

# Public Document Pack

## PLANNING COMMITTEE

Tuesday, 12 December 2023

Attendance:

Councillors:

Rutter (Chair)

V Achwal	Laming
Cunningham (except item 11)	Lee
Edwards	Read
Gordon-Smith	Small

Other Members that did address the meeting:

Councillors Langford-Smith, Learney (Cabinet Member for Climate Emergency), Power and Wallace.

[Full recording of the meeting.](#)

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### 1. APOLOGIES AND DEPUTY MEMBERS

No apologies were received for the meeting.

### 2. DISCLOSURES OF INTERESTS

Councillor Cunningham declared a pre-determination in respect of item 11 (Three Maids Hill, Andover Road, Littleton – case number: 23/01594/FUL) due to his role as member for Littleton and Harestock Parish Council and its Planning Committee who have previously raised support on this application. Councillor Cunningham stated that he would leave the room during the determination of this item, taking no part in the discussion or vote thereon.

Councillor Lee declared a personal (but not prejudicial) interest in respect of item 6 (Morgan's Yard, Land at Solomons Lane, Waltham Chase – case number: 21/02439/FUL) and item 9 (Spencer Place, Sandy Lane, Waltham Chase – case number: 23/01240/FUL) due to his role as Ward Member. However, he had taken no part in discussions regarding the applications, therefore he took part in the consideration of these items and voted thereon.

Councillor Rutter declared a personal (but not prejudicial) interest in respect of item 11 (Three Maids Hill, Andover Road, Littleton – case number: 23/01594/FUL) due to her role as member for Headbourne Worthy Parish

Council. However, she had taken no part in any discussions regarding the application, therefore she took part in the consideration of this item and voted thereon.

Councillor Read declared a personal (but not prejudicial) interest in respect of item 13 (38 Mead End Road, Denmead – case number: 23/02005/TPO) 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 this item and voted thereon.

### 3. **MINUTES OF THE PREVIOUS MEETINGS**

RESOLVED:

It was agreed that an amendment be made to the minutes of the meeting held on 18 October 2023 to reflect that, during the consideration of Item 9 (Planning Appeals – Quarterly Report), Councillor Read raised a query in relation to the lack of enforcement action taken in relation to Midhurst Lands Farm, Bunns Lane, Hambledon.

Councillor Lee raised a comment regarding the minutes of 15 November 2023, in respect of Item 9 (The City Ground, Hillier Way, Winchester), that there was a still a risk relating to environmental concerns which he considered had not been adequately reflected in the minutes. In response, the Senior Planning and Litigation Lawyer clarified that any amendment to the minutes was a matter for determination by the committee. The committee considered that they discussed all the issues of the application at that meeting and that the minutes were an accurate reflection of the proceedings with no further amendment necessary.

RESOLVED:

1. That, subject to the amendment as set out above, the minutes of the Planning Committee held on 18 October 2023 be approved and adopted; and
2. That the minutes of the previous meeting held on 15 November 2023 be approved and adopted.

### 4. **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.

### 5. **PLANNING APPLICATIONS (WCC ITEMS 6-9 AND 11-13) (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.

Prior to the determination of the applications, Councillor Lee announced that he wished to raise a point of order that he had requested for key motions in respect of the protection of local rivers and waterways impacted by pollution and the nature emergency declared in September 2023 to be included in the informatives for deliberation on planning applications going forward.

In response, the council's Senior Planning and Litigation Lawyer reminded the committee that raising a point of order was governed by the constitution and clarified that the request from Councillor Lee for the addition of informatives did not constitute a point of order in this regard and should be discussed with planning officers under separate cover.

The committee considered the following items:

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

6. **MORGAN'S YARD, LAND AT SOLOMONS LANE, SOLOMONS LANE, WALTHAM CHASE, HAMPSHIRE (CASE NUMBER: 21/02439/FUL)**

Proposal Description: Item 6: Full planning permission for 80 dwellings, 716sq.m of Class E commercial space comprising Class E(c) - (financial and professional services), E (e) (medical or health services) and E (g) (uses which can be carried out in a residential area without detriment to its amenity including industrial processes), related vehicle access from Solomons Lane (residential) and Winchester Road (single access to serve 8 properties, and commercial), separate pedestrian/cycle access from Winchester Road, open space and play space, landscaped buffer to Waltham Chase Meadows Site Scientific Interest (SSSI) , parking, landscaping and drainage infrastructure. (Amended Description)

It was noted that members of the committee had visited the application site on 11 December 2023 to enable members to observe the site in context and to gain a better appreciation of the proposals.

The committee noted that the application site was on the boundary and was located within the Central Meon Valley ward and not Whiteley and Shedfield as set out on the agenda pack.

