

PLANNING COMMITTEE

18 December 2019

Attendance:

Councillors:

Evans (Chair)

Bronk (except items 14 – 19)
Cunningham
Clear
Laming

McLean
Read (except items 17 – 19)
Ruffell (except items 11 and 14 – 19)
Rutter (except items 18 – 19)

Others in attendance who did not address the meeting:

Councillor Porter (Cabinet Member for Built Environment and Wellbeing)

Others in attendance who addressed the meeting:

Councillors: Achwal, Cutler and Mather

1. **FORMER COUNCILLOR NEIL BAXTER**

The Committee stood in silence to commemorate former Councillor Neil Baxter whose funeral was to be held on this day. Mr Baxter had been a former Mayor of Winchester and Vice Chairman of the Planning Committee.

2. **MINUTES**

The committee agreed the minutes of the meeting held on 14 November 2019 subject to a minor typographical correction under Item 15 first sentence that: 'and to highlighted that' should be amended to read: 'and to highlight that'.

RESOLVED:

That subject to a minor typographical correction under Item 15 first sentence that: 'and to highlighted that' being amended to read: 'and to highlight that', the minutes of the previous meeting held on 14 November 2019 be approved and adopted.

3. **PLANNING APPLICATIONS SCHEDULE**
(Report PDC1153 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 agreed to receive the Update Sheet as an addendum to Report PDC1153.

Councillor Bronk declared a personal (but not prejudicial) interest in respect of Item 17 (2 Chapel Cottages, Hill Lane, Colden Common) as he was a Ward Councillor but he had not had any significant discussion about the application itself.

Councillor Clear declared a personal (but not prejudicial) interest in respect of Item 14 (New Barns Farm, Drove Road, Southwick) as she was a Ward Councillor but she had not participated in any prior discussion about the application itself and she took part in the discussion and voted thereon.

Councillor Evans declared a personal (but not prejudicial) interest in respect of Item 14 (New Barns Farm, Drove Road, Southwick) as she was a Ward Councillor but she had not participated in any prior discussion about the application itself and she took part in the discussion and voted thereon.

Councillor Ruffell stated that he had predetermined the application in respect of Item 11 (Hurst Farm, Hurst Lane, Owslebury) and he sat apart from the committee during the consideration of this application, taking no part in the discussion or vote thereon.

For transparency, the Public Law Manager commented that Mr Ian Tait who was registered to speak on items 9 and 10 (Black Rat, 88 Chesil Street, Winchester) was a former Councillor and member of the Planning Committee and would be known to Members.

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

Item 7: Internal and external alterations to dwelling, including demolition and enlargement of rear extension; replace rear doorway to ground floor; enlarge 1no.rooflight; remove and replace stairs to basement; lowering basement floor and garden levels to create a second basement access. Demolition of existing garage to rebuild with parking and ancillary studio above; partial demolition and rebuilding of outbuilding; removal of 2no. apple trees and pruning of 1no. silver birch.

The Old Farmhouse, Cripstead Lane, Winchester

Case number: 19/01751/HOU

The Chair reminded the committee that a site visit for committee members had taken place prior to the meeting on 16 December 2019.

During public participation, Clive Irwin and Andrew Scott spoke in objection to the application and Mariza Daouti (agent) and Jamie Brookes (applicant) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillor Mather spoke on this item as Ward Member.

In summary, Councillor Mather highlighted:

- The considerable concerns of close neighbours;
- The impact of the garage on the St Cross Conservation Area;
- The garage was unsympathetic to the Conservation Area as it was too dominant and would transform views to the Water Meadow;
- The proposal would result in the overlooking of a neighbouring property, Mole End;
- The resultant loss of amenity for neighbours.

At the conclusion of debate, the committee agreed to refuse permission for the proposal as the proposed garage/ancillary structure did not accord with the local distinctiveness of the area in public views of the Conservation Area and did not respond positively to the character, appearance and variety of the local area in terms of design, scale and layout. It was therefore contrary to DM15 and DM16 of the Local Plan. Furthermore, the balcony resulted in an adverse impact to the residential amenities of the occupiers of Mole End (5 Cripstead Lane) by overlooking and was therefore contrary to DM27 (vii) and the Council's High Quality Places SPD. It also had an unacceptable impact on the historic settlement pattern, views and roof scape and did not relate well to other buildings in terms of height, massing, materials, plan form and roofscape and was therefore contrary to DM27 (i-ii). The precise wording of the reasons for refusal were delegated to the Service Lead Built Environment in consultation with the Chair.

