

PLANNING DEVELOPMENT CONTROL COMMITTEE

27 March 2007

Attendance:

Councillors:

Jefferies (Chairman) (P)

Baxter (P)

Bennetts (P)

Beveridge (P)

Busher

de Peyer (P)

Evans (P)

Huxstep (P)

Johnston

Lipscomb (P)

Read (P)

Ruffell

Saunders (P)

Sutton (P)

Deputy Members:

Councillor Hammerton (Standing Deputy for Councillor Busher)

Councillor Pearce (Standing Deputy for Councillor Johnston)

Councillor Pearson (Standing Deputy for Councillor Ruffell)

Others in attendance who addressed the meeting:

Councillors Beckett (Leader and Portfolio Holder for Economy and Tourism), Berry, Jackson, Mather and Rees

Others in attendance who did not address the meeting:

Councillor Higgins

1. **APOLOGIES**

Apologies were received from Councillors Busher, Johnston and Ruffell.

2. **CHAIRMAN'S ANNOUNCEMENT**

The meeting was held at the United Church, Jewry Street, Winchester.

The Chairman welcomed to the meeting approximately 70 members of the public and representatives of amenity groups together with representatives of the applicant, Thornfield Properties (Winchester) Ltd.

The Chairman informed the meeting that the United Church was the home of the Methodist movement in Winchester and that its founder, John Wesley, had an association with Winchester, including preaching his first sermon at Silver Hill, which was commemorated by means of a Blue Badge. The United Church hoped that the Badge would be retained in any future development.

3. **SILVER HILL APPLICATIONS**

(Report PDC673 refers)

Application Description

The Director of Development explained the Report PDC673 related to the following applications for the Silver Hill Development, Tanner Street, Winchester:

1. Major comprehensive redevelopment by Thornfield for: approximately 2 hectares mixed-use site to include the erection of 9 new buildings and the retention and conversion of the Wool Staplers Hall; providing 264 no. dwellings (including affordable housing); 5 no. live/work units, retail units with associated service areas, offices, medical centre, bus station, youth centre, shop mobility office, public toilets, RAOB club, with associated car parking/cycle storage, landscaping and associated works – (REVISED DESCRIPTION AND AMENDED APPLICATION). Case number 06/01901/FUL-W20100
2. Demolition of retail units including the antiques market and Sainsbury's, Post Office, multi-storey car park, bus station, medical centre/doctors' surgeries and RAOB club for redevelopment by Thornfield – case number 06/01902/LBC-W20100/01LBCA.
3. Relocation of the existing weekly and farmers markets to the Broadway and adjoining streets – case number 06/01903/FUL-W20100/02

Declaration of Interests

Councillor Beveridge declared a personal (but not prejudicial) interest in respect of Items 1 and 2 as he was a member of the City of Winchester Trust, which had commented on these applications, but he had not had any involvement with the Trust so far as its consideration of this application was concerned. He also stated that he had been a member of Cabinet until May 2006. He stated that whenever Cabinet had discussed and made decisions about the Council's land and financial interests in the proposed development, he had always left the meeting before the discussions began and took no part in those proceedings. When the whole Council discussed and took decisions on the same matters, he was also absent from the meeting. He spoke and voted on both items.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of Items 1 and 2 as he was a member of Cabinet which had considered the Council's landlord responsibilities in respect of the Silver Hill Development, but he had left those meetings before the matter was discussed and took no part in the proceedings. When the whole Council discussed and took discussion on the same matters, he was also absent from the meeting. He spoke and voted on both items.

Update

The Director of Development reported that since the Report was published, further representation had been received in response to consultation as detailed below.

Two additional letters of objection to the application had been received. The grounds of these objections had already been raised by others and were dealt with in the Report.

The number of signatures on the petition received in respect of the antiques market building had increased to 4033. It was pointed out to the Committee that the petition was reported as one document irrespective of the number of signatories to it, in accordance with the Council's practice in such situations.

Hampshire County Council Highways had confirmed its position as set out in the Report.

English Heritage had formally commented that they raised no objection to the proposal, and the main body of the text of their letter dated 23 March 2007 is reproduced below:

"We had commented in our previous letter (20th July 2006) that 'more work should be done to reduce the skyline impact (probably by removing elements) and to enrich the street scene.' There were a number of other points made in the letter but the issue of the height (especially of Block A) was crucial to the scheme and the most controversial element. The architects have looked at this aspect and presented modified designs to us which you have now submitted as revisions. We have written to them (20 December 2006 (copied to you)) broadly welcoming these changes. The design has become more complex, with a livelier set of street elevations: two small public spaces have been carved from the southern corners of Block A; and three units of the plan have been taken out on several levels so as to trench the block and create more substantial gaps in its outline. Nevertheless, the impact of these changes in the overall bulk is comparatively small. The architects were unwilling to reduce the overall height, which is a function of the amount of accommodation stacked up above and around the car park. It therefore seems clear that the various aspirations for the site, many of them embodied in the Brief, others purely commercial, are keeping the development at a scale which design can palliate but not transform. If this question of scale is crucial, the application must now be finally judged on it.

We remain of the view that this development, although a step change for Winchester, is acceptable. We also believe that the further work the architects have done has been useful in improving the general appearance of Block A to the benefit of the skyline and the street scene."

The Director continued that the recommendations set out in report PDC673 number 1 (i) a and b had been further addressed by the applicant since the Report was published.

With regards to points 1 (i) a (the Friarsgate/Eastgate Street road junction realignment) and b (the consideration of measures to minimise the impact of Blocks D and J on the amenities of adjacent properties in Eastgate Street and St John's Almshouses), the applicant had submitted indicative drawings, which were displayed at the meeting, which addressed these matters.

In respect of Recommendation 1 (i) a the new plan showing the junction realignment at the corner of Eastgate Street, by taking a sliver of land to the North, would now make it possible to retain the trees at the junction of Eastgate Street and Friarsgate Street, the loss of which would have been regrettable.

