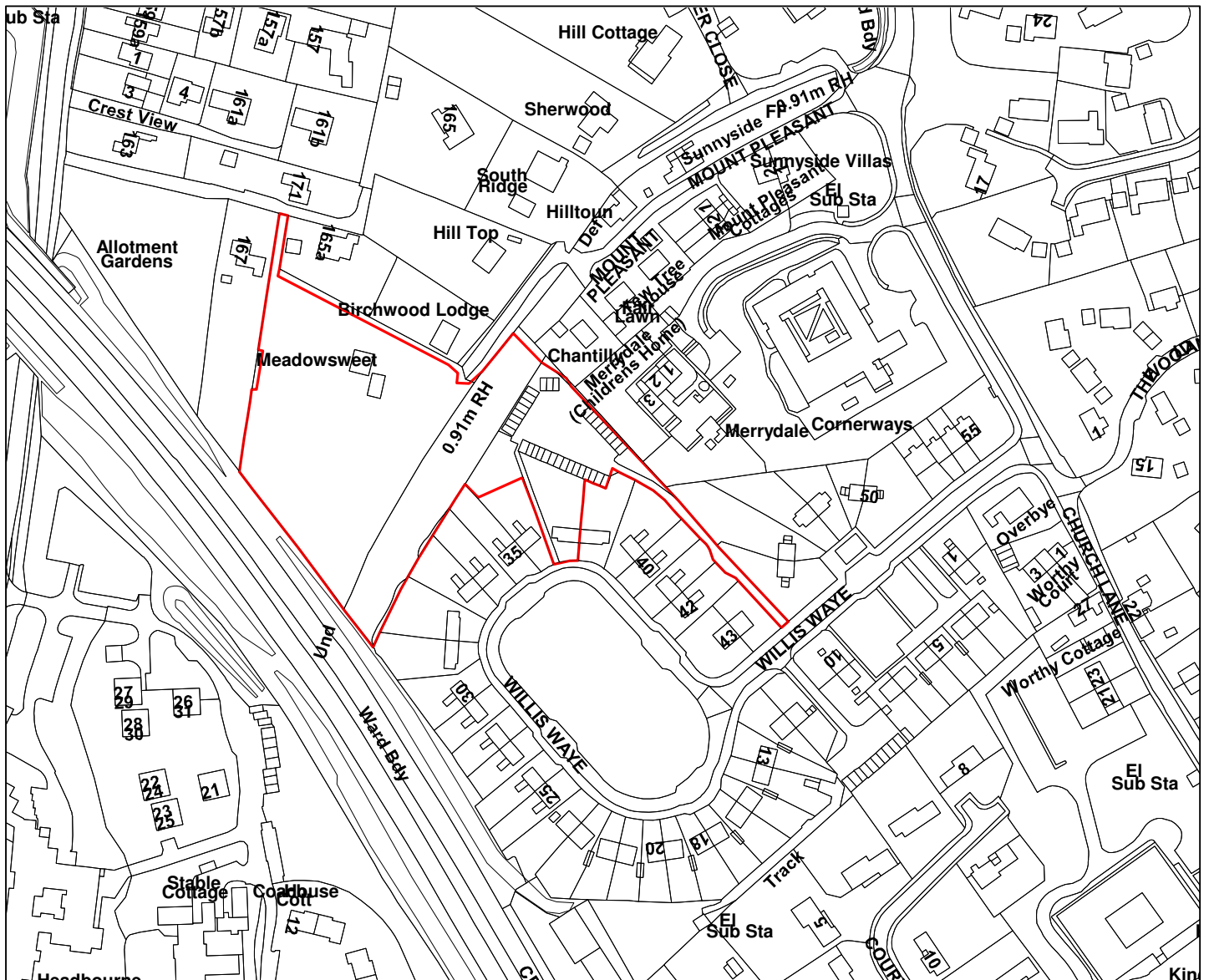


09/01407/FUL

37 Willis Way / Meadowsweet, Kings Worthy



Winchester
City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	Not Set
Date	28 September 2009
SLA Number	00018301

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DEVELOPMENT CONTROL COMMITTEE AGENDA 8 October 2009

Item No:	1
Case No:	09/01407/FUL / W21516
Proposal Description:	Demolition of No.37 Willis Waye, the garage courts to the rear of Willis Waye and Meadowsweet, to allow the construction of 30 no. dwellings (4no. 1bed; 13no. 2bed; 11no. 3bed and 2no. 4bed) and formation of a new access road from Willis Waye, with associated parking and landscaping
Address:	37 Willis Waye, Kings Worthy, Hampshire, SO23 7QT
Parish/Ward:	Kings Worthy
Applicants Name:	Mr Mark Parsons
Case Officer:	Mrs Jill Lee
Date Valid:	16 July 2009
Site Factors:	Civil Aviation
Recommendation:	Application Permitted

General Comments

This application is reported to Committee because of the number of objections received and at the requests of Kings Worthy and Headbourne Worthy Parish Councils, whose requests are appended in full to this report.

The application is also referred to Committee because it includes some land which is in the ownership of Winchester City Council.

An outline application on a larger site (of which this site formed part) for the erection of 62 dwellings; ancillary car parking, open space, landscaping and nature conservation area was refused at Committee on 11 December 2008 (ref: 08/01051/OUT). The scheme was for more development and included three and four storey buildings, which were considered to be detrimental to the area. The proposal at that time also required the loss of an unacceptable number of trees.

