

PLANNING COMMITTEE

Wednesday, 17 August 2022

Attendance:

Councillors
Evans (Chairperson)

Rutter
Clear
Edwards
Laming

McLean
Pearson
Westwood

Apologies for Absence:

Councillors Read and Cunningham

Other members in attendance:

Councillors Read, Brook and Lumby

[Audio and video recording of this meeting](#)

1. **DISCLOSURES OF INTERESTS**

In respect of item 6 (Station Road, Bishops Waltham, SO32 1DH - case number: 17/02075/FUL), Councillor McClean advised that he was a ward member for the area, that he had not been involved with the application, but he mentioned this for the sake of transparency.

2. **MINUTES OF THE PREVIOUS MEETING.**

RESOLVED:

That the minutes of the previous meeting held on 20 July 2022 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 PDC1207.

4. **PLANNING APPLICATIONS (WCC ITEMS 5, 8, 9 AND SDNP ITEMS 6 & 7) (PDC1207 AND UPDATE SHEET REFERS)**

A copy of each planning application decision was available to view on the council's website under the respective planning application. The committee considered the following items.

5. **STATION ROAD, BISHOPS WALTHAM, SO32 1DH (CASE NUMBER: 17/02075/FUL)**

Proposal Description: Conversion of the Mill Building and construction of a 66-bed Care Home, 38 Assisted Living Units, 19 family houses and 12 affordable homes and associated works (AMENDED PLANS and DESCRIPTION).

The application was introduced. Members were referred to the update sheet which provided additional information regarding the following matters.

An additional representation had been received raising concerns regarding the accessibility of the proposed development and the need for a pedestrian crossing at Winchester Road.

The application had been considered by Hampshire County Council Highways who had determined that improvements to the existing crossings at the B2177/Station Road/Victoria Road/Winchester Road/B3035 junction roundabout were sufficient to serve the needs of future occupiers. This would be secured as part of the S106 and S278 agreements. It was noted that the previous application for a supermarket included a pedestrian crossing to the southeast of Malt Lane on Winchester Road. However, in this case, the proposal was not considered by Hampshire County Council as the Highways Authority, to result in as much of a draw as a supermarket, therefore, resulting in less foot traffic going to and from the site. A proposed new crossing similar to the previous application, therefore, could not be considered suitably related to this application to justify a need for a contribution.

Highways and legal agreements. Following discussions, the Highways Authority had agreed to remove the sum required for improvements to The Square and High Street as it was not considered that these could be reasonably related to the proposed development. As such the payments to be secured via legal agreement were:

- Agreement and Monitoring of travel plan
- Pedestrian crossing improvements at the B2177/Station Road/Victoria Road/Winchester Road/B3035 junction roundabout
- Improvements to 3 local bus stops (two at Winchester Road and one within The Square)
- Traffic Regulation Order along Station Road.

Sustainable travel. The application provided cycle storage and access onto the local road network. It was noted that there was an existing bridleway/footpath/cycleway adjacent to the site on the old railway line however it was not considered that a connection to this from within the site would be feasible given the level changes, tree coverage in the area and route.

Presentation. An additional slide showing water routing in the event of pond overtopping was included. Further slides had been included showing the red line plan, open space and layout for the previous application for a supermarket.

Water pollution. On 19th July 2022, full council agreed to ask Southern Water to comment on Major development regarding:

- Clarification on which water treatment plant would be used to process foul water
- If there was information available to assess the impact on the number or duration of sewage discharges into local rivers or seas and if it does have this information to share it.

Southern Water was consulted on 11.08.2022 in this regard. No information had been received. Notwithstanding this, the nitrate budget calculator submitted on 24.05.2022 indicated that the foul water would be processed at the Bishops Waltham Water Treatment Plant.

It was considered that the proposal would result in additional foul water entering the system however previous comments from Southern Water had confirmed that there was capacity within the existing system to accommodate the proposal without resulting in harm.

Historic Environment comments. Clarification on page 20 of the report. The Historic Environment comment submitted on 14.07.2022 stated 'objection' due to lack of detail regarding the Abbey Mill building (it was noted as no objection in the report). However, details were secured via conditions 8, 9 and 10.

Page 33 of the report, after the first paragraph, should include: The proposal would see works to the Abbey Mill building and the Scheduled Monument that would result in less than substantial harm due to the conditions recommended both on pages 41-51 and on the Scheduled monument consent agreed by Historic England. However, it was acknowledged that this would still result in harm. Paragraph 200 (NPPF) states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), requires clear and convincing justification. In this case, there were a number of public benefits to the scheme in the retention of the Abbey Mill Building, the conversion of the abbey field into public open space and the provision of affordable housing and extra care facilities. It was therefore considered that the public benefits of the proposal outweigh the harm to the Listed Buildings settings, NDHA and the SAM.