Furthermore, in response to concerns raised about the impact of Blocks D and J on the amenities of adjacent properties in Eastgate Street and St John's Almshouses (Recommendation 1 (i) b), the elements of the development closest to the affected properties had been lowered to address the problems and indicative sketches were displayed at the meeting to show the changes that were intended. Subsequently, more detailed drawings would be submitted to the Council for formal approval.

The Director continued that with regard to Recommendation 1 (i) c (the redesigning of the North elevation of Block A), it had been confirmed that the north elevation of Block A would be redesigned, and it was considered that submission of the detailed drawings could be covered by condition.

With regard to Recommendation 1 (i) d (the inclusion of proposals for replacing the existing trees in The Broadway), the applicant had confirmed in writing that trees in The Broadway would be replaced to the Council's requirements and officers would be able to secure this through inclusion of an appropriately worded clause in the Section 106 agreement.

Amended Recommendations were circulated at the meeting to reflect the changes to Recommendations 1 (i) a to d as indicated above and as set out in the resolution to these minutes, as subsequently amended.

The Director continued that further representation had been obtained from Sainsburys supermarket stating that their current trade on Middle Brook Street was basket trade, for lunchtime shoppers, rather than by trolley. The proposed replacement supermarket was not in the best position, as Sainsburys preferred their existing position, and further, the large floor space proposed for the replacement supermarket did not meet their needs. The additional representation from Save Britain's Heritage was similar to that contained within its original objection, as detailed within the Report.

The Director of Development provided a detailed presentation of the proposals to the Committee. This included the history of the scheme, reference to the Broadway/Friarsgate planning brief as published in July 2003 and details on the design of the proposals together with consultations received.

The Director explained that the officers retained reservations regarding the detail of the Block A elevation facing Friarsgate (which would be to the front to the new Sainsburys supermarket with parking and housing above). This elevation would benefit from being livelier and designed to provide a quality interface to the street.

Further details relating to archaeological proposals for the scheme, issues of sustainability, the reasoning behind the proposed demolition of the antiques market, the housing proposals, including affordable housing, and conservation principles were also explained by the officers to the Committee.

Public Participation

In the public participation part of the meeting, Mr M. Chater (Friends of the Earth), Mr A. Weeks (Winchester City Residents Association), Mr H. Thomas, Mr A. Rutter and Mrs P. Edwards (Winchester City Trust) spoke in objection to the application and Professor C. Mulvey (Chair of English Centre Steering Committee), Mrs E. Thurlby (English Centre), Mr G. Love (City Centre Partnership), Mr J. Sawyer (Chair of North Hampshire Chamber of Commerce and Industry), Mrs M Newbiggin (Chair of the A2 Housing Association) and Mr P. Spelman (Chair of the Theatre Royal) spoke in support of the application.

In response to comments made by objectors, the Director of Development stated that:

The units lost in the antiques market would be replaced by small permanent shops in prominent prime positions.

The development would provide a variety of floor space for different users and would also provide public space by means of small squares and a sense of place for people walking within the development.

It was the Director's opinion that development of the site would not set a precedent for future high elevation development in surrounding areas of the town centre, as the site was constrained by listed buildings to the north of the Brooks Centre and to the south by Eastgate Street. New development on other sites within the area would be assessed on their merits and the constraints and opportunities which would control heights would be identified during early analysis and controlled during the planning process.

Thornfield's masterplan had been discussed in relation to the Council's development brief and the scheme was compliant with the guiding principles of the brief and planning policy.

A legal agreement would secure matters relating to sustainability. Friends of the Earth would also be invited to work with any future appointed steering group to introduce sustainability considerations into the phased development.

In terms of conservation, the scheme had been amended to lower the eaves height on Block A and English Heritage found the scheme to be acceptable, including, on balance, the case put forward for the demolition of the antiques market.

Councillors' Comments

The comments from City Councillors arising in the public participation part of the meeting are summarised below:

Councillor Rees – Chair of the Winchester Town Forum and of the Winchester City Council Labour Group. He stated that the development of the site provided an opportunity to shape the character and prosperity of the city. The City Council had worked closely with Thornfields and Allies and Morrison for a comprehensive development, which was important for transport, the economic prosperity of the City Centre and would promote life and vitality. The proposals exceeded the development brief and provided good design and architectural components. The scheme provided the opportunity for housing, and was sustainable in the wider context providing 400 cycle spaces and an improved bus station. The footfall in the city centre continued to decline and this factor needed to be addressed by providing a quality environment. The benefits of the scheme were huge, providing a scale and vision for the future to rejuvenate and enhance the city centre. Not to proceed would blight the area with the City Council finding it difficult to find future partners to work with. The City Council should grasp the challenge of embracing a scheme with outstanding merit.

Councillor Mather stated that the Silver Hill site was badly in need of redevelopment, but the height and mass of Block A would dominate and

caused concern; a concern which was shared by the Council's Conservation Officer. There were also issues relating to the provision of flats around a multi-storey car park, next to a bus station, and whether this provided a suitable environment for residents. She asked the Committee whether the numbers and type of housing provided was more appropriate for towns such as Guildford or Basingstoke, rather than Winchester. Although some of the worst aspects of the scheme have been mitigated, there remained some very unsatisfactory elements, concerns about which were shared by the City of Winchester Trust in their letter dated 7 March 2007.

Councillor Berry questioned the recreation provision that would be provided for the 260 units of accommodation. There was no recreation space for children, which in time would lead to problems. She was also of the opinion that Block A was an enormous and overpowering building, a view that was shared by many in the town. The Council was missing a golden opportunity by concentrating on a large commercial development. She also asked whether more integration could be obtained by moving the bus station to the railway station for a combined transport solution.