The application was introduced. Members were referred to the Update Sheet which set out in full the following:

1. Amendments to the plans negotiated section;
2. Submission of updated viability reports and re-advertisement details;
3. Additional further objections submitted from households that had previously raised comment;
4. A comment from Hampshire County Councillor Hugh Lumby;
5. Further clarification on a number of issues relating to external lighting, employment and management of the public open space

6. An addition to the sustainable travel section;
7. An additional Heads of Term for a bond to pay upfront to ensure laying out of the open space; and
8. A Public Health representation received from NHS Hampshire and Isle of Wight ICB on 8 December 2023 and planning's response to this representation.

In addition, a verbal update was provided by the case officer at the meeting that the footpath going through the public open space will be secured as part of the Heads of Term for the S106 agreement and also recommended several additional regarding visibility splays being retained and ensuring that no planting within visibility splays was no higher than 0.6 metres in height. Should the committee be minded to approve the application, the matters set out above would be applied.

During public participation, David Ogden and Ian Donohue and Councillor Margaret Jones (both speaking on behalf of Shedfield Parish Council) spoke in objection to the application and Simon Packer spoke in support of the application and all answered Members' questions thereon.

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

- Under the current existing Local Plan, Waltham Chase has a requirement for approx. 250 new dwellings earmarked to be built over a 20 year period have already been built out and the village has grown by 28% in the last decade putting a strain on services and infrastructure in the area.
- If approved, this application would result in the village expanding by almost 40%.
- Although the number of houses has been reduced to 80 from 100 dwellings, it was important to highlight that 80 dwellings was still an amount over the requirements set out in the local plan.
- The Parish Council and residents recognised that Morgan's Yard needed redevelopment. However, the concerns focussed on how the development occurs.
- The housing density of Morgan's Yard was the highest of any other site in Waltham Chase at over 30 dwellings per hectare and there were concerns that this would fail to deliver an attractive and well landscaped scheme that was seen in the other developments, with concerns also expressed by Urban Design and the Winchester and Eastleigh Design Review Panel.
- Lack of affordable housing on site with only 10% proposed and fails to meet local needs.
- Sustainability measures – failure to provide heat pumps, solar panels or EV charging points.
- Queried the content of the viability assessment which led to this application being considered acceptable. Questioned whether profit margins are being retained at the expense of providing a high-quality development.
- Southern Water's commitment to reinforce the network was welcomed. However, the statement that some of the dwellings should be able to connect pending reinforcement should be challenged. Wastewater coming from a manhole cover had been witnessed on nearby Winchester Road

recently and there was already wastewater flowing into waterways in heavy rainfall.

- Clarification should be sought from Southern Water on the capability of their treatment works to manage the impact of sewage from the development and the number and/or duration of sewage discharges into rivers or seas.
- Need to ensure the application benefits the local community – new footpaths from Morgan’s Yard should be in addition to existing routes, funds for school travel improvements and sports provision needed to be conditioned to ensure they were for use in Shedfield Parish only.
- The quantity and quality of the development needed to be managed.

In response to matters raised in respect of sustainability, the planning case officer made reference to Policy CP11. It was noted that there had been some very recent building regulation updates that surpassed the requirements for CP11 and that, within the building out of the application, if approved, the developer would be required to surpass the requirements of CP11 in terms of energy efficiency and water usage.

Councillor Read raised a point of order that Councillor Achwal had left the room for several minutes during the consideration of the item and therefore she should not take part in the determination of the rest of the application. In response, Councillor Achwal stated that she had only left the room for a few minutes and had not missed anything that would significantly impact her decision making and prevent her from continuing to determine the application. Therefore, at the discretion of the Chairperson, Councillor Achwal remained in the room and continued to take part in the consideration of the application.

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 Update Sheet and the verbal update set out above, subject to additional conditions as set out in (i) and (ii) below, and the view of the committee as outlined in (iii) below. The precise wording to be delegated to the Chair of Planning Committee in consultation with the Planning Delivery and Implementation Manager.

- :
- (i) That details of the size of planting be submitted to and approved by the Local Planning Authority;
  - (ii) That plans be submitted to and approved by the Local Planning Authority showing the parking spaces that will be serviced by electric vehicle charging points; and
  - (iii) The committee expressed a view that they wished to see the installation of a fixed pelican crossing point to the new pathway to ensure the safety of children crossing the road in this area.

7. **THE TRAVELLERS REST, CHURCH ROAD, NEWTOWN, FAREHAM (CASE NUMBER: 23/01496/FUL)**

Proposal Description: Item 7: Change of use from Sui Generis (Public House and Flat) to mixed C3/E (Café (Tea Room/House))

This application had been withdrawn by the applicant.

