

## **PLANNING COMMITTEE**

**Wednesday, 11 January 2023**

Attendance:

Councillors  
Evans (Chairperson)

Rutter  
Clear  
Edwards  
Laming

Pearson  
Read  
Westwood

Apologies for Absence:

Councillor McLean

Councillor Read was not present for items 10,11 and 12.

Deputy Members:

Councillor Cunningham (as deputy for Councillor McLean)

Other members in attendance:

Councillor Wallace

[Video recording of this meeting](#)

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

In respect of agenda item 7, (The Haven, School Lane, Headbourne Worthy, Case Number:22/01587/FUL), Councillor Rutter declared a personal but not prejudicial interest in that she was the Chair of Headbourne Worthy Parish Council but had not previously discussed this application.

In respect of agenda item 8, (Fillditch Farm, Forest Road, Swanmore, Case Number:21/02526/FUL), Councillor Pearson declared a personal but not prejudicial interest in that he was acquainted with the applicant.

In respect of agenda item 11 (Texas, Texas Drive, Winchester, Case Number:22/02170/HOU), Councillor Laming declared a pre-determined interest. He stepped down from the committee and addressed the committee as a ward member and did not vote on this item.

In respect of agenda item 12 (White Lodge Hambledon Road Denmead, Case Number:22/02430/TPO), Councillor Read declared a pre-determined interest and was not present for this item.

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

RESOLVED:

That the minutes of the previous meeting held on 13 December 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 PDC1213.

4. **PLANNING APPLICATIONS (WCC ITEMS 6-9) (PDC1213 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. **LITTLE GREEN, DELL ROAD, WINCHESTER, HAMPSHIRE, SO23 0QB, CASE NUMBER:22/00936/FUL. WARD: ST MICHAEL**

Proposal Description: Demolished current property and replaced with 2 pairs of semi-detached dwellings. 2no. located on the North - access from Petersfield Road & 2no. to be accessed from the existing access on Dell Road.

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

1. A comparative site plan showing the permitted scheme at Elbury alongside the proposed scheme at Little Green was submitted on 04.01.2023 and had been made available on the Council's website.
2. An appropriate assessment in respect of phosphate and nutrient mitigation had been completed and had been saved on file.

During public participation, Richard Long spoke in objection to the application, and Adam Knibb (agent) spoke in support of the application and answered members' questions.

The Committee proceeded to ask questions and debate the application, during which the legal advisor drew members' attention to the National Planning Policy Framework (NPPF), specifically regarding the removal of permitted development rights.

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.

6. **THE HAVEN, SCHOOL LANE, HEADBOURNE WORTHY, HAMPSHIRE, SO23 7JX, CASE NUMBER:22/01587/FUL. WARD: THE WORTHYS**

Proposal Description: Demolition of Existing and Replacement Dwelling and Garage with associated Minor Site Works. (amended plans received 24.10.2022).

The application was introduced, and during public participation, Chris Welland spoke in objection to the application, Phil Carr (applicant) spoke in support of the application and Belinda Baker (Parish Clerk), Headbourne Worthy Parish Council spoke against the application and answered members' questions.

The Committee proceeded to ask questions and debate the application.

RESOLVED.

The committee agreed to defer the determination of the application to a future meeting of the committee to allow for a site visit to view the proposal in the context of its setting and to fully understand any impact on the area.

7. **FILLDITCH FARM, FOREST ROAD, SWANMORE, SOUTHAMPTON, HAMPSHIRE, CASE NUMBER:21/02526/FUL WARD: CENTRAL MEON VALLEY;**

Proposal Description: Constructing a fully enclosed dog walking paddock for commercial use by general public. This requires additional fencing of the area and the addition of an area of hardstanding for vehicle parking. The erection of an outbuilding for office in connection with the use (amended description)

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

1. An amended plan had been received to clarify the layout of the dog park.

Condition 1 to be amended as follows:

01 The development hereby approved shall be carried out in accordance with the amended Site Location Plan submitted to the local planning authority on the 9th January 2023.