Councillor Jackson stated that she had mixed views on the scheme. It was very large, but she appreciated the work undertaken to bring the scheme to fruition and the fact that the Silver Hill site needed a new start. She welcomed the return to the Saxon street pattern and the opening up of watercourses as well as the provision of housing in a mixed use scheme. She was however unconvinced by the need for the development as Kings Walk retail area was largely empty and the Brooks Centre had four vacant units and another closing down. The scheme might also impact on the upper part of Winchester city centre, for example Jewry Street, and would also have an effect on open space in the town centre. The scheme represented over-development and demolition of the antiques market was also a problem.

Councillor Jackson also commented that the scheme should have a sustainability strategy including providing access for cyclists. The details of location of the 400 cycle racks and whether they would be covered were not provided. The scheme would benefit from having cycle permeability such as in Cambridge so that joined up cycle routes could be obtained.

Councillor Beckett stated that as Leader of the Council he had a personal (but not prejudicial) interest in that the City Council owned a substantial landholding within the Silver Hill area and was interested in achieving a commercially successful development. He stated that there was a lot of support to do something with the Silver Hill area and hence the application before Committee. The scheme needed to be viable financially, which had led to the application, and there were no alternatives at this time. Winchester was prosperous but needed space for commerce to inject new life into the City Centre. The scheme offered a mix of large and small units and shopping was important to provide the City with a distinctive identity to meet the needs of residents and visitors alike. The proposals for Tanner Street provided a mix of uses and would give the city centre a soul – this was a challenge posed for an historic city.

In response to Councillors' comments, the Director of Development stated that amenity space for children would be provided within roof gardens and that there would be good connections to surrounding areas such as Abbey Gardens and North Walls Park. Amenity space for residents and the community in general would be

provided in revitalised paved squares and streets within the scheme and the proposals for the Broadway.

The Chief Executive added that retail studies had shown a substantial need for additional retail floorspace, but it was clear from the Council's involvement as a partner in the proposed development that the scheme was on the margins of viability in terms of its commercial success. The scheme before Committee met a lot of the needs of the City and it was difficult to imagine a more suitable site becoming available if Silver Hill did not progress. If the Council failed to take action then it would be difficult to find a new partner to work on an alternative scheme and this would leave the site vacant and unattractive. The Local Development Framework needed to plan 20 years in advance and to concentrate on the short-term would be at the expense of long term goals and could lead to a decline of the city centre.

Representation from the Applicant

In respect of the applicants, Thornfield Properties (Winchester) Ltd, Mr R. Coleman, Mr P. Appleton, Mr M. Cappoci, and a Mr N. Kirpatrick spoke in support of the application.

Members' Questions and Answers

The Committee asked questions of the Director of Development and other officers present in respect of each section of Report PDC673. The answers of the Director and other officers, additional to those set out in the report, are summarised below.

Archaeology and conservation.

After extensive consultation and amendment, no further alterations were proposed to Block A and the scheme before Committee was for approval. The use of flat roof dormers was very common in this type of development and materials such as lead, natural slate and clay tiles would be used for the roofing. They would incorporate contemporary modern forms and the use of flat roofs was very appropriate in the context of this development.

The planning brief was a guide only and was not prescriptive – planning policy provided the firm basis on which the decision must be made. Although the brief referred to 100 houses and the development proposed in excess of two times that, the developer had shown that housing at such a level was required for the scheme to be economic and viability was a legitimate planning consideration.

The proposals for the Wool Staplers Yard would have no detrimental effect on the Conservation Area and would enhance it, therefore satisfying planning policy.

Building J had been shortened and a three storey element had been cut back with the incorporation of sloping roofs to decrease its overbearing nature on neighbouring properties. The reduction in the length of the terrace and the introduction of screening would also prevent overlooking from upstairs properties. Building D had also been lowered and velux type windows incorporated to reduce the perception of overlooking and the overbearing nature of the development. Building D would now incorporate small yards to the back and in addition, as the length had been shortened, there was now more opportunity to incorporate additional landscaping.

The Conservation Officer retained reservations about the impact on the Conservation Area of Block A, which had been specified to be 3 to 4 storeys in the planning brief, but as the advice of English Heritage was supportive it was the Director of Development's opinion that no further changes were necessary to this block. The additional height had been necessary to incorporate car parking and the additional residential units.

The alterations to Block D and J had improved the provision of daylight to the St John's Almshouses and had gone a long way to resolving the concerns raised by the St John's Almshouses.

If the Committee were minded to refuse the applications on conservation grounds, then policies HE4(Views), HE5(Height) and HE7(Demolition) would be relevant policies to take into consideration. Reasons could include the impact of scale and height on the Conservation Area, including the wider impact on the character of the area.

It was not considered that the development would set a precedent for adjoining areas of the town centre. Any future development of the Brooks site would require a step down in height towards the listed buildings and other existing development that adjoined the site to the west.

Consideration had been given to moving the Antiques Market to another site within the development, for example by jacking it up and moving it, but this had proved not to be possible on physical, economic and contextual terms. It was also planning policy in the Local Plan that the bus station was to be provided in the overall development.

The proposed youth club was to be in an excavated part of Block A and, in terms of sustainability, it was not proposed to incorporate photovoltaic cells into roofs as this was likely to have an adverse affect on the character of the Conservation Area. However, there may be limited opportunities to put such cells within walls and on certain elevations.

Pollution and flood risk

The proposals met the Environment Agency's requirements to minimise risk to life and property for a one in one hundred year flood occurrence.

Highways and parking

Although the scheme would have an impact on air quality due to increases in people and traffic, much of this existed under present circumstances and the City Council was satisfied with the plans submitted.

Of the 264 housing units proposed, 132 would have one space with the remainder having no parking space at all. The car parking for the retail uses would have 69 more spaces than present provision but this was not great when considered against the size of the scheme and such provision also supported its economic viability.

For properties affected by air quality, such as those in Block A and J, mechanical ventilation could be used to ensure that residents' health was not prejudiced.

The £300,000 contribution to an air quality action plan would be utilised towards new park and ride facilities.