Item 8: Internal and external alterations to dwelling, including demolition and enlargement of rear extension; replace rear doorway to ground floor; enlarge 1 no. rooflight; remove and replace stairs to basement; lowering basement floor and garden levels to create a second basement access. Demolition of existing garage to rebuild with parking and ancillary studio above; partial demolition and rebuilding of outbuilding; removal of 2 no. apple trees and pruning of 1 no. silver birch.

The Old Farmhouse, Cripstead Lane, Winchester

Case number: 19/01752/LIS

The Chair reminded the committee that a site visit for committee members had taken place prior to the meeting on 16 December 2019.

The Public Law Manager reminded the committee that this application was the listed building application and was linked to Item 7 above.

During public participation, Clive Irwin and Andrew Scott spoke in objection to the application and Mariza Daouti (agent) and Jamie Brookes (applicant) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the committee agreed to refuse permission for the reasons outlined in respect of case number 19/01751/HOU as the

proposals did not benefit from planning permission the proposal was unacceptable with the precise wording for the refusal of Listed Building Consent delegated to the Service Lead Built Environment in consultation with the Chair.

Item 9: Two storey rear extension
Black Rat, 88 Chesil Street, Winchester
Case number: 19/01072/FUL

The Service Lead Built Environment gave a verbal update that Ward Members Councillors Gottlieb and Murphy had indicated their support for the application.

During public participation, Ian Tait and Huw Thomas (agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the committee agreed to grant permission as the proposal reflected the building opposite (The Black Hole) and did not result in harm to heritage as it made a positive contribution to the Listed Building and the Conservation Area.

In granting permission conditions would be included to include that no works beyond ground works be commenced before details of materials (to complement those in the area) had been received and that samples of materials be received including panels, doors, windows, joinery details at a scale of 1-5; details of working hours, arrangements for construction traffic (via Hampshire County Council) and times of operation of the kitchen extractors with the precise details delegated to the Service Lead Built Environment in consultation with the Chair

Item 10: Two storey rear extension
Black Rat, 88 Chesil Street, Winchester
Case number: 19/01073/LIS

The Public Law Manager reminded the committee that this application was the listed building application and was linked to Item 9 above

During public participation, Ian Tait and Huw Thomas (agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the committee agreed to grant permission as the proposal reflected the building opposite (The Black Hole) and did not result in harm to heritage as it made a positive contribution to the Listed Building and the Conservation Area.

In granting permission conditions would be included as in the case of case number 19/01072/FUL with the precise details delegated to the Service Lead Built Environment in consultation with the Chair including the division of Conditions between the Full Application and Listed Building Consent.

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

Item 11: Erection of an equestrian barn and construction of manege
Hurst Farm, Hurst Lane, Owslebury
Case number: SDNP/19/02508/FUL

During public participation, John Chapman and also Councillor Paul Bowes and Councillor Roger Page representing Owslebury Parish Council spoke in objection to the application and Alexandra Webb, Agent and Nick Culhane on behalf of the applicant spoke in support and answered Members' questions thereon.

At the conclusion of debate, the committee agreed to refuse permission due to the visual intrusion resulting from the positioning of the barn and manege in the countryside and the impact on the amenity of residents of neighbouring properties due to the close proximity of the barn, with the precise details delegated to the Service Lead Built Environment in consultation with the Chair.

Item 12: Retrospective permission for alterations to the annexe under the approved plans under application ref: SDNP/18/05427/HOUS
Long Ash, Pitcot Lane, Owslebury
Case number: SDNP/19/03770/HOUS

The Service Lead Built Environment referred Members to the Update Sheet which set out that one additional neighbour comment of support had been received (17/12/19), stating that the build was in accordance with the plans and the proposal did not adversely impact their views.