Location of affordable housing. The proposal situates the affordable housing at the northeast corner of the site. Regarding this location, it was clarified that the size of the dwellings, mostly 1 and 2-bed flats, lends itself to a flatted layout rather than housing. The context of the wider area and of the scheme has prominent buildings addressing the street scene which this building does. As stated in the main report the site was informally divided into areas where future occupants would require extra care and those that would not. The affordable housing was located in the area where extra care would not be required but was also well situated close to access points and footpaths while the existing tree coverage that would largely be retained serves to present a secluded and tranquil corner. Any noise amenity issues would be picked up through the noise condition. The New Homes Team had no objection to the proposal.

Landscape. The proposal included public open space on Abbey Field. It was proposed for the area to be maintained by a management company though specific details had not yet been submitted. Condition 22 required the submission of a landscape management plan that was proposed to be secured via the S106 agreement which would include details of who the management company were, and that Abbey Field would be available in perpetuity as public open space.

Ecology. The ecology report required that a range of bird boxes be provided on the site however it does not specify swift boxes. It was therefore considered that condition 21 be amended to read (added section in bold):

The development must be carried out in accordance with the measures, conclusions and recommendations set out within Ecology Solutions Ecological Assessment of January 2022, **including the provision of swift boxes.**

Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure that the ecological value of the site was not adversely impacted upon by the development.

Assisted living. Page 26 penultimate paragraph should read:

Policy CP3 relates to the requirement for the provision of affordable homes as part of the development. It was considered that the proposal would create 19 market dwellings and was proposing 12 affordable housing units. Recent case law indicates that provided the assisted living units were restricted for their designated use via a S106 agreement then this would not trigger the need for additional affordable housing. These restrictions include restricting the units to leasehold, the communal areas being restricted to the assisted living occupiers and not the wider public, age restrictions for occupiers and requirements for a level of care for occupiers to meet. As such heads of terms had been recommended within the S106 to secure these units in perpetuity as assisted living units. Therefore, the affordable housing provision was considered to be acceptable.

The national guidance sets out criteria for assisted living and extra care facilities. As mentioned above these include an age restriction for persons over the age of 55, a requirement that the communal areas were only for residents' use, a requirement that residents need a minimum of 1.5 hours of care per week and restricting the units to leasehold. These would be secured via the section 106 agreement.

Wording for condition 31:

Delete – and include as Head of Term for S106 that no building of the development hereby approved shall be occupied until a S278 be completed for the pedestrian improvements at the B2177/Station Road/Victoria Road/Winchester Road/B3035 roundabout and bus stop improvements to three locations in the vicinity of the site with the Highways Authority

Reason: In the interests of highways safety and to improve access to amenities for future occupants.

During public participation, Giles Brockbank on behalf of Ridge and Partners LLC (Agent) and Matthew Jeal on behalf of Beechcroft Developments (Applicant) spoke in support of the application and answered members' questions.

Councillor Jonathan Williams, Bishop's Waltham Parish Council spoke in support of the application and answered members' questions.

The committee proceeded to ask questions and debate the application.

RESOLVED

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 amendment to condition 21, that:

1. suitable hedgehog gaps are provided within the development site
2. the provision of bird boxes should enable a wider range of species including Swifts.

The precise wording of the condition is to be delegated to Service Lead: Built Environment.

It was agreed that officers would write to the Highways Authority on behalf of the committee to highlight the committee's disappointment that this application did not generate a need for a pedestrian crossing on Winchester Road. Members asked the highway authority to consider the impact of developments recently completed as well as this scheme to bring forward footway improvements and a pedestrian crossing.

6. **MEON BOSCAGE, BROCKBRIDGE ROAD, MEONSTOKE, SO32 3AJ (CASE NUMBER: SDNP/21/05842/HOUS)**

Proposal Description: Installation of below-ground gas storage tank and electricity generator (Retrospective).

The application was introduced. During public participation, Kim Blunt (agent), and Mr Dredge (applicant) spoke in support of the application and Councillor Jane McCormick, on behalf of Corhampton and Meonstoke Parish Council spoke against the application and answered members' questions.