Access to retail car parking would be from Tanner Street and would avoid the situation of queuing on Friarsgate, as was the case for the present Brooks car park. There were no proposals to alter the car parking arrangements to the Brooks Centre as part of this scheme.

Good access and through routes were already provided for cyclists, but as Silver Hill would be a bustling place, cycling would not be encouraged in the pedestrian zone. Silver Hill was viewed as a destination rather than as a through route.

The materials for paving, street and pedestrian areas would be of a good quality.

The design of the replacement bus station still needed to have details submitted but it would be attractive and of a good standard containing attractive canopies, street furniture and public art.

In respect of car parking, 533 spaces would be provided of which 330 were public car parking spaces. The present Friarsgate car park had 260 functioning car parking spaces as 100 spaces had not recently been used as the top two decks had been closed. The car parking provision was in line with the development brief and car clubs would be part of the travel plan.

Issues regarding traffic manoeuvring in Blocks A and B could be resolved by simple redesign.

The use of transfer stations and holding stations for refuse to reduce travel were a good idea, but had not been insisted upon within this development.

Housing

The mix of affordable housing within the site was predominantly one and two bed units, 63% of which would be one bed units. The one bed units were cramped, but could be reconfigured in their layout to address this issue when detailed drawings were received.

The distance of 18 metres apart of units within Blocks A and C was normal in urban areas, where streets could be only 7 metres in width.

If the developer wished to alter the housing mix after planning permission was granted, then an application could be made to the Local Authority to amend part of the development, for example if market conditions determined that an alternative housing mix was desirable. Alterations to the affordable housing mix would be by negotiation with the City Council prior to an amended planning application being submitted.

Retail and offices

The replacement for units within the antiques market would be properly constructed kiosks affording good access within Lawn Street.

The market would determine the demand for retail space within the new development. A shopping survey had shown the need for additional retail floor space within Winchester, which would be partly met by the Silver Hill development. Although not a planning consideration and outside of the control of the City Council, affordable rents

for those displaced by the antiques market could not be guaranteed, although it would be in the developer's interest for the units to be let.

Residential units were now proposed instead of space for an on-site Closed Circuit Television (CCTV) office within the scheme, but a legal agreement would cover off-site provision by means of a substantial payment. Issues over anti-social behaviour on walkways and stairways and lifts would be dealt with by the Hampshire Constabulary through the Crime Prevention Officer. It was proposed that access for residential units would be controlled and would be subject to CCTV coverage.

To prevent housing units being converted for shop storage (as had happened on the Brooks Centre Development) condition 36 offered an element of control, particularly for the live/work units.

Public realm and public art

The scheme would incorporate commissioned paving and street furniture, which could include displays on the flank walls of the Silver Hill Square.

Seasonal lighting such as at Christmas time and other creative lighting would be covered by a lighting strategy. Themes would be incorporated for public art including for example waterways, literature, heritage and festival street art within the public spaces where appropriate.

Landscape

It was noted that trees on the roof of Block A had been incorporated within the indicative model, but were not included within the detailed plans.

The loss of the Plane trees at the junction of Middle Brook Street and Silver Hill was regrettable as they did contribute to the public realm but the applicant had offered to replace this loss in amenity by replanting on this corner and elsewhere and, in addition, had offered to replant the trees in the Broadway. Silver Hill Square would have a tree and improved street paving. The footpath from Busket Lane to Friarsgate would exploit the reopened brook and a major benefit would be the repaving of the Broadway and its pedestrianisation.

The retention of the trees at the junction of Eastgate Street and Friarsgate, made possible through a redesign of the new junction, was welcomed.

Given the terms of the planning brief, it would be difficult to improve upon the Open Space provision achieved within the proposals. The proposals did provide a hint of public space along side the brook beyond Busket Lane and the creation of Silver Hill Square and the exposure of the underground brooks provided the link of open spaces sought in the brief. The improvements to the Broadway also provided space for trees. Where trees had been proposed too close to buildings, then resiting or the use of an alternative species was an option and this could be covered by condition.

The taxi rank and bus station would be softened by a line of pleached trees which could be provided in a combination of metal work and greenery. The removal of trees in Middle Brook Street was regarded as a loss and, although a replacement could be considered, its provision was unlikely due to space restrictions.

The green corridors envisaged in the environmental statement would not be provided but open space, for example by the brook, would be achieved. However, limited

space provided few other opportunities although climbing plants will be used and other shrubs would play a role where appropriate.

Design and townscape assessment

Silver Hill Square would be 17.5 metres by 25 metres in size.

If the height of the octagonal tower above the present "Iceland" building in Middle Brook Street was taken as a datum, then Block A would be 1.5 metres higher than this structure.

The materials to be used were all reserved matters for subsequent approval and would be part of the sustainability strategy. The Local Planning Authority would have to be satisfied that the materials used would not require continual maintenance. Metal work would be coated aluminium and be relatively maintenance free to ensure its continued satisfactory appearance. In the worst case scenario a maintenance strategy would be incorporated.

The width of the streets in relation to the High Street and other streets in the town was explained. It was noted that they would be similar to existing widths, although the buildings will be taller and give a greater sense of enclosure.

The treatment of the Friarsgate elevation would be further discussed with the architect with some modification sought to this elevation. The bland appearance of this flank wall at street level would be addressed to make it more interesting.

Sustainability

The scheme would incorporate methods to move towards the higher standards contained within the Code for Sustainable Homes. This would be within a two to five year time scale and would be assessed against standards at that time. This would also include assessment at the detailed design stage where matters could be resolved against current standards, including for example, those referring to grey water. Such matters were covered by condition.

Other matters

The phasing of development to lead to a comprehensive development will be agreed by a programme set out as part of the legal agreement. This would include a plan for the routing of construction vehicles and a travel plan.

The eaves height of the roof had been lowered in certain sections to provide an upping and downing in the street scene for visual interest.

The use of timber cladding might include Cedar Wood and Douglas Fir, but other timber would be looked at. Important considerations would be appearance, durability and sustainable sourcing. In considering materials the developer would be requested to submit samples and the officers would wish to see the materials in use elsewhere before giving approval for their use.

