

## **PLANNING COMMITTEE**

**Wednesday, 23 October 2019**

Attendance:

Councillors  
Evans (Chair)

Rutter  
Bronk  
Clear

Laming  
McLean  
Read

Deputy Members:

Councillor Pearson (as deputy for Ruffell)

Others in attendance who addressed the meeting:

Councillor Lumby, Porter (Cabinet Member for Built Environment and Wellbeing) and Weir

Apologies for Absence:

Councillors Cunningham and Ruffell

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### 1. **DISCLOSURES OF INTERESTS**

Councillor Evans made a personal statement that she was the Council's appointed representative on the South Downs National Park Authority but she had not discussed the South Downs applications (items 7 and 8) on the agenda and she took part in the discussion and voted thereon.

Councillor Evans also declared a personal (but not prejudicial) interest in respect of Item 7 (Metlands Farm, Dean Lane, Bishops Waltham) as she knew the objector speaking on behalf of Bishops Waltham Parish Council but she had not discussed the application itself and she took part in the discussion and voted thereon.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of Item 7 (Metlands Farm, Dean Lane, Bishops Waltham) as he knew the objector speaking on behalf of Bishops Waltham Parish Council but he had not discussed the application itself and he took part in the discussion and voted thereon.

2. **MINUTES**

The Committee noted that there were a small number of typographical errors in the Minutes of the meeting held on 12 September 2019 which would be corrected in the final published copy.

RESOLVED:

That subject to the correction of a small number of typographical errors in the minutes of the meetings held on 12 September 2019, the minutes of the meetings held on 12 September and 23 September 2019, be approved and adopted.

3. **WHERE APPROPRIATE, TO ACCEPT THE UPDATE SHEET AS AN ADDENDUM TO THE REPORT.**

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1151.

4. **PLANNING APPLICATIONS**

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

**Applications inside the area of the South Downs National Park (SDNP):**

5. **METLANDS FARM, DEAN LANE, BISHOPS WALTHAM**

**Item 7: (Amended Plans) Side and rear single storey extension to existing house.**

**Metlands Farm, Dean Lane, Bishops Waltham**

**Case number: SDNP/18/04564/HOUS**

The Service Lead Built Environment referred Members to the Update Sheet which set out a correction to page 26 – paragraph 7 referring to the National Planning Policy Framework (NPPF) issued on 24 July 2018. This should include “and updated February 2019”.

In addition, there was a further correction to page 27 in the paragraph headed Partnership Management Plan as it referred to the SDPMP having some weight pending adoption of the South Downs National Park Local Plan. The SDNP Local Plan had been adopted and the Management Plan was a material planning consideration in the assessment of this application.

There was also a correction to page 32 (Informative 3) – where the reference to NPPF should include “and updated February 2019” and a further verbal update at the meeting to correct the spelling of the word menage to manege in reference to the horse training area within the Report and explaining that the reference to ‘submerged’ referred to the proposed development being cut into the land.

During public participation, Josie Woods representing Bishops Waltham Parish Council spoke in objection to 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.

6. **PENN HOUSE, WHEELY DOWN FARM LANE, WARNFORD**

Item 8: Variation of condition 2 and 3 of extant planning permission

02/01236/FUL

Penn House, Wheely Down Farm Lane, Warnford,

Case number: SDNP/19/03374/CND

The Service Lead Built Environment referred Members to the Update Sheet which set out Correction to page 37 – paragraph 7 refers to the National Park Planning Framework issued on 24 July 2018. This should include “and updated February 2019”.

In addition, there was a further correction to page 38 in the paragraph headed Partnership Management Plan it refers to the SDPMP having some weight pending adoption of the South Downs National Park Local Plan. The SDNP Local Plan has been adopted and the Management Plan is a material planning consideration in the assessment of this application.

There was also a correction to page 40 (Informative 2) – reference to NPPF should include “and updated February 2019”.

For ease of reference when reading the report conditions 02 and 03 of planning permission SDNP/17/00996/CND were also set out in the Update Sheet and a verbal update was also made at the meeting that the full wording of the Conditions was taken from the 2017 planning approval and not from the 2002 consent as stated in the description of the application.

During public participation, Richard Lowe (agent) spoke in support of the application and answered Members’ questions thereon.

During public participation, Councillor Lumby spoke on this item as Ward Member.

In summary, Councillor Lumby stated that he was in support of the application:

- There was a grey area in the policies of the South Downs National Park Local Plan (SDNPLP) and the planning statement with the application was persuasive.
- The circumstances of the application were unique and would not set a precedent
- The application would preserve and enhance the SDNP by supporting a rural business of an artisan blacksmith and there was no need for additional housing
- The applicant could continue to grow the business
- The location was hidden from views by a hill and the building was on the edge of the site
- The application had the support of neighbours
- There was a need to live on the site to protect equipment

- The application building was small and not suitable for a family and was the subject of a separate planning application
- Due to occupancy condition 3 a mortgage could not be obtained on the property
- Occupancy conditions usually related to agriculture, but this was rural industry
- It was not the intention of the applicant to remove occupancy condition 3 and sell the property; it was required for room for family and the artisan Blacksmith business.

