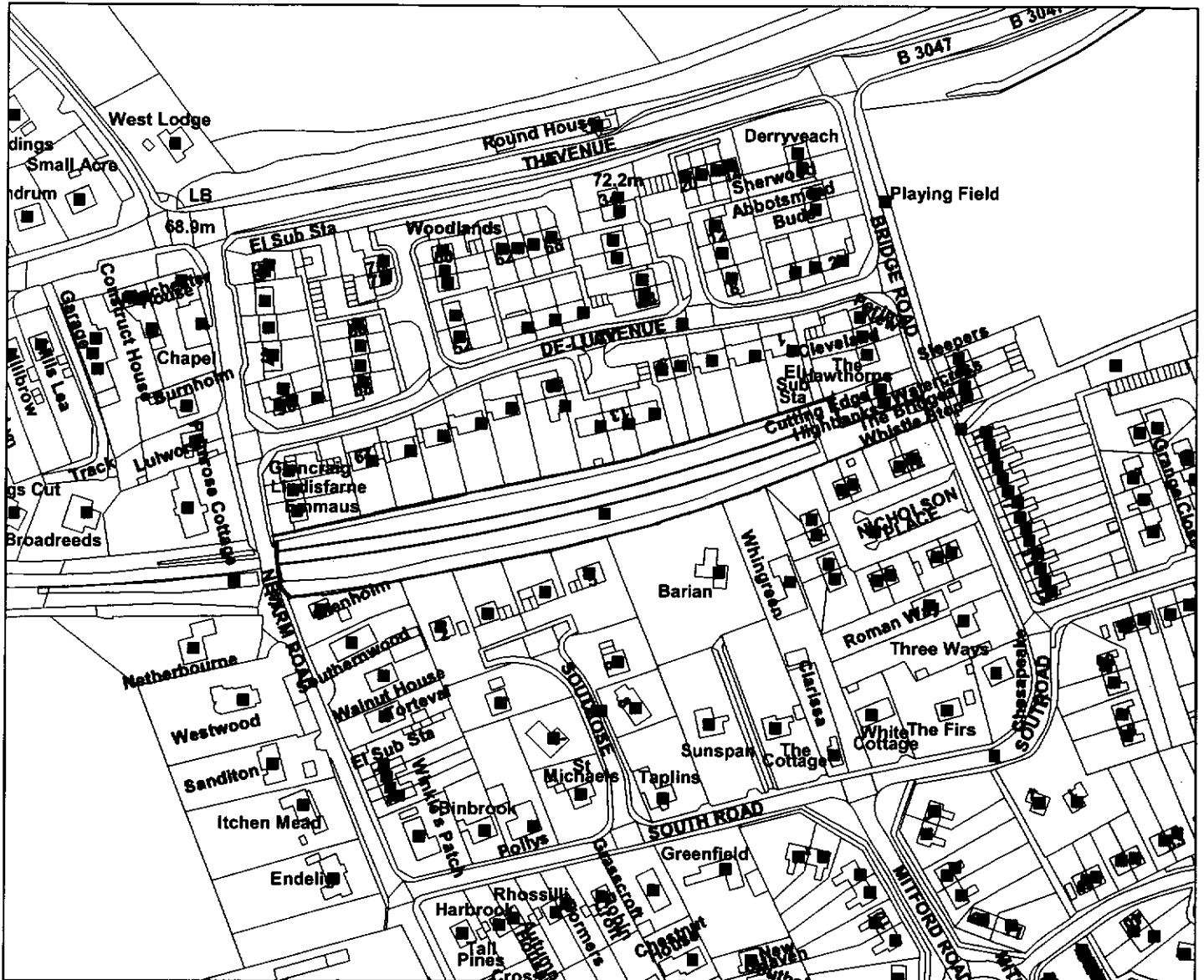


# Land East of New Farm Road, Alresford



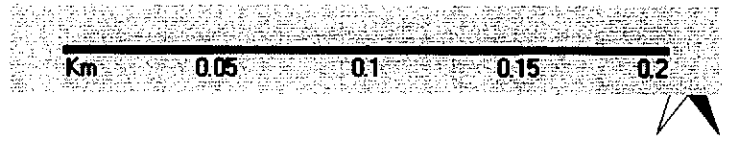
**Winchester**  
City Council

09/02685/FUL



**Legend**

Scale:



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<b>Organisation</b>	Winchester City Council
<b>Department</b>	Development Services
<b>Comments</b>	
<b>Date</b>	12 May 2010
<b>SLA Number</b>	00018301

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**Item No:** 1  
**Case No:** 09/02685/FUL / W06437/07  
**Proposal Description:** Residential development for 23 no. dwellings with associated parking, landscaping and new access from Bridge Road; re-profiling of parts of former railway cutting(Resubmission)  
**Address:** Land East Of New Farm Road New Farm Road Alresford Hampshire  
**Parish, or Ward if within Winchester City:** New Alresford  
**Applicants Name:** Chalkbank Estates Ltd.  
**Case Officer:** Andrea Swain  
**Date Valid:** 24 December 2009  
**Site Factors:** Within settlement.  
**Recommendation:** Approved subject to a Section 106 Legal Agreement.

### General Comments

This application is reported to Committee because of the number of objections received.

This is a resubmission following the refusal of planning application reference 08/00677/FUL on 18 September 2008 and subsequent dismissal at Appeal on 16 July, 2009. The Appeal Decision is attached for reference. The main differences between this application and the previous refused application are as follows.

1. Reduction in number of units from 24 to 23.
2. Proposed single open space area increased from 709 sqm to 778sqm.
3. Introduction of 3 No. two and three storey town houses on New Farm Road, respecting the building line of 'Glenholm' to the north and 'Emmaus' to the south.
4. The affordable apartment block has been resited by moving it eastwards away from the garden areas of 'Glenholm' and 'Emmaus' and redesigned to improve its appearance.
5. More trees retained along the top of the cutting and additional tree planting proposed along the cutting.
6. Basement parking proposed for affordable units only.

Following receipt of the representation letters and subsequent to the Architects' Panel, additional plans were requested to show cross sections of the site and site levels. All interested parties were advised of the receipt of the additional plans on 6 April, 2010 and given 14 days for additional comment.

