

# **Planning Committee**

## **Update Sheet**

**10/01/19**

**The information set out in this Update Sheet includes details relating to public speaking and any change in circumstances and/or additional information received after the agenda was published.**

Item No	Ref No	Address	Recommendation
7	17/03246/HOU	Carlton Villa, 10 Compton Road, Winchester, SO23 9SL	withdrawal
<b>Applicant has withdrawn this application as of 4<sup>th</sup> January 2019.</b>			

Item No	Ref No	Address	Recommendation
8	18/02454/FUL	Hazelwood, 29 Downside Road, Winchester, SO22 5LT	Permit
<p><b>Officer Presenting:</b> Catherine Watson</p> <p><b>Public Speaking</b></p> <p><b>Objector:</b> Tim Spencer</p> <p><b>Parish Council representative:</b> None</p> <p><b>Ward Councillor:</b> Cllr Learney</p> <p><b>Supporter:</b> Jim Beaven</p> <p><u>Update</u></p> <ul style="list-style-type: none"> <li>• Following amendments made to the proposed landscaping in response to the Landscape Officer's earlier comments, the Landscape Officer advised on 08.01.2019 that he had no further concerns in this respect.</li> <li>• Comments received from Tim Spencer on 04.01.2018 as follows:</li> </ul> <p><i>"Dear Ms Pinnock</i></p> <p><i>Thankyou for your reply. I'm keen to understand, does the Council have set criteria for a Site Visit to be made prior to a Planning Committee meeting please? I know that these do happen, and given the vote at the last meeting regarding this development site, where Cllrs voted to have a Site Visit, I am concerned this isn't happening.</i></p> <p><i>On a separate note, I'm keen to raise with you what the residents feel are omissions from the Case Officer in her recommendation to this application. Relevant planning policy and extremely relevant precedent in terms of a Planning Inspector's rejection of a similar case because of noise disturbance have not been referred to. For context, we believe that Policies DM2, CP13 (both from LPP1), DM16, DM17 &amp; DM18 (from LPP2) haven't been adequately referenced to provide a balanced view of the application's level of adherence to policy, particularly given the weight of objections against the proposal using those very policies. For example, in DM17, the Case Officer references this as a reason to approve the application with regards to 'overlooking, overbearing and overshadowing' and having sufficient parking, but one of the primary objection points for citing DM17 in objection from a number of objectors is its requirement to not cause unacceptable levels of noise pollution to neighbours. I raised in my objection the precedent of a similar case being rejected</i></p>			

*by the Planning Inspector due to noise pollution (and discussed this in person with the Case Officer). Indeed - this application will see more vehicles affecting more neighbours than the case rejected by the Planning Inspector.*

*Given the above, I am concerned that a balanced view of DM17, and other key facts and policies, did not get included in the Case Officer's report. My view, and that of other residents, is that Case Officer Reports should at least mention the planning policy aspects that objectors raise and why they agree/disagree so that Planning Committee has sight of it, otherwise the process is stacked against residents with objections.*

*I plan to raise the policies and precedent next Thursday unless there is a more appropriate mechanism to handle this?"*

Item No	Ref No	Address	Recommendation
9	18/01917/FUL	Trackway Access, Hunton Down Lane, Hunton, Sutton Scotney	Permit

**Officer Presenting:** Catherine Watson

**Public Speaking**

**Objector:** Ian Donohue – Southern Planning Practice

**Parish Council representative:** None

**Ward Councillor:** Cllr Horrill

**Supporter:** Andrew Klemz-Agent, Giles Wordsworth, Steve Jenkins-ittransport

**Update**

- There is confirmation of a gas pipeline within 50m of the site. In light of this, should permission be granted, the following informative should be appended to the decision notice:

The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/ agent/ developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/ confirmed by this notice.

Address is: Southern Gas Networks Plc, SGN Plant Location Team, 95 Kilbirnie Street, Glasgow, G5 8JD

Tel: 01414 184093 OR 0845 0703497

Search online at:

[www.linesearchbeforeyoudig.co.uk](http://www.linesearchbeforeyoudig.co.uk)

SGN personnel will contact you accordingly.