The City Council was looking to relocate the present Friarsgate and St Clements Surgeries on land within its control in the centre of Winchester and the maintenance and appearance of the development on Silver Hill could be controlled by the City Council, as it would remain the long term leaseholder of the site.

Other points made related to the inclusion of sprinkler systems to ensure fire safety and that Hampshire County Council Education had been consulted on the school provision for families occupying the new units within the scheme (of which thirty would be three bedroom units) and they had raised no objection but would continue to be consulted and liaised with over such considerations.

Market application

The Farmers Market would use the Broadway, which was owned by the Highway Authority, who had also given their consent for it to be resurfaced.

Members' Debate

During debate Members referred to the importance of the scheme for the future of Winchester and the privilege of having to decide on such a landmark application.

Many Members regretted the loss of the antiques market and of trees within the site but welcomed the vibrancy and commercial benefit of regeneration of a run down part of the town.

The inclusion of the housing, including a substantial number of affordable units, was regarded as a bonus, as was the opening up of historic Saxon streets and watercourses.

Although a number of Members retained concerns about the size and scale of the development including the large amount of car parking and the relative lack of public open space and the possible resultant pressures on development for adjoining areas of the town centre, the majority of the Committee were very supportive of the applications.

Following further debate the Committee agreed to approve the applications, subject to amendments, as set out below.

RESOLVED:

1. **That in the case of planning application 06/01901/FUL (W20100) for comprehensive redevelopment, permission be GRANTED subject to:-**

- (i) **The securing by appropriate legal agreements (the terms of which to be approved by the City Secretary and Solicitor) of the provisions under Section 106 of the Town and Country Planning Act, Section 278 of the Highways Act and any other relevant provisions as set out below:**

A Phasing of development Clear commitment to a programme of implementation to include mechanisms for ensuring comprehensive redevelopment of the whole site.

B Archaeology

- Archaeological evaluation and preliminary site investigations;
- Groundwater and deposit monitoring;
- An Archaeological Research Framework;
- The submission of detailed foundation design and services routing;

- The submission of archaeological mitigation strategies (archaeological excavation and monitoring and / or preservation in situ) and written scheme's of investigation for written approval and their implementation:
- A public Outreach Strategy:
- Publication and dissemination (including deposition of the archive)
- A contribution for the updating of the Winchester Urban Archaeological Database.

C Affordable Housing The securing of affordable housing as set out in the report. Delivery mechanism to include tenure and scheme for final sell on price to RSL that reflects the usual transfer policy.

D Public Open Space Contribution of £360,806 (Updated March 2007 but not including live work units)

E Tree Planting in The Broadway

- Details and timing of replacement tree planting to The Broadway.

F Transport

- Operation of car park (if not WCC controlled):
- Cycle parking – Provision of additional on-street stands in Silver Hill Square: & secure cycle parking to serve residential elements of the development.
- Provision of Real Time Information (RTI) at the bus station:
- Traffic Regulation Orders to support changes to highway operations (HCC/WCC). Alts to Broadway etc and servicing arrangements control of times of access
- Travel Plans (i Residential ii Business and iii Construction) to include lorry routing during construction and a car club to serve the development.
- Additional bus stop shelters in Broadway

G Highway Works (Section 278 Agreement) - for all works affecting the Public Highway. – Friarsgate bus lane and associated works, Broadway, High Street & Middle Brook Street Improvement works, New bus stops and improvements Upper Brook Street.

H Highways Contributions - (£300,000) towards Local Transport Strategy to bring forward schemes for mitigating effects of the development. Including towards the Air Quality Action Plan.

I Public rights of way - safeguarding of public access through the site including Basket Lane/Friarsgate footpath.

J. Public Art Strategy –

1. Contribution of £300,000 for public art in the Silver Hill development;
2. Agree appropriate balance of expenditure between temporary and permanent installations;

3. Retention of a public art coordinator by mutual agreement with Council to implement the public art strategy, such coordinator to have the following expertise:
 - Experience working in the visual arts field;
 - Experience in commissioning public art; and
 - Experience in applying for external funding (to match Developer funding, where appropriate).
4. Prepare a public art commissioning schedule, including action plan;
5. Prepare design guidelines, possibly in collaboration with a lead artist; and
6. Interview artists for individual commissions.
7. Applicant's public art co-ordinator to facilitate the art commissioning, fabrication and installation processes, including negotiation and monitoring of artist contracts.
8. Applicant's public art co-ordinator to optimise the involvement of local communities in the public art commissioning process, including appropriate exhibition, education and interpretive activity.

K. Sustainability - Strategy for delivering the most up to date standards of renewable energy provisions, carbon footprint reduction - sourcing of materials, local labour and reference to the Code of Sustainable Homes.

L. Car Park office, CCTV office and CCTV equipment - contribution in lieu (£1,000,000).

M. Contractors off site storage vehicle parking and plant, storage of building materials and any excavated materials, huts and all working areas.

N Shopfronts The submission and approval of a Shop Front and Signage Design Guide

(ii) The following conditions:

Conditions/Reasons

General Conditions

- 1 The development hereby permitted shall be begun before the expiration of five 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.

- 2 No development shall commence until the following detailed drawings have been submitted to and approved in writing by the local planning authority:

- (i) amended details of the Friarsgate/Eastgate Street road junction re-alignment;
- (ii) amended details to Blocks D and J
- (iii) amended details to the north elevation of Block A

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area

- 3 Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.
- (a) The alignment, height, materials and finished colour of any retaining walls or screen structures including that to the bus station in Friarsgate and all boundary treatments, including all walls, fences and other means of enclosure.
 - (b) Details of the provision to be made for any canopies to serve the bus stands, including the design, materials and finish
 - (c) Details of the provision to be made for the storage and disposal of all waste material from the retail and employment units and from the residential units and the market, including the siting, design and materials for any bin storage areas or collection points.
 - (d) Details of the siting, design, finish and means of enclosure for any fuel oil or gas storage tanks. Any oil tanks shall incorporate adequate spillage containment facilities.
 - (e) The finished levels, above ordnance datum, of the ground floor of the proposed buildings, and their relationship to the levels of external ground, existing and proposed and any existing adjoining buildings.
 - (f) Details of the siting, external appearance and materials to be used for any statutory undertakers or service provider's equipment such as electricity substations, gas governors.

Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

- 4 A fully annotated section of each elevation of each new building at a scale of 1:50 shall be submitted to and approved by the Local Planning Authority before each of the blocks is commenced.

Reason: In the interests of visual amenity

- 5 No development shall take place until details and sample panels of the materials to be used for the construction of the external surfaces of the development hereby permitted have been submitted to / erected on site (as considered appropriate) and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

- 6 Before any development commences on any phase of the development hereby permitted, details of the following security measures (as applicable to that phase) shall be submitted to and approved by the Local Planning Authority in writing and the development shall be undertaken in accordance with such approval.
- a. The access control measures for private and public car parking and design details for all parking areas which should be to Secured by Design standards and capable of achieving the Park Mark Safer Parking Award;
 - b. The access control measures for all residential accommodation;

- c. CCTV provisions for monitoring the car parking, residential access arrangements and servicing arrangements for all commercial properties; the bus station, shop mobility and all public areas.
- d. Secure cycle parking provision;
- e. Secure shopping trolley storage;
- f. Use of laminated glass to shop windows and details of measures required for security grills, bollards and shutters etc.
- g. Lighting provisions in all communal and public areas;
- h. Use of anti graffiti paint and vandal resistant fittings to public toilets:

Reason: To ensure that the development provides appropriate security measures in the interests of crime prevention.

- 7 No development shall take place until a Construction Method Statement and Construction Code of Practice for limiting the emission of noise and dust from all the demolition and construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until the measures approved in the scheme have been fully implemented and they shall be adhered to throughout the construction period.

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

- 8 During development no machinery shall be operated, no process or works shall be carried out and no deliveries taken at or dispatched, including works of demolition or preparation prior to operations at the site except between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

- 9 Any floodlighting or security lighting installed during the construction period shall be sited and directed in such a way as not to cause nuisance to adjoining properties or any adjacent highway.

Reason: In the interests of amenity and safety.

- 10 Details of any external lighting of the site, including any street lighting and lighting for security or other purposes, shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

- 11 Details of a scheme for the provision of electric vehicle recharge points within the development shall be submitted to and approved by the Local Planning Authority in writing before the development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality

- 12 Unless otherwise agreed by the Local Planning Authority, before development commences a scheme of water efficiency measures for the proposed development shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: There is a growing challenge to meet increased demands for water and balance the needs of the environment.

- 13 Details of any Telecommunications equipment, including antenna and equipment housings, shall be submitted to and approved in writing by the Local Planning Authority before any such provision is undertaken on any part of the application site. Development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring that such apparatus is sited and constructed in a manner that does not detract from the appearance of the development.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order no external aerials or antenna of any kind shall be erected on the buildings hereby permitted without the written consent of the Local Planning Authority and the development shall incorporate the provision of an integral cabled system to avoid the need for separate provision of such equipment.

Reason: In the interests of visual amenity.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning (Use Classes) Order 2005 or any orders revoking and re-enacting such orders the areas shown on the plans hereby approved for health authority offices and surgery and shopmobility and bus station and club shall not be used for other purposes within the same use class or by virtue of permitted development rights for another class of development unless the written approval of the Local Planning Authority is first obtained.

Reason: To ensure that the development provides the facilities intended and that inappropriate changes of use do not prejudice the community benefit of the development.

Archaeology and Conservation Conditions

- 16 Details of all alterations to the Woolstaplers Hall (Block H) including fenestration shall be submitted to and approved in writing by the Local Planning Authority and any making good to the existing elevations or roof of the building shall be undertaken using matching materials.

Reason: To ensure the detailing and materials maintain the architectural interest of the building.

Pollution / Flood Risk / Drainage/ Water Conditions

- 17 Development shall not commence until a scheme to mitigate the effect of any contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be based upon a detailed site investigation and assessment of the extent of any contamination present and shall specify the measures to be taken to avoid risks to the public, buildings and environment when the site is developed. This site investigation report is to be included with the scheme details. Unless agreed otherwise in writing by the Local Planning Authority the approved scheme shall be completed prior to the occupation of the buildings.

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

- 18 If, during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to,

and obtained written approval from the Local Planning Authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.”

Reason: To protect the major aquifer beneath the site and the surface waters within and surrounding the site. There may be areas of the site, which cannot be fully characterised by a site investigation, and unexpected contamination may be identified.

- 19 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A desk study identifying:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect the major aquifer beneath the site and the surface waters within and surrounding the site. The site may be contaminated due to previous activities that have taken place onsite. Risk to groundwater and surface water has not yet been fully established at the site.

- 20 Piling or any other foundation designs using penetrative methods shall not be used other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: To protect the major aquifer beneath the site and the surface waters within and surrounding the site. If used, piling may provide direct pathways for contaminants to groundwater.

- 21 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To protect the major aquifer beneath the site and the surface waters within and surrounding the site. Soakaways and other sustainable urban drainage systems can increase the potential for pollution if located in contaminated ground.

- 22 The developer shall advise the local planning authority (in consultation with Southern Water) of the measures which will be undertaken to protect or divert the public sewers, prior to the commencement of the development. The approved measures shall be fully implemented to the satisfaction of the Local Planning Authority

Reason: To ensure satisfactory drainage provisions are provided.

- 23 Public Mains Foul drainage from the development must connect to the public mains foul sewer.

Reason: The mains foul water sewer is in close proximity to the site: There is a presumption for connection to this system.

- 24 Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure satisfactory sewage disposal provisions are provided.

