

<b>Meeting</b>	Planning Committee
<b>Date and Time</b>	Wednesday, 7th February, 2024 at 9.30 am.
<b>Venue</b>	Walton Suite, Guildhall Winchester and streamed live on YouTube at <a href="http://www.youtube.com/winchestercc">www.youtube.com/winchestercc</a>

**Note:** This meeting is being held in person at the location specified above. Members of the public should note that a live video feed of the meeting will be available from the council's YouTube channel ([www.youtube.com/winchestercc](http://www.youtube.com/winchestercc)) during the meeting.

A limited number of seats will be made available at the above named location however attendance must be notified to the council at least 3 clear working days (by 4.30pm, Thursday, 1 February 2024) before the meeting. Please note that priority will be given to those wishing to attend and address the meeting over those wishing to attend and observe.

## AGENDA

### PROCEDURAL ITEMS

#### 1. **Apologies and Deputy Members**

To record the names of apologies given and Deputy Members who are attending the meeting in place of appointed Members.

#### 2. **Disclosures of Interests**

To receive any disclosure of interests from Members and Officers in matters to be discussed.

*Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.*

If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting.

#### 3. **Minutes of the previous meeting.** (Pages 9 - 14)

Minutes of the previous meeting held on 10 January 2024.



Public speaking is allowed on individual planning applications, subject to certain restrictions – please contact the Public Speaking Co-ordinator as soon as possible, but **prior to 4.30pm on Thursday, 1 February 2024** (01962) 848 339 to register to speak and for further details.

## BUSINESS ITEMS

	<b>Report Number</b>	<b>Ward</b>
4.	Where appropriate, to accept the Update Sheet as an addendum to the Report	
5.	Planning Applications (WCC Items 6-8) (Report and Update Sheet refers)	
6.	Land South of Crabwood, Sarum Road, Sparsholt. Hampshire (Case number: 23/01025/FUL) (Pages 15 - 112)	Badger Farm & Olivers Battery
7.	Corner House, 71 North Walls, Winchester, Hampshire, SO23 8DA (Case number: 22/00860/FUL) (Pages 113 - 148)	St Michael
8.	Land to the North West of Botley Road, Curdrige, Hampshire (Case number: 23/02173/FUL) (Pages 149 - 178)	Whiteley & Shedfield
9.	Planning Applications (WCC Item 10) (Report and Update Sheet refers)	
	<p><b>The following items will not be considered before 2.00pm:</b>            (Depending on the Committee's progress, some of the morning's items may overrun into the afternoon session. Nevertheless, the following items will not be considered <u>before</u> 2.00pm).</p>	
10.	The Paddock, Durley Street, Durley, Hampshire (Case number: 23/01326/FUL) (Pages 179 - 218)	Bishops Waltham
11.	Tree Preservation Order No: 2342 - Homebase, Easton Lane, Winchester (Pages 219 - 230)	St Bartholomew

12. Planning Appeals - Quarterly Report and Enforcement Appeals - Yearly Report (Pages 231 - 250)

All Wards

**Please note:** At the discretion of the Chair, the order in which the Planning and Enforcement Appeals Report (Item 12 above) is considered on the agenda may change depending on the progress made on the day of the meeting.

**Laura Taylor  
Chief Executive**

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack.



30 January 2024

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer tel: 01962 848 438 Email: [cbuchanan@winchester.gov.uk](mailto:cbuchanan@winchester.gov.uk)  
Matthew Watson, Senior Democratic Services Officer tel: 01962 848 317 Email: [mwatson@winchester.gov.uk](mailto:mwatson@winchester.gov.uk)

*\*With the exception of exempt items, agendas, reports and previous minutes are available on the Council's Website <https://www.winchester.gov.uk/councillors-committees>*

## **MEMBERSHIP**

**Chairperson:**  
Rutter (Liberal Democrats)

**Vice-Chairperson:**  
Edwards (Liberal Democrats)

### **Conservatives**

Cunningham  
Read

### **Liberal Democrats**

Achwal V  
Gordon-Smith  
Laming  
Small

### **Green**

Lee

### **Conservatives**

Bolton and Pearson

### **Deputy Members Liberal Democrats**

Pett and Williams

### **Green**

Wallace

Quorum = 3 members



Working in Partnership



## **THE HUMAN RIGHTS ACT 1998:**

Please note that the Human Rights Act 1998 makes it unlawful for the Council to act in a way incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise.

In arriving at the recommendations to grant or refuse permission, careful consideration has been given to the rights set out in the European Convention on Human Rights including Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 14 (prohibition of discrimination in enjoyment of convention rights) and Article 1 of the first Protocol (the right to peaceful enjoyment of possessions).

The Council is of the opinion that either no such rights have been interfered with or where there is an interference with the rights of an applicant or objector, such interference is considered necessary for any of the following reasons:-

- ◆ The protection of rights and freedoms of others
- ◆ Public safety
- ◆ The protection of health or morals
- ◆ The prevention of crime or disorder
- ◆ The economic well being of the country.

It is also considered that such action is proportional to the legitimate aim and in the public interest.