Site Description

The application site covers an area of approximately 1.18 hectares which forms an amalgamation of the garden area of a detached property known as Meadowsweet and a garage court which is owned by Winchester City Council. The main vehicular access is off Willis Waye. There are footpath links onto Mount Pleasant and Springvale Road and emergency vehicle access only from Mount Pleasant.

There are significant mature trees within the site, some of which are covered by Tree Preservation Orders. The character of the site and the surrounding area is one of a well-tree'd and vegetated area, which has a more rural than suburban character and the skyline of which is dominated by trees rather than roof lines. To the southern boundary of the site is the A34, the noise from which is a dominant factor within the site. To the west are allotment gardens and the remaining boundaries are adjoining existing residential development.

The site is on the valley side and is not flat. There are various changes of levels within the site and, in particular, the site is prominent in longer views from the other valley side. The character of the surrounding development is low key and traditional in design, with a predominance of single storey or chalet bungalows. The two storey development in Willis Waye has a spacious feel, with a large area of open space in the centre and good gaps between the pairs of semi-detached houses. There is no high density development in the vicinity.

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Proposal

It is proposed to redevelop the site for residential purposes with the erection of 30 dwellings with ancillary car parking, open space, landscaping and a nature conservation area.

The vehicular access is off Willis Way and will result in the demolition of No. 37 Willis Way. There will also be pedestrian links provided to Springvale Road, Willis Way and Mount Pleasant. The site borders the gardens of existing residential properties and the A34 to the south west. There will be a gated emergency vehicle only access via Mount Pleasant.

The overall density would be 25dph. The development would result in 4no. one bedroom houses, 13no. two bedroom houses, 11no. three bedroom houses and 2no. four bedroom houses. There is a local area for play (LAP) to be provided on the site. There will be contributions towards the funding of public open space and sport, which will go towards improving local facilities. There are significant trees and belts of vegetation within the site, which are important both in the immediate locality and for the wider character of the area, being visible on the valley side. None of the proposed houses exceed two storeys in height. The overall design of the proposed buildings is traditionally built in brick, with some render or timber features on the elevations and pitched roofs. The area of land which contains a substantial tree belt to the rear of the properties in Willis Way, is to be retained as an ecological reserve.

Relevant Planning History

08/01051/OUT - Erection of 62 dwellings; ancillary car parking, open space, landscaping and nature conservation area (Outline). Refused at Committee on 11 December 2008.

This scheme was refused due to the loss of trees, the inappropriate form, bulk and height of development, and the lack of highways contributions, open space and affordable housing. The density of that scheme was 36dph.

The current application is a smaller part of the previously refused scheme and is for 100% affordable housing, to be provided by way of two storey houses. No flats or apartments are proposed.

Consultations

Engineers - Drainage:

A Flood Risk Assessment has been submitted because the site area is in excess of 1 hectare. By using sustainable drainage techniques, the site can be drained of surface water without causing problems to neighbouring land.

Foul water must go to the public foul sewer but, because of the topography, some pumping may be required. The nearest public foul sewer is in Mount Pleasant. Willis Way is connected to a sewer in Church Lane via a private link and it cannot be assumed that this link can be used for the new development, as capacity is uncertain.

Southern Water should be consulted on this application, to ensure that sewer capacity exists and to agree a suitable connection point with the applicant.

Before any development commences, the applicant must submit a drainage strategy showing how surface water from the development can be disposed of in a sustainable

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manner and how foul water from the development is to reach the public sewer (Condition 2).

Engineers - Highways:

CAR PARKING.

Plots nos. 1 to 21 provide allocated parking to the levels contained in Winchester City Council's "Residential Parking Standards" draft standards document. Plots nos. 22 to 28 have unallocated spaces, again complying with the required parking standards.

PUBLIC TRANSPORT LINKS

A regular bus service known as "The Spring" operates 20 minute services via a loop route connecting Winchester with Springvale Road, Tesco Express & Post Offices and other parts of Kings Worthy. The nearest bus stop is located approximately 200m away, at the end of Willis Way, which is considered to be in close proximity to the application site.

In addition, Stagecoach (Route no. 64) operates an hourly service between Winchester & Alresford.

The area is considered to be well served by public transport.

ACCIDENT DATA.

Information contained in the "Transport Statement" prepared by Mr. Richard Parker and submitted in support of the application, explains that the road safety record for the whole of the Willis Way and Church Lane area has been studied and that only one recorded injury accident occurred in the period between 1 January 2004 and 30 April 2009. This incident took place in Hinton Fields when a vehicle parked outside the primary school reversed into a pedestrian, resulting in a slight injury.

ROAD CAPACITY.

A traffic survey was undertaken in June 2009. In summary, the figures indicate the following:-

Traffic Flows:

DIRECTIONS	NORTHBOUND	SOUTHBOUND	BOTH
Average weekday AM peak (08:00 -09:00)	70	158	228
Average weekday PM Peak (17:00 - 18:00)	93	138	233
12 Hour flow	759	1402	2161
24 Hour flow	927	1686	2613

The Transport Statement identifies that the design capacity of this type of road will be around 700 vehicles per hour in the busier direction, or 1100 vehicles per hour in both directions (source: Design Manual for Roads and Bridges, TA79/99). Hence, the existing peak hour traffic amounts to less than one-fifth of the design capacity.

TRAFFIC GENERATION.

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The Transport Statement estimates the net additional increase in traffic as 139 all day, with 14 at AM peak and 13 at PM peak.

These figures appear to be a little less than my own estimation, which would be 194 all day, with 19 each in the morning and afternoon peak hours.

However, the difference of 45 trips is considered to be minimal and both Willis Waye and Church Lane can safely accommodate the expected increase in trip generation that will occur as a result of this proposal.

