

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

**DECISIONS**

**10.12.2009**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON

**Soberton**

**Ward**

**Swanmore And Newtown**

**1**

**Conservation**

**Area:**

**Case No:** 09/01967/FUL

**Ref No:** W08375/08

**Date Valid:** 1 October 2009

**Grid Ref:** 460848 114551

**Team:** WEST

**Case Officer:** Mr Simon Avery

**Applicant:** Mr Mark Paige

**Proposal:** (AMENDED DESCRIPTION) Erection of an agricultural building for use as a farm shop and incubation area

**Location:** Scatterbrook Farm Maybush Lane Soberton Southampton Hampshire SO32 3QF

**Officer** PER

**Recommendation**

:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

**Conditions/Reasons**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 The building hereby permitted shall be finished in a dark green colour, samples of which are to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The works shall be undertaken in accordance with these approved details and thereafter retained in that colour.

Reason: In the interests of the amenity of the area.

3 Details of any hardstanding around the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site. The works shall be undertaken in accordance with these approved details.

Reason: In the interests of the amenity of the area.

4 Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement

of the development hereby permitted. The approved details shall be fully implemented before the building is first brought into use.

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

5 An Arboricultural Method Statement, demonstrating how the root protection area of the nearby Oak tree will be protected in accordance with BS5837:2005, shall be submitted to and approved by the Local Planning Authority, prior to any demolition, construction or groundwork commencing on the site.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

6 The building hereby approved shall not be used for the keeping of animals or birds other than ducks, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity.

7 The building hereby permitted shall not be used for any retail purposes other than the sale of fresh unprocessed produce from the agricultural holding at Scatterbrook Farm.

Reason: To prevent the establishment of a general retail unit on the holding which is unacceptable in this countryside location.

8 No floodlighting whether free standing or affixed to the proposed structure, shall be provided on the site at any time.

Reason: In the interests of the visual amenities of the area to prevent light pollution in an area of designated countryside.

### **Informatives**

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: DP3, DP4, CE5, CE13, CE16, T2, T4  
South East Plan 2009: C4, CC6, BE6

3. All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise disturbance from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
4. No materials should be burnt on site. Where the Environmental Protection Team substantiate allegations of statutory nuisance, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under The Clean Air Act 1993.
5. The applicant is requested to contact the Local Planning Authority (Compliance Officer) prior to the commencement of development to inspect the setting out of the building and monitor works at the site, with particular reference to the removal of the existing stable.
6. The applicant is advised that the display of advertisement at the site is likely to require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and advertisements should not be displayed before the advice of the Local Planning Authority has first been obtained as to whether consent is required.

	<b>Winchester Town</b>	<b>Ward</b>	<b>St Paul</b>
<b>2</b>	<b>Conservation Area:</b>	Winchester - Designated as 3 separate areas Dec 1967 and May 1969 Extended February 1981, June 1986 and January 1990 Now combined into one area. Published 2003	
	<b>Case No:</b>	09/01686/FUL	
	<b>Ref No:</b>	WTC/172/01	
	<b>Date Valid:</b>	14 August 2009	
	<b>Grid Ref:</b>	446996 129432	
	<b>Team:</b>	EAST	<b>Case Officer:</b> Mr Nick Fisher
	<b>Applicant:</b>	Airwave Solutions Limited	
	<b>Proposal:</b>	Installation of a 15m streetworks pole upon a 19cm concrete plinth, supporting 3 antennas and 2 no. 600m dish with equipment cabinet at ground level and ancillary development (RESUBMISSION) (RETROSPECTIVE)	
	<b>Location:</b>	Hillier Garden Centre Romsey Road Winchester Hampshire SO22 5DL	
	<b>Officer Recommendation</b>	PER	
	:		

**Committee Decision:**

APPROVE, SUBJECT TO A LEGAL AGREEMENT:

The securing by appropriate legal agreement (the terms of which are to be approved by the Head of Legal Services) of the following provisions under Section 106 of the Town and Country Planning Act, and any other relevant provisions as set out below:

To secure the replacement of trees that are within 10m of the compound if they die or become seriously defective (in the opinion of the Local Planning Authority) as a result of the erection of the mast and associated equipment. Replacement trees must comprise the same species and be well established when planted. If the applicant is unable to secure the replacement of the trees, then the mast and associated structures shall be completely removed from the site within 6 months of instruction from the Local Planning Authority.

(Note: If the Legal Agreement is not completed within 6 months, then the application may be refused without further reference to Committee);

**Conditions/Reasons**

1 No additional equipment shall be introduced to the compound / into the cabinet without the prior written approval of the Local Planning Authority.