## **GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:**

### **Background**

The Planning committee meets on average once every four weeks. The membership of the committee is drawn from elected city councillors.

The Council's Constitution states that the vast majority of applications will be determined by the Planning officers (which are sometimes known as "delegated decisions"). However, if certain criteria are met from the Constitution, some applications (about 5%) are referred to committee for determination, rather than officers.

As part of the Winchester District includes the South Downs National Park (SDNP), the committee can also determine applications from this area on behalf of the National Park Authority.

### **At the meeting**

At the start of the committee meeting, the councillors and officers will be introduced. Any councillor's declarations of interest will also be announced at this point. If the interest is considered by the councillor to be significant, he/she will leave the meeting when it reaches that item on the agenda.

### **Timing**

The committee considers many applications and scrutinises each one thoroughly. However, to prevent waiting unnecessarily through other people's applications, where work demands it, agendas will be split into morning and afternoon sessions. The morning session will usually start at 9.30am and, where applicable, the agenda will set out those items which the committee will *not* consider before 2.00pm in the afternoon. Further details are set out below.

### **The Officer's presentation**

On each item, the planning case officer will introduce the application to the committee. They will concentrate on showing details of the proposals with the aid of projected visual material, including photographs of the site and plans. The length and details of the presentation at the meeting will be proportionate to the nature and scale of the proposal. The officer will make a recommendation to the committee to either approve or refuse the application and, in the latter case, will state the reasons for this.

The officer is required to make a recommendation and the presentation will include material to explain why the scheme is being recommended for permission or refusal. However, officers will not restate the information set out in the report which relates to

the assessment of the planning merits of the case. Specialist officers dealing with issues such as landscape, design and historic environment may also be available at committee to provide advice on such matters and a legal representative will attend all Planning committee meetings.

### **Public participation:**

There will be a period of public participation, as follows:

- Objectors (3 minutes in total),
- Parish Council representatives (3 minutes),
- Ward Members (local District Councillors)/Cabinet Members (5 minutes each),
- and supporters of the application (3 minutes in total).

The process is controlled by procedures to ensure fairness to both objectors and supporters. **To register to speak at the meeting, please contact the Public Speaking Co-ordinator on 01962 848 339 by 4:30pm at least THREE clear working days before the meeting,**(Thursday, 1 February 2024) in order to allow the meeting to be managed as efficiently as possible.

Please keep to the time allocated.

After each speaker's category, there will be an opportunity for the committee to ask questions of the speakers, if the committee considers it necessary to clarify any matters of fact that arise.

Aside from this, the committee will not enter into any further discussion with members of the public.

The names of members of the public etc who have registered to address committee meetings will appear in the minutes as part of the public record, which will be included on the Council's website. Those wishing to address a committee meeting who object to their names being made available in this way must notify the Democratic Services Officer either when registering to speak, or within 10 days of this meeting.

Further information about speaking at the Planning Committee can be [found here](https://www.winchester.gov.uk/planning/other-guidance/public-speaking-at-planning-committee). ( <https://www.winchester.gov.uk/planning/other-guidance/public-speaking-at-planning-committee> )

### **Members' Questions**

After the officers' presentation and public participation there will be an opportunity for the Councillors on the committee to ask questions of the officers and clarification, if necessary, of public speakers.

## **The Councillors' Debate**

The Councillors will then debate the application and may pick up any issues raised during public participation before a vote is taken to either;

- permit,
- refuse or
- defer (usually for a site visit or for further information). If a site visit is required then the item will usually be deferred to the next meeting of the committee to allow it to be reconsidered after the site visit has been held. The item will be reconsidered in its entirety, including public participation where those registering to speak will be given the opportunity to address the committee.

If the committee votes against the officer's recommendation, the reasons for this will be discussed and explained. Usually, the precise wording for the reasons for refusal will be delegated to the Service Lead Built Environment in consultation with the Chair. A summary of the committee's reasons will be included in the minutes.

## **Voting**

Every Member has one vote when a matter before the meeting requires a decision. In the event of an equality of votes, the Chair may exercise a casting vote and that vote may be cast in any way they wish.

A Member may abstain from voting or vote differently from how they may have indicated during the debate, without further explanation. The way each member voted will not be recorded in the minutes, unless a motion to have a recorded vote has been passed.

## **After the meeting**

After the meeting, the minutes will be available from the Council's website and a decision notice will be sent to the applicant/agent. Applicants have a right of appeal against a committee decision to refuse planning permission, or any conditions imposed on permission, and any appeal will be considered by an Inspector appointed by the Secretary of State. Where an application has been permitted, there is no opportunity for objectors to appeal, other than to the Court by way of judicial review on a point of law.

## **Filming and broadcast notification**

This meeting will be recorded and broadcast live on the Council's YouTube channel. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#). Please note that the video recording is subtitled, but you may have to enable your device to see them (advice on how to do this is on the meeting page).

**Disabled access**

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email [democracy@winchester.gov.uk](mailto:democracy@winchester.gov.uk) to ensure that the necessary arrangements are in place.