VISIBILITY SPLAYS OF WILLIS WAYE WITH CHURCH LANE.

The traffic survey undertaken in June 2009 identified the 85th percentile speed in wet weather conditions of traffic approaching the Willis Waye / Church Lane junction as:-

Northbound - 30.5mph

Southbound - 31.1mph

The Manual For Streets document identifies that the visibility splay requirements in this instance will need to be 2.4m by 45m in each direction. Visibility splays offering these minimum standards can be provided within the public highway land and land belonging to Winchester City Council.

TRANSPORT CONTRIBUTION.

The Transport Contribution Policy established that there is a requirement for £99,512.00 (ninety nine thousand five hundred and twelve pounds) to reflect the increase in the number of dwellings. However, the list of local schemes currently identified for the Kings Worthy area identifies only two schemes proposed (i.e. footpath widening to the Kings Worthy Primary School (£15 to £20,000.00) and the safety enhancements at the Cart & Horses junction (Worthy Lane/A33) (£30 to £50,000.00). The exact contribution amount has not yet been established.

Standard conditions are required (Conditions 11 to 15).

Environmental Health:

The acoustic report submitted by the applicant identifies the elevated ambient noise levels generated by the A34 as being a material consideration for any proposed residential development. Under Planning Policy Guidance 24, the report assesses the proposed development as being a noise exposure Category C site, meaning that:

'Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.'

It is therefore evident that, in granting this application, noise mitigation measures must be considered to ensure that, in acoustic terms, the requisite living space and outdoor amenity standards are maintained. To achieve these standards, double glazing, mechanical ventilation and roofing mitigation measures will be required.

I would therefore recommend that a condition be attached to any planning consent, to require the submission of a noise mitigation scheme (Condition 17).

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Landscape - Trees:

No objection, subject to standard conditions (Conditions 7 to 10).

Environment Agency:

No objection in principle, subject to the imposition of a condition (Condition 6).

Natural England.

Sufficient information has been submitted to allow the application to be recommended for approval, although conditions will be required. Additional work is required in relation to reptiles and a bat licence will be required. It is important that hedgerow links are retained, to facilitate dormice moving through the site.

Southern Water:

Initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that, should this application receive planning approval, an informative to this effect is attached to the consent (Informative 3).

A condition is required to show how surface water disposal from the site will be dealt with (Condition 2).

Estates:

No objections to the application.

Strategic Housing:

This application presents a rare opportunity to secure additional affordable housing above WDLPR requirements. WDLPR Policy H.5 requires that 30% affordable housing is provided on sites such as this. However, in meeting the District's need for larger affordable housing units, it is not possible to meet the WDLPR Policy H.7, which requires 50% of units to be below 75sqm. Furthermore, the Affordable Housing SPD requires that all housing is built to Lifetime Homes Standard, wherever possible. The minimum size a two-bedroom Lifetime Home can be is 76 sq m, but the applicant is exceeding this minimum size standard by proposing two-bedroom houses of 80 sq m. Strategic Housing considers these to be justifiable reasons for not complying with Policy H.7, which will enhance the quality of the development for the occupants. It is proposed that the 29 affordable housing units be secured through a legal agreement.

The Council has an interest in the land within the red-line and a Cabinet resolution exists for the disposal of this land to a Registered Social Landlord (RSL). The Council intends to retain some of the land in its ownership and this is the land that is not to be developed and has been referred to as the 'ecology land' by the applicant. The Council is willing to discuss terms with the RSL for the on-going landscape management of the 'ecology land' which the Council will retain.

The application proposes a good mix of accommodation sizes and types to aid the creation of a sustainable and balanced community, in line with the requirements of PPS3. A mix of social rented and intermediate housing will be provided, with an expectation that around 70% of the units will be social rented, subject to the availability of grant funding.

The Council will secure nomination rights to all the affordable units through a legal agreement and applicants will be able to bid for the housing through the Choice Based Lettings system.

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Strategic Housing supports this application proceeding in its current form.

Hampshire County Council - Ecology:

Additional information has been submitted by EPR regarding protected species mitigation at this site. I am satisfied that, with this addendum, the ecological information submitted is sufficient and sets out the required measures relating to European protected species in adequate detail, meeting the requirements of the third test of the Habitats Regulations below.

The proposal will be satisfactory, as long as conditions to the effect of the following are applied:

1. Adherence to measures outlined in both:

a) Section 12 of the Ecological Assessment and Mitigation Strategy (EPR, July 2009) regarding protection of biodiversity and ecological enhancement; and

b) The addendum to this report and accompanying plan (EPR, September 2009) detailing bat and dormice mitigation.

2. Submission and approval of, and thereafter adherence to, a Reptile Methods Statement (in line with the content of section 12.1.2 of the report)

3. Submission and approval of, and thereafter adherence to, a site management plan detailing the ongoing required habitat management for protected species.

An EPS bat licence from Natural England will be required in order for the works to be carried out (Conditions 5, 21 and 22).

Archaeology:

It is considered that the report submitted with the application appropriately assesses the archaeological potential of the proposed development site.

In summary, the application site has the potential for archaeological remains, which may be adversely affected by the proposed development. Such remains may potentially relate to known prehistoric remains previously identified to the north east of the application site. Appropriate mitigation measures (comprising a two-phase programme of archaeological evaluation, followed by a further stage of archaeological recording as appropriate) are proposed within this Archaeological Assessment.

In order to secure such mitigation works, and in accordance with the principles of PPG16 and Policy HE.1 of the Winchester District Local Plan Review, it is recommended that conditions are attached to any planning consent (Conditions 3 and 4).