Cllr McCormick also read out a representation on behalf of the ward member present, Councillor Lumby which made the following points:

1. there was concern that this application formed part of an ongoing process that would eventually alter the residency status from tourism to permanent
2. the site adjoined the River Meon and members' attention was drawn to a previous application for a riverside deck area
3. he referred to a previous Full Council motion concerning the importance of protecting local rivers and that this area supported a population of water voles

4. he was concerned that gas tanks would be situated near a Site of Importance for Nature Conservation (SINC)
5. that neighbours believed that their amenity would be adversely affected, and that the noise from generator would be excessive
6. that the proposal was in breach of the South Downs National Park Authority Local Plan Policies; SD7, SD23, SD25 and SD4

The committee proceeded to ask questions and debate the application.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report. The committee agreed that an additional informative be included to request that the applicant be mindful of any potential disturbance to neighbours in the operation of the generator, with the precise wording to be delegated to Service Lead: Built Environment.

7. **MEON BOSCAGE, BROCKBRIDGE ROAD, MEONSTOKE, SO32 3AJ (CASE NUMBER: SDNP/21/05844/HOUS)**

Proposal Description: Erection of shed for storage of garden maintenance equipment. (Retrospective).

The application was introduced. During public participation, Kim Blunt (agent) and Mr Dredge (applicant) spoke in support of the application and answered members' questions.

The committee proceeded to ask questions and debate the application.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report.

8. **LAND SOUTH OF SCHOOL LANE, DENMEAD, PO7 6LU (CASE NUMBER: 22/00722/OUT)**

Proposal Description: Facilitation of Land into five serviced plots for Custom/Self Build housing.

The application was introduced. Members were referred to the update sheet which updated the committee on several matters as follows.

Regarding the sustainable transport section of the report, further information was provided by the applicant and the Planning Authority had received final comments from the Highways Authority.

The trip rates provided in the highways technical note were acceptable and the Highway Authority raised no concern over the impact on the local highway network in this regard. However, the documents provided do not show the full extent of the visibility splay and it was therefore not possible to confirm the splays were acceptable and achievable.

Vehicle tracking for two private cars to pass each other at the access had also not been provided. Tracking had not been provided showing a refuse vehicle accessing and egressing the site in a forward gear.

As a result, highway concerns had not been addressed and the proposal had not demonstrated access to, and movement within, the site could take place in a safe and effective manner, contrary to policy DM18 of the Local Plan Part 2.

A fourth reason for refusal was therefore included:

4. It has not been demonstrated the proposal allows for access to and movement within the site in a safe and effective manner as visibility and vehicle tracking had not been addressed. The proposal was therefore considered to detrimentally and harmfully impact Highway safety contrary to policy DM18 of the Local Plan Part 2.

During public participation, Paul Richard (architect) spoke in support of the application and Councillor Denise Searle, on behalf of Denmead Parish Council spoke against the application and answered members' questions.

Councillor Brook spoke as a ward member and expressed several points, summarised as follows:

1. she was a long-time supporter of self-build schemes as they brought many benefits including, build diversity, innovation in design, affordability, energy efficiency and provided a boost for small builders and suppliers
2. that self-build plots could add a unique element to the housing mix of the district
3. that it was important that the Local Planning Authority develop policies that would facilitate more self-build developments
4. that many of the objections raised to the application could be mitigated through planning conditions, for example, it was understood that the applicant would be keen to maintain existing hedges and to install new hedgerows
5. that this proposal was well thought out and could also be utilised as a pilot scheme for how the district could further benefit from future, self-build development.

The committee proceeded to ask questions and debate the application and received additional advice from the committee's legal officer concerning information within the officer report which had been questioned during public participation.

RESOLVED

The committee agreed to refuse permission for the reasons set out in the report and the update sheet. In addition, the committee agreed to amend refusal reason 1 to confirm that the application was also contrary to the Denmead Neighbourhood Plan.

9. **1 EARLSDOWN, NORTHBROOK AVENUE, WINCHESTER, SO23 0JW**
(CASE NUMBER: 22/00155/HOU)

Proposal Description: The proposal is to remove the existing trellis fence atop the wall along the west side of the garden. The replacement fence is the same height, size and materials of the existing (1.8m including wall), continuing along the south side wall. (Amended Description).

The application was introduced. Members were referred to the update sheet which stated that permitted development rights to alter the boundary of the dwelling were removed through application 81/01093/OLD where Earlsdown House was split into 5 dwellings and therefore planning permission was required. The proposed replacement also covered a greater area along the Southern boundary of the property.

During public participation, Polly Lane (applicant) spoke in support of the application and answered members' questions.

The committee proceeded to ask questions and debate the application.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report.

The meeting commenced at 9.30 am and concluded at 3.15 pm

Chairperson