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PLANNING COMMITTEE

Wednesday, 19 October 2022

Attendance:

Councillors
Evans (Chairperson)

Rutter
Clear
Edwards
Laming

Pearson
Read
Westwood

Apologies for Absence:

Councillor McLean

Deputy Members:

Councillor Cook (as deputy for Councillor McLean)

Other members in attendance:

Councillor Power

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

1. **DISCLOSURES OF INTERESTS**

Councillor Evans and Councillor Clear both declared a personal (but not prejudicial) interest in respect of agenda item 5 (Fairhaven Fontley Road Titchfield Fareham Hampshire PO15 6QZ (case ref:22/00891/FUL) due to their roles as ward members. However, as they had taken no part in discussions regarding the application, they took part in the consideration of this agenda item and voted thereon.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of agenda item 5 (Land at Kingsmead, Wickham, Hampshire (case ref: SDNP/20/03460/FUL)) due to his role as a ward member. However, he had taken no part in discussions regarding the application, and took part in the consideration of this agenda item and voted thereon.

2. **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 PDC1209.

3. **PLANNING APPLICATIONS (WCC ITEMS 6-10) (PDC1209 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.

4. **FAIRHAVEN FONTLEY ROAD TITCHFIELD FAREHAM HAMPSHIRE PO15 6QZ (CASE REF:22/00891/FUL)**

Proposal Description: The addition of a detached 4-bedroom dwelling

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

1. That following the receipt of further information the Winchester City Council tree officer had recommended refusal of planning permission as insufficient information had been submitted to ensure that the trees on the site would not be harmed as a result of the development. The proposal was contrary to DM15 DM23, and DM24 of the Local Plan Part 2.
2. That a written letter in support of the current application had been submitted on behalf of the applicant to address the reasons for refusal.
3. That a Highways Statement from a qualified Highways Engineer had been submitted in support of this application. The proposal indicated a shared access arrangement with the current existing property, Fairhaven House. The access currently exists, and would, as part of the current proposal, be widened to enable two cross-over points across the property boundary. Whilst providing additional information the Hampshire County Council Highways Engineer still maintained an objection and recommended refusal of planning permission.
4. That vegetation removal would be required to alter the access into the proposed site, the potential impact of this habitat removal on protected species had not been assessed and this information was required prior to determination.
5. That within the report, the paragraph 'principle of development' reads that 'the proposal was for redevelopment of the existing farm building. This was an error. The new dwelling was to be built in the garden area of Fairhaven, a residential property.

During public participation, David Rothery (on behalf of the agent) 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 refuse permission for the reasons and informatives set out in the report and the update sheet.

5. **LAND AT KINGSMEAD, WICKHAM, HAMPSHIRE (CASE REF: SDNP/20/03460/FUL)**

Proposal Description: Amended Description, Plans and Information - Received 17/03/2022) Erection of 2 no. single-storey log cabins for tourist accommodation.

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

1. It had been noted since the publication of the report that the trees that were removed at the entrance were still shown on the plans. These plans had now been amended and saved to the file.
2. Condition 3 had been updated regarding holiday occupancy as the site was outside the defined settlement limits in the open countryside, where permanent dwellings with unrestricted occupation would be contrary to the adopted planning policy, , the application was considered to be in accordance with the National Planning Policy Framework.
3. Additional Informatives had been added regarding:
 - Number 6 - hours of work during construction
 - Number 7 – no burning or statutory nuisance during construction
 - Number 8 – Construction code of conduct - respecting environment / neighbours during construction

During public participation, Jane Denley spoke in objection to the application, Caroline Jezeph (agent) spoke in support of the application and Brendan Gibbs (Soberton Parish Council Clerk), spoke against the application and answered members' questions.

The committee proceeded to ask questions and debate the application.

RESOLVED

1. 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 the following.
 - a) Condition 3 (holiday occupancy) be amended as per the update sheet.
 - b) Condition 7 (biodiversity gain plan) be amended to include references to bird boxes, bat boxes, hedgehog highways and relevant requirements as specified by the South Down National Park Ranger.
 - c) The inclusion of the additional informatives; 6,7 and 8 as per the update sheet.
 - d) An additional condition regarding the removal of permitted development rights -Town and County Planning (General Permitted Development) Order 2015

(as amended), schedule 2, Classes A, B, C, D, E and F of Part 1 and Class A of Part 2.