Landscape Team:

The proposed development satisfies requirements in terms of landscape and open space provision.

Open Space.

For a development of this size (30 dwellings) there would need to be at least 954 sq.m. of useable green space provided on site. i.e., 636 sq.m. of informal green space and 318 sq.m. of children's play space. This proposed layout (illustrated on Architecture PLB site plan 2067 GAD 400003/4) provides slightly in excess of this amount, in a satisfactory configuration in the middle of the site. An imaginative play facility has also been proposed. However, there would need to be a financial contribution towards the deficiencies in land and the standard, quality and distribution of sports facilities within the parish, and a figure of £27,494 has been agreed with the applicant. This would be used to benefit both Headbourne Worthy and Kings Worthy, in accordance with the Open Space Strategy.

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Other financial contributions that will be required as part of the s106 legal agreement are a public open space inspection/supervision fee of £434.88, and a public open space bond to the value of £20,822.40

Landscape.

In addition to the public open space being provided, significant areas of the site are being left undeveloped in order to preserve their ecological integrity, while the most visually significant trees on the site are being retained. A soft landscape scheme, prepared by ACD Landscape Architects, is also submitted as part of this application, which seeks to complement the strong landscape framework. This, too, is satisfactory.

Urban Design

The connection to Willis Way is successful, both in terms of the alignment of the new road and the dwellings that face on to it (including the reconstructed No. 37), and also with the use of traditional building forms and materials, but which have a contemporary architectural language, to the elevations. The existing pedestrian connection to Mount Pleasant is maintained and enhanced, which is important for new residents, giving them a more direct access to the school. This link will also benefit Willis Way residents.

As one moves into the scheme beyond the retained tree belt, there will be a good sense of enclosure, continuity and order created by the 'crescent' of semi - detached houses, (reflecting the order and cohesion of the houses in Willis Way).

The central public open space with play area is overlooked by most of the houses in this part of the site and will be a safe and comfortable place and likely to be well used.

As the new development is two storeys, it is unlikely to be that visible from the longer views on high ground to the north west, with only glimpses of roofs.

Overall, this is a successful development which responds well to the site constraints and its surroundings. I recommend a condition relating to the submission of materials, which should specify the use of natural slate, a soft stock brick and timber doors and windows (Condition 23).

Representations

Headbourne Worthy Parish Council:

The HWPC objects strongly to this application and wishes it to be considered by the Development Control Committee.

The HWPC accepts both the principle of development on this site and the need for affordable social rented housing. However, the main part of the site is also within the area covered by the Springvale Road LADS 2007, which requires development proposals to balance housing densities with the corresponding requirement for maintaining the essential character features of the Springvale Road Study Area.

The HWPC does not accept that this proposal fulfils that requirement, for the following reasons:

1. Overdevelopment.

a. Density - the fenced ecological reserve and road access has been included in calculations, therefore the quoted density of 25 dph is inaccurate and, in reality, is considerably higher in excess of 50 dph.

b. The applicant justifies the proposed density on an analysis of other parts of Kings Worthy. This is misleading, as this site is mainly within Headbourne Worthy and there are no such comparable developments west of Nations Hill.

2. Adverse impact on neighbouring properties.

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- a. Will have an adverse effect on the amenity of the neighbouring properties in this relatively quiet residential area, in particular with regard to privacy and additional noise
- b. Whilst 100% affordable housing might appear attractive, a mix would have been more desirable.

3. Design.

HWPC considers high maintenance wooden cladding unsuitable for the proposed development. There is woefully inadequate provision for private amenity areas/gardens to the properties, which should be provided in accordance with PPS3, particularly for residents with young children.

4. Noise.

A majority of dwellings are too close to the A34 road with significant 24 hour levels of ambient noise. HWPC contends that there are alternative sites available and that to allow dwellings to be built here will condemn the occupants to an intolerable sub-standard quality of life. The distressing experience of existing residents in Willis Way whose homes back onto the A34 should not be repeated.

5. Access.

HWPC queries the need for a gated emergency access from Mount Pleasant. The lane is narrow, only 2.7metres wide in parts, and without footpaths. Other developments do not have this type of secondary access.

Kings Worthy Parish Council:

Members fully support the principle of affordable housing and have no specific comments to make on the design of the scheme. They oppose the scheme on the basis of highway deficiencies.

Concerned over inaccuracies in the Transport Study, particularly road and footpath dimensions in Church Lane. Mount Pleasant is not suitable for emergency vehicles. Concern over the effect of the increase in traffic in Church Lane on the "thatched cottages".

The Transport Study makes no mention of commercial traffic accessing the proposed development. Larger vehicles may have serious problems passing parked cars, particularly construction traffic. Cars passing through Willis Way will cause problems for local residents, due to the narrow road width and parked cars.

An additional letter of objection from the Parish Council was received, as follows:

KWPC wishes to add a further reason for their objections to the above planning application.

The application proposes to build 15 dwellings alongside the site boundary with the A34, with some dwellings only 20m from one of the noisiest roads in the District.

Special building construction methods, roof insulation, double glazing and 'whole house natural ventilation systems' have been proposed to achieve the recommended standards. KW PC suggests that the noise problems currently experienced by the residents of Willis Way, who live on the adjacent development backing on to the A34, could be useful in understanding the problems likely to be expected at the proposed development.