During public participation, Councillor John Chapman representing Owslebury Parish Council spoke in objection to the application and Mr Churcher (applicant) spoke in support and answered Members' questions thereon.

At the conclusion of debate, 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.

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

Item 14: Change of Use of Brick Barn, inclusive of internal and external alterations, from general industrial use (B2) to a personal training studio (D2) and shared ancillary use of the associated welfare unit to provide ancillary toilet and shower facilities.
New Barns Farm, Drove Road, Southwick
Case number: 19/01801/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out clarification of the committee report and wording of condition 5 with application 15/00659/FUL:

Within page 91 of the committee report it is stated that 'The use of this building and deliveries to and from it are currently restricted to 07:00 and 18:30 Monday to Friday and 08:00 and 13:00 on Saturdays and at no time on Sundays and recognised public holidays.'

This statement misinterprets condition 5 of permitted application 15/00659/FUL which states:

5 No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 07:00 and 18:30 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and recognised public holidays.

Reason: To protect the amenities of the occupiers of nearby properties.

During public participation, Councillor Jim Watson representing Southwick and Widley Parish Council and Naomi Bazeley (applicant) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillor Cutler spoke on this item as Ward Member.

In summary, Councillor Cutler stated that he was in support of the application for the following reasons:

- The farm complex was on the urban fringe, with 2 other farms further to the south;
- In terms of Policy CP9 there was considerable provision of B2 use in the local area and a lack of demand, and although a tenant might be found for the unit it would probably not be a sustainable use.
- There was demand for D2 use in the village of Southwick as it was a comparatively isolated village with few services and little public access.
- Over half of the village was Military Housing which also generated demand for the personal training studio.

At the conclusion of debate, the committee agreed to grant permission with Conditions that the use be restricted to use as a gym/personal training studio only with hours of operation between 6:30am to 9:30pm 7 days per week, with details of lighting if proposed to be submitted with precise wording being delegated to the Service Lead Built Environment in consultation with the Chair.

Item 15: Proposed Erection of a Replacement Detached Dwelling with Carports, Parking and Landscaping following demolition of existing bungalow and garage
The Spinney, Lady Bettys Drive, Whiteley
Case number: 19/02483/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out a comment received from Whiteley Town Council dated 04.12.2019 providing comments on the application and a further comment

received from Whiteley Town Council on 11.12.2019. There were also two additional comments from one address received (07.12.2019) objecting to the proposal. The matters raised in the further comments did not alter the recommendation to Committee.

During public participation, Robert Siddall and Lorraine Bielckus spoke in objection to the application and Bryan Jezeph (agent) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillor Achwal spoke on this item as a Ward Member.

In summary, Councillor Achwal stated that:

- The application was confusing as it was previously for 7 dwellings and it was now for 1;
- There had been no public consultation;
- The access was a narrow and single track lane, was unmade and potholed with no provision for its future adoption by Hampshire County Council;
- There was no access for pedestrians;
- The replacement dwelling was large and trees had been removed from the site;
- The Bat Survey referred to Fareham Borough Council and was required to be redone
- The application was rushed and may result in 7 dwellings being built over time.

At the conclusion of debate, 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.

Item 16: Change of use of existing dwelling (C3 Use Class) into residential care home (C2 Use Class) incorporating the erection of a 2 storey side extension and a single storey rear extension and a new first floor extension and new roof.

Hamelin, Hambledon Road, Denmead, Waterlooville

Case number: 19/01573/FUL

During public participation, Councillor Kevin Andreoli, Denmead Parish Council spoke in objection to the application and Philip Dudley (Agent) spoke in support and both answered Members' questions thereon.

At the conclusion of debate, the committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

Item 17: Retrospective planning for alterations to existing garage by raising the roof

2 Chapel Cottages, Hill Lane, Colden Common

Case number: 19/01900/HOU

During public participation, Councillor Maggie Hill, Colden Common Parish Council spoke in objection to the application and answered Members' questions thereon.

At the conclusion of debate, the committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and subject to an additional condition that there should be no internal boarding at first floor level of the garage to prevent it being used so that it could result in overlooking, with the precise details delegated to the Service Lead Built Environment in consultation with the Chair.