### Site Description

The application site extends to 0.69 hectares and comprises part of the former railway cutting that lies between Bridge Road to the east and New Farm Road to the west. The plot is some 265 m in length and 25 metres wide and runs behind the back gardens of properties in De-Lucy Avenue to the north and South Road and South Close to the south. At Bridge Road, the former bridge has been removed and the cutting has been filled sufficiently to accommodate pairs of new houses that front each side of Bridge Road. Access to the application site has, however, been retained on the southern side of the new houses that front the west side of Bridge Road, and beyond these houses the land

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drops to the original bed of the cutting, which has become overgrown through to the New Farm Road bridge.

To the east of Bridge Road, beyond the new houses, the cutting has been filled and utilised as an extension to the playing fields of Perins School, up to the point where the former railway remains, which is now under the management of the Watercress Line.

The application site is characterised by mature tree growth along the tops of the banks, much of which falls within the gardens of the properties in De Lucy Avenue, South Road and South Close, which back onto the site. Within the steeply sided cutting, the base and sides have become overgrown and there are a number of felled trees that have fallen into the cutting at its western end, as well as various instances of domestic and garden refuse being tipped.

The heights of the banks on each side of the cutting are variable, but with the south bank being generally higher than the north bank, and the depth of the cutting floor varies between 5 –10 metres.

At the New Farm Road end of the cutting the bridge creates a 'collar' to the road that just permits two vehicles to pass, but there is no footpath provision, and the bridge parapets inhibit visibility such that access to the site from this point is not practical other than for emergency purposes. To the south of the site and fronting onto New Farm Road is a detached two storey house known as 'Glenholm', and to the north of the site is a semi-detached property known as 'Emmaus' also fronting onto New Farm Road. The gardens of these properties border the cutting.

The character of the area is generally low density housing in mature gardens. No single building type or style pervades. A number of properties on the southern side of De-Lucy Avenue are bungalows. The properties in South Close and South Road are predominantly two storey.

## **Proposal**

The development proposes to reconfigure the cutting profile by widening the side banks and filling in the bottom to create a wider shallower cutting with steeper sides. The new bank will be retained by means of gabion baskets laid in undulating ribbons above each other. These will be metal mesh frames filled with chalk and faced with field flint with a soil top section to give a planting line above each line of gabions. These will be punctuated at regular intervals by full height ramparts to provide a means of retaining existing trees of amenity value.

Access is taken from Bridge Road along the southern side of the cutting to serve 23 dwellings. These comprise 3 x 3 bedroom town houses, 6 x 4 bed detached houses, a single pair of semi-detached 3 bedroom houses and 2 pairs of semi-detached 2 bedroom houses. The apartment block contains 2 x two-bed and 6 x one-bed affordable apartments.

A new pedestrian access is provided from New Farm Road to link with the vehicular access that serves the development and provides a pedestrian / cycle access right through the site from New Farm Road / Bridge Road.

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The town houses front onto New Farm Road appearing as two storey when viewed from New Farm Road and three storey from within the site from the east. There are small balconies at upper ground floor level and small amenity areas to the rear and two parking spaces per unit behind the amenity areas at lower ground floor level. Secure cycle storage is provided at lower ground floor level and bin stores located behind timber screens beside the lower ground doors, and sheltered by the balconies above. A new public footpath has been formed to the front of the town houses along New Farm Road.

The apartment block fronts onto the access road with all principal windows facing south. Covered secure cycle storage, car parking and bin storage is provided internally at basement level for the apartment block.

The detached and semi-detached houses are cut into the northern bank and front onto the access road. This provides thermal mass whilst also concealing some of the visual depth of the buildings and maximising the benefit of direct southern natural light. All of the houses have rear and side gardens and further external amenity space is created by way of side decks and balconies. Storage for bins and cycles is provided in a courtyard for the detached units. A large garage and parking space is provided for each of the four bedroom houses, a single garage and parking space is provided for the two and three bedroom houses.

A large amenity space measuring 778sqm is located towards the western end of the site between the apartment block and the four bed detached houses. The density equates to 33 dph.

### **Relevant Planning History**

- 81/01469/OLD / W06437** - Infilling of railway cutting with chalk, land adj Railway Bridge, Bridge Road, Alresford - Application Permitted - 22/10/1981
- 86/00829/OLD / W06437/01**- Infilling of railway cutting, between New Farm Road and Bridge Road, Bridge Road, Alresford - Application Refused - 11/04/1986 - Appeal Dismissed - 12/12/1986
- 86/00830/OLD / W06437/01**- Infilling of railway cutting, between New Farm Road and Bridge Road, Bridge Road, Alresford - Application Refused - 11/04/1986
- 89/00871/OLD / W06437/02** - Erection of two dwellings and construction of vehicular access, Railway Cutting, Bridge Road, Alresford - Application Withdrawn - 28/11/1989
- 88/00903/OLD / W06437/03** - Filling of land and erection of two houses, former Railway Cutting, Bridge Road, Alresford - Application Permitted - 17/10/1988
- 90/00760/OLD / W06437/04** - Residential development, former Railway Cutting, Bridge Road, Alresford - Application Refused - 08/11/1990
- 00/01250/FUL / W06437/05** - 1 No four bedroom detached dwelling and garage, Land West of Bridge Road, Alresford, Hants - Application Refused - 30/11/2000
- 08/00677/FUL / W06437/06** Residential development for 24 no. dwellings with associated parking, landscaping and new access from Bridge Road; re-profiling of parts of former railway cutting - Land East Of New Farm Road New Farm Road Alresford Hampshire - Application Refused - 18/09/2008. Appeal dismissed 16/7/2009.