- Correspondence from Ian Donohue (registered to speak in objection) was received on 09.01.2018 as follows:

*"Ms Watson*

*I am registered to speak tomorrow at committee to oppose the application on behalf of residents who live at the northern end of Weston Down Lane. This morning I have visited the site and have been made aware by the objectors (amongst other issues) that the access road crosses a 24" High Pressure Gas Pipeline in three places, one within the red line and two on the route from the barn to access road.*

*However Humbly energy who manages the site are very concerned about the impact of the lorries as they cross the pipe line and have contacted the HSE. The contact at Humbly Energy is [Paul.Peters@humblyenergy.co.uk](mailto:Paul.Peters@humblyenergy.co.uk). In one place the wheels of the lorries are actually damaging the inspection chamber to the pipe line. I understand that there should be a 1 metre clearance and any crossing point should be re-enforced. However this could be confirmed by Paul Peters*

*It is my understandings that HSE, who are a statutory consultee in relation to pipelines, should have been a consultee on this application however I can not see anywhere that they have been consulted.*

*As this matter is fundamental to the acceptance of the track and the route to the barn it would seem to me that the application should be deferred to provide the HSE time to be consulted.*

*Could you please confirm whether the item will be deferred."*

- Additional comments have been received from Linsey Papworth correcting her previous comment which stated that Weston Down Lane is 2.5m wide. This has been corrected to 1.4m wide.
- An objection has been received by Alan Marlow on behalf of The Ramblers on 07.01.2019 with regards to the alterations to Micheldever Restricted Byway 28 and noting that HCC Highways and HCC Countryside Service team were not consulted. The application takes no account of the significant recreational value of the Byway or the whole of Weston Down Lane, which could result in safety risks to all non-motorised users of the Byway and Lane.
- An objection was received from The British Horse Society (BHS) on 03.01.2019, noting that the BHS was not consulted about alterations to the restricted byway. Further comments are as follows:

*"Whilst re-routing large vehicles away from local villages would be of benefit to local communities, the road safety audit does not mention what measures need to be taken to ensure the safety of non-motorised users on the section of BY 28 that has been altered as well as on Weston Lane itself. Whilst the road safety audit may only have been required to address potential issues around the location of the area subject to retrospective planning, we would suggest that it needs to be extended to the whole length of the new route as it includes a PROW and a public highway.*

*Please note that the northern end of BY 28 is blocked by large tree trunks placed across the entry/exit point onto the Andover Road thereby preventing lawful equestrian use of the restricted byway. It is the only field entrance on this section of*

*the Andover Road that is blocked.*

*Both horse riders and carriage drivers can lawfully use RB 28. Visibility of Weston Road from the southern end of the byway is okay, but the width of track that has been altered is too narrow for a lorry and horse rider/horse drawn vehicle to pass one another.*

*Visibility from Weston Road for equestrians approaching the restricted byway is limited due to hedging and lorries coming from the direction of Hunton Down Lane towards Weston Lane is also limited.*

*Therefore the Society is concerned to ensure that the Planners and Highways take into consideration the safety of equestrians as legitimate vulnerable road users, together with walkers and cyclists. We are, however, always willing to work with local authorities/land owners to help find a solution.”*

- An objection was received from HCC Countryside Services as follows:

*“Please accept our apologies for responding after the deadline shortly before Committee, we were not directly consulted on the application. Please accept this response as being that of the Countryside Service, in relation to this application we are responding on behalf of Hampshire County Council as Highway Authority in respect of Public Rights of Way.*

#### **Site Context**

*Micheldever Restricted Byway 28 which passes along Weston Down Road and Weston Down Lane. The Restricted Byway is for walking, cycling, horse riding and horse drawn carriages (or other non-motorised vehicles)*

*The Hampshire Definitive Statement describes how the unmetalled sections of Micheldever Restricted Byway 28 (Weston Down Lane) at Mulberry Barn (GR 45037740836) passing between hedges at approximately fifteen feet apart then narrows between fences at approximately twelve feet apart to B3049 Andover Road.*

#### **Comments**

*Vehicular access to the development in the submitted application is along Micheldever Restricted Byway 28.*

*It is an offence under the s34 Road Traffic Act 1988 to drive over a restricted byway without lawful authority. There are no recorded public vehicular rights over Micheldever Restricted Byway 28. This public right of way does not fall within either the red line or blue line boundaries and that the applicant does not appear to own the land necessary to access the development site from Weston Down Road which is the nearest vehicular highway, indicating that such authority may not exist. We recommend that the local planning authority should satisfy themselves that the applicant has have this authority. Clarification is sought as to why the red line application does not extended to Weston Down Lane.*

*The application makes little or no reference to Micheldever Restricted Byway 28. The letter from i-Transport of 14 December, the email relating to traffic speed safety*

*and Stage 1 Road Safety Audit prepared by GM Traffic Consultant dated October 2018 including recommendations made to address road safety problems do not take account of safety of vulnerable users of Micheldever Restricted Byway 28.*

*According to NPPF 2018 98. Planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. According to paragraphs 109 and 110 “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety” and “development should.....give priority first to pedestrian and cycle movements”. The information submitted does not appear to assess the impact on pedestrians or cyclists (or horse riders and carriage drivers). The increased vehicular use of the byway, especially in the absence of any passing bays, is likely to cause safety, nuisance and conflict issues for the legitimate users of the public right of way. Consequently there is likely to be an adverse impact on the amenity and recreational value of the path and the enjoyment gained from its use by the public in general.*