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

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

#### **7. 22 HAMPTON LANE, WINCHESTER**

Item 9: Demolition of existing single dwelling being replaced by erection of a single dwelling. (AMENDED PLANS)

22 Hampton Lane Winchester

Case number: 19/01208/FUL

The Chair reminded the Committee that a site visit for Committee Members had taken place prior to the meeting on 22 October 2019.

During public participation, Hannah Henderson and Roy Brizland spoke in objection to the application and Huw Thomas (agent) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillor Weir spoke on this item as Ward Member.

In summary, Councillor Weir stated that:

- The application site had been the subject of a pre-emptive site visit by Members of the Committee on 22 October 2019
- The existing property was poor and required replacement
- There had been a lack of engagement by the applicant and no pre-application contact.
- The St Barnabas West Design Statement was relevant as the application undermined the rural setting
- The application property was large in scale and would overshadow 20 Hampton Lane and impact on the sunlight it received
- It was out of character with the area
- The long north wing with its continuous roofline would block views from existing properties
- The garage would affect trees that were the subject of a Tree Preservation Order and the entrance might need to be widened.
- The boundary to the west would be hard and overbearing to properties in Teg Down Meads.

- The application should be refused for the reason of policies DM15, DM16 and DM17 of Local Plan Part 2 and if granted permitted development rights should be removed.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons that the development did not respond positively to the character and appearance of the area and therefore resulted in overdevelopment and that the development resulted in an overbearing and overshadowing effect to the occupiers of 20 Hampton Lane and was therefore contrary to CP13 of Local Plan Part 1 and DM15, DM16, DM17 of Local Plan Part 2, as well as the intentions of the St Barnabas Neighbourhood Design Statement, with the precise wording delegated to the Service Lead Built Environment in consultation with the Chair.

8. **7 WEST END TERRACE, WINCHESTER**

Item 10: (Amended Plans 20.08) Erection of two storey outbuilding following demolition of existing single storey outbuilding.

7 West End Terrace, Winchester

Case number: 19/01419/HOU

The Service Lead Built Environment referred Members to the Update Sheet which set out that the proposal assessment had taken into account the preservation or enhancement of the character or appearance of the conservation area as set out within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

During public participation, Christian Ferguson spoke in objection to the application and Jeremy Tyrell (agent) and Andrew Steer (applicant) spoke in support of the application and all 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.

9. **WESTERN VILLA, 58 THE DEAN ALRESFORD**

Item 11: AMENDED PLANS (09/09/19). Application Reference Number:

15/02890/FUL Date of Decision: 22/12/2017 Condition Number(s): 19

Conditions(s) Removal: To substitute revised site plan, floor plans, elevations, boundary treatment and landscaping scheme. To be carried out in accordance with revised plans

Western Villa, 58 The Dean, Alresford

Case number: 19/01148/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out that in section headed 'Conditions' of the committee report, Condition 2 be removed as this has been discharged under the current details in compliance application for the original application 15/02890/FUL. Standard Assessment Procedures (SAP) and Building Research Establishment (BRE) calculations had been submitted and demonstrated that all plots (1-4) met Code 4 standard for energy and water.

In addition, Condition 3 was changed to:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the side elevations of all dwellings and the front elevations of House 4 hereby permitted.

During public participation, Mark Sennitt (agent) 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.

RESOLVED:

That the decisions taken on the Planning Applications in relation to those applications inside and 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 9, 22 Hampton Lane, Winchester the application be refused permission for the reasons that the development did not respond positively to the character and appearance of the area and therefore resulted in overdevelopment and that the development resulted in an overbearing and overshadowing effect to the occupiers of 20 Hampton Lane and was therefore contrary to CP13 of Local Plan Part 1 and DM15, DM16, DM17 of Local Plan Part 2, as well as the intentions of the St Barnabas Neighbourhood Design Statement, with the precise wording delegated to the Service Lead Built Environment in consultation with the Chair.

10. **CHANGES TO THE PROCESS FOR CONFIRMING NEW TREE PRESERVATION ORDERS WHICH RECEIVE 5 OBJECTIONS OR LESS**  
(Report PDC1150 refers)

At the invitation of the Chair, Councillor Porter provided background information on the historical context for the present referral of some Tree Preservation Orders to the Planning Committee for confirmation and the reasons for the proposed procedural changes.

**RECOMMENDED:**

**1. THAT AN AMENDMENT BE MADE TO THE CONSTITUTION AS FOLLOWS:**

**A. INCREASE THE NUMBER OF OBJECTIONS RECEIVED FROM SEPARATE HOUSEHOLDS WHERE THEY RAISE RELEVANT CONSIDERATIONS, WHICH TRIGGER REFERRAL OF**

**A DECISION TO MAKE A TREE PRESERVATION ORDERS BY  
PLANNING COMMITTEE FROM 1 OBJECTION TO 6.**

**B. DELEGATE TO THE SERVICE LEAD - ENVIRONMENTAL  
SERVICES AND SERVICE LEAD – BUILT ENVIRONMENT  
DETERMINATION OF THE DECISION TO MAKE A TREE  
PRESERVATION ORDER ON WHICH 1 TO 5 OBJECTIONS ARE  
RECEIVED BY THE COUNCIL**

**C. REPRESENTATIONS MADE BY MEMBERS OR PARISH  
COUNCILS WILL CONTINUE TO BE HEARD BY THE PLANNING  
COMMITTEE**

The meeting commenced at 5.30pm and concluded at 9:15pm.

Chair

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