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**Consultations**

Engineers: Drainage:

Foul water drainage acceptable provided that Southern Water agree that the sewer has sufficient capacity to accept this flow. Storm water to go to rainwater harvesting tanks which is to be commended however one dwelling will have tank located under the carriageway which will make access a little tricky. Concerns with regard to storm water disposal for highway drainage and for overflow from the harvesting tanks in that it is to go to a cellular drainage system under the carriageway. As the highway is within 5 metres of the dwellings, this soakaway may infringe building regulation and lead to a refusal when building regs are applied for. The development can be drained of both foul and surface water and raise no objection subject to building regulation being satisfied. **Condition No 10.**

Engineers: Highways:

No objections. Transport contribution of £66447 required. **Condition Nos 6, 7, and 8**

Environmental Health:

Information held by this Service has not highlighted any potentially contaminative land uses located on or within the immediate vicinity of the development site. Given this, a contamination assessment is not necessary in this instance however condition(s) should be attached to any consent granted in order to ensure that the proposed development is suitable for use and is not capable of causing unacceptable risks to human health and the environment. **Condition Nos 11, 12, 13, 21, 22, 23, 24, 25, and 26.**

Strategic Housing:

Subject to the completion of a legal agreement securing the delivery of the affordable homes, no objection to this scheme proceeding in it's current form.

Landscape:

No objection subject to planning conditions. **(Condition Nos 3, 4, and 5)** Previous concerns of the Landscape team have now been very largely overcome. The size of the development has been reduced by one unit and the area of useable recreational space has been enlarged and combined into one larger space. The space available now meets the Local Plan requirement for on-site public open space. It has been established that none of the regenerative growth within the bottom of the cutting would be worth retaining or protecting for the long term. Most of the trees on the top and edge of the cutting are proposed to be retained and a satisfactory landscape and tree planting strategy has been submitted as part of this application (TGD Landscape 2609 – 101, Dec 09). Whilst the character of the railway cutting would inevitably change and there will be some visual impact within the locality, this would be offset and softened to a degree by the number of significant trees which are to be retained at the top of the cutting and the additional planting which is proposed on the upper slopes. The building line has now been moved south with the effect of enlarging the rear gardens. Additional private amenity space has also been created to the sides of many of the units.

Public Open Space Officer:

Adequate on site provision shown. Legal agreement required to secure off site sports provision and maintenance funding.

Landscape: Trees

Conditional Permission. **Condition Nos 17, 18,19, and 20.**

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Architects Panel

"The additional information submitted with the application, in particular the site sections has made the scheme much clearer compared to that previously seen by the panel. The style of architecture and mix of materials is a little unusual but the panel raised no particular concerns with regards to the scheme and welcomed the eco-credentials of the design. The three dwellings which front New Town Road relate reasonably well to the street scene and the panel felt there were no significant issues with the end elevations. Some questions were raised with regards to the glazed frontages to the flatted block. Those on the houses are intended as a 'solar engine' to provide natural stack ventilation and solar gain but this would not be possible on the flats. Therefore, why have such a feature when it would not serve the same purpose?"

Environment Agency:

The Environment Agency has no objection in principle to the proposal as submitted. Suggests conditions and informatives. **Condition Nos 24, 25, and 26.**

HCC Ecology Officer:

"The application is submitted with an Ecological Survey Report (Haven Communication, December 2009) which provides an overall adequate assessment of the site itself. It does not acknowledge proximity (within 300 metres) to, and habitat connectivity with, the River Itchen SSSI and SAC. Even if a habitat corridor is retained within the site the function of the site as a wildlife corridor will be altered. In the event of development it is essential that the site retains this function as far as possible, in particular as a bat commuting route. The minimal number of trees and hedges should be removed, and existing or created gaps joined up through enhanced native planting. In a development of this size ecological enhancements should be an integral part of the plans, in line with the requirements of PPS9. There is no evidence currently that ecological enhancements will be provided. A condition of any consent should require adherence to a landscaping, native planting and ecological enhancements scheme to be submitted and approved by the Local Planning Authority prior to commencement. This should demonstrate that both habitat connectivity and the site have been enhanced for biodiversity. It should include enhancements through planting, creation of habitat, and provision of features such as bird/bat boxes. Any tree/scrub clearance should be undertaken outside of the bird breeding season (generally considered March-August inclusive, though breeding birds are also protected outside of this period), or immediately following a survey by an ecologist to determine the absence of any breeding birds. Although not a protected species, foxes (along with other wild mammals) do receive some protection in terms of welfare, under the Wild Mammals (Protection) Act 1996. There is evidence of fox use of the site, as set out in the report. However it is unclear whether the den on site (previously concluded to be in use) is in use or not. The Design and Access statement states that the cutting has been used as a passage for a local fox although no dens were found. This may be incorrect and the applicant needs to be aware of this with regards to the welfare of these animals." **Condition No 16.**

Natural England:

"In Natural England's opinion this proposal in its current form is unlikely to have a significant effect on the interest features of the above SAC and therefore does not require appropriate assessment in accordance with Regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 provided conditions are attached to any planning permission granted. It is Natural England's advice that the above SSSI is unlikely to be adversely affected by the above proposal provided conditions are attached to any

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planning permission granted. Natural England welcomes the submission of the ecological survey and we recommend that you consult your in-house/retained ecologist with regards to the results of the survey and the appropriateness of the mitigation proposed." **Condition No 16.**

Urban Design Officer

No objection to revised scheme.

**Representations:**

New Alresford Town Council: The application does not meet the objections of the planning inspector, does not comply with the Winchester District Local Plan Review nor the New Alresford Town Council Design Statement. The ecology report did not cover a whole years cycle and the trees envisaged for planting would have rooting problems and push out the bank. Dangerous exit to New Farm Road and Bridge Road. Lack of amenity for future occupants. Necessary piling for the properties at the New Farm Road end of the development will damage neighbouring properties. Overlooking to neighbouring properties. Design not in keeping. Insufficient drainage.

Neighbour Representation = 27 letters of objection and 1 letter received from Cllr Cook.