- 25 The developer shall, prior to commencement of the development, submit to the Local Planning Authority details of the measures to be undertaken to divert / protect the public water supply mains and work shall not commence before such details are agreed in consultation with Southern Water.

Reason: To ensure satisfactory water supply provisions are maintained.

- 26 The method of demolition and construction for the development shall be carried out in accordance with a scheme to be approved in writing with the Local Planning Authority prior to any development commencing.

Reason: The site is in a very sensitive location with respect to groundwater, and in order to protect the quality of drinking water supplies the working methods will need to be carefully considered.

Highways and Parking

- 27 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

- 28 The car parking for each phase of development shall be constructed, surfaced and marked out in accordance with the approved plan before each phase is brought into operation. The car park areas shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

Housing / general amenity conditions

- 29 No development shall take place until a scheme for limiting the transmission of noise between the units of accommodation and, any part of the development which is not exclusively used with a unit of accommodation, has been submitted to and approved in writing by the Local Planning Authority. All works, including detailing, shall be carried out in accordance with the approved scheme, before any of the units of accommodation are occupied.

Reason: To protect the amenities of future occupants of the dwellings.

- 30 Details of a scheme for protecting the proposed domestic dwellings within building C from noise and vibration from the bus station shall be submitted to and approved by the Local Planning Authority in writing before the development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.
- Reason: To ensure that acceptable noise levels within the dwellings are not exceeded.
- 31 All habitable rooms on the ground and first floors of Buildings J and A that front onto either Friarsgate or Tanner Street shall be fitted with non opening windows and mechanical ventilation that draws air from an area agreed in writing with the Local Planning Authority.
- Reason: To protect the amenities of future occupants of the dwellings.

Retail and Offices

- 32 Detailed Plans to a scale of not less than 1:20 showing the design and external appearance of the shopfront(s) shall be submitted to and approved in writing by the Local Planning Authority before each shop front unit is commenced. The works shall be undertaken in accordance with the approved plans before the shop is occupied.
- Reason: In the interests of the amenities of the area.
- 33 All units designated A1 to A5 and B1 to B8 inclusive, in accordance with the TCP Act Uses Classes Order 2005, hereby permitted, shall not be open to customers outside the following times 08:00 to 23:00.
- Reason: To protect the amenities of the occupiers of nearby properties.
- 34 Details of the means of extraction of fumes from all premises designated A3 to A5 and B1 to B8 inclusive, in accordance with the Town and Country Planning (Use Classes) Order 2005, or any order revoking and re-enacting such order, shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the use hereby permitted is commenced, and thereafter maintained and operated in accordance with the approved details.
- Reason: In the interests of the amenities of the adjoining properties.
- 35 No commercial deliveries shall be taken at or dispatched from the ground floor loading bay area of building A except between the hours of 0700 and 2100 Monday to Saturday and 1000 to 1600 on Sundays, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To protect the amenities of the occupiers of nearby properties.
- 36 The live/work units incorporated in the development hereby permitted shall be retained for such purposes with the area being used for business purposes class B1 of the Town and Country Planning Use Classes Order 2005 or any equivalent class in any order revoking and re-enacting such order. The premises shall not be used other than for mixed employment and residential purposes.
- Reason: To ensure that the development maintains the provision of a range of employment opportunities.

Public Realm & Public Art

- 37 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before each phase of development is occupied and brought into use. These details shall include the following, as relevant:
- (a) - other vehicle and pedestrian access and circulation areas:
 - (b) - minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):
 - (c) - proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
 - (d) - retained historic landscape features including the proposed opening up of the watercourses and proposals for restoration.

Reason: To improve the appearance of the site in the interests of visual amenity.

Soft landscape details shall include the following as relevant:

- (a) - planting plans
- (b) - written specifications (including cultivation and other operations associated with plant and grass establishment:
- (c) - schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- (d) - manner and treatment of watercourses, ditches and banks:
- (e) - implementation programme:

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

- 38 Before development commences a programme of phasing for all development within the site and the associated street works outside of the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall include hard and soft landscaping, street furniture, works associated with each phase of the development shall be implemented in full in accordance with the approved programme unless otherwise approved in writing by the Local Planning Authority

Reason: To ensure that the phasing of development is satisfactory and provides for continuity in the provision of improvements to the public realm.

- 39 No development shall take place until details of the design, materials, finish and phasing, together with samples of the materials to be used, for the construction of all hard surfacing, including works outside the application site to the Broadway, Lower High Street, Middle Brook Street and Friarsgate have been submitted to / set out on site (as considered appropriate) and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

- 40 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

- 41 Details of the design of building foundations and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect trees on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

Reason: To ensure the protection of trees to be retained and in particular to avoid unnecessary damage to their root system.

- 42 All trees on and adjacent to the site, shall be retained, unless shown on the approved drawings and arboricultural report as being removed. They shall be protected from damage during the course of site works in accordance with BS5837 2005. An Arboricultural Impact Appraisal and Method Statement, 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.

The Arboricultural Officer shall be informed as soon as the construction exclusion zone has been fenced so that it can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact Kevin Cloud on 01962 848317.

No arboricultural works shall be carried out to trees other than those specified and in accordance with the approved Method Statement.

Any deviation from works prescribed or methods agreed in accordance with the approved Method Statement shall be agreed in writing to the Local Planning Authority.