Letters received from 36 households, objecting to the application for the following reasons:

- Highways and traffic safety issues with increased cars in Willis Way;
- Conflict between children, elderly and cars;

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- Access should be off Church Lane;
- Development would be detrimental to built and natural environment;
- Increased demand on local resources;
- No objection to removal of garages;
- Additional cars will adversely affect the quality of life for local residents;
- Already suffer noise and other pollution from A34;
- Parked cars around the green might make access difficult;
- Concern that Mount Pleasant will be used by cars;
- Important to keep trees in order to block noise from road;
- Wildlife and protected species issues;
- Visual impact of replacement for No. 37 Willis Way is unacceptable;
- Loss of garages will lead to on-street parking and congestion;
- Mount Pleasant provides the current access to Meadowsweet and should remain as access for the new development;
- New residents will be adversely affected by noise from the A34;
- Not enough local consultation has taken place;
- Church Lane is not suitable for additional traffic;
- Development is contrary to the Springvale Local Area Design Statement;
- Scheme should be mixed, not 100% affordable;
- Not enough car parking is provided;
- The proposed density is too high;
- Too many houses are proposed;
- Loss of privacy for existing residents in Mount Pleasant.

HCC Councillor Jackie Porter objects to the application, as follows:

Although the planned housing would seem to be of good design as an entity in itself, and the principle of affordable housing is one I fully support, I am objecting to the proposal for the following reasons:

- The access to the site from Willis Way is of great concern to residents;
- The narrowness of the road;
- Difficulty of getting round the central grassed area when everyone is parked there in the evenings, and safety concerns for children getting to the central area are not acknowledged or addressed in the application;
- The environment for current residents will not be enhanced by this application;
- The noise levels, described in the reports commissioned by the developers, are, in reality, unacceptably high, resulting in distress of residents. Keeping windows closed at the backs of the properties will lead to intolerably high temperatures, particularly in the south and west facing properties. I remain concerned at the proximity of the properties to the A34 and the lack of more extensive sound mitigation. There is an opportunity to improve the noise mitigation for Willis Way residents too;
- Church Lane is narrow, with only room for one car in places. There will be increased congestion at peak times, and when a bus passes through. I have formally requested that an alternative access to this site is investigated, i.e. through the HCC/Cornerways land;
- Long term management arrangements for wild life areas is also a concern.

Hampshire County Council - Children's Services:

The adjacent property, Merrydale, is operated by Hampshire County Council Children's

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Services Department as a residential respite centre for children and young people up to the age of eighteen years with learning difficulties and autism, some of whom can display challenging behaviour, and has currently approximately fifty five children who access this service at different times. The garden at Merrydale directly adjoins proposed units 2, 3 and 4 within the development proposal and is very well used by children and staff. We are concerned that noise from our side could cause problems for new residents in close proximity. Equally, being overlooked, or the new site being overlooked by us, may cause difficulties. We have no objection to the development of the site in principle, but are concerned to avoid any overlooking windows to habitable rooms or any opening or clear glazed windows on the north eastern elevation of new dwellings directly overlooking Merrydale. We're also concerned that the siting of the new development would jeopardise the full retention of the important row of existing trees adjacent to the boundary between the proposed development site and Merrydale, as there is a need to provide a high level of screening and privacy to both sites. A new 1.8m high secure boundary should be provided prior to the removal of the existing garages which form the present boundary.

Relevant Planning Policy

South East Plan 2009:

CC6, H3, H5, T4, NRM10, SH6,

Winchester District Local Plan Review

DP3, DP4, DP6, DP8, DP9, H3, H5, H7, RT4, T4.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPG 13 Transport

PPG 24 Planning and Noise

PPS 25 Development and Flood Risk

Other Planning Guidance

Springvale Road Local Area Design Statement 2007.

Guide to the Open Space Funding System

Movement, Access, Streets and Spaces

Technical Paper: Open Space Provision and Funding

Winchester Housing Needs Survey

Affordable Housing SPD, Adopted February 2008.

Planning Considerations

Principle of development

The application site is located within the settlement boundary of Kings Worthy, where residential development is acceptable, in principle. The proposed development would have a density of 25dph and would reflect the density of development in the locality. There is an important area of trees which cannot be developed, and so a slightly lower density than the minimum recommended in PPS3 is acceptable in these circumstances.

The site suffers noise from the A34 which is adjacent to the site boundary. Noise mitigation measures have been important in the proposal and in the positioning of the houses. The site can be developed for residential use, provided suitable noise mitigation

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measures are implemented and retained (a condition covers this). This is covered in greater detail below.

Although the site is within the settlement boundary, the development is proposed to be 100% affordable. The usual policy requirement would be 30%. This is supported, in principle, by the Council, as providing affordable homes is a corporate aim identified in the 2008 Sustainable Community Strategy for the Winchester District. It will be possible to secure the affordable housing by way of a legal agreement, because the proposal does not comply with Policy H7 of the WDLPR which requires 50% of all new dwellings to be 1 or 2 bedrooms and to not exceed 75 square metres in floor space.

The mix of units on the site is 4no. one bed, 13no. two bed, 11no. three bed and 2no. four bed houses, so over 50% would be one or two bedroom dwellings. However, in relation to their floor space, more than half of the dwellings exceed 75 square metres. The development is considered to be acceptable as an exception to this policy, because the benefits arising from the provision of 29 affordable units, which have been designed to meet local need, outweigh the usual requirement to provide 50% units with a floor space up to 75 square metres. The larger unit sizes comply with the Lifetime Homes Standards, which is a requirement for affordable homes.

There is no objection to the principle of the development.