*For the above reasons we must **object** to the development due to lack of information, assessment of impact and the likely negative effects on quiet enjoyment and safety of public right of way users.”*

<b>Item No</b>	<b>Ref No</b>	<b>Address</b>	<b>Recommendation</b>
10	18/02349/FUL	The Grove Day Services,Hinton Fields Kings Worthy, Winchester	Permit

**Officer Presenting:** Verity Osmond

**Public Speaking**

**Objector:** Mrs Jo Newbery, Anthony Lee

**Parish Council representative:** Cllr Ian Gordon

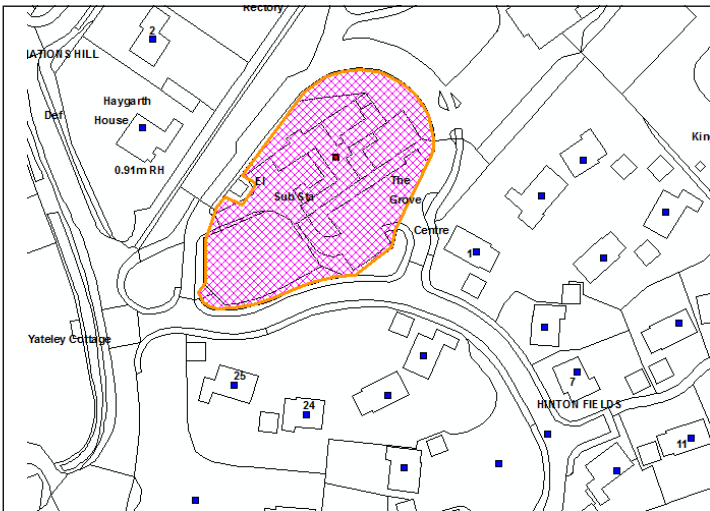
**Ward Councillor:** Cllr Jackie Porter

**Supporter:** Sylvia Leonard-Chapman Lily Planning (agent)

Update

Applicant details should be : Fortitudo Limited, C/O Agent Chapman Lily Planning  
Unit 5, Designer House, Sandford Lane, Wareham, BH20 4DY

Updated Map



### General Comments

Paragraph 3 of the section headed 'General Comments' should read:

Amended plans have been submitted and re-advertised under this planning application. An update will be given at committee for any further letters received. The layout of the site has been re-ordered and the number of 4 bedroom properties has been reduced so that 5 of the 8 units will be in the form of 3 bedrooms.

### Proposal

The section headed 'Proposal' should read:

The application has been submitted for the demolition of the former day centre and the erection of eight detached dwellings with associated access, parking and landscaping.

The proposed 8 new dwellings will be provided in the form of 5 x 3 bedroom dwellings and 3 x 4 bedroom dwellings. The existing access to the site will be blocked up and two new access points will be provided along the southern boundary of the site. The access road to the dwellings will run centrally through the site, with 3 of the units fronting onto Hinton Fields at the southern section of site and the remaining facing onto the access road.

### Representations

For clarity, there are 13 objections to original plans and 6 objections to the amended plans (these 6 objections to the amended plans were received from those who objected to the original plans).

### Principle of Development

Paragraph 2 of this section should read:

Policy CP2 of WDLPP1 seeks to ensure that new residential development should meet a range of community housing needs and deliver a wide choice of homes. The majority of homes should be in the form of 2 and 3 bedroom homes. This

development is for 8 dwellings with 5 x 3 bedroom dwellings and 3 x 4 bedroom dwellings. The original scheme only provided for 2 x 3 bedroom properties; the amended plans show an increased provision of the number of 3 bedroom properties.

Paragraph 3 should read:

~~Whilst it is accepted that 50% is not a clear majority, it is consistent with the council's approach to implementing CP2 as in this instance justification has been submitted detailing that there are local circumstances that mean a flexible approach should be taken in this part of Kings Worthy.~~ It is considered that the proposal is in accordance with Policy CP2 of WDLPP1 as the majority of the dwellings provided will be in the form of the 3 bedroom dwellings. The proposed housing mix and density of the development is considered to be acceptable in the local circumstances as the application site is located within a low density residential area, characterised by large detached dwellings.

#### Design/layout

Paragraph 3 of the section headed 'Design/Layout' should read:

The size of three of the dwellings has been reduced resulting in a more spacious pattern of development within the plot. Concerns have been raised in regards to the housing density on the site. The proposed housing density of the development is 22.9 dwellings per hectare, compared to the surrounding development which ranges from approximately 14-18 dwellings per hectare. Whilst this is slightly higher than the surrounding area, the layout of the properties within their plots is very reflective of the pattern and density of houses in the locality. The application site has good access to facilities and public transport and is located within a suburban part of Winchester in which a slightly higher density is considered acceptable in accordance with Policy CP14 of WDLPP1. Notwithstanding this, it is not considered that any more units on the site would be acceptable given the low density character of the surrounding area.