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

- 43 No development shall take place until details of the design, materials, finish and phasing for the provision of all street furniture, including seats, litter bins, cycle stands, shelters, railings and signs, including works outside the application site to the Broadway, Lower High Street, Middle Brook Street and Friarsgate, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and phasing.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

- 44 Details of any canopies proposed to be erected including means of fixing, materials and finished colour, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

- 45 Details of a strategy for the provision of public art, including all elements intended to be provided both in terms of permanent provisions and temporary provisions during the construction period, the locations and nature of such elements and the programme for submission of detailed designs and implementation shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details and phasing.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

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:-

Hampshire County Structure Plan Review	UB.1/2/3; S.1/2; T.2/4/5; H.1/2/5/7/8; R.2; E.2/3/4/16/17/19
Winchester District Local Plan Review 2006:	DP1/3/4/5/6/8/13/14/15 HE1/2/4/5/6/7/8; H1/5/7: E3; SF.1/3; RT.4; T.1/2/3; W.1/2/5/7/9
3. All building works including demolition, construction and machinery or plant operation should only be carried out as prescribed by condition 7 above. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, 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 allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under the Clean Air Act. 1993.
5. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water's Network Development Team (Wastewater) based at Otterbourne, Hampshire or www.southernwater.co.uk.
6. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or www.southernwater.co.uk.
7. Dewatering Under the terms of the Water Resources Act 1991 the prior written agreement is required for discharging dewatering water from any excavation or development to any controlled waters. The applicant is advised to contact the Hants and IOW Area office (Environment Management Team) to discuss this matter further.

Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters.

The proposed development must comply with the Control of Pollution (Oil Storage)(England) Regulations 2001.

The Regulations apply where more than 200 litres of oil are stored (excluding waste oil) in one or more containers. The Regulations stipulate requirements
8. In the interests of the visual amenity of the area and to avoid any conflicts with the provisions of the Town and Country Planning Control of Advertisements Regulations, the applicant is requested to have regard to the Councils supplementary planning guidance relating to shopfronts and signs and to discuss any proposals for the display of advertisements and signage at the site with the Local Planning Authority prior to such works being undertaken.
9. No amended details will be approved in the event that the Council deems that such amendments may have a significant environment effect.

2. That in the case of Conservation Area Consent application 06/01902/LB (W20100/01LBCA), consent be GRANTED subject to the following conditions:

Conditions/Reasons
General Conditions

- 1 The development hereby permitted shall be begun before the expiration of five 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
- 2 No demolition works pursuant to the consent hereby granted shall commence until a contract for the construction approved by planning permission W20100 for the comprehensive redevelopment of the site has been let and a programme of phased implementation agreed.
Reason: In the interests of minimising the visual disruption to the character of the conservation area and ensuring that unsightly voids do not occur for protracted periods to the detriment of the appearance of the area.
- 3 Before any works of demolition pursuant to the consent hereby granted commence a phasing programme for the site clearance shall be submitted to and approved in writing by the Local Planning Authority. The site clearance shall only occur in accordance with such approved phasing plan.
Reason: To ensure that site clearance works are undertaken only as necessary to accord with the phasing of the redevelopment in the interests of minimising the impact of the development on the character of the area and amenities of the occupiers of surrounding development.
- 4 No development shall take place until a Demolition Method Statement and Construction Code of Practice for limiting the emission of noise and dust from all the demolition activities on the site has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until the measures approved in the scheme have been fully implemented.
Reason: To protect the amenities of the occupiers of nearby properties.
- 5 Details of a Construction Traffic and routing Plan shall be submitted to and approved by the Local Planning Authority before development commences.
- 6 Reason: To ensure that construction traffic does not cause undue problems to the management of traffic within the city centre.
- 7 Details of any stone crushing plant and other materials re-cycling measures shall be submitted to and agreed in writing by the Local Planning Authority before development on any phase commences.
- 8 Reason: In the interests of sustainability and to ensure that appropriate measures are employed to deal with demolition waste effectively.
- 9 During development no machinery shall be operated, no process or works shall be carried out and no deliveries taken at or dispatched, including works of demolition or preparation prior to operations at the site except between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of the occupiers of nearby properties.

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:-
Hampshire County Structure Plan Review UB.1/2/3; S.1/2; T.2/4/5;
H.1/2/5/7/8; R.2; E.2/3/4/16/17/19
Winchester District Local Plan Review 2006: DP1/3/4/5/6/8/13/14/15
HE1/2/4/5/6/7/8; H1/5/7; E3;
SF.1/3; RT.4; T.1/2/3; W.1/2/5/7/9
3. No materials should be burnt on site, where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under the Clean Air Act. 1993.

3. That in the case of planning application 06/01903/FUL (W20100/02) for the markets, permission be GRANTED subject to the following conditions:

Conditions/ReasonsGeneral Conditions

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. 1FUL
Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990
- 2 All canopies to market stalls shall be covered in matching material, details of which shall be first submitted to and approved in writing by the Local Planning Authority,
Reason: To ensure a consistent appearance in the interests of the visual amenity of the area
- 3 Before development commences details regarding the location of waste and bin storage for the markets shall be submitted to and approved in writing by the local planning authority. The development shall be operated in accordance with the approved details unless otherwise approved in writing by the local planning authority.
Reason: 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:-
Hampshire County Structure Plan Review UB.1/2/3; S.1/2; T.2/4/5;

Winchester District Local Plan Review 2006: H.1/2/5/7/8; R.2; E.2/3/4/16/17/19
 DP1/3/4/5/6/8/13/14/15
 HE1/2/4/5/6/7/8; H1/5/7; E3;
 SF.1/3; RT.4; T.1/2/3; W.1/2/5/7/9

3. No amended details will be approved in the event that the Council deems that such amendments may have a significant environmental effect.
4. **That delegated authority be given to the Director of Development (in consultation with the Chairman of the Committee) (provided that such delegated authority will not extend the approval of any further detailed drawings which may, in the Council's opinion, give rise to significant environmental effects) to :-**
 - a. carry out any further consultation required as a result of the submission of further detailed drawings and issue the decision notice, subject to no new material issues being raised.
 - b. Agree any necessary changes to the terms of the legal agreement referred to in 1(i) above.
 - c. Agree any necessary changes to the conditions referred to in 1(ii) above.

(Note: The Chairman agreed that where he was consulted under this resolution, he would consider whether to recommend that the matter in question should be referred to the Planning Development Control Committee for a decision).

The meeting commenced at 9am, adjourned at 12:50pm, recommenced at 2pm and concluded at 7pm.