Design/layout

The site has been created by the amalgamation of a large garden area which contains shrubs, mature trees and hedges to the boundaries. The area of the site, which is currently utilised as a garage court, is hard-surfaced and has no vegetation within it. The development is now entirely two-storey, and the important landscape features on the site are being retained. The blocks of development are smaller and more domestic in scale, thus avoiding the mass of roof which had been identified as a failing in the previous, larger scheme. The Springvale Road LADS identifies that the predominant character of the area is one of domestic scale buildings, none of which exceed two storeys in height. It also identifies, as does Policy DP3 of the WDLPR and PPS1, that new buildings should take account of their context and, in this case, should not exceed two storeys, although some accommodation within the roof space may be acceptable. Buildings should not be designed to appear as flats or apartments, as this would not be appropriate within this context.

The advice contained in the Springvale Road LADS is particularly important in relation to this site, as the development is likely to be visible in views from the opposite side of the valley. The proposed development would now appear in the form of roofs punctuating the landscape, which mimics the existing form, character and appearance of the development in the vicinity and will not appear as an alien or intrusive feature. The smaller scale buildings also take account of the requirement of the LADS, particularly in relation to respecting the special character of Mount Pleasant. The development has been designed in a contemporary manner but using traditional materials, to reflect the surrounding development. The design incorporates a limited palette of materials, to include red brick, timber, render and slate roofs.

The layout of the development has taken into account the requirement to retain and enhance the existing tree and hedge screens to the boundaries and to retain an ecological area underneath the existing mature tree belt between the rear of the

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properties on Willis Way and the proposed new development. The important belt of mature trees that separates the A34 from the new development is also retained. The design of the scheme has allowed for permeability for pedestrians moving through the site, with footpath links onto Willis Way, Mount Pleasant and Springvale Road. The design and layout of the development is considered to be acceptable, both in terms of the interior of the site and its appearance from surrounding development and longer views from across the valley.

Sustainability.

Code for Sustainable Homes.

In May 2008, the Code for Sustainable Homes (CSH) became mandatory for all new homes, requiring all new dwellings to achieve a rating of between 1 and 6. A pre-assessment has been undertaken and each of the dwellings currently achieves a minimum of Code level 3, which is a mandatory requirement of all affordable housing.

Sustainable Materials in Construction.

It is proposed that, where possible, materials will either be re-used or will be sourced locally. The Green Specification Guide shall be considered in the specification of materials and their use in the construction of the dwellings, and materials with a high rating are likely to be favoured over lower rated products, cost permitting. Other elements in the building, such as the timber, will, ideally, be sourced from forests that are sustainability managed and come from a Forest Stewardship Council (FSC) certified source.

Energy efficient design and renewable energy.

There may be a future opportunity to introduce some solar energy collection at roof level.

Water conservation

The provision of water butts will be addressed during the detailed design stage.

Nature conservation and biodiversity.

It is intended that, as part of the application, there will be new planting work to enhance the setting. The existing ecology will also be preserved and measures implemented to provide a protection area that will be fenced off from general access.

The proposed development is acceptable in terms of its sustainability.

Impact on character of area and neighbouring property

The site is surrounded by existing residential development in Willis Way and Mount Pleasant, as well as other properties that back onto the site from Church Lane and Springvale Road. Most of the development has been pulled away from the boundary, to ensure that the important trees and hedges can be retained and enhanced, where necessary. The properties on plots 3 and 4, which back onto the boundary of the site, have gardens of about 10m. in length, and mature trees, which are growing off-site, provide privacy to adjoining gardens from first floor windows. Because the scheme is on a smaller site and the scale of the buildings has been reduced, it is considered that the impact on the character of the area, including long views, is now acceptable and will reflect the character and appearance of the existing development on the valley side.

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Existing boundary trees and hedges are now being retained and these will help to reduce any adverse impact that the proposed new development might have on existing surrounding dwellings.

The impact on the character of the area and the neighbours' amenities is considered to be acceptable.

Landscape/Trees

The proposed development provides sufficient amenity space within the site and also provides a LAP. Contributions are being sought for open space and sport, which will be provided off-site.

In terms of the landscaping, the proposed development now retains most of the significant trees on the site and those to be retained will now be actively managed. The retention of trees and vegetation is important on the valley side and contributes to the green and semi-rural character of the area. The greenery is important both locally and in longer views from the opposite valley side. The layout also allows for the potential to plant large trees without causing conflict between the houses, garden areas and trees. The retention of trees and vegetation reflects the well-landscaped setting into which this development is to be placed and respects the pattern and character of the surrounding development, which is very well-landscaped.

Highways/Parking

There has been a good deal of objection regarding the traffic impact of the proposed development on the existing residents of Willis Way. The Transport Statement estimates the net additional increase in traffic as 139 all day, with 14 at AM peak and 13 at PM peak. Winchester City Council's Highway Development Control Engineer has commented that the figure appears to be less than his estimation, which would be 194 all day with 19 each in the morning and afternoon peak hours. However, the difference of 45 trips is considered to be insignificant in highway safety terms, and both Willis Way and Church Lane can safely accommodate the expected increase in trip generation that will occur as a result of this proposal.

Parking for cars and cycles has been provided, in accordance with the Council's emerging residential parking standards, and is acceptable. There is a requirement for contributions towards the HCC transport contributions scheme, for footpath widening to the Kings Worthy Primary School and the safety enhancements at the Cart & Horses junction (Worthy Lane/A33). The main vehicular access to the site is via Willis Way and requires the demolition of No. 37 Willis Way. The Highways Engineer has commented on the highways statement that was submitted with the application and considers that the highways aspects of the scheme are generally acceptable. The site is well served by public transport and so is sustainable. The visibility at the junction with Willis Way and Church Lane is acceptable and is all within highway land. The loss of the garage court is considered to be acceptable, as the take-up of the garages by Willis Way residents is relatively low. Any current garage court users could have a dropped kerb provided outside their house to facilitate off road parking. The Head of Estates has no objection to the loss of the garage court.