#### Conditions

Condition 14 shall be moved into the pre-occupation condition section and shall read:

14. Prior to the occupation of the dwellings hereby permitted, the proposed access and drive, including the footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

Reason: To ensure satisfactory means of access.

An additional condition (18) will be added to ensure the proposed construction traffic



does not significantly impact upon the existing traffic to Kings Worthy Primary School. The condition shall read:

18. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved by the Local Planning Authority, to include details of:

- i. construction traffic routes in the local area
- ii. parking and turning of operative, construction and visitor vehicles
- iii. deliveries, loading and unloading of plant and materials
- iv. storage of plant and materials
- v. programme of works (including measures for traffic management)

Only the approved details shall be implemented during the construction period.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features.

#### Appendix 1

Ward Councillor request for the application to be heard at Committee should read:

#### **Comments Details**

Commenter Type: District Councillor

Stance: Customer objects to the Planning Application

Reasons for comment: - Residential Amenity - Traffic or Highways

Comments:

The revised plan still:-

Does not address the issues of loss of parking on Hinton Fields (residential amenity and highways)

Does not address the overdevelopment of site. The homes are very close together, resulting in limited numbers of parking spaces which can be accessed independently, and a much higher density than those in Hinton Fields.

The change to the plans means that the junctions into the school site are at risk of not being clear for view (i.e. good sight lines) which is very important on a large school site (see my earlier objection)

I object to the plan and request the application is taken to committee to bring out the issues which residents describe: specifically, the parking issues that will arise if this development goes ahead.

Item No	Ref No	Address	Recommendation
12	SDNP/18/053 55/FUL	Flat 1A The Old Police Station, Dolphin Hill, Twyford, SO21 1PU	Permit

**Officer Presenting:** Sarah Tose

**Public Speaking**

**Objector:** Simon Cooper

**Parish Council representative:** None

**Ward Councillor:** None

**Supporter:** WCC Housing Department

Update

Drainage

Following a visit to the site and discussions with the applicant's agent, the Council's Drainage Engineer has provided the following additional comments:

'The surface water manhole hasn't been touched in years and I couldn't lift the cover. Looking at the positions of other manholes, it's a fairly safe bet that it joins up with the gullies in the road and connects into the piped watercourse along the southern footpath on the main road. Therefore I have no objections to the drainage scheme as proposed.'

There is therefore no need for further drainage details to be submitted so the wording of condition 6 has been amended as follows:

6. The foul and surface water drainage shall be implemented in accordance with the following details prior to the commencement of the development hereby approved:
- Proposed Drainage Plans 28057- PD103A (May '18)
  - Permeable Area Comparison 28057 - PD111 (Dec '18)

Reason: To ensure satisfactory provision of foul and surface water drainage.

Landscape maintenance

The applicant has confirmed that the maintenance of the soft landscaping to the front of the proposed dwellings will be the responsibility of the new tenants. To ensure that this is carried out, such maintenance requirements will be written into the tenancy agreements. The Council's Landscape Officer is satisfied with this approach given the nature of the new landscaping.

The Council's Estates Services Officer has confirmed that the trees to the rear of the site will be inspected initially and any work required will be carried out. The trees will then be added to a regular inspection programme depending on the risk and as there is an adjacent public footpath it will be classified as high if there are any concerns about the condition of the trees.

It is therefore considered that condition 8, as set out below, is no longer necessary so it has been removed from the recommendation.

8. No development above slab level shall be carried out until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To preserve the setting of the adjacent listed building and to protect the landscape character of the South Downs National Park in accordance with Policies CP20 and CP19 of the Joint Core Strategy 2013.

Item No	Ref No	Address	Recommendation
13	18/02331/FUL	Two Hoots Campsite, The Oak Barn, Sutton Wood Lane, Bighton, SO24 9SG	Refuse

**Officer Presenting:** Alexander Strandberg

**Public Speaking**

**Objector:** None

**Parish Council representative:** None

**Ward Councillor:** Cllr Lisa Griffiths

**Supporter:** Mr and Mrs David Parham-Applicant

**Update**

Not all committee letters appear to have been delivered correctly. The applicants did not receive their letter, but a copy was forwarded on via email after having been made aware of the issue after a telephone conversation.

Item No	Ref No	Address	
14	PDC1124	Confirmation of Tree Preservation Order 2228 - Land at Whiteley Lane, Fareham	

**End of Updates**