8. **LAND NORTH OF BRIDGE BUNGALOW, LOWER ROAD, SOUTH WONSTON, HAMPSHIRE (CASE NUMBER: 23/01172/FUL)**

Proposal Description: Item 8: Temporary rural workers dwelling, agricultural building, forest school, and ancillary works (AMENDED PLANS)

The application was introduced. During public participation, Jon Wright, Holly Wright and Graham Cole spoke in support of the application and answered Members' questions thereon.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

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

9. **SPENCER PLACE, SANDY LANE, WALTHAM CHASE, SO32 2LR (CASE NUMBER: 23/01240/FUL)**

Proposal Description: Item 9: Proposed use of annex as holiday accommodation and removal of Section 52 Agreement from outline planning permission W/10498 (AMENDED PLANS)

The application was introduced. During public participation, Ian Donohue and Councillor David Ogden (both speaking on behalf of Shedfield Parish Council) spoke in objection to the application and Robert Tutton (agent) spoke in support of the application and answered Members' questions thereon.

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 subject to the following additional conditions as set out in (i) and (ii) below. The precise wording to be delegated to the Chair of Planning Committee in consultation with the Planning Delivery and Implementation Manager.

- (i) That reference to fencing be removed; and
- (ii) That permitted development rights be removed for any new operations, such as the installation of fencing.

10. **THREE MAIDS HILL, ANDOVER ROAD, LITTLETON, WINCHESTER, HAMPSHIRE (CASE NUMBER: 23/01594/FUL)**

Proposal Description: Item 11: Development of an Electric Vehicle Charging Station (EVCS) with associated means of access, internal parking and roadways, siting of ancillary power generation, storage and distribution infrastructure, landscaping and engineering works, erection of ancillary restaurant, outdoor seating and play area.

It was noted that members of the committee were encouraged to visit the application site independently and drive past using the access points to and from the A34 to enable members to gain a better appreciation of the proposals.

The application was introduced. Members were referred to the Update Sheet which set out in full details of the email and attachments submitted by the agent on 6 December 2023 and 8 December 2023.

In addition, a verbal update was provided by the case officer at the meeting following the submission of an odour assessment by the applicant to address the objections raised by the council's environmental protection team in relation to the impact of odour levels from adjacent land use on the proposed development and visitors to the site. The assessment submitted had been reviewed and it was considered that this overcame the objection previously raised by environmental protection, as a result, the reason for refusal No.5 as set out in the report, has been removed.

During public participation, Steven Bainbridge spoke in support of the application and answered Members' questions thereon.

Councillor Learney spoke as Cabinet Member for Climate Emergency (which included responsibility for transport). In summary, Councillor Learney raised the following points:

- This was an application for a use on which the council's planning policy had little guidance.
- The provision of service stations facilities to enable those on long journeys without home or rapid charging provision was a recent innovation, but was needed infrastructure where policy had yet to catch up.
- Referred to the National Planning Policy Framework (NPPF) which stated that local authorities should be planning to support necessary transport infrastructure, which would include included rapid charging facilities on major trunk roads.
- Referred to the aims quote within the emerging plan.
- Suitable locations had not been identified in either the existing or emerging policies which Councillor Learney stated was a clear gap that the council needed to progress going forward.
- The site was just outside the area covered by the Winchester Air Quality Strategic Planning Document approved in 2021 which aimed to 'attract investment in clean technology, sustainable travel and renewable energy'.

- Under other policy, the council had declared a climate emergency and the Carbon Neutrality Action Plan committed the council to the rapid decarbonisation of our own transport and facilitate others with action required sooner rather than later.
- The council's Electric Charging Strategy was published in 2018 and was out of date.
- It was recognised that although the council was looking at fast charging, there was limited scope for this on land under the council's control, due to access to sufficient power.
- The Winchester Movement Strategy needed to be considered when looking at rapid charging locations to reduce unnecessary car journeys into the city centre.
- Alternative sites suggested at the A34 services were in a location poorly served by public transport, pedestrian and cycle links and were not supported by the necessary infrastructure needed for the charging of a significant number of vehicles.
- The site proposed had access to the needed supply, including from renewable sources and while it was currently farmland, it would not remain so as permission had already been granted for change of use.
- The site proposed was on an already very well-lit junction next to other facilities such as the Winchester Golf Academy and the site could be well screened with minimal impact on the local area with the potential for biodiversity net gain.
- The application was supported by Littleton and Harestock Parish Council with no objections received and she urged the committee to approve the application as it supported the council's wider aims, where policies had not yet caught up.

In response to questions regarding the tilted balance, the council's Senior Planning and Litigation Lawyer clarified when the tilted balance would be applied, how this would be applied, what the trigger points and case law for a tilted balance would be and its relevance with planning policies, in this case MTRA(4).

The Committee proceeded to ask questions and debate the application.

#### RESOLVED:

The committee agreed to grant permission for the following reasons set out in (i) and (ii) below, The precise wording to be delegated to the Chair of Planning Committee in consultation with the Planning Delivery and Implementation Manager.