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

2 The permanent fencing serving the secure compound shall be erected within three months of this consent unless otherwise agreed in writing by the Local Planning Authority. Full details of the method of construction / implementation shall be agreed in writing with the Local Planning Authority prior to the erection of the fencing. The approved details shall be fully adhered too unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the facility is secure and in the interests of tree protection.

3 If the facility should become disused (i.e. no longer used for the purposes of supporting a telecommunications network to serve the emergency services and other governmental bodies) the mast and associated equipment shall be removed from the site within three months of the facility becoming redundant unless otherwise agreed in writing by the Local Planning Authority. The concrete plinth shall be removed and the land returned to its previous state, unless otherwise agreed in writing by the Local Planning Authority.

Reason To ensure that the mast is removed if is no longer required, in the interests of visual amenity.

## Informatives

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP10, DP14  
South East Plan 2009: CC6

	<b>New Alresford</b>	<b>Ward</b>	<b>The Alresfords</b>
<b>3</b>	<b>Conservation Area:</b>	New Alresford - Boundary amendments May 1999, Published November 2001	
	<b>Case No:</b>	09/01990/FUL	
	<b>Ref No:</b>	W11401/17	
	<b>Date Valid:</b>	1 October 2009	
	<b>Grid Ref:</b>	458469 132511	
	<b>Team:</b>	EAST	<b>Case Officer:</b> Mr Nick Fisher
	<b>Applicant:</b>	Winchester City Council	
	<b>Proposal:</b>	Alterations to footpath (amendment to existing planning permission W11401/16)	
	<b>Location:</b>	Perins School Pound Hill Alresford Hampshire SO24 9BS	
	<b>Officer</b>	PER	
	<b>Recommendation</b>	:	

### Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

### Conditions/Reasons

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 The gap in the hedge left from the existing access which it is proposed to remove, shall be sealed with additional planting of native hedging / trees, the species of which will be agreed in writing with the Local Planning Authority prior to the commencement of development. Once agreed the approved details shall be fully adhered unless otherwise agreed in writing by the Local Planning Authority. The planting shall take place within 6 months of the completion of the footpath or at the time of completion, unless otherwise agreed in writing by the Local Planning Authority. Should any of the infilling planting become deceased, die or be removed within 5 years of the date of this permission, it shall be replaced within the next planting season.

Temporary protective fencing shall be erected to protect the infilling planting until the planting has become established, and to ensure that the sealed access is not useable.

Reason: To ensure that the previous entrance / exit is sealed. To ensure that the visual amenity of local residents and persons using the adjacent track is not harmed.

3 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

4 No hedge / shrub removal other than that shown on the approved plans shall take place unless otherwise agreed in writing by the Local Planning Authority. Hedge and shrub removal shall not take place between the months of March to August, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity and in the interests of breeding birds that may use the hedgerow as a place to breed.

### **Informatives**

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The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section

38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP10, SF6, RT2, RT7, T3, T8  
South East Plan 2009: CC6

3. No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under the clean air act 1993.

4. All works including the demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300 Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. The applicant should note that the application is determined upon the basis of the revised plans - drg no 70050019/403A.

	<b>Winchester Town</b>	<b>Ward</b>	<b>St Michael</b>
<b>4</b>	<b>Conservation Area:</b>	Winchester - Designated as 3 separate areas Dec 1967 and May 1969 Extended February 1981, June 1986 and January 1990 Now combined into one area. Published 2003	
	<b>Case No:</b>	09/02117/FUL	
	<b>Ref No:</b>	W05074/45	
	<b>Date Valid:</b>	20 October 2009	
	<b>Grid Ref:</b>	448413 129335	
	<b>Team:</b>	WEST	<b>Case Officer:</b> Miss Megan Birkett
	<b>Applicant:</b>	Winchester City Council	
	<b>Proposal:</b>	Refurbishment of Winchester Guildhall including installation of a lift, alterations to create an additional 78.5 square metres of floorspace inside the existing building, alterations for improvements for disabled access, refurbishment of King Alfred Hall (including replacement of roof material) and relocation of ground floor cafe to north-east corner of building and creation of a new entrance in the front elevation for use by the cafe, use of existing cafe for functions room.	

**Location:** Alterations to rear roof slope.  
Winchester Guildhall High Street Winchester Hampshire  
SO23 9GH  
**Officer** PER  
**Recommendation**  
:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

**Conditions/Reasons**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Informatives**

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: DP3, HE4, HE5, HE14  
South East Plan 2009: CC6, BE6

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