- Only minor alterations to previously refused scheme
- Site unsuitable for development given previous appeal decisions
- Out of character
- Overdevelopment of site
- 3 storey development out of context
- Design does not relate to the surrounding area
- Balconies will allow overlooking to adjacent properties
- Overbearing impact
- Loss of privacy
- Loss of light
- Loss of view
- Light pollution
- Noise and disturbance during building
- Noise from balconies and gardens
- Loss of planting
- Future viability of trees compromised
- Impact on stability of cutting
- Inadequate access especially for service vehicles
- Increase in traffic
- Insufficient parking
- Loss of wildlife
- Inadequate play space
- Poor quality environment for future residents
- Insufficient garden space for future residents
- Properties will require artificial lighting
- Affordable units provide accommodation which is too small
- Insufficient drainage
- Increase in flooding

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- No evidence that additional material will be required to fill the cutting
- No calculations of infill
- Insufficient school places in area

10 letters of support

- Good use of brown field site
- Affordable housing
- Provision of footpath
- Carbon friendly development

Further to receipt of additional plans showing site levels and cross sections

15 additional letters received and 1 letter from Cllr Porter in respect of the additional plans reiterating original comments and making the following additional comments:

- Insufficient information with regard to re-profiling of the land
- Concern with regard to long term stability of the cutting
- Concern with regard to retention of trees along cutting top
- Loss of privacy to Glenholm
- Plans show incorrect height of existing houses.

**Relevant Planning Policy:**

South East Plan 2009:

SP3, CC6, H5 and NRM11.

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, H.5, H.7, RT.4, T2, T.4,

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

Supplementary Planning Guidance

Affordable Housing Supplementary Planning Guidance (Adopted 2008)

Car Parking Standards Supplementary Planning Guidance (Adopted 2010)

Winchester District Landscape Character Assessment

Alresford Design Statement

Other Planning Guidance

Guide to the Open Space Funding System

Housing Monitoring Report

Winchester Housing Needs Survey

Local Plan Review Inquiry Inspector's Report 2005

**Planning Considerations**

Principle of development

The site is within the settlement boundary of Alresford, where there is a presumption in favour of residential development subject to the provisions of the Development Plan,



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Government guidance and other policy documents as set out above. It is also important to consider the comments of the Local Plan Inspector's Report (2005), which considered whether this site should be designated under Policy RT.1. This policy seeks to protect open areas of important amenity value. In his report, the Inspector concluded that the designation of the site under Policy RT 1 would not provide any means of bringing the land into productive use, particularly as the Council have no intention of acquiring it for public open space. Accordingly, he recommended the deletion of the policy designation, as the land does not have any useful amenity purpose. As such, the site is capable of being considered as a suitable location in which further development would be acceptable in principle.

Alresford Design Statement seeks to ensure that changes and developments in the town settlement area reflect local characteristics and preserve the qualities the community values in its surroundings.

In considering this application it is important to take into account the findings of the Inspector in his dismissal of the appeal in July 2009. The Appeal Decision is attached at Appendix 1. However, a summary of his key findings are set out below:

The Inspector considered the main issues to be the effect of the proposed development on:

- 1) The character and appearance of the area;
- 2) The living conditions of the occupiers of neighbouring dwellings, with particular regard to privacy and outlook;
- 3) The living conditions of the future occupiers, with particular regard to the sufficiency of private and public amenity space.

And also:

- 4) Whether the proposed development secured the provision of Affordable Housing in line with the requirements of local planning policy and local need, and whether contributions towards the provision of off site sports facilities is a reasonable and necessary requirement and whether such provision has been made.

In dismissing the appeal, the Inspector concluded that:

- 1) The removal of the vegetation within the cutting would not be harmful to the character of the area.
- 2) The large trees at the tops of the embankment would be retained.
- 3) From the evidence submitted, the trees from the upper part of the cutting could not be retained to the detriment of the character of the area.
- 4) The loss of the trees from the upper part of the cutting would have a harmful impact on the outlook of adjoining dwellings.
- 5) The proposed detached houses, semi-detached houses, and the town houses, given their size and design, would not have a harmful effect on the character and appearance of the area.
- 6) The apartment block would not be out of keeping when viewed from New Farm Road.
- 7) The north and south elevations of the apartment block, which have been designed to protect the privacy of adjoining neighbours, would be unrecognizable as

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- belonging to a residential development and completely out of keeping with the surrounding properties.
- 8) Because of the setting of the proposed dwellings, the outlook afforded by the neighbouring dwellings would not be harmed by the placement of the buildings themselves.
  - 9) The south elevation of the apartment block would be in relatively close proximity to 'Glenholm' and separated from it by only a narrow strip of garden and the proposed emergency access road. This would constitute an unacceptable outlook from both the property and its garden area.
  - 10) The area of public open space at the Bridge Road end is located at the entrance of the site, between two existing properties and remote from the proposed new dwellings. This would not form a pleasant or suitable amenity area. The development would not, therefore, have the necessary open space provision.
  - 11) The private amenity space provided for the new dwellings would be adequate.
  - 12) The provision of affordable housing would conform to the requirements of the development plan.
  - 13) Off site sports provision should be directly related to the proposed development. The Council have not provided details of the location or type of required sports provision.

The Inspector did not conclude that the site was unsuitable for residential development per se.

#### Design and Layout

The design is an imaginative response to the particular constraints of the site, which seeks to make best use of the land without resorting to a protracted and non-sustainable filling exercise that would otherwise be necessary to reclaim the cutting to a level compatible with the existing adjoining land.

In order to maximise the developable area, and relieve the sense of enclosure arising from the high embankments, it is therefore proposed to widen the cutting by making its sides more vertical and to raise its floor level by approximately 4 metres using the material cut from the sides. This will necessitate the use of terraced retaining structures in the form of 'gabion' baskets laid in undulating ribbons above each other. These metal mesh containers will be filled with chalk and faced with flint, with a soil top section to give a planting line above each step. The resultant structure will have the appearance of a flint faced retaining wall that steps up the southern side of the cutting, whilst also following a sinuous alignment, and over which plants can grow.

Notwithstanding the raising of the existing floor level of the cutting, the proposed dwellings will, in most cases, lie largely below the top level of the cutting. Only the roofs and a small part of upper floors of the dwellings will rise above the general level of the land that adjoins the cutting. Therefore, the buildings will be lower than the adjoining dwellings along each side of the cutting and not cause any significant overshadowing to existing properties.