Reason: To ensure the avoidance of doubt and in the interests of proper planning.

2. The committee report refers to the 'operational management plan'; however, it is titled 'Noise Management Plan' containing details of the management of the site.

3. Condition 2 had been amended in accordance to the hours suggested by the WCC EP/Animal welfare officer for Saturdays (08:00-17:00), and as defined within the Noise Management Plan. The condition will be amended to:

02 The development hereby approved must only operate within the following hours:

- a) 08:00 to 18:00 on weekdays
- b) 08:00 to 17:00 on Saturdays
- c) Not used on Sundays or Bank Holidays

Reason: To ensure the risk of noise disturbance for neighbours is managed and mitigated.

4. A new condition will be added to restrict the number of dogs allowed on the site at any given time:

09 Notwithstanding Section 3 of the Noise Management Plan submitted 10 Aug 2022, a maximum number of dogs allowed on the site at any given time is restricted to 6 dogs.

Reason: To ensure the risk of noise disturbance for neighbours is managed and mitigated.

5. A new condition will be added to prohibit any external lighting within the site:

10 No lighting, whether free-standing or affixed to a structure shall be installed on the site.

Reason: To protect the character and appearance of the countryside.

6. Finally, a new condition will be added to remove the erected outbuilding if the dog park business ceases:

11 If the use of the land for a dog park ceases, the approved shed is to be removed within 3 months from when the business and its activity is dissolved, and the land is to be restored to its former use.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

During public participation, Councillor Jon Woodman, Swanmore Parish Council spoke against the application. Councillor Malcolm Wallace spoke as a ward member against the application and expressed several points on behalf of residents which could be summarised as follows:

1. That the proposal was sited too close to residents and would be a cause of excessive stress to them.
2. That the proposal amounted to commercial development in a rural area and that this was not appropriate in this location and had been refused previously.
3. That the proposal would have a negative impact on the local landscape.
4. That drainage was an issue, which a recent incident of flooding had demonstrated.

5. That the proposal would be contrary to Local Plan Policy, MTRA4 regarding the creation of inappropriate noise generation.
6. That there was concern over animal welfare as the proposal was very close to grazing horses

The Committee proceeded to ask questions and debate the application.

#### RESOLVED

The committee voted against the recommendation to grant planning permission and instead voted to refuse permission for the proposal. In reaching this decision they raised the following material planning matters which weighed in favour of refusing planning permission:

1. That considering the location of the proposal, and the number of dwellings in the area, that:
  - a. the proposal was in an unsuitable location which set it apart from other similar applications that had been approved.
  - b. that the proposal was contrary to Local Plan policies MTRA 4 (Development in the Countryside), DM13 (Leisure and Recreation in the Countryside), and DM23 (Rural Character).
  - c. that there was no operational need for this proposal at this location
  - d. that the proposal would generate unacceptable amenity impacts in the local area, particularly concerning noise and disturbance, character and tranquillity

The details of which were to be delegated to Planning Delivery and Implementation Manager in liaison with the Chairperson to finalise.

8. **A R B MECHANICAL LTD, WINCHESTER ROAD, WALTHAM CHASE, SO32 2LL, CASE NUMBER:22/00199/FUL WARD: CENTRAL MEON VALLEY;**

Proposal Description: Reconfiguration of south entrance in Lower Chase Road to provide alternative access and provision of eight parking spaces (partial alternative to permission 12/02424/FUL).

The application was introduced, and members were referred to the update sheet which provided additional information regarding the addition of Condition 08, to read "The replacement car parking hereby approved shall be laid out in accordance with the approved drawing prior to the use of the new access commencing, Proposed Site Plan (drawing no. SD-2024-01 REV Y), and be maintained available for parking thereafter."

