

PLANNING COMMITTEE

Wednesday, 17 April 2024

Attendance:

Councillors

Rutter (Chairperson) (except for Item 6)

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| Edwards (Vice-Chair in Chair for item 6) | Pearson |
| Gordon-Smith | Small |
| Laming (except for item 12) | Williams |
| Lee | |

Other Members that did address the meeting:

Councillors Cook and Porter (Cabinet Member for Place and Local Plan)

Other Member in attendance that did not address the meeting:

Councillor Morris

[Full recording of the meeting.](#)

1. **VOTE OF THANKS**

(i) **Councillor Frank Pearson**

The Chairperson announced that this was the last meeting of the municipal year and welcomed Councillor Frank Pearson to the meeting as a deputy member. This was Councillor Pearson's last meeting as he would not be standing for re-election in the upcoming elections in May after 22 years as a member on the council and a member of the Planning Committee for at least 12 of those years.

During the meeting, a presentation was made to Councillor Pearson and the committee thanked him for his contribution and dedication over many years of service to his community as an elected member and wished him well for the future.

(ii) **Councillor Chris Edwards**

The Chairperson announced that the Vice-Chairperson, Councillor Chris Edwards, would also not be standing for re-election in the upcoming elections in May following 3 years of service as an elected member. The committee thanked Councillor Edwards for his contribution during his time as a member of the Planning Committee and wished him well for the future.

2. **APOLOGIES AND DEPUTY MEMBERS**

Apologies for absence were received from Councillor Read and Councillor Cunningham, with Councillor Pearson attending as standing deputy member.

3. **DISCLOSURES OF INTERESTS**

Councillor Rutter declared a personal and prejudicial interest in respect of item 6 (Land to the rear of 74 and 76 Lovedon Lane, Kings Worthy – case number: 23/01375/FUL) as the principal objector was a close colleague and friend. Councillor Rutter stated that she would take no part in the determination of the application and left the meeting for the consideration of the item taking no part in the discussion or vote thereon. Councillor Rutter announced that the Vice-Chairperson, Councillor Edwards, would take the Chair for the determination of this application in her absence.

Councillor Rutter declared a personal (but not prejudicial) interest in respect of Item 11 (New House, Down Farm Lane, Headbourne Worthy – case number: 24/00230/TPO) due to her role as Ward Member. However, she had taken no part in discussions regarding the application, therefore she took part in the consideration of the item and voted thereon.

Councillor Edwards declared a personal (but not prejudicial) interest in respect of item 12 (Tree Preservation Order No. 2346, Chilcomb St Giles, Northbrook Avenue, Winchester) due to his role as Ward Member. However, he had taken no part in discussions regarding the application, therefore he took part in the consideration of the item and voted thereon.

4. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting held on 13 March 2024 be approved and adopted.

5. **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 the report.

6. **PLANNING APPLICATIONS (WCC ITEMS 6, 8, 9 AND 11 AND SDNP ITEM 7) (REPORT 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 considered the following items:

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

7. LAND TO THE REAR OF 74 AND 76 LOVEDON LANE, KINGS WORTHY, WINCHESTER, HAMPSHIRE (CASE NUMBER: 23/01375/FUL)

Proposal Description: Item 6: Erection of 1No. new detached bungalow along with car parking and use of existing access onto Lovedon Lane

The application was introduced. During public participation, Christopher Pocock and Mike Collis spoke in objection to the application and Philip Dudley (agent) spoke in support of the application and answered Members' questions thereon.

Councillor Porter spoke as Ward Member. Prior to making her representation, Councillor Porter announced that the neighbour and principal objector of the application was known to all Ward Members. However, she stated that she would address the committee to ensure the whole community was adequately represented.

In summary, Councillor Porter spoke in objection to the application and raised the following points:

- Fellow ward member, Councillor Cramoysan, had raised objection to the application online. This objection was based on the adverse impact of the new house on all the neighbours and the character and appearance of the area.
- Considered the principle that background development of this kind was typical in this area as characterised by Mountbatten Place and Fryers Close, as referred to in the report, to be incorrect. Mountbatten Place was built on land partitioned off decades ago linking to the main Council estate with a two-vehicle width entrance onto Fraser Road and Fryers Close was developed from long gardens by the demolition of Lovedon Lane homes using the space created as an entrance to the cul-de-sac. Neither detracted from the development of Lovedon Lane
- Windfall gain in The Worthys had been achieved by demolishing the original house on the plot and replacing with several others on the same site.
- Stated that the application did not achieve a well-designed beautiful place and risked a new precedent for being able to shoehorn a property into the rear of another by using the small amount of side land as a narrow drive which was not sustainable.
- The proposal provided poor vehicular, pedestrian and emergency access.
- The proposed bungalow was a disproportionate size to the plot. The design did not reflect the architecture of the front properties with a different roof pitch to nearby Fryers Close dwellings which will feel uncomfortable and cramped and restrict light into gardens, especially in winter months.
- Restricted entrance with inadequate turning room for larger delivery vans.
- The choice of driveway materials was considered crucial as noise from turning vehicles would impact on neighbours at 72 Lovedon Lane and Fryers Close. In addition, the humming noise from the air source heat pump may be heard by neighbouring properties, potentially creating a noise disturbance which should be restricted by condition.