The four bed detached houses provide three bedrooms at first floor level with a further study / fourth bedroom at ground level with access to a courtyard. Living accommodation is located at second floor level with access to the sun terrace, with a study deck formed on a mezzanine above. All the main living rooms open onto a three storey solar atrium which faces south and acts as a means of tempering the

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environment internally and naturally venting the buildings, as well as giving characteristic definition to the buildings. A courtyard is cut into the embankment to give natural light and ventilation to the ground floor rooms and providing a means of accessing a rear bin and cycle store. Garaging is provided for 2 cars and a further open visitor space is located to the side but still within view of windows from the living rooms for security. Further external living space is provided with a garden to the rear and balconies to the front and rear from the master bedroom and a deck over the bedrooms accessed from the living room. Privacy is maintained between each neighbouring unit through devices such as blinkered master bedroom windows and screened balcony side walls.

The 2 bed and 3 bed semi-detached houses follow a similar style visually to the detached units, again with living rooms opening onto a solar atrium and a split roof device to introduce natural light into the core of the building with service and ancillary rooms situated on the north side. As these units are located further along the cutting and thus slightly higher, there is not the need to locate the living spaces at the top of the houses to maximise natural light. The format therefore takes on a more traditional arrangement with the living rooms at first floor level above a ground floor entrance, utility and internal garage. The dwellings are linked via their intertwined staircases and service rooms to offer the maximum acoustic isolation between neighbouring habitable rooms.

The semi-detached units require less cutting into the bank to the rear with each unit projecting around 1.5 stories above the surrounding ground level. As they offer a slightly more visible profile than the units further down the cutting, the alternative internal arrangements means that generally more private bedrooms are located at the highest point. The closest rooms to the boundaries are service rooms (bathrooms and kitchens) with only high level windows to allow in natural light but prevent clear views out. In a similar vein to the detached units, the main living rooms open out into a solar atrium which again tempers the internal environment and provides natural ventilation. Cycle storage is located internally beneath the stairs and bin stores are located in enclosures behind external parking areas.

The effect of setting the detached and semi-detached dwellings into the northern side of the cutting means that there are only small garden areas available at first floor level, which to a large extent will be overshadowed by the buildings. However, the amenity areas are augmented by the provision of courtyards, side sun terrace areas and south facing balconies. In any event, the Planning Inspector did not raise objection to the garden sizes in the previous refused scheme.

The town houses span the cutting, respecting the street scene of New Farm Road. The building line generated either side of the existing bridge is continued and the buildings step up to respect the roof levels of the properties either side. The design creates visual interest, reduces the mass of the building and allows for the creation of private balconies to the rear (east) elevation where they appear as three-storey units. To the front, they appear as two-storey dwellings as the land steps up. The lower ground floor houses a large utility area, a study and secure cycle storage. Living accommodation is at upper ground floor (New Farm Road level) and is completely open plan to allow maximum use of natural light. Bin stores are located behind timber screens beside the lower ground doors and sheltered under the overhangs created by the balconies above.

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The block of apartments provides the 8 affordable units. The basement area provides 11 parking spaces and storage for bins and cycles. The ground floor contains 2 x one-bed flats and 1 x 2 bed flat, each with balconies. The first floor plan mirrors the ground floor plan and on the second floor are a further 2 x 1 bed flats with balconies. The Planning Inspector previously raised concern with regard to the north and south elevations of the apartment block, which had been designed to protect the privacy of adjoining neighbours and he considered to be unrecognizable as belonging to a residential development and completely out of keeping with the surrounding properties. This revised scheme has relocated the apartment block away from the boundary with Glenholm and Emmaus. The building is south facing, with balconies on the east, west and south elevations. The rear (north) elevation has no windows to protect the privacy of the gardens in De Lucy Avenue. From these gardens only the top of the roof will be visible above the cutting and this is largely screened by existing mature trees.

The properties all have contemporary design features including stepped roof forms and draw on a palette of materials chosen from Building Research Establishment (BRE) good practice guidelines in conformity with the objective of achieving Code 4 for Sustainable Homes. Externally, finishes will mainly be of red brick and untreated larch for the elevations, with roofs of reconstituted slate.

A Design and Access Statement sets out a clear justification for the design and layout in accordance with policy DP1. The layout makes efficient and effective use of the land; provides a new footpath along New Farm Road and cycle and pedestrian link between Bridge Road and New Farm Road and the site is within walking distance of good public transport links. As such the proposal is in accordance with criteria (i), (iv) and (v) of policy DP3. The layout provides adequate on-site amenity space and locates car parking areas sensitively in accordance with policy DP5. The development shows a high standard of innovative design in accordance with PPS3.

#### Impact on character of area

The cutting presently conveys a perception of being a green corridor separating the gardens of dwellings in De Lucy Avenue from those in South Drive. There is, however, no public access to the cutting, which has been in private ownership since the 1970's. The view from the rear garden areas of the properties in De Lucy Avenue and South Close and South Road is of an open treed environment created by the trees along the top of the embankment. It is the loss of these trees that concerned the Planning Inspector when he dismissed the previous appeal.

A revised arboricultural assessment has been submitted with the application which concludes that the vegetation that is currently growing at the base of the railway is mainly self seeded Ash and Sycamore seedlings. They are of poor quality and offer no amenity value. The proposed development provides an opportunity to retain the mature trees, many of which are located in the neighbouring gardens, and remove the poor quality vegetation and replant with trees that will enhance the landscape and provide amenity value. The Council's Tree Officer has confirmed his agreement with the revised arboricultural assessment and is satisfied that the trees along the top of the embankment can be maintained and further planting introduced. He has proposed planning conditions to ensure the relevant tree protection and replanting. **Condition Nos 17 – 20.**

With the proposed development being set at a substantially lower level within the cutting

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and the retention and augmentation of tree cover along the top of the embankment, it is considered that the proposal will not impact significantly on the character of the area. The principal impact will be at either end where the access joins Bridge Road and as seen from the bridge parapet in New Farm Road. There will still be an open view from Bridge Road along the access road of the development. The introduction of the town houses between Emmaus and Glenholm respects the building line of New Farm Road and is not considered to impact detrimentally on the street scene.