Ecology

Bats

A bat roost has been confirmed in one of the houses to be demolished. The works which will impact on the roost will therefore need to be carried out under licence from

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Natural England. In order to obtain an EPS licence, the applicant must satisfy the following three tests (as well as having planning permission):

- i. The consented operation must be for '*preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature, and beneficial consequences of primary importance for the environment*';
- ii. There must be '*no satisfactory alternative*'; and
- iii. The action authorised '*will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range*'.

Additional information submitted by EPR regarding protected species mitigation at this site is sufficient, and sets out the required measures relating to European protected species in adequate detail, which meets the requirements of the third test of the Habitats Regulations.

Dormice

Dormice are using the site and measures have been proposed to avoid impacting on this protected species and therefore avoid the need to carry out works under a licence from Natural England. The ecological information submitted is sufficient and sets out the required measures relating to European protected species in adequate detail, meeting the requirements of the third test of the Habitats Regulations. Adherence to that methodology could then be secured by a condition in any consent granted (Condition 5).

In relation to protected species on the site, the Local Planning Authority also has to be satisfied that the first two tests are met, as follows:.

- i. "the consented operation must be for '*preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment*'"

The site is within the development boundary of Kings Worthy and the principle of redeveloping the site is acceptable in line with adopted Local Plan policies and national policy guidance. The site is providing affordable housing which satisfies identified local need. The ecology of the site has been fully examined and mitigation measures are in place that will ensure that the ecology is not adversely affected by the proposed development. The survey work and mitigation measures have been found to be acceptable.

- ii. "there must be '*no satisfactory alternative*'"

The Council owns part of the site and is able to make it available to be developed for affordable housing. The developer has an option on the remainder of the site which will enable him to bring the site forward for development, and has offered 100% affordable housing to meet an identified local need. There are no other known sites in the locality available to this developer on which he could bring forward a similar scheme to provide affordable housing. Furthermore, it is considered that this proposal represents the best use of the site and an acceptable form of development. The application can therefore be

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approved.

Flood risk

Although the site is not in Flood Zone 2 or 3, a Flood Risk Assessment (FRA) has been submitted as part of the application because the site is over 1 hectare. The FRA shows that, by using sustainable drainage techniques, the site can be drained of surface water without causing problems to neighbouring land.

The foul water will go to the public foul sewer but may require pumping because of the topography. The nearest public foul sewer is in Mount Pleasant. Prior to development commencing, a drainage strategy must be submitted to and approved by the Council showing how surface water from the development can be disposed of in a sustainable manner and how foul water from the development is to reach the public sewer.

The application is considered to be acceptable in terms of flood risk and drainage.

Archaeology.

The application site has the potential for archaeological remains, which may be adversely affected by the proposed development. Such remains may potentially relate to known prehistoric remains previously identified to the north east of the application site. Appropriate mitigation measures (comprising a two-phase programme of archaeological evaluation, followed by a further stage of archaeological recording, as appropriate) are proposed within this Archaeological Assessment.

In order to secure such mitigation works, and in accordance with the principles of PPG16 and Policy HE.1 of the Winchester District Local Plan Review, conditions are required to ensure that any archaeological remains are dealt with in a satisfactory manner (Conditions 3 and 4).

Noise.

The application site is affected by road noise from the busy A34 dual carriageway, which is adjacent to the western boundary of the site. A noise assessment has been carried out as part of the application proposals. The site has been classified as category C, where noise mitigation measures may allow development to proceed (see below). The sound level within residential buildings is not the only consideration: most residents will also expect a reasonable degree of peaceful enjoyment of their gardens and adjacent amenity areas.

When assessing a proposal for residential development near a source of noise, Local Planning Authorities should determine into which of the four noise exposure categories, as identified in PPG24, the proposed site falls, taking account of both day and night-time noise levels. The categories are as follows:

- A.** Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level.
- B.** Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.
- C.** Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

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D. Planning permission should normally be refused.

Noise from outside a building can enter a room through windows, ventilators, walls, roof and doors. However, in most cases, windows provide the main path and it is therefore important to ensure that their insulation is correctly specified. To provide good insulation, a window must be fitted with effective seals. To provide adequate insulation against external noise, it is necessary to keep closed those windows and ventilators which have not been designed to provide sound insulation. Therefore, alternative methods of providing ventilation and control of summertime temperatures must be considered. Sound insulating ventilators may be "whole house" systems or individual units, installed where necessary. Ventilators of the type specified in the Noise Insulation Regulations will limit the insulation against traffic noise to about 38 dB(A).

The layout of the scheme has been organised so that the buildings themselves provide some screening from the traffic noise from the A34. The private garden areas have been provided to the front of the buildings, so that they largely comply with World Health Organisation recommendations for noise experience in amenity spaces. The buildings will be constructed with cavity walls and well-insulated roofs. The windows will be double glazed, in order that noise from the road within the dwellings can be kept to an acceptable level.

It is acknowledged that the proximity of the A34 to this site makes it a noisy site. However, it is considered that this scheme represents an opportunity to make good use of land within the policy boundary of the village and to deliver much needed affordable housing which is intended to help meet local need. The layout and design of the development has been carefully considered and takes full account of noise and it is considered that the scheme would be able to provide a satisfactory living environment for its occupiers. As a result, it would be appropriate to allow this residential development to proceed on this site, notwithstanding the impact of the noise from the A34.

