site and this had not revealed anything of significance (in terms of archaeology). The demolition works would be to ground level with no pits created but there would be a service duct to a depth of 0.6 metres. The proposals had complied with the need to enhance safety and responded to consultations which sought action to regenerate the area and improve services (for bus users).

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet subject to an additional informative that, as part of the demolition methodology statement, the method shall include use of track plant vehicles which spread the weight and provide a weight no greater than existing buses using the bus station.

RESOLVED:

1. That the decisions taken on the Development Control Applications in relation to those applications outside the area of the South Downs National Park be agreed as set out in the decision relating to each item, subject to the following:
 - (i) That in respect of item 2, permission be refused for the following reasons: The replacement dwelling proposed was substantially larger than the one it replaced and by reason of its scale, mass and size was contrary to policy DM16, DM17 and DM23 Winchester District Local Plan Part 2, and was therefore harmful to the character and appearance of the area; and in addition, the annex in the rear garden was tantamount to a new dwelling in the countryside and did not comply with policy MTRA4 of the Winchester District Local Plan Part 1
 - (ii) That in respect of item 3, permission be refused for the reason that the annex in the rear garden was tantamount to a new dwelling in the countryside and did not comply with policy MTRA4 of the Winchester District Local Plan Part 1.
 - (iii) That in respect of item 4, permission be granted subject to Condition 3 being amended to remove the reference to (B2 – use class) and the wording of Condition 5 being amended to reflect the two new additional Conditions, (new Condition 6) that details of any the external lighting of the site shall be submitted

to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. The lighting shall be installed, maintained and operated in accordance with the approved details. Reason: To protect the appearance of the area, the environment and local residents from light pollution, and (new Condition 7) that prior to the use hereby permitted being first brought into use the doors proposed to the elevation shall be installed and thereafter retained. During the use of power tools, the doors shall be kept fixed shut. Reason: To ensure that noise during the use of power tools does not affect the amenity of local residents, with the precise wording being delegated to the Head of Development Management in consultation with the Chairman to agree.

(iv) That in respect of Item 6, permission be granted for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet, subject to the inclusion of an additional informative that during demolition the method shall include use of track plant vehicles which spread the weight and provide a weight no greater than existing buses using the bus station.

3. **CONFIRMATION OF TREE PRESERVATION ORDER 2193 – LAND AT CHURCH LANE, COLDEN COMMON**

(Report PDC1089 refers)

During public participation, Philip Moulin spoke in objection to the confirmation and Councillor Pam Glasspool (Colden Common Parish Council) spoke in support and both answered Members' questions thereon.

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2193 be confirmed.

4. **LAND AT LONG ROAD, SOBERTON**

(Report PDC1099 refers)

This item was for a site inside of the area of the South Downs National Park.

Councillor Pearson made a personal statement that he was a local Ward Member in respect of this item, and he spoke and voted thereon.

RESOLVED:

That the Head of Development Management be authorised to:

1. Commission a survey of the site to establish which of the 121 plots have been fly-tipped or have waste otherwise deposited on them.

That the Head of Legal and Democratic Services be authorised to:

2. Issue Section 215 Notices under the Town and Country Planning Act 1990 (Power to require proper maintenance of land) on behalf of the SDNPA on the existing plot owners on whose land fly tipping has occurred or waste has otherwise been deposited, requiring them to permanently remove this rubbish and tidy their land.
3. In the event that any of the plot owners do not remove the rubbish from their respective plots, take direct action on behalf of the SDNPA under Section 219 of the Town and Country Planning Act 1990 by appointing an appropriate contractor to remove the fly-tipping and waste otherwise deposited on the land in order to secure compliance with the Section 215 Notices.
4. After the fly-tipping and waste otherwise deposited on the land has been removed, issue enforcement notices requiring removal of the fences which have been erected on the land without the required planning permission (a breach of planning control under Section 171A (1) (a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991)) and are materially harmful to the appearance of the site and to the surrounding landscape.

The meeting commenced at 9.30am adjourned between 1.00pm and 2.00pm and concluded at 5.55pm.

Chairman