Whilst the character of the area will undoubtedly change, such change is unlikely to adversely affect either the public amenity, or the private amenity that is presently enjoyed by occupiers of neighbouring properties, the main impacts being the appearance of the site as seen from the bridge in New Farm Road and the fact that the roofscape of the development will be visible from neighbouring gardens. This revised scheme ensures the retention and improvement of the trees along the top of the cutting and proposes a development that respects the character of the street scene along New Farm Road, in accordance with the advice contained within the Alresford Design Statement. The proposal is considered to be in accordance with criterion (ii) of policies DP3 and DP4 and the advice contained in PPS1 and PPS3. Furthermore, the Planning Inspector, in considering the previous scheme was of the opinion that the proposed detached houses, semi-detached houses, and the town houses, given their size and design, would not have a harmful effect on the character and appearance of the area.

Impact on the amenity of neighbours

The closest existing properties to the proposed housing comprise of a block of three bungalows in De Lucy Avenue (Nos. 11-15). These are about 10-12 metres from the northern rim of the cutting, at a lower level, are screened by existing trees and so will not be overlooked by the proposed dwellings. The other houses in De Lucy Avenue are all set considerably further away, with rear gardens of 20 metres or more that slope up to the boundary of the cutting and contain mature trees and hedges.

To the southern side, the closest property is No. 5 South Close which is less than 9 metres from the boundary of the cutting. However, the nearest proposed building is a detached dwelling that is set some 9 metres away from the boundary with only the second floor level and roof rising above the level of the cutting. The only accommodation at that level of the proposed dwelling is the mezzanine study deck and given the distance involved, and the boundary vegetation to the rear garden of No. 5 South Close, it is considered that there will be no materially harmful loss of amenity due to overlooking or the building appearing overbearing. All the other existing properties on the south side of the cutting have longer gardens and boundary vegetation that will similarly ensure that there is no significant loss of amenity as a result of the proposed buildings. In any event, the Planning Inspector, in considering the previous scheme, concluded that because of the setting of the proposed dwellings, the outlook afforded by the neighbouring dwellings would not be harmed by the placement of the buildings themselves.

Turning to the impact on properties Emmaus to the immediate north of the site, and Glenholm, to the immediate south of the site, the layout has been revised so that the large apartment block, which was previously located in line with the garden areas of these properties, has been moved eastwards. The row of town houses fronting New Farm Road does not extend beyond the rear building line of Glenholm. It extends 2.4

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metres beyond the rear building line of Emmaus, but at this point is 2.6 metres away from the boundary with the roof sloping away to ensure no adverse loss of light nor overbearing impact on the occupants of this property. The apartment block is 11 metres away from the very end of the garden of Glenholm and 26.4 metres at the closest point from the rear of Glenholm. Given the distances involved it is considered that the revised location of the apartment block will ensure no adverse impact on the occupants of Glenholm.

There is a large mature tree in the rear garden of number 2 South Close to ensure no loss of privacy to the occupants of this house from the apartment block. There will be glimpses of the rear of the apartment block through the trees of the gardens along De Lucy Avenue but there will be a distance of 22.5 metres from the rear of these properties to the apartment block which is considered to be sufficient distance to ensure no adverse impact. There are no rear windows to ensure no loss of privacy. As such the proposal is considered to be in accordance with criterion (vii) of policy DP3 and the advice contained in PPS1 and PPS3.

#### Highways/Parking

In pre-application discussions with the Highway Authority, it was determined that vehicular access from New Farm Road was unacceptable due to the pinch point of the existing bridge and that access from Bridge Road was deemed appropriate due to its adequate visibility, pedestrian footways and lesser traffic volume than New Farm Road.

Although the Highway Authority has not raised objection to the use of Bridge Road for accessing the development, a number of the representations to the application have expressed concern on traffic grounds. The applicants have submitted a supporting highways statement by a consultant engineer which has been based on a traffic count, over a one week period, of vehicles using Bridge Road and their speed. This has shown that traffic flows are light and that the proposal would not change this significantly.

The concerns about on-street parking in Bridge Road have also been considered, but, as the road is straight for some distance both sides of the access, visibility is good and the obstruction of parked cars, although reducing the flow to one lane, and effectively suppressing speed, (85<sup>th</sup> percentile 25.5mph southbound and 27.7mph northbound) would not pose a danger or hinder the flow of traffic unacceptably.

Parking provision is in accordance with the Parking Standards Supplementary Planning Document which is 3 spaces for the detached house, 2 spaces for the semi-detached and 2 spaces for the town houses, plus 3 casual spaces. The affordable units have 11 spaces in the basement car park. Overall, the parking ratio is 2 spaces per unit. Each unit also has provision for internal secure cycle storage.

The Highways Officer is satisfied that safe access into and out of the site and sufficient parking is provided within the site in accordance with criterion (iii) of policy DP3, policies T2 and T4 and the advice contained in PPG13.

#### Drainage

Foul drainage to serve the development will be by gravity to a collection point beneath the central area of open space from where it will be pumped to the public sewer in Bridge Road. The holding tank will be underground but there will be a requirement for a

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control kiosk. The pumping station will be designed to 'Sewers for Adoption' criteria but will be privately owned and maintained with twin pumps and alarm provisions for safety. The Council's Drainage Engineer and Southern Water have no objections to this arrangement.

Surface water drainage will be by soakaways and each property will have rainwater harvesting tanks to allow re-use within the dwellings. The spine road will be constructed of block paving to provide a permeable surface for rainwater and other run off will be directed to a Sustainable Urban Drainage System (SUDS) which will be privately owned and maintained.

#### Affordable Housing

Policy H.5 of the local plan requires 30% affordable housing, which on this 23 unit scheme equates to 6.9 affordable units. The applicant is exceeding policy requirements by offering 8 affordable units and this approach is very much supported by Strategic Housing. The mix of 1 and 2 bedroom units is acceptable. Whilst there is a recognised need for larger family units of 3 or more bedrooms, there is only very limited stock of smaller affordable units in Alresford, opposed to a good stock of larger homes. There are currently 802 applicants registered for housing in Alresford the Hampshire Home Choice list and 738 require 1 or 2 bedroom accommodation. The preference is for all the affordable units to be provided as social rent, but at least 6 units must be for rent to comply with the Affordable Housing Supplementary Planning Document. The applicant has involved a Registered Social Landlord (RSL), Hyde-Martlet, at a very early stage in the design process and so the affordable units have been designed to comply with the high standards required to achieve Homes and Communities Agency (HCA) grant. All the units have been designed to meet Level 4 of the Code for Sustainable Homes, which is a decision supported by Strategic Housing.