During public participation, Mark Jones spoke in objection to the application and Councillor Malcolm Wallace spoke as a ward member against the application and expressed several points on behalf of residents which could be summarised as follows:

1. That the road was narrow, had no pavement and was heavily used by cyclists, pedestrians and horse riders.
2. That the creation of this entrance would generate a risk to those using the area.
3. That the creation of an operational management plan was appreciated but it did not mitigate all of the risks.

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. In addition, the committee agreed to amend Condition 4 in that details of relevant tree species are to be provided and approved by the Local Planning Authority. The precise wording of the amended condition was to be delegated to the Planning Delivery and Implementation Manager in liaison with the Chairperson.

9. **PLANNING APPLICATIONS (WCC ITEMS 11 - 13) (PDC1213 AND UPDATE SHEET REFERS)**

10. **TEXAS, TEXAS DRIVE, WINCHESTER, HAMPSHIRE., CASE NUMBER:22/02170/HOU WARD: BADGER FARM & OLIVERS BATTERY;**

Proposal Description: Construction of an attached double garage to the existing dwelling.

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

1. An update to Cllr Laming's written representation including a request from him that if the proposal was permitted, that 3 additional conditions be included and an officer response to this request was also provided.
2. Details of a response received after the deadline from Mrs Billington,
3. Additional photographs have been incorporated into the main officer's presentation further to the agenda.

During public participation, Diane Smith spoke in objection to the application, and Jeremy Tyrrell (agent) spoke in support of the application and answered members' questions. Councillor Laming spoke as a ward member against the application and expressed several points on behalf of residents. Councillor Laming provided the committee with a presentation and raised the following points:

1. That this was a contentious application in the area.
2. That there had been concerns regarding over-development and historical enforcement cases.
3. That the application should be viewed in the context of the site history.
4. He advised that the footings for the garage were already in place and so this application should be considered a retrospective application,
5. That this was a sensitive site and part of the Compton Gap, and a key concern was the visibility of the development.
6. That access was very limited and an increase in traffic would lead to further safety concerns.

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. In addition, two further conditions were agreed as follows.

1. That the garage be solely used for the purpose of private motor vehicles or ancillary purposes to the main dwelling.
2. That electric vehicle charging provision be incorporated into the proposal.

The precise wording of the condition was to be delegated to the Planning Delivery and Implementation Manager in liaison with the Chairperson.

11. **WHITE LODGE HAMBLEDON ROAD DENMEAD HAMPSHIRE PO7 6ES,  
CASE NUMBER:22/02430/TPO WARD: DENMEAD;**

Proposal Description: Oak tree (T4) - fell and treat stump.

The application was introduced, and members were referred to the update sheet which provided additional information regarding the officer presentation slides.

During public participation, Councillor Kevin Andreoli, Denmead Parish Council spoke against the application and answered members' questions.

The Committee proceeded to ask questions and debate the application during which the legal advisor drew members' attention to the requirements of the Town and County Planning Tree Regulations 2012, and specifically regulation 24 regarding the matters of liability and compensation.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report. In addition, condition 3 be amended so that the period of time from the date of planting, the tree (or any other trees planted in replacement for it) are removed, uprooted, destroyed or dies, another two trees of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent **be changed from 2 years to 5 years.**

12. **CONFIRMATION OF TREE PRESERVATION ORDER 2326 - LAND AT DANESACRE, WORTHY ROAD, WINCHESTER (PDC1214) WARD: ST BARTHOLOMEW.**

Proposal Description: Confirmation Of Tree Preservation Order 2326 - Land At Danesacre, Worthy Road, Winchester.

The application was introduced and during public participation, Eleanor Williams (representing the 3 Trustees and owners of Danesacre) spoke in objection to the order and answered members' questions.

The Committee proceeded to ask questions and debate the application.

RESOLVED

That Tree Preservation Order 2326 be confirmed as set out in the report.

The meeting commenced at 9.30 am and concluded at 3.50 pm

Chairperson