Planning Obligations/Agreements

In seeking the planning obligations and/or financial contributions for funding public open space, contributions towards Hampshire County Council's Highways Contributions Scheme, retention of affordable housing and a landscape management and maintenance plan, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005, which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

That, provided the applicant enters into legal agreements to secure the following:

Contributions towards funding Hampshire County Council's Highways scheme;
Contributions towards funding public open space;
Provision and retention of 100% affordable housing on the site;
Securing public footpath links across the site;
Future maintenance of common areas and wild life areas.

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Then planning permission be **Granted**, subject to the following conditions:

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

Conditions

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. A detailed drainage layout, long sections and specification for the foul and surface water sewers, shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

NOTE: Entering into an Agreement with Southern Water Services Ltd, under Section 104 of the Water Industry Act 1991, shall be deemed to satisfy this condition.

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

3. An archaeological evaluation of the site, in accordance with a written scheme of investigation agreed in writing by the Local Planning Authority, shall be carried out by a archaeological organization agreed in writing with the Local Planning Authority, prior to any building, engineering or other operations hereby permitted, in order to compile archaeological records and to provide information to enable the design of an appropriate archaeological mitigation strategy.

Reason: To ensure that the archaeological interest of the site is protected.

4. No development, or site preparation prior to development which has any effect on disturbing or altering the level or composition of the land, shall take place within the site until the applicant (or their agents or successors in title) has secured and implemented a programme of archaeological work, in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological interest of the site is protected.

5. All work shall be undertaken in accordance with the EPR ecological assessment and mitigation strategy dated July 2009, and the addendum to this report and accompanying plan dated September 2009, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the ecological features of the site are protected during construction and thereafter retained.

6. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by

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the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The approved scheme shall include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to ensure the future maintenance of the surface water drainage system.

7. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference 7179-AIA-MW-13/07/09 written by Mark Wadey of Barrell Tree Consultancy and submitted to the Local Planning Authority, shall be installed prior to any demolition, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed once protective measures have been installed, so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with 7179-AIA-MW-13/07/09. Telephone 01962 848 403.

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

8. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies, so that a pre-commencement site visit can be carried out. Telephone 01962 848 403.

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

9. No arboricultural works shall be carried out to trees, other than those specified, and in accordance with Method Statement 7179-AIA-MW-13/07/09.

Any deviation from works prescribed or methods agreed in accordance with Method Statement 7179-AIA-MW-13/07/09, shall be submitted to and agreed in writing by the Local Planning Authority.

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

10. No development, or site preparation prior to operations, which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The Arboricultural Supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved Arboricultural Method Statement. Where ground measures are deemed necessary to protect root protection areas, the Arboricultural Supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority's Arboricultural Officer prior to the commencement of development work.

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

11. Details of measures to be taken to prevent mud being deposited on the public highway from vehicles leaving the site during construction works 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.

12. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development 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.

Reason: In the interests of highway safety.

13. The proposed access and drive, including the footway crossing, shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE: A licence is required from Hampshire Highways Winchester, Central Depot Bar End Road, Winchester, SO23 9NP, prior to the commencement of access works.

Reason: To ensure satisfactory means of access.

14. Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 45 metres shall be provided at the Willis Waye/Church Lane junction. The splays shall be kept free of obstacles at all times.

Reason: In the interests of highway safety.

15. Details of the width, alignment, gradient and type of construction proposed for the roads and footways, including all the relevant cross-section and longitudinal sections showing the existing and proposed levels, together with the details of street lighting and the method of disposing of surface water, and details of a programme for the making up of the roads and footways, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The agreed details shall be fully implemented before the use hereby approved is commenced.

Reason: To ensure that the roads are constructed to a standard which may allow them to be taken over as a publicly maintainable highway.

16. 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

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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.

17. Prior to any work commencing on site, details of a scheme for protecting the proposed dwellings from noise from the road traffic shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details. 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 and the curtilages of the dwellings are not exceeded.

18. Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice, as set out in BS10175:2001 : Investigation of Potentially Contaminated Sites - Code of Practice and Contaminated Land Reports 7 to 11, or other supplementary guidance, and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority:

- a) A desk-top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include the nomination of a suitably qualified person to oversee the implementation of the works.

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

19. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provisions of Condition 18 c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of Condition 18 c) has been fully implemented, unless varied with the written agreement of the Local Planning Authority in advance.

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

20. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings, along with details of any remedial action required (including timing provision for implementation), have 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.

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

21. Prior to any work commencing on site, a Reptile Methods Statement, in accordance with Section 12.1.2 of the EPR report, 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 ecology and protected species on site are protected during construction and thereafter protected, according to European Habitats Regulations.

22. Prior to any work commencing on site, a site management plan, detailing the ongoing required habitat management for protected species, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: To ensure that the protected species on the site are protected during construction and thereafter protected, according to European Habitats Regulations.

23. No development shall take place until details and samples of the materials to be used in the construction of all external surfaces and hard surfaced areas of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The materials should be natural slate with soft stock brick and timber windows and doors, in accordance with the approved plans.

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 reason:

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.

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2. The Local Planning Authority has taken account of the following Development Plan policies and proposals:

Winchester District Local Plan Review 2006:

South East Plan 2009:

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, S023 9EH. Tel 01962 858 688 or email www.southernwater.co.uk.

4. In accordance with Environment Agency guidelines, all reasonable precautions should be undertaken to ensure that no pollutants enter the water-course.

5. An EPS bat licence from Natural England will be required in order for the works to be carried out.