In accordance with policy H7, 50% of the new units will be 1 and 2 bedroom units.

#### Public Open Space

The revised layout provides 778 sq m, ie 252 sq m of 'general' open space around the site and 526 of children's play space provided in one single open space to the east of the apartment block and to the rear of numbers 3 and 4 South Close. As such there is no shortage. There will however need to be a financial contribution in lieu of the sports provision. This would be a sum of £21,510 secured by way of Legal Agreement. There will also need to be a supervision/inspection fee to cover the laying-out of the public open space (£1,057) and a returnable Bond to cover the City Council should the open space not be laid-out satisfactorily. This will be based on the Council's current standard formula of £21.69 per sq m. ie, a sum of £16,874.82. NB. These figures will increase after April 1<sup>st</sup> 2010. (Amount to be reported in Update Report). This is considered to overcome the Inspector's previous concerns and is in accordance with policy RT4.

### **Ecology**

The supporting Flora and Fauna Report to the application has been considered by the Hampshire County Ecologist and Natural England and found to be generally satisfactory, but the site's function as a wildlife corridor should be recognised by the retention of existing trees and adherence to an approved landscaping, native planting and ecological enhancements strategy. This should include the provision of measures to enhance biodiversity such as further native planting, wildlife ponds and nesting / bat boxes. Tree and scrub removal should also be undertaken outside the bird breeding season.

There is no evidence of protected species being present on the site but further survey information should be commissioned if additional information arises that suggests otherwise. **Condition No. 16** provides for this.

### Sustainability

The proposal is to achieve a sustainable form of development that will meet Sustainable Homes Code 4 rating. This will be reflected by the construction methods, using a heavy masonry base with high thermal mass to insulate the basement and ground floor levels, whilst creating a heat store to be radiated back through the building. The higher levels will be of light weight, prefabricated construction, primarily timber framed, which can be brought onto site in kit form and quickly erected, thereby requiring fewer deliveries and less energy and time to construct.

Materials to be used will be from the BRE sustainable materials register, having a proven recyclable or low energy heritage and sourced from local manufacturers. The structures will have highly insulated external envelopes, and solar voltaic panels mounted on the *brise soleil* will contribute a degree of electrical power. All buildings have solar operated, central ventilation systems and air-to-air heat exchangers to provide what little heating they will require. The affordable apartments are grouped together to allow a shared central combined heat and power unit to produce electrical supply and heating. This is in accordance with policy NRM11 of the South East plan which seeks to encourage renewable energy sources.

### Other Matters

The following matters have been raised in the objection letters and not been dealt with above:

- Noise and disturbance during building
- Noise from balconies and gardens.
- Impact on stability of cutting.
- Increase in flooding
- Height of existing houses incorrect
- Insufficient school places in area
- Insufficient information with regard to re-profiling of the land
- Concern with regard to long term stability of the cutting

A planning informative is proposed to ensure that building work is only carried out between 8am and 6pm Monday to Friday, and 8am and 1pm on Saturdays. No work shall be carried out on Sundays and Bank Holidays.

There is considered to be sufficient distance from the new dwellings to neighbouring



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properties for there to be no adverse impact in terms of increased noise and disturbance.

The works shall be carried out in accordance with Building Regulations to ensure that stability of the cutting.

The Environment Agency and Drainage Engineer have raised no objection with regard to flooding issues.

Additional plans have been requested showing the correct height of surrounding houses in relation to the site.

The number of school places available in the area is a matter for Hampshire County Council and does not form the basis for a refusal of planning permission.

#### Conclusion

The site is within the settlement boundary and is suitable for development. This was confirmed by the Local Plan Inspector's findings in consideration of an objection to the proposed designation of the land as RT.1, which was not supported as the Inspector found no case for the land to be identified as of significant amenity value where development should not occur.

The proposal uses this difficult site in an efficient and imaginative way to provide a range of accommodation that meets the Council's housing policies. The avoidance of the need to reclaim the cutting by a protracted filling operation, as has occurred with the sections of the cutting to the east, accords with sustainability principles, as does the design of the development. Access to the site is satisfactory in highway terms and the proposal offers benefits in terms of improved pedestrian provision to New Farm Road and through the site to Bridge Road.

The proposals are not materially harmful to the amenities of neighbours and they include open spaces that will help to contribute to the amenity of the residents of the development.

Having regard to the unique nature of the site, the scheme is considered to address the policy requirements of the Local Plan in a satisfactory way. With regard to the previous Planning Inspector's concerns, this report concludes the following:

- 1) The evidence submitted in the revised arboricultural assessment concludes that the trees on the upper part of the cutting can be retained and enhanced to protect the character of the locality.
- 2) The town houses fronting New Farm Road and the apartment block behind would not be harmful to the street scene.
- 3) The revised siting of the apartment block ensures no adverse impact on the occupants of Glenholm.
- 4) The proposed public open space is of adequate size and is sited to provide an acceptable amenity area for the future occupants of the dwellings.

As such this revised proposal overcomes the Planning Inspector's concerns and does not raise any new issues contrary to planning policy. Accordingly, the application is recommended for approval subject to a Section 106 Agreement as set out below.

#### Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for open space and to secure affordable housing and arrangements to set up a management company to maintain

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the common areas, plus the securing of the footpath to New Farm Road bridge and rights of way through the site for pedestrian/cycle traffic, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005. These require 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, subject to the applicant entering into an agreement under the provisions of Section 106 to the Town and Country Planning Act to secure the following matters to the satisfaction of the Head of Legal Services:

1. A financial contribution for open space sport provision and on-site play provision;
2. The provision of 8 units of affordable housing;
3. The setting up of a management company to maintain all common areas within the development, including the banks of the cutting, all tree cover within the site that is not privately owned, the open spaces, footpaths including the New Farm Road pedestrian bridge, roads, parking and turning areas and the drainage infrastructure serving the development;
4. The provision of a returnable bond to cover the laying out of the on-site public open space;
5. Public Open Space laying-out inspection fee;
6. The provision of a footpath to New Farm Road bridge and public rights of way over it to link with the existing footpath in New Farm Road to the north and south sides of the bridge;
7. The securing of a public right of way for use by pedestrians and cyclists through the site from New Farm Road to Bridge Road.