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

6. **TOTFORD SAW MILL TOTFORD LANE NORTHINGTON ALRESFORD HAMPSHIRE SO24 9TQ (CASE REF: 22/00704/FUL)**

Proposal Description: Construction of single dwelling with associated landscaping and parking, following demolition and removal of existing buildings and structures.

The application was introduced. Members were referred to the update sheet which provided additional information regarding the reasons for the refusal of the previous application 19/01509/FUL. It also advised that of the public comments of support for the current application, 5 were from residents of Totford and the remainder were from Old Alresford, Dummer, Ropley, Alresford and Swarraton.

During public participation, Andy Partridge and John Gibbs spoke in support of the application and answered members' questions.

Councillor Power spoke as a ward member and expressed several points on behalf of residents, which could be summarised as follows.

1. Whilst, supportive of retaining employment land, it had been proven that there was no suitable and/or viable economic use for this site.
2. She was supportive of the conditions specified and suggested an additional condition concerning the prevention of phosphates and nitrates from seeping into groundwater.
3. She believed that further industrial use would add to this existing contamination.
4. That the current use of the site had become a nuisance to neighbours.
5. That Local Plan Policy MTRA4 should be set aside to prevent the continuation of this nuisance.
6. That suitable mitigation could be put in place to prevent further environmental impact on the site.

The committee proceeded to ask questions and debate the application.

RESOLVED

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

1. That this was an exceptional site.
2. That this was previously developed land.
3. That the loss of employment use had benefits for the wider community.
4. That the removal of the building and the removal of land contamination as well as impact from noise and transport from a sawmill use has benefits for the community and the environment.
5. That the continued use as B2 in this location would negatively impact the community and the environment.
6. That the case had been made that no suitable and/or viable economic use existed.

The Committee concluded that this was an exceptional site for the reasons noted and that the environmental, socio-economic and evidence presented weighed in favour in the planning balance in granting permission at this site.

The case officer proposed a series of planning conditions, the details of which were to be delegated to Service Lead: Built Environment and to include the following.

1. time limits and approved plans
2. materials
3. surface and foul water drainage
4. landscaping plan
5. ecology
6. contamination land
7. construction environment management plan
8. sustainable and low carbon energy
9. parking and access
10. removal of permitted development rights, and
11. nitrate mitigation.

7. **LAND TO THE SOUTH OF ABINGDON HIGH STREET SHIRRELL HEATH HAMPSHIRE (CASE REF:22/01106/FUL)**
Proposal Description: 2 no. detached dwellings with detached double garages.

The application was introduced. Members were referred to the update sheet which advised that the reason for refusal wording be amended to the following:

"The proposal was also contrary to Regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 and Policy CP16 of Local Plan Part 1 as it was considered that the proposal would have a likely significant effect on a European protected site through an increase in nitrate input which has not been addressed."

It was also noted that the applicant had now paid the required mitigation payment to satisfy the Solent Disturbance and Mitigation Charge Zone.

It was clarified that it was the reason for refusal number 3 being amended and not the reason for refusal number 2 as stated in the update sheet.

During public participation, Tom Francis (agent) spoke in support of the application and Councillors Charles and Ogden of Shedfield 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 refuse permission for the reasons and informatives set out in the report and the update sheet.

8. **CONFIRMATION OF TREE PRESERVATION ORDER 2318 - LAND AT IVY COTTAGE, SHOE LANE, UPHAM, SOUTHAMPTON SO32 1JJ**
Proposal Description: Confirmation of Tree Preservation Order 2318 - Land at Ivy Cottage, Shoe Lane, Upham, Southampton SO32 1JJ

The report was introduced and during public participation, Gillian Pembroke, and Derek Davis spoke in objection to the Tree Preservation Order being confirmed and answered members' questions.

The committee proceeded to ask questions and debate the application.

RESOLVED

That Tree Preservation Order 2318 be confirmed as set out in the report.

The meeting commenced at 9.30 am and concluded at 1.30 pm

Chairperson