Item 18: 4 No. Beech (G1) - Reduce back overhanging branches on the west canopy extents only, by up to a maximum of 2m back to suitable growth points. Crown lift up to 5m (west canopy extents) by the removal of tertiary and secondary branches only (maximum thickness 50mm). Reason: To reduce dominance over Gunn-Barrell Estate. Woody Lodge, Alresford Drove, South Wonston, Winchester
Case number: 19/01767/TPO

At the conclusion of debate, the committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

RESOLVED:

That the decisions taken on the Planning Applications in relation to those applications inside and outside the area of the South Downs National Park be agreed as set out in the decision relating to each item, subject to the following:

- (i) That in respect of item 7 (The Old Farmhouse, Cripstead Lane, Winchester - Case number: 19/01751/HOU) permission be refused as the proposed garage/ancillary structure did not accord with the local distinctiveness of the area in public views of the Conservation Area and did not respond positively to the character, appearance and variety of the local area in terms of design, scale and layout. It was therefore contrary to DM15 and DM16 of the Local Plan. Furthermore the balcony resulted in an adverse impact to the residential amenities of the occupiers of Mole End (5 Cripstead Lane) by overlooking and was therefore contrary to DM27 (vii) and the Council's High Quality Places SPD and had an unacceptable impact on the historic settlement pattern, views and roofscape and did not relate well to other buildings in terms of height, massing, materials, plan form and roofscape and was therefore contrary to DM27 (i-ii) with the precise wording delegated to the Service Lead Built Environment in consultation with the Chair.
- (ii) That in respect of item 8 (The Old Farmhouse, Cripstead Lane, Winchester - Case number: 19/01752/LIS) permission be

refused for the reasons outlined in respect of case number 19/01751/HOU as the proposals did not benefit from planning permission and were therefore unacceptable with the precise reasons and wording for the refusal of Listed Building Consent delegated to the Service Lead Built Environment in consultation with the Chair.

- (iii) That in respect of item 9 (Black Rat, 88 Chesil Street, Winchester – Case no. 19/01072/FUL) permission be granted subject to conditions to include that no works beyond ground works be commenced before details of materials (to complement those in the area) had been received and that samples of materials be received including panels, doors, windows, joinery details at a scale of 1-5; details of working hours, arrangements for construction traffic (via Hampshire County Council) and times of operation of the kitchen extractors with the precise details delegated to the Service Lead Built Environment in consultation with the Chair.
- (iv) That in respect of item 10 (Black Rat, 88 Chesil Street, Winchester – Case no. 19/01073/LIS) permission be granted with the precise details delegated to the Service Lead Built Environment in consultation with the Chair.
- (v) That in respect of item 11 (Hurst farm, Hurst Lane, Owslebury) permission be refused due to the visual intrusion resulting from the positioning of the barn and manege in the countryside and the impact on the amenity of residents of neighbouring properties due to the close proximity of the barn, with the precise details delegated to the Service Lead Built Environment in consultation with the Chair.
- (vi) That in respect of item 14 (New Barns Farm, Drove Road, Southwick) permission be granted with Conditions that the use be restricted to use as a gym/personal training studio only with hours of operation between 6:30am to 9:30pm 7 days per week, with details of lighting if proposed to be submitted with precise wording being delegated to the Service Lead Built Environment.
- (vii) That in respect of item 17 (2 Chapel Cottages, Hill Lane, Colden Common) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and subject to an additional condition that there should be no internal boarding at first floor level of the garage to prevent it being used so that it could result in overlooking, with the precise details delegated to the Service Lead Built Environment in consultation with the Chair.

4. **CONFIRMATION OF TREE PRESERVATION ORDER 2268 – LAND THICKETS FARM, BOTLEY ROAD, BISHOPS WALTHAM**
(Report PDC1155 refers)

Councillor McLean made a personal statement that he knew the owner of Thickets Farm, Botley Road, Bishops Waltham but he had not participated in any prior discussion about the application itself and he took part in the discussion and voted thereon.

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2268 be confirmed.

The meeting commenced at 9.30am, adjourned between 13.05pm and 2.00pm and concluded at 4.45pm.

Chair