**Application Permitted, 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. No development shall take place until details and samples of the materials to be used for the construction of the external surfaces 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.  
Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.
3. 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

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these works shall be carried out as approved. These details shall include the following, as relevant:

- a) existing and proposed finished levels or contours;
- b) means of enclosure, including any retaining structures and details of the gabion wall supporting the sides of the cutting;
- c) other vehicle and pedestrian access and circulation areas;
- d) hard surfacing materials;
- e) minor artefacts and structures (eg. street furniture, refuse or other storage units, signs, lighting, utility apparatus etc);
- f) proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.);

Soft landscape details shall include the following as relevant:

- g) planting plan;
- h) written specifications (including cultivation and other operations associated with plant and grass establishmen;
- i) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- j) retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- k) manner and treatment of banks;
- l) implementation programme;

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

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner, 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.

5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

6. 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.

7. 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 construction period.

Reason: In the interests of highway safety.

8. The parking areas including the garages shall be provided in accordance with the approved plans before the dwellings they serve are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling houses as residences.

Reason: To ensure the permanent availability of parking for the properties.

9. Before the development hereby approved is commenced details of the design, means of construction and finish of the proposed footpath to New Farm Road shall be submitted to and approved in writing by the Local Planning Authority. Details of the arrangements to be put in place to secure the subsequent maintenance in perpetuity of the footpath (which will not be publicly adopted) shall concurrently be provided to and approved in writing by the Local Planning Authority. The footpath provision shall be implemented as approved before the apartment block and associated open space is completed and first occupied.

Reason: To ensure that the improvements to the pedestrian facilities in New Farm Road are provided as proposed, made available to serve the residents of the development hereby approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

10. Detailed proposals for the disposal of foul and surface water, including the central storage and pumping facility to connect to the main sewer in Bridge Road and the surface water Sustainable Drainage System, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the development is occupied or in accordance with any phased implementation, details of which to be first submitted to and approved in writing by the Local Planning Authority.

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

11. 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

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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 scheme shall include 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 the future occupants.

12. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of Condition 11 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 10 c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

13. 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, D, E, of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity and privacy both between occupiers of properties within the development and of those occupying properties adjoining the development.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows, doors, dormer windows or roof lights other than

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those expressly authorised by this permission shall, at any time, be constructed in any of the elevation(s) of the dwelling houses hereby permitted.

Reason: To protect the amenity and privacy both between occupiers of properties within the development and of those occupying properties adjoining the development.

16. In accord with the recommendations of the supporting Flora and Fauna Report, the applicant or their agents or successors in title shall ensure that before development commences a detailed Phase II ecological investigation and survey of the site at an appropriate time of year is undertaken to ensure that no protected species are present on the site. The findings of such survey shall be submitted to the Local Planning Authority for consideration together with a scheme of mitigation and programme for implementation of such measures. The development shall be undertaken in adherence with an approved landscaping, native planting and ecological enhancement scheme. Such scheme shall demonstrate that habitat, connectivity and the site have been enhanced for biodiversity in line with PPS9 and include features such as bird and bat boxes. Any site clearance of trees or scrub should be undertaken outside of the bird breeding season. The approval in writing of the Local Planning Authority shall be obtained before any work is commenced and the approved details shall be fully implemented as approved before the dwellings are occupied.

Reason: To ensure that any ecological interest on the site is properly dealt with.

17. In this condition, "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the building(s) for its permitted use:
- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998.
  - b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
  - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection of trees, which are to be retained.

18. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/cbank/bridgeroad/001 written by Kevin Cloud of Technical Arboriculture Limited

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and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

19. 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 01962 848403. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Method Statement AIA/AMS-KC/cbank/bridgeroad/001. Any deviation from works prescribed or methods agreed in accordance with the approved Method Statement shall be agreed in writing with the Local Planning Authority.

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

20. 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 Arboricultural Officer prior to commencement of development work. The supervision and implementation of Method statement AIA/AMS-KC/cbank/bridgeroad/001 shall be undertaken by Kevin Cloud of Technical Arboriculture Limited.

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

21. 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;

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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 scheme shall include 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.

22. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of condition number 21 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 number 21 has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

23. 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 with 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), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

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

24. 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), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- 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.

b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.



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Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: This site overlies the Newhaven Chalk that is classified as a principal aquifer. The site is located within the groundwater Source Protection Zone (SPZ) 1 for the Itchen Valley Trout Farm Abstraction. Therefore, the site is considered to be sensitive with respect to controlled waters. Due to the historic use of the site as a railway there is potential for contamination to exist at this site.

25. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reasons: To ensure that any remediation is satisfactorily completed, if deemed necessary.

26. 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, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reasons: To protect controlled waters from contamination. Due to the historic uses of the site, there may be areas of contamination on site that are not identified and characterised during intrusive site investigations.

26. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface waters has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reasons: To protect controlled waters from contamination. Surface waters should not be disposed of to infiltration systems in areas of identified contamination or within the SPZ1, as this could mobilise contaminants to the principal aquifer and would pose a risk of pollution to controlled waters (including the principal aquifer, SPZ1 and the abstraction borehole).

27. No development, or works on site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to

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and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

**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.
2. The Local Planning Authority has taken account of the following Development Plan policies and proposals:-  
South East Plan 2009: SP3, CC6, H5 and NRM11.  
Winchester District Local Plan Review: DP.1, DP.3, DP.4, DP.5, H.5, H.7, RT.4, T2,T.4,
3. The applicants attention is drawn to the Environment Agency's requirements set out in their consultation response dated 8 March, 2010
4. 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, SO23 9EH (tel 01962 858600) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
5. The applicant is advised that planning permission does not in any way override the need to comply with the relevant law in regard to the protected species including compliance with the terms and conditions of any licences required as described in Part IV of Circular 06/2005 absolve
6. The applicant is advised that a licence will be required to carry out highway works. Please contact: The Area Surveyor, The Old College Street, Petersfield, GU31 4AE. Tel: 01730 266411
7. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place 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.