- Noise and pollution from vehicular movements during construction and occupation would affect the health and wellbeing of residents, particularly those with existing health conditions.
- Boundary treatments and the close proximity of the driveway from 72 Lovedon Lane, resulting in privacy issues for those residents.
- Sunlight – the proposed hedges were not in the control of the applicant, but the roofline would shade gardens in Fryers Close and added trees would shade the new garden during the summer.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to refuse the application for the following reasons:

- (i) The position of the proposed dwelling, to the rear of existing properties in Lovedon Lane and Fryers Close, and the requirement to access along the side boundary of the adjoining property to the north for its full extent, including the position of the turning areas and proposed parking spaces adjacent the rear private useable areas of residential gardens, would result in harmful amenity issues for occupiers, as reflected in policy DM18(ii Access and Parking) and issues of character in response to the environment contrary to policy DM16(i Site Design Criteria). The precise wording to be delegated to the Chair of Planning Committee in consultation with the Service Lead: Built Environment.

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

8. **THE MANOR HOUSE, HIGH STREET, TWYFORD, HAMPSHIRE, SO21 1RH (CASE NUMBER: SDNP/23/05446/LIS)**

Proposal Description: Item 7: To update and enlarge the bathroom, moving modern partitions.

The application was introduced. 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.

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

9. **WRAY HOW, 30 DOWNSIDE ROAD, WINCHESTER SO22 5LU (CASE NUMBER: 23/01562/FUL)**

Proposal Description: Item 8: Detailed Planning Permission for a development comprising 4 units, parking, landscaping and access.

The application was deferred for consideration at a future meeting of the committee.

10. **TANGLEFOOT FARM LIVERY, HENSTING LANE, FISHERS POND, HAMPSHIRE (CASE NUMBER: 23/02453/FUL)**

Proposal Description: Item 9: (Retrospective & Updated Description) For the erection of Stable block containing 6 stables, tack room and small hay barn.

The application was introduced. Members were referred to the Update Sheet which set out in full details of amended plans submitted by the applicant on 10 April 2024 and a revision to the wording of Condition 1 to reflect the amended plan.

During public participation, David Le Riche spoke in objection to the application and Paula Johnston spoke in support of the application and answered Members' questions thereon.

Councillor Cook spoke as Ward Member. In summary, Councillor Cook raised the following points:

- Not a supporter of retrospective planning applications. However, on this occasion, although not an easy decision, she wished to speak in support of the application.
- Made reference to one particular objection on the planning portal making excellent reference to the policies of the local plan. Emphasised that the parking of a kebab van had been subject to the concerns of residents and it was suggested the area should only be for parking of visiting owners of their horses and conveyancing boxes, caravans or other cars.
- Visited the application site twice and referenced comments made regarding other livery yards down the track which did not form part of this application.
- Colden Common Parish Council had raised no objection or comment to the application.
- The application was a modest one storey high stable block. 35 native trees had been planted, with a further 20 to be planted in due course.
- Considered that a Biodiversity Net Gain report should have been submitted in this respect.

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.

11. **NEW HOUSE, DOWN FARM LANE, HEADBOURNE WORTHY,
WINCHESTER, HAMPSHIRE, SO23 7LA (CASE NUMBER: 24/00230/TPO)**

Proposal Description: Item 11: 1206 Poplar – Remove; 1207 Poplar – Remove; 1209 Poplar Remove; 1210 Poplar – Remove; 1211 Poplar – Remove; 1212 Poplar - Remove.

Replacement planting to be agreed within the planning authority

It was noted that the majority of the committee, had visited the application site on 16 April 2024 to enable members to observe the trees in situ and to gain a better appreciation of the proposals.

The application was introduced. Members were referred to the Update Sheet which outlined that photos had been provided by the agent which were displayed at the meeting.

During public participation, Ben Abbatt (agent) and Anita Gibson spoke in support of the application and answered Members' questions thereon.

Councillor Porter spoke as Ward Member. In summary, Councillor Porter raised the following points:

- Stated that it was a rare occurrence that she would speak in support of an application seeking the removal of trees. However, the poplars on site were extremely tall and the due to recent events, she was seeking their removal on the grounds of community safety. Recently trees close to the highway had snapped off close to the base due to significant flooding and subsequent high winds common in this area, which had caused damage to properties and resulted in a potentially life-threatening situation and had contributed to community support for the trees to be felled.
- Insurance failed to provide cover for the cost of road closures required to remove the fallen tree as an 'act of god' and the damage caused, therefore there was a high financial cost to the owner.

In response to questions, the council's Senior Planning and Litigation Lawyer clarified the principles regarding the ability to claim compensation should future loss or damage occur as a result of the council's refusal to remove a tree preservation order(s), subject to limitation periods and exceptions.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to refuse permission for the reasons set out in the Report.

12. **TREE PRESERVATION ORDER NO. 2346 - CHILCOMB ST GILES,
NORTHBROOK AVENUE, WINCHESTER**

The application was introduced. Members were referred to the Update Sheet which outlined that photos had been provided by the owner of the tree which were displayed at the meeting.

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

The Committee proceeded to ask questions and debate the application.

RESOLVED:

That, having taken into consideration the representation received, Tree Preservation Order 2346 be confirmed, as set out in the report.

The meeting commenced at 9.30 am, adjourned between 11.50 pm and 2 pm and concluded at 3.05 pm.

Chairperson