- (i) Weight was given to the unique position that this site afforded Winchester, whereby planning strategy national guidance was failing to deliver sites quickly enough. The committee determined that this site meets local need, destination need and the need for people to visit Winchester which outweighed reason for refusal No. 3; and



- (ii) Although within a countryside location, the site was well contained visually and with a number of waste and solar farm developments in its immediate context and would therefore not lead to the detriment set out in reason for refusal No. 2.

And, subject to conditions to be confirmed, but including those as set out in (i) to (xv) below. The precise wording to be delegated to the Chair of Planning Committee in consultation with the Planning Delivery and Implementation Manager.

- (i) Expiry date – to be implemented within three year period;
- (ii) Approved planned list documents;
- (iii) Material samples to be submitted in full and approved in writing by the Local Planning Authority prior to development commencing above the damp proof course;
- (iv) Standard planning conditions with timetables, management and maintenance in respect of drainage and disposal of foul and surface water;
- (v) Full package treatment plants for drainage fields to be submitted to and approved in writing by the Local Planning Authority;
- (vi) Highways conditions to include: details of the layout of the parking, staff parking provisions, transport plan, cycling provision and details of how staff would be travelling to the site, visibility splays all to be submitted to and approved in writing by the Local Planning Authority;
- (vii) Local connections for employment on major applications;
- (viii) Works to adoptive highway to be dealt with appropriately via S.278 agreement with no development to take place until the detail are submitted to and approved in writing by the Local Planning Authority;
- (ix) Standard planning conditions for the protection of trees from construction;
- (x) Standard planning conditions for landscaping and planting specifications and layouts;
- (xi) Archaeology;
- (xii) Construction Management Plan and Landscape and Ecological Management Plan;
- (xiii) Details of Parking provision and staff parking;
- (xiv) Travel Plan; and
- (xv) Boundary Treatments.

11. **BOWLAND HOUSE, WEST STREET, ALRESFORD, HAMPSHIRE, SO24 9AT**  
**(CASE NUMBER: 23/01481/FUL)**

Proposal Description: Item 12: Use of existing commercial building as a healthcare practice (Use Class E(e)).

The application was introduced. During public participation, Andrew White spoke in objection to the application and James Nuttall (applicant) spoke in support of the application and answered Members' questions thereon.

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

- Dog legged entrance with pedestrian crossing to left of the entrance.
- Vehicles access and egress the site via dog leg and back out onto West Street when vacating the site.
- Concerned that Hampshire County Council do not see this as a problem with a higher number of vehicular movements.
- Urged committee to as if there was anything else that could be done to protect pedestrians using the footway at tis very busy and small entrance.
- Residents of Stiles Yard were concerned about how vehicle movements and parking would be enforced.

During his representation, the applicant confirmed that he would be in agreement with the restriction permitting parking for three staff members only alongside one accessible space, as set out in the report. In addition, the applicant clarified that all clients and visitors would be notified upon booking that there would be no parking available on site with no vehicular access to Stiles Yard.

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, subject to an amendment to condition 4 as set out in (i) below:

- (i) Prior to the first use of the proposal hereby permitted, a plan and details showing allocated parking spaces and cycle bays for staff, disabled parking and the management arrangements and details of signage to ensure pedestrian safety from moving vehicles in the parking area shall be submitted to and approved in writing by the Local Planning Authority.

12. **38 MEAD END ROAD, DENMEAD, WATERLOOVILLE, HAMPSHIRE, PO7 6PZ (CASE NUMBER: 23/02005/TPO)**

Proposal Description: Item 13: TG1 Oak of the MWA Arboricultural Report Works: TG1 Oak of the MWA Arboricultural Report Reduce all oaks to achieve a 70% reduction in crown volume. Prune on a triennial cycle to maintain at broadly reduced dimensions.

Reason: Clay shrinkage subsidence damage at the property. Please also refer to the Statement of Reasons for Works document submitted with this application. (See attached specification, Appendix 1)

The application was introduced. During public participation, Patrick Curran, Karen Curran and Councillor Kevin Andreoli (on behalf of Denmead Parish Council) spoke in objection to the application and answered Members' questions thereon.

Councillor Langford-Smith spoke as a Ward Member. In summary, Councillor Langford-Smith, raised the following points:

- The application seeks to reduce the crown of four mature oak trees from 70% to 90% which will result in the death of the trees.
- The council has declared a climate emergency and a nature emergency and she asked the committee to consider not only their significant visual amenity but the contribution the tree's make to carbon removal and wildlife habitats.
- The loss of the tree's will damage the undergrown fungal network meaning the 31 species of mammals supported by oak trees will also lose their homes.
- She urged the committee to reject the application based on the nature emergency and also as the conservatory was built long after the tree's were established and without sufficient foundations in place.

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, adjourned between 12.57 pm and 2 pm and concluded at 4